Learning Resources Policy

1110 | Learning Resources Policy

Date Approved: January 14 2014
Date Amended: June 15 2021

In accordance with the School Act and the Ministry of Education Learning Resources Policy, the Board of Education "may only use learning resources that the board considers appropriate, are specified in an educational program guide or are recommended by the Ministry of Education from time to time." This policy and the accompanying regulations clarify the roles and responsibilities of the Board of Education regarding the selection of learning resources.

The Board supports resource-based learning and encourages teachers to utilize a range of educational media and resources. For the purpose of this statement of policy, the term "learning resource" will refer to any person or material that is used for formal or informal teaching/learning purposes.

The primary objective of learning resources is to support, enrich, and help implement an educational program. The Board delegates the responsibility for the recommendation and selection of learning resources to the Superintendent of Schools in accordance with district criteria.

The Superintendent (or designate) and school principals are responsible for ensuring that the approved criteria are known and appropriately applied. The responsibility for vetting recommended resources rests with school principals.

Any student, parent or employee of the school district may formally challenge the appropriateness learning resources used in the district's educational programs (see 1110-30 – Review of Instructional Materials Regulation).

Related Policies and Regulations:

See Ministerial Order 333/99, the Educational Program Guide Order; section 5.

School Act, Section 168 (2) (e)

Ministry of Education Policy, Learning Resources Policy Statement, July 1, 2017

1110-10 Learning Resource Regulation

1110-30 Review of Instructional Materials Regulation

1115 Board Authorized Courses Policy

1115-10 Board Authorized Courses Regulation

OTHER

BC ERAC, Evaluating, Selecting and Acquiring

Learning Resources: A Guide https://www.bcerac.ca/resources/whitepapers/docs/ERAC_WB.pdf, 2008

Board Authority Authorized Courses

1115-10 | Board Authority Authorized Courses

Date Approved: September 11 2012
Date Amended:

Formerly: Locally Developed Courses

1.0 Definition:

1.1 “Board Authorized Courses (BAA) courses” are offered to respond to the unique local needs of the schools and their communities while providing choice and flexibility for students. These courses demonstrate planning, organization and sound pedagogy. BAA courses are authorized according to requirements set by the Ministry of Education.

2.0 Courses Eligible for Board/Authority Authorization:

2.1 BAA courses may be used as all or part of the elective credits students need to fulfill graduation requirements.

2.2 In response to local needs and students interests the Board may authorize a broad variety of BAA courses focused on subject areas not offered through Ministry-developed courses.

2.3 The Board may design ESL courses whose primary language is not Standard English and who may therefore require English as a second (or additional) language support so they may successfully access the BC curriculum. These courses should not be remedial or modified versions of Ministry-authorized courses.

2.4 Grade 11 level BAA courses may be used to fulfill the Fine Arts/Applied Skills graduation requirement if they meet the outcomes of the Ministry-developed Grade 11 Fine Arts or Applied Skills Resources Packages. Grade 10 and 12 BAA courses in the Fine Arts/Applied Skills subject areas do NOT meet the Fine arts/Applied Skills requirement.

2.5 BAA courses may be developed to meet the needs of students with special needs (not to be confused with modified or adapted courses). They may be developed for a variety of subjects or purposes such as social-emotional learning, to promote independence, or to develop employability skills.

2.6 The (Environmental) Sustainability Course Content Framework (2010) includes modules that might be used individually or as an entire BAA course. Modules can be adapted into existing BAA course such as in the areas of leadership, environmental studies, and global issues.

3.0 Courses Not Eligible for Board/Authority Authorization

3.1 Courses with a significant overlap with current provincial curriculum

3.2 Modified courses

3.3 Remedial courses

3.4 Adapted courses

3.5 GED testing preparation courses

4.0 Criteria

4.1 The Ministry of Education requirements are listed in the document “Board/Authority Authorized Courses: Required Components” and include a Ministry-developed BAA Course Framework Template.

4.2 The requirements for BAA courses define the structure, components, and rigour of a course. They consist of the following:

- Course name
- Grade level
- Number of credits (maximum of 4)
- Course synopsis
- Rationale
- Organizational structure appropriate to subject/topic
- Learning outcomes that are assessable and observable and that can be understood by students and parents
- Instructional component that clarifies the outcomes and provides a range of pedagogical opportunities
- Assessment component that provides a range of both formative and summative assessment
- Learning resources that support the learning outcomes

5.0 Approval Process

5.1 The Board requires that any presentation in support of a locally developed course be made through the Superintendent and that it include all requirements as outlined by the Ministry of Education “Board/Authority Authorized Courses Requirements and Procedures Guidebook” (Updated 2011 version).

5.2 Teacher(s) (either individually or in groups) who wish approval of a course of their own design shall use the following procedures:

5.2.1 Discuss the concept of the proposed course with their school principal before proceeding with the application.

5.2.2 Make a thorough assessment of the student needs the course would meet. Consult counsellors and other subject teachers to determine the level of interest and need in the proposed course. In specific and appropriate situations, it may be advisable to seek expertise from the general community (i.e. specialty courses).

5.2.3 The course should be consistent with Provincial requirements and based upon current information on how students learn.

5.2.4 Prepare and submit an overall outline of the proposed course using the BAA Course Application to the

School Principal.

5.2.5 Include an itemized list of required equipment and facilities, together with a cost analysis and a description of any organizational changes.

5.3 The School Principal will review the proposed course, and will review proposed revisions with the teacher(s).

5.4 The Principal will submit copies of the proposed course to the Superintendent or designate.

5.5 If approved, the Superintendent or designate along with the School Principal and Teacher(s) will present the course to the Board for approval. In order for the course to be offered in the following school year, Board approval must be obtained prior to April 1st.

5.6 If approved by the Board of Education, the course will be submitted to the Ministry of Education in order to verify that the new course is compliant with the requirements of Board Authorized Course Ministerial Order.

5.7 It is the responsibility of the School Principal to ensure that any instructional material for use with individual students is consistent with and supportive of the objective of locally and provincially approved curricula.

5.8 Each BAA course will be evaluated after its first year and every three years thereafter. A brief written report is to be submitted to the Superintendent or designate.

References:

School Act Section 85 (2) (i), 168 (2) (b)

Ministry Policy (Board/Authority Authorized Courses, January 2004 and Updated 2011)

BAA Course Form: www.bced.gov.bc.ca/graduation/board authority courses.htm

Ministry Developed Courses: www.bced.gov.bc.ca/irp/welcome.php.

