



**DURHAM CATHOLIC
DISTRICT SCHOOL BOARD**
Learning and Living in Faith

POLICY – 205

Trustee Meeting Attendance – In-Person and by Electronic Means

Area: Governance
Source: Superintendent of Education – Policy Development

Approved: April 12, 1999
Revised: June 15, 2020

1. Introduction

The Durham Catholic District School Board (the “Board”) recognizes the necessity of providing Trustees and Student Trustees with the ability to participate in all meetings arranged by the Board that require Trustee/Student Trustee membership (both In Camera and Open Sessions).

2. Definitions

Nil

3. Purpose

The purpose of this policy is to outline Trustee attendance requirements and a process that allows Trustee participation in meetings of the Board by electronic means in accordance with the requirements under the Education Act (Section 208.1) and Regulations (O. Reg. 463/97).

4. Application / Scope

This policy applies to all meetings arranged by the Board that require Trustee/Student Trustee membership (both In Camera and Open Sessions).

5. Principles

5.1 The Board believes that:

- 5.1.1 open, accessible public meetings where members of the public, community partners and stakeholders can see, hear or otherwise engage in-person with their representatives is a fundamental part of demonstrating transparency and accountability;
- 5.1.2 participation in meetings of the Board is best served in-person and all Trustees and/or Student Trustees will endeavour to be present in-person at meetings.
- 5.1.3 electronic means are intended to provide for more efficient use of time and productive use of resources in special circumstances where time and/or availability of Trustees and/or staff are affected by matters beyond their control.
- 5.1.4 electronic means which permit Trustees and/or Student Trustees to hear and be heard through auditory and/or visual means should be provided at meetings of the Board;
- 5.1.5 Trustees and Student Trustees who participate in a