Environmental Sustainability Courses: www.bced.gov.bc.ca/greenschools/sustcoursecontent.htm

Related Policies and Regulations:

Regulation 1115 – Board Authorized Courses Policy

Board Authority Authorized Courses Policy

1115 | Board Authority Authorized Courses Policy

Date Approved: September 11 2012
Date Amended: May 17 2022

The Board of Education of School District No. 52 (Prince Rupert) encourages the development of Board Authorized courses to:

• meet the particular needs of our community; and

• provide choice and flexibility for students.

Schools may offer locally developed courses in conformity with the School Act and Ministry Policy (Board/Authority Authorized Courses, effective 2021).

Approval of the Board of Education is required before a course may be offered to students.

REFERENCE:
School Act Section 85 (2) (i), 168 (2) (b)
Ministry Policy (Board/Authority Authorized Courses, January 2004 and Updated 2011)

French Immersion Policy

1120 | French Immersion Policy

Date Approved: January 14 2014
Date Amended: October 16 2023

The School District is committed to supporting the French Immersion program as it provides an option for students in the school district to become bilingual in both of Canada's official languages, English and French.

The Board of Education believes that students should have the opportunity to receive instruction in the French language through French Immersion programs in elementary, middle, and secondary grades. The French Immersion program operates as an optional district program. The French Immersion Program is not intended to be a selective program.

It is in students' best interests that classes include students with a variety of aptitudes, cultures, and backgrounds. The Board believes that French Immersion instruction should be available to all students who desire to be enrolled in the program, providing staffing requirements can be accommodated.

REFERENCES

School Act, section 5(3)
Ministry of Education Policy: French Immersion Program
Ministerial Order 333/99, Educational Program Guide Order
Ministerial Order 295/95, Required Areas of Study in an Educational Program
Ministerial Order 302/04, Graduation Program Order

1120-10 French Immersion Regulation

Student Support Policy

1130 | Student Support Policy

Date Approved: October 08 2013
Date Amended: June 20 2022

The Board of Education is committed to providing all students with an education program that best suits their needs and enables them to achieve their maximum potential in a safe, caring and welcoming environment. The Board supports an inclusive education system in which all students are fully participating members in a school community.

The unique needs of individuals and the challenges of a small, remote school district are taken into account when providing support services to students. The Board supports courageous, engaging and personalized learning for all students that inspires success for all students. Where additional services and support for students are needed, decisions are made in consultation with parents, students (when appropriate) and members of the school-based team.

Culturally relevant programs and services provide the foundation for healthy students and communities. The Response to Instruction Framework incorporates a flexible continuum of school-wide strategies for all students, targeted supports and intensive supports.

The Universal Instructional Design Framework brings together many school district initiatives to provide multiple avenues of access to curriculum, instruction, and assessment. Services and support focus on multiple pathways to success and multiple ways of defining success.

Within these Frameworks students receive maximum benefit from their education program, in accordance with the objectives of Provincial curricula, Board approved programs and school programs.

References:

- Ministry of Education Policy: Special Education
- Ministry of Education Policy: K-12 Funding, Special Needs
- Ministry Policy: Distributed Learning: Requirements and Guidelines for Students with Special Needs
- School Act, Sections 75, 79(3), 85(2)(j), 88(1), 168(2)(t)
- Ministerial Order M150/89, Amended M297/95; M32/04; M235/07: Special Needs Students Order
- Ministerial Order 149/89: Support Services for Schools Order
- Ministerial Order 191/94, amended most recently M197/11: Student Progress Report Order
- Ministerial Order M638/95, amended most recently by M261: Individual Education Plan Order
- Prince Rupert School District Response to Instruction (RTI) Framework
- Universal Instructional Design Framework
- 1130-10 – Delivery of Instructional Services to Students with Special Needs Regulation

Student Registration and Catchment Area (Elementary) Policy

1210 | Student Registration and Catchment Area (Elementary) Policy

Date Approved: January 11 2011
Date Amended: May 17 2022

It is in the best interest of students that enrolment in schools and assignment to programs occur in a systematic, equitable and educationally beneficial fashion. School district students are generally expected to attend their neighborhood school according to catchment areas defined by the Board of Education. There must, however, be a balance between school attendance based on designated catchment areas and attendance at a school, for good reasons, as a non-catchment child.

As outlined in the School Act, students will be enrolled in schools and assigned to programs with respect to:

• Age;

• School catchment area;

• Residence location;

• Statutory entitlement; and

• The availability of space, facilities and instructional resources.

Catchment areas are defined by the Board and may be amended.

Space permitting, students may attend a school outside their catchment area. Parents or guardians may request a cross-boundary transfer for their elementary student or students to attend another school in accordance with district regulations.

Related Policies and Regulations:

1210-10 Student Registration and Catchment Area (Elementary)

Perpetual Trust Fund Bylaw (Charitable Donations)

3 | Perpetual Trust Fund Bylaw (Charitable Donations)

Date Approved: January 10 1989
Date Amended: May 08 1990

A bylaw to establish a perpetual Trust Fund for the handling of financial contributions for purposes acceptable to the Board.

WHEREAS Revenue Canada, Taxation Department, has approved the Board's application for "registered charity" status and

WHEREAS the Board may therefore issue receipts which may be used by contributors to support deductions claimed under Sub-Paragraph 110 (1) (a) (i) of the Income Tax Act and

WHEREAS the Ministry of Education has granted its approval to establish the Trust in accordance with Section 240(3) of the School Act,

NOW THEREFORE the Board of School Trustees, School District No. 52 (Prince Rupert) in open meeting enacts the following:

THAT the Secretary-Treasurer cause to be established upon the Board's books of accounts and in a bank as shall be declared from time to time by the Board, a separate account designated as "School District No. 52 (Prince Rupert) Charitable Trust".

THE SPECIFIC PURPOSE for the Trust shall be:

To provide a mechanism by which individuals and/or private corporations may contribute financially for purposes acceptable to the Board of School Trustees, School District No. 52 (Prince Rupert).

THE TERMS OF THE SAID TRUST shall be as follows:

1. Revenue

(a) Approved Programs

(i) On receiving a Trust contribution designated to an approved or an existing program, the Secretary Treasurer or his designate shall issue a receipt bearing the income tax registration number held by the Secretary-Treasurer.

(ii) The receipt shall identify the program for which the contribution has been designated.

(b) Unapproved Programs

(i) On receiving a contribution to an unapproved or non-existent program, the Secretary-Treasurer or his designate shall issue an interim receipt which does not bear the income tax registration number.

(ii) The contribution shall be credited to the general Suspense Account and the Secretary-Treasurer shall report the contribution to the Board at its next meeting.

(iii) In the event the Board approves the establishment of the program for which the funds were contributed, the Secretary-Treasurer or his designate shall then issue a receipt bearing the income tax registration number held by the Secretary-Treasurer. The receipt shall identify the program for which the contribution is to be used.

(iv) In the event, however, the Board does not approve the establishment of the program for which the funds were contributed, the funds shall be returned forthwith to the contributor with the Board's regrets.

(c) Allocation of Contributions

(i) No contributor shall be permitted to specify that the contribution is to be directed towards a particular school or person.

2. Disbursements

All commitments and disbursements made against the Trust shall be cleared through the Secretary-Treasurer or his designate who shall ensure the proper coding of the invoice and shall initial same.

3. Auditing

All records, books and documents concerning the Trust shall be available for auditing as required by law.

Read a first, second and third time, finally passed and adopted the 10th day of January 1989.

"Fred Beil"

Board Chairman

"A.Lien"

Secretary-Treasurer

Student Registration and Catchment Area (Elementary) Policy

1210 | Student Registration and Catchment Area (Elementary) Policy

Date Approved: January 11 2011
Date Amended: May 17 2022

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• Age;

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• Residence location;

• Statutory entitlement; and

• The availability of space, facilities and instructional resources.

Catchment areas are defined by the Board and may be amended.

Space permitting, students may attend a school outside their catchment area. Parents or guardians may request a cross-boundary transfer for their elementary student or students to attend another school in accordance with district regulations.

Related Policies and Regulations:

1210-10 Student Registration and Catchment Area (Elementary)

International Students Policy

1220 | International Students Policy

Date Approved: January 14 2014
Date Amended: February 11 2020

Many students from other countries have come to British Columbia for schooling because their families value the high quality of education provided by our school system. Some International students enroll in Canadian schools to upgrade their language ability in one or both of Canada's official languages. Some students enroll to benefit from the cross-cultural experience of living and attending school in a country other than their own. Others come in order to graduate from secondary schools and earn a Dogwood Diploma.

The Board supports enrollment of international students and strives to meet their educational needs while ensuring that those who graduate meet all of the requirements of the Ministry of Education legislation and policy.

International students who graduate must meet all graduation requirements in ways that ensure competence in either French or English. In accordance with Ministry policy, international students may be restricted in the number and type of courses given credit through equivalency, external credits, or challenge.

Enrollment of international and non-reciprocal exchange students is subject to space being available and to tuition being paid to cover costs of their educational program.

Enrollment of reciprocal exchange students is subject to a local student attending overseas in their stead.

REFERENCES

Ministry of Education Policy, International Student Graduation Credit
Ministerial Order 302/04, the Graduation Program Order

Related Policies and Regulations:
1220-10 - - International and Non-Reciprocal Exchange Students - Admission and Tuition

Learning Resources Policy

1110 | Learning Resources Policy

Date Approved: January 14 2014
Date Amended: June 15 2021

In accordance with the School Act and the Ministry of Education Learning Resources Policy, the Board of Education "may only use learning resources that the board considers appropriate, are specified in an educational program guide or are recommended by the Ministry of Education from time to time." This policy and the accompanying regulations clarify the roles and responsibilities of the Board of Education regarding the selection of learning resources.

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The primary objective of learning resources is to support, enrich, and help implement an educational program. The Board delegates the responsibility for the recommendation and selection of learning resources to the Superintendent of Schools in accordance with district criteria.

The Superintendent (or designate) and school principals are responsible for ensuring that the approved criteria are known and appropriately applied. The responsibility for vetting recommended resources rests with school principals.

Any student, parent or employee of the school district may formally challenge the appropriateness learning resources used in the district's educational programs (see 1110-30 – Review of Instructional Materials Regulation).

Related Policies and Regulations:

See Ministerial Order 333/99, the Educational Program Guide Order; section 5.

School Act, Section 168 (2) (e)

Ministry of Education Policy, Learning Resources Policy Statement, July 1, 2017

1110-10 Learning Resource Regulation

1110-30 Review of Instructional Materials Regulation

1115 Board Authorized Courses Policy

1115-10 Board Authorized Courses Regulation

OTHER

BC ERAC, Evaluating, Selecting and Acquiring

Learning Resources: A Guide https://www.bcerac.ca/resources/whitepapers/docs/ERAC_WB.pdf, 2008

Board Authority Authorized Courses

1115-10 | Board Authority Authorized Courses

Date Approved: September 11 2012
Date Amended:

Formerly: Locally Developed Courses

1.0 Definition:

1.1 “Board Authorized Courses (BAA) courses” are offered to respond to the unique local needs of the schools and their communities while providing choice and flexibility for students. These courses demonstrate planning, organization and sound pedagogy. BAA courses are authorized according to requirements set by the Ministry of Education.

2.0 Courses Eligible for Board/Authority Authorization:

2.1 BAA courses may be used as all or part of the elective credits students need to fulfill graduation requirements.

2.2 In response to local needs and students interests the Board may authorize a broad variety of BAA courses focused on subject areas not offered through Ministry-developed courses.

2.3 The Board may design ESL courses whose primary language is not Standard English and who may therefore require English as a second (or additional) language support so they may successfully access the BC curriculum. These courses should not be remedial or modified versions of Ministry-authorized courses.

2.4 Grade 11 level BAA courses may be used to fulfill the Fine Arts/Applied Skills graduation requirement if they meet the outcomes of the Ministry-developed Grade 11 Fine Arts or Applied Skills Resources Packages. Grade 10 and 12 BAA courses in the Fine Arts/Applied Skills subject areas do NOT meet the Fine arts/Applied Skills requirement.

2.5 BAA courses may be developed to meet the needs of students with special needs (not to be confused with modified or adapted courses). They may be developed for a variety of subjects or purposes such as social-emotional learning, to promote independence, or to develop employability skills.

2.6 The (Environmental) Sustainability Course Content Framework (2010) includes modules that might be used individually or as an entire BAA course. Modules can be adapted into existing BAA course such as in the areas of leadership, environmental studies, and global issues.

3.0 Courses Not Eligible for Board/Authority Authorization

3.1 Courses with a significant overlap with current provincial curriculum

3.2 Modified courses

3.3 Remedial courses

3.4 Adapted courses

3.5 GED testing preparation courses

4.0 Criteria

4.1 The Ministry of Education requirements are listed in the document “Board/Authority Authorized Courses: Required Components” and include a Ministry-developed BAA Course Framework Template.

4.2 The requirements for BAA courses define the structure, components, and rigour of a course. They consist of the following:

- Course name
- Grade level
- Number of credits (maximum of 4)
- Course synopsis
- Rationale
- Organizational structure appropriate to subject/topic
- Learning outcomes that are assessable and observable and that can be understood by students and parents
- Instructional component that clarifies the outcomes and provides a range of pedagogical opportunities
- Assessment component that provides a range of both formative and summative assessment
- Learning resources that support the learning outcomes

5.0 Approval Process

5.1 The Board requires that any presentation in support of a locally developed course be made through the Superintendent and that it include all requirements as outlined by the Ministry of Education “Board/Authority Authorized Courses Requirements and Procedures Guidebook” (Updated 2011 version).

5.2 Teacher(s) (either individually or in groups) who wish approval of a course of their own design shall use the following procedures:

5.2.1 Discuss the concept of the proposed course with their school principal before proceeding with the application.

5.2.2 Make a thorough assessment of the student needs the course would meet. Consult counsellors and other subject teachers to determine the level of interest and need in the proposed course. In specific and appropriate situations, it may be advisable to seek expertise from the general community (i.e. specialty courses).

5.2.3 The course should be consistent with Provincial requirements and based upon current information on how students learn.

5.2.4 Prepare and submit an overall outline of the proposed course using the BAA Course Application to the

School Principal.

5.2.5 Include an itemized list of required equipment and facilities, together with a cost analysis and a description of any organizational changes.

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School Act Section 85 (2) (i), 168 (2) (b)

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BAA Course Form: www.bced.gov.bc.ca/graduation/board authority courses.htm

Ministry Developed Courses: www.bced.gov.bc.ca/irp/welcome.php.

Environmental Sustainability Courses: www.bced.gov.bc.ca/greenschools/sustcoursecontent.htm

Related Policies and Regulations:

Regulation 1115 – Board Authorized Courses Policy

Board Authority Authorized Courses Policy

1115 | Board Authority Authorized Courses Policy

Date Approved: September 11 2012
Date Amended: May 17 2022

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REFERENCE:
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French Immersion Policy

1120 | French Immersion Policy

Date Approved: January 14 2014
Date Amended: October 16 2023

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The Board of Education believes that students should have the opportunity to receive instruction in the French language through French Immersion programs in elementary, middle, and secondary grades. The French Immersion program operates as an optional district program. The French Immersion Program is not intended to be a selective program.

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REFERENCES

School Act, section 5(3)
Ministry of Education Policy: French Immersion Program
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Ministerial Order 295/95, Required Areas of Study in an Educational Program
Ministerial Order 302/04, Graduation Program Order

1120-10 French Immersion Regulation

Student Support Policy

1130 | Student Support Policy

Date Approved: October 08 2013
Date Amended: June 20 2022

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- Ministry Policy: Distributed Learning: Requirements and Guidelines for Students with Special Needs
- School Act, Sections 75, 79(3), 85(2)(j), 88(1), 168(2)(t)
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- Ministerial Order 149/89: Support Services for Schools Order
- Ministerial Order 191/94, amended most recently M197/11: Student Progress Report Order
- Ministerial Order M638/95, amended most recently by M261: Individual Education Plan Order
- Prince Rupert School District Response to Instruction (RTI) Framework
- Universal Instructional Design Framework
- 1130-10 – Delivery of Instructional Services to Students with Special Needs Regulation

Student Registration and Catchment Area (Elementary) Policy

1210 | Student Registration and Catchment Area (Elementary) Policy

Date Approved: January 11 2011
Date Amended: May 17 2022

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As outlined in the School Act, students will be enrolled in schools and assigned to programs with respect to:

• Age;

• School catchment area;

• Residence location;

• Statutory entitlement; and

• The availability of space, facilities and instructional resources.

Catchment areas are defined by the Board and may be amended.

Space permitting, students may attend a school outside their catchment area. Parents or guardians may request a cross-boundary transfer for their elementary student or students to attend another school in accordance with district regulations.

Related Policies and Regulations:

1210-10 Student Registration and Catchment Area (Elementary)

International Students Policy

1220 | International Students Policy

Date Approved: January 14 2014
Date Amended: February 11 2020

Many students from other countries have come to British Columbia for schooling because their families value the high quality of education provided by our school system. Some International students enroll in Canadian schools to upgrade their language ability in one or both of Canada's official languages. Some students enroll to benefit from the cross-cultural experience of living and attending school in a country other than their own. Others come in order to graduate from secondary schools and earn a Dogwood Diploma.

The Board supports enrollment of international students and strives to meet their educational needs while ensuring that those who graduate meet all of the requirements of the Ministry of Education legislation and policy.

International students who graduate must meet all graduation requirements in ways that ensure competence in either French or English. In accordance with Ministry policy, international students may be restricted in the number and type of courses given credit through equivalency, external credits, or challenge.

Enrollment of international and non-reciprocal exchange students is subject to space being available and to tuition being paid to cover costs of their educational program.

Enrollment of reciprocal exchange students is subject to a local student attending overseas in their stead.

REFERENCES

Ministry of Education Policy, International Student Graduation Credit
Ministerial Order 302/04, the Graduation Program Order

Related Policies and Regulations:
1220-10 - - International and Non-Reciprocal Exchange Students - Admission and Tuition

Procedural Bylaw

1 | Procedural Bylaw

Date Approved:
Date Amended: September 20 2022

A. MEETINGS

1) GENERAL

a) The quorum for a meeting of the Board shall be a majority of Trustees holding office at that time.

b) A Trustee may participate in a meeting by telephone or videoconference if the Trustee is unable to be physically present at the meeting.

c) A Trustee who participates in a meeting by telephone or videoconference shall be deemed present at the meeting and shall be counted for the purposes of determining quorum and voting.

d) If a Trustee participates in a meeting by telephone or videoconference, there shall be apparatus at the site of the meeting, which permits the Trustee participating by telephone or videoconference to hear all discussion by all Trustees and permits all Trustees to hear all comments by the Trustee participating by telephone or videoconference.

e) Meetings of the Board will be held at the School Board Office unless the Chairperson gives notice on the written notice of meeting and agenda or the Board otherwise resolves.

2) INAUGURAL MEETINGS

a) The Board shall meet by the first Tuesday after the term of office begins at the same time as for a regular meeting.

b) The interim Chairperson of the Inaugural meeting shall be the Secretary-Treasurer until such time as the Board Chairperson has been elected.

c) The interim Chairperson shall announce the results of Trustee elections and confirm that elected Trustees have completed the Declaration and Oath of Allegiance as required by the School Act, following which the Board Chairperson shall be elected.

d) The interim Chairperson shall call for nominations for Board Chairperson and conduct a vote by ballot in which that person receiving a clear majority shall be elected Board Chairperson. If no person receives a clear majority, further ballots shall be taken until the same is achieved or, if a tie shall occur, the election shall be decided by drawing of lots.

e) Following the election of Board Chairperson, the newly elected Board Chairperson shall assume the chair and the order of business shall be:

i) Election of Vice-Chairperson;

ii) Election or appointment of BCPSEA Representative and Alternate; and

iii) Election or appointment of BCSTA Representative and Alternate.

f) The election of Vice-Chairperson shall be conducted in the same manner as the election of Chairperson.

g) If the BCPSEA Representative and Alternate and the BCSTA Representative and Alternate are elected, the election shall be conducted in the same manner as the election of Chairperson.

h) The Board Chair may choose to assign Trustees to Committees and to Schools.

3) REGULAR MEETINGS

a) A regular meeting shall be held at least once a month on the third Tuesday of the month at 7:00 p.m. in months that school is in session or upon such other day or at such other hour as the Board may decide. Additional meetings shall be held as the Board may decide.

b) 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 meeting shall stand adjourned until the next regular meeting date or until another meeting shall have been called in accordance with these bylaws.

c) 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 so found, adjourn the meeting to a time certain or to the next regular meeting date, at his/her discretion.

d) The order of business at all regular meetings, unless varied by motion, shall be as follows:

i) Adoption of Agenda;

ii) Receiving Delegations;

iii) Approval of Minutes of Prior Meetings;

iv) Necessity of Closed Meeting and Agenda, if Required;

v) Correspondence;

vi) Superintendent of School's Report;

vii) Secretary Treasurer’s Report;

viii) Reports of Committees;

ix) Adjourned Business;

x) New Business;

xi) Information Items; and

xii) 10 Minute Question & Answer Period.

e) A change to the prescribed order of business may be proposed by a Trustee and shall require unanimous consent, without debate.

f) The agenda and notice of meetings shall be prepared by the Secretary-Treasurer under the direction of the Chairperson. Written notice of each meeting, together with the proposed agenda, must be given to each Trustee at least 48 hours in advance by email.

g) Minutes shall be kept by the Secretary-Treasurer of the Board of all proceedings passed at meetings of the Board, such minutes to be concise and to detail proceedings of the Board, but not the contents of speeches.

h) All meetings shall stand adjourned at three hours after their commencement unless a resolution is passed by a two-thirds majority to extend the hour of adjournment.

i) All meetings of the Board shall be open to the public and no person shall be excluded, except for improper conduct. If, in the opinion of the Board, the public interest so requires, the Board may, by resolution, order a meeting or part thereof to be closed. The Board may exclude persons other than Trustees or persons other than Trustees and officers.

j) Requests for third party petitions and delegations must:

i) be received in writing by the Secretary-Treasurer by the Friday which is 11 days prior to the board meeting;

ii) be relevant to the mandate of the school district;

iii) provide a summary of the matter to be presented;

iv) be approved for presentation to the board at the discretion of the Board Chair;

v) designate who the speaker or speakers are to be (maximum of two); and

vi) not be in relation to matters that are the subject of labour negotiations; the subject of contractual negotiations or service agreements; or in relation to a specific client, employee, volunteer or student. At the discretion of the Board Chair, a presentation on such matters may be heard at an In-Camera meeting of the Board;

k) Petitions and delegations are limited to a maximum of 10 minutes. The Board reserves the right to limit the number of delegations to appear at a particular meeting. The Board will not normally receive more than one presentation from a particular person or group on the same or a similar topic in a six month period.

l) The Board's decision on the course of action to be followed in connection with the matter or matters presented

will usually be delayed to a subsequent regular meeting.

m) Presentations should:

i) be arranged at the invitation of the Superintendent of Schools;

ii) highlight successful initiatives in the school district; and

iii) be limited to a maximum of 10 minutes.

n) Questions in the 10 Minute Question and Answer period must pertain to items on the agenda for the meeting.

o) The presiding officer may expel and exclude from a Board meeting any person whom the presiding officer considers has been guilty of improper conduct.

4) SPECIAL MEETINGS

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

b) Written notice of a special meeting and an agenda shall be given to each Trustee at least 48 hours in advance of the meeting by email. Delivery of a written notice and the agenda may be waived by a majority vote of the Board, provided reasonable steps have been taken to notify all Trustees of the meeting.

5) CLOSED SESSION

a) Pursuant to paragraph A.3.i, the Board may convene a meeting without the public, or without the public and officers present, at which matters of a confidential nature shall be discussed. No Trustee shall disclose to the public the proceedings of a closed meeting unless a resolution has been passed at the closed meeting to allow disclosure.

b) Minutes of a closed meeting shall be kept in the same manner as a regular meeting but shall be approved only by the Board in closed meetings and shall not be filed with the minutes of regular meetings.

c) Pursuant to the School Act, a record of each closed meeting shall be kept available at all reasonable times for any person. The record shall contain a general statement as to the nature of the matters discussed and the general nature of the decisions reached.

d) Unless otherwise determined by the Board, the following matters shall be considered in closed session:

i) Salary claims;

ii) Accident claims and other matters where Board liability may arise;

iii) Legal opinions respecting the liability or interest of the Board;

iv) The conduct, efficiency, discipline, suspension, termination or retirement of employees;

v) Medical reports, including reports from the School Medical Officer;

vi) Matters pertaining to individual students including the conduct, discipline, suspension or expulsion of students, truancy and indigent students;

vii) Staff changes including appointments, transfers, resignations, promotions and demotions;

viii) Purchase of real properly including the designation of new sites, consideration of appraisal reports, consideration of accounts claimed by owners, determination of Board offers and expropriation procedures;

ix) Lease, sale or exchange of real property prior to finalization thereof;

x) Matters pertaining to the safety, security or protection of Board property; and

xi) Such other matters where the Board decides that the public interest so requires.

e) All other matters shall be considered in Public Session.

f) The agenda of each closed session shall have as an order of business "items for release".

B. CHAIRPERSON AND PRESIDING OFFICERS

1) GENERAL

a) The Chairperson shall preside at all meetings of the Board but may vacate the Chair in order to 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 is able or willing to take the Chair, the presiding officer shall be such person as the Board may elect.

d) The Chairperson and the Vice-Chairperson shall be elected in December 2017 and for a term of one year in November of each subsequent year, unless otherwise changed. The election shall follow the process outlined in Section A.2 – Inaugural Meetings.

e) The presiding officer shall rule on all points of order and shall state the 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 F.1.d.

g) The Chairperson normally acts as spokesperson for the Board to the media, community and schools.

C. RULES OF ORDER

1) GENERAL

a) The application of the rules of order will be as follows:

i) Where these rules are silent and where not inconsistent with these rules, Robert's Rules of Order Newly Revised shall apply to the conduct of meetings;

ii) Where both these rules and Robert's Rules of Order Newly Revised are silent, the Standing Orders of the British Columbia Legislature shall be followed; and

iii) Where there is an inconsistency between these rules and the School Act, the School Act shall apply over the rule in question.

b) The Board may adopt a procedural rule for one or more meetings by resolution of a majority of two-thirds of the Trustees present at the meeting.

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 C.1.a herein.

e) An appeal of a ruling of the presiding officer shall be decided without debate by a majority vote of Trustees present. When an appeal is successful it does not set a precedent.

f) All questions shall be decided by a vote on the motion.

D. MOTIONS

1) GENERAL

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 the presiding officer feels this would produce a fairer or clearer result and the same shall be voted on in the form in 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 except in Committee.

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 time for adjournment of a meeting;

iii) Motion to proceed to the next meeting;

iv) Motion to go into Committee of the Whole or closed session;

v) Motion to table;

vi) Motion to recess;

vii) Motion to suspend rules;

viii)Motion to lift from the table; and

ix) Motion to move the previous question.

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;

v) Motion to proceed to next business;

vi) Motion to lift off the table;

vii) Motion to reconsider;

viii)Motion to postpone indefinitely; and

ix) Motion to suspend the rules.

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.

2) RECONSIDERATION

a) A question may be reconsidered only if notice of a request for reconsideration has been given at the previous meeting and if reconsideration is approved by a 2/3 majority.

E. DEBATE

1) GENERAL

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 or staff member shall speak until recognized by the presiding officer.

c) No person shall speak more than once 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 presiding officer may caution a Trustee who persists in tedious and repetitious debate and may direct the Trustee to discontinue.

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 or a point of privilege.

F. VOTING

1) GENERAL

a) All Trustees present at a meeting must vote although a Trustee must abstain from voting in the event that he has a conflict of interest by reason of having a direct pecuniary interest in a vote.

b) A Trustee may also abstain from voting if reasons are stated.

c) Voting shall be by a show of hands and only the results recorded unless a Trustee requests recording of names. Where names are recorded both positive and negative votes shall be recorded.

d) 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.

e) All questions shall be decided by a majority of the votes of the Trustees present and voting save as otherwise provided by these bylaws or the School Act.

G. COMMITTEES

1) GENERAL

a) The Chairperson shall appoint the members to each standing Committee at the first regular meeting in each year, or as soon thereafter as possible.

b) There shall be the following standing Committees:

i) Framework for Enhancing Student Learning Committee;

ii) Policy Committee;

iii) Finance & Building Committee; and

iv) Personnel Committee.

c) Trustees attending meetings of a Committee are allowed to take part in any discussion or debate, but may not vote.

d) The rules applying in regular or special meetings shall be observed in Committee of the Whole and in standing Committees so far as they may be applicable, except as to the requirement for seconding of motions and limiting the number of times of speaking. Speeches in Committee of the Whole or standing Committees must be strictly relevant to the item or clause under consideration.

e) The actions of a Committee shall not be complete until its report has been approved by the Board.

f) The proceedings of a Committee will be reported to the Board by means of minutes of committee meetings. Minutes of the Finance & Building Committee and of the Personnel Committee will be presented to the Board at a closed meeting.

2) SCOPE OF COMMITTEES

a) Framework for Enhancing Student Learning Committee

1. Membership:

The committee will include the following positions:

i. Two Trustees;

ii. Superintendent of Schools;

iii. Assistant Superintendent or Director of Instruction;

iv. District Principal, Learning Services;

v. District Principal, Aboriginal Education;

vi. PRPA Representatives;

vii. PRDTU Representatives;

viii. IUOE Representatives;

ix. DPAC Representatives; and

x. Student Representatives.

The Assistant Superintendent or Director of Instruction, or delegate, will Chair the meetings of the committee.

Other Trustees and staff may be in attendance.

2. Scope of Committee

The main responsibility of the committee is to prepare recommendations for the School Board's approval in the following areas:

i. Establishing the District's Framework for Enhancing Student Learning; and

ii. Reviewing progress on the District's Framework for Enhancing Student Learning.

3. Recommendations

Recommendations will be made by Trustee consensus. When consensus is not reached, Trustees may bring alternate recommendations to the Board.

4. Meeting Schedule

The Committee will meet on an "ad hoc" basis.

b) Policy Committee

1. Membership:

The Committee will comprise of the following individuals:

i. Two Trustees;

ii. Superintendent of Schools; and

iii. Secretary-Treasurer.

A Trustee will Chair the meetings of the Committee.

Other Trustees and staff may be in attendance.

2. Recommendations

Recommendations will be made by Trustee consensus. When consensus is not reached, Trustees may bring alternate recommendations to the Board.

3. Scope of Committee:

The main responsibility of the committee is to prepare recommendations for the School Board's approval in the following areas:

i. Review all Policies and By-Laws regularly;

ii. Review all proposed new Policies and By-Laws; and

iii. Monitor the consultation process for the review of Policies and By-Laws.

4. Meeting Schedule

The Committee will meet prior to each scheduled Board meeting.

c) Finance and Building Committee

1. Membership:

i. Three Trustees;

ii. Superintendent of Schools; and,

iii. Secretary Treasurer.

A Trustee will Chair the meetings of the Committee.

Other Trustees and staff may be in attendance.

2. Recommendations

Recommendations will be made by Trustee consensus. When consensus is not reached, Trustees may bring alternate recommendations to the Board.

3. Scope of Committee:

The main responsibility of the committee is to prepare recommendations for the School Board's approval in the following areas:

i. Seismic Capital Plan;

ii. Capital Plan;

iii. Annual Capital Grant Expenditures in excess of $50,000;

iv. Audited Financial Statements;

v. Joint Use Agreements with External Groups; and,

vi. Repurposing of School Buildings.

The committee will also serve as the Audit Committee for the School District.

4. Audit Committee Oversight

The Finance & Building Committee shall serve as the Audit Committee for the School District. The Audit Committee's principle function is to oversee the school district's financial reporting process and its internal control structure, and report its findings to the Board. This task is facilitated by:

i. asking questions about the quality of work done by management;

ii. participating in the audit planning and reporting process; and

iii. understanding and reviewing the aspects of the operation that put the school district at risk and the district's preparedness to face that risk.

The Audit Committee summarizes its findings and recommendations so that the School Board can make informed decisions.

5. Audit Committee Function

The Committee shall:

i. Review the audited financial statements and recommend approval of the audited statements by the Board;

ii. Oversee the internal control structure with a focus on safeguarding district assets;

iii. Review audit results with the external auditors and follow up on the implementation of the auditor's letter of recommendations;

iv. Review the nature and extent of other services provided by the external auditors in relation to auditor independence;

v. Monitor the development of, and changes to, accounting principles and practices and financial reporting standards and their impact on the school district's financial reporting;

vi. Oversee engagement of external auditors including the terms of the audit engagement and the appropriateness of proposed fees; and

vii. Meet with the external auditors at an Audit Committee meeting without staff members present for a portion of the meeting to obtain independent feedback from the external auditors to Trustees.

6. Meeting Schedule

The Committee will meet monthly prior to each scheduled Board meeting.

d) Personnel Committee

1. Membership:

The Committee will comprise of the following individuals:

i. Chair of the Board;

ii. Vice Chair of the Board;

iii. Superintendent of Schools; and

iv. Secretary-Treasurer.

The Director, Human Resources may be invited to attend a meeting of the committee.

The Chair of the Board will Chair the meetings of the Committee.

2. Recommendations

Recommendations will be made by Trustee consensus. When consensus is not reached, Trustees may bring alternate recommendations to the Board.

3. Scope of Committee:

The main responsibility of the committee is to prepare recommendations for the School Board’s approval in the following areas:

i. Annual goal setting for the Superintendent;

ii. Annual performance evaluation for the Superintendent;

iii. Review of succession planning for the district;

iv. Review of proposed changes to salary and benefit plans; and

v. Recruitment process for vacancies in the positions of Superintendent and Secretary-Treasurer.

4. Meeting Schedule

The Committee will meet on an “ad hoc” basis.

H. BYLAWS AND RESOLUTIONS

1) GENERAL

a) All matters shall be dealt with by resolution or bylaw. A resolution shall have only one reading. A bylaw shall have three readings.

b) The following matter 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 the use of property owned and administered by the Board; and

iv. Where otherwise required by the School Act.

2) PROCEDURE ON BYLAWS

a) Before a bylaw is passed, a bylaw of the Board must be given three distinct readings.

b) Subject to subsection H.2.c, at each of the readings of a bylaw, the bylaw must be read in full.

c) 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:

i. its title; and

ii. a summary of its contents.

d) 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 that meeting.

Vehicles Bylaw

2 | Vehicles Bylaw

Date Approved: July 14 1981
Date Amended: May 08 1990

WHEREAS

a) It has been in recent years and still is today in the public interest to permit and encourage use of school lands, buildings and facilities for other than strictly scholastic activities when said lands, buildings and facilities are available;

b) Persons other than students, staff, parents, guardians and employees of the Board have occasion from time to time to make use of said lands, buildings and facilities and are welcome to do so;

c) It has been felt necessary by the Board to define the permissible limits within which students, parents, guardians and employees of the Board and all other persons making use of said lands, buildings and facilities may operate.

NOW THEREFORE THIS BYLAW PROVIDES AS FOLLOWS:

1. No person shall drive, operate or ride any motorized vehicle on or over any land owned or administered by the Board of School Trustees of School District No. 52 (Prince Rupert), hereinafter called "The Board", except:

Deliveries

a) Persons proceeding to or from a public school on a roadway provided for that purpose in the course of delivering or receiving chattels in connection with the operation of the said school;

Board Employees

b) Persons proceeding to or from a public school on a roadway provided for that purpose in connection with their duties therein, or on other bona fide business pertaining to the operation of the said school;

Students

c) Persons proceeding to or from a public school on a roadway provided for that purpose, and who are students registered at that school;

Board Consent

d) Parents, guardians, employees of the Board or such other persons proceeding to or from a public school on a roadway provided for that purpose, who have first received permission from the Board, either deemed or

expressed.

2. No person shall:

Speed Limit

a) Operate any motorized vehicle on or over any land owned or administered by the Board at a rate of speed greater than sixteen (16) kilometres per hour;

Parking

b) Park, or otherwise leave unattended, a motor vehicle upon land owned or administered by the Board in any area other than those set aside for parking by the Board, unless written permission has been received.

3. Trespassing

a) No person, other than bona fide students registered at a school, parents or guardians or such students and employees of the Board, shall enter upon any land owned or administered by the Board save with prior permission from the Board.

b) No person, having been requested by a school Administrative Officer or other person in authority shall refuse to leave any land owned or administered by the Board;

c) No person shall trespass, cross over or loiter upon any land owned or administered by the Board between the hours of one-half hour after sunset and one-half hour before sunrise, save with prior permission from the Board;

d) No person shall cause, suffer or permit any domestic or range animal to enter upon land owned or administered by the Board, notwithstanding in open range areas the Provincial statutes governing Range Animal Control shall apply.

4. Responsibility of Registered Owner

The owner of a motor vehicle shall be held responsible for any violation of this Bylaw by a person entrusted by the owner with the possession of the said motor vehicle. The burden of proving that the person so in possession of the motor vehicle was not a person entrusted by the owner with the possession of the said motor vehicle shall be on the said owner.

5. Penalty

Any person contravening or committing any breach of or committing any offence against this Bylaw or any of the provisions of this Bylaw or who fails, refuses, omits

or neglects to fulfil, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this Bylaw prescribed or imposed or required to be done, is liable, on summary conviction, to such penalties as are prescribed by the Summary Convictions Act.

6. Authority to Make Regulations

The Board may by regulation provide for the erection of traffic control devices to regulate, prohibit, control and direct vehicular and pedestrian traffic on land owned or administered by the Board, and the erection of any such traffic control device shall be deemed prime facie evidence that such device was erected at the direction and with the authority of the Board.

7. Date of Resolution

This Bylaw shall come into force and take effect forthwith.

Perpetual Trust Fund Bylaw (Charitable Donations)

3 | Perpetual Trust Fund Bylaw (Charitable Donations)

Date Approved: January 10 1989
Date Amended: May 08 1990

A bylaw to establish a perpetual Trust Fund for the handling of financial contributions for purposes acceptable to the Board.

WHEREAS Revenue Canada, Taxation Department, has approved the Board's application for "registered charity" status and

WHEREAS the Board may therefore issue receipts which may be used by contributors to support deductions claimed under Sub-Paragraph 110 (1) (a) (i) of the Income Tax Act and

WHEREAS the Ministry of Education has granted its approval to establish the Trust in accordance with Section 240(3) of the School Act,

NOW THEREFORE the Board of School Trustees, School District No. 52 (Prince Rupert) in open meeting enacts the following:

THAT the Secretary-Treasurer cause to be established upon the Board's books of accounts and in a bank as shall be declared from time to time by the Board, a separate account designated as "School District No. 52 (Prince Rupert) Charitable Trust".

THE SPECIFIC PURPOSE for the Trust shall be:

To provide a mechanism by which individuals and/or private corporations may contribute financially for purposes acceptable to the Board of School Trustees, School District No. 52 (Prince Rupert).

THE TERMS OF THE SAID TRUST shall be as follows:

1. Revenue

(a) Approved Programs

(i) On receiving a Trust contribution designated to an approved or an existing program, the Secretary Treasurer or his designate shall issue a receipt bearing the income tax registration number held by the Secretary-Treasurer.

(ii) The receipt shall identify the program for which the contribution has been designated.

(b) Unapproved Programs

(i) On receiving a contribution to an unapproved or non-existent program, the Secretary-Treasurer or his designate shall issue an interim receipt which does not bear the income tax registration number.

(ii) The contribution shall be credited to the general Suspense Account and the Secretary-Treasurer shall report the contribution to the Board at its next meeting.

(iii) In the event the Board approves the establishment of the program for which the funds were contributed, the Secretary-Treasurer or his designate shall then issue a receipt bearing the income tax registration number held by the Secretary-Treasurer. The receipt shall identify the program for which the contribution is to be used.

(iv) In the event, however, the Board does not approve the establishment of the program for which the funds were contributed, the funds shall be returned forthwith to the contributor with the Board's regrets.

(c) Allocation of Contributions

(i) No contributor shall be permitted to specify that the contribution is to be directed towards a particular school or person.

2. Disbursements

All commitments and disbursements made against the Trust shall be cleared through the Secretary-Treasurer or his designate who shall ensure the proper coding of the invoice and shall initial same.

3. Auditing

All records, books and documents concerning the Trust shall be available for auditing as required by law.

Read a first, second and third time, finally passed and adopted the 10th day of January 1989.

"Fred Beil"

Board Chairman

"A.Lien"

Secretary-Treasurer

Indemnification of Trustees, Officers and Employees

5 | Indemnification of Trustees, Officers and Employees

Date Approved:
Date Amended: April 27 1993

A. GENERAL

1. The Board of Trustees will indemnify an officer or an employee of the Board or a trustee against a claim for damages arising out of the performance of his or her duties or where an inquiry under Part 2 of the Inquiry Act or other proceeding involves the administration and conduct of the business of the school district and may, by an affirmative vote of a majority of its members, pay legal costs incurred in proceedings out of the claim or inquiry or other proceedings, in accordance with the regulations.

2. The Board of Trustees shall not seek indemnity against an officer or an employee of the Board in respect of any action by the officer or employee that results in a claim for damages against the Board except where the claim for damages arises out of the gross negligence of the officer or employee or where the officer or employee acted wilfully contrary to the terms of his or her employment or an order of a superior, in accordance with the regulations.

B. REGULATIONS

1. This Bylaw shall apply:

(a) to individuals who are currently officers, employees or trustees of the School District; and

(b) to individuals who were formerly officers, employees or trustees of the School District provided that the occurrence which gives rise to the claim for indemnification occurred while they were an officer or employee or trustee.

2. The Board shall indemnify an officer, employee or trustee against a claim for damages against the officer, employee or trustee arising out of the performance of his or her duties and where an inquiry under Part 2 of the *Inquiry Act* or other proceedings involves the administration and conduct of the business of the School District except as provided for in this Policy.

3. The Board shall not indemnify an officer, employee or trustee for any matters for which insurance coverage is available to cover the liability of the officer, employee or trustee or against:

(a) liability and legal fees incurred as a result of an action or other proceeding taken by the Board against the officer, employee or trustee or as a result of an action or proceeding taken by the officer, employee or trustee

against the Board;

(b) liability to pay a fine, penalty or order imposed as a result of the conviction for an offence;

(c) legal fees incurred as a result of a prosecution where the officer, employee or trustee is convicted of an offence or obtains a conditional or absolute discharge;

(d) liability and legal fees incurred as a result of proceedings under the *Teaching Profession Act* unless the Board, by an affirmative vote of a majority of its members, so agrees;

(e) legal fees incurred in an appeal of any conviction, sentence, judgement or order unless the Board, by an affirmative vote of a majority of its members, so agrees;

(f) liability and legal fees incurred by an officer, employee or trustee where the Court determines that the officer, employee or trustee knowingly contravened Section 78 of the *School Act*;

(g) liability and legal fees incurred by an officer, employee or trustee where the Court determines that the officer, employee or trustee knowingly permitted or authorized an expenditure not authorized by an enactment;

(h) liability incurred by an officer, employee or trustee as a result of an restitution ordered pursuant to Section 83(1)(b) of the *School Act*;

(i) those matters for which the Board may seek indemnity from an employee or trustee pursuant to its authority under Section 113(3) of the School Act.

4. For those matters covered by section 2 and not excluded by section 3, an officer, employee or trustee may:

(a) retain such legal counsel as the Board may appoint and such legal counsel shall be paid for and directed by the Board; or

(b) retain such legal counsel as the officer, employee or trustee may choose, in which case the Board shall:

(i) have the right to direct the defence and to settle or compromise the claim or action; and

(ii) determine whether or not the officer, employee or trustee will be reimbursed by the Board for legal fees or any portion of the legal fees that have been paid by the officer, employee or trustee prior to the approval of the Board.

5. If the Board determines to reimburse the officer, employee or trustee, the Board shall:

(i) have the right to approve in advance any agreement for legal fees and disbursements;

(ii) have the right to pay all or part of the legal fees and disbursements and to set a maximum for legal fees and disbursements; and

(iii) have the right to tax the account of the legal counsel and the officer, employee or trustee shall agree to include such a term in the agreement with his/her counsel.

6. Any amount that may be payable by the Board shall be reduced by any court costs awarded to the officer, employee or trustee.

7. The Board shall give consideration to advancing legal costs to the officer, employee or trustee prior to the final resolution of a claim or action in order to prevent undue hardship. When the Board advances such costs to a officer, employee or trustee, the officer, employee or trustee shall provide a written authorization for the Board to deduct an amount equivalent to the costs advanced from future funds payable to the officer, employee or trustee by the Board. The authorization shall only be used by the Board if it is determined at a later date that the officer, employee or trustee is not entitled to be indemnified under the terms of this Policy.

Related Legislation:

School Act, Section 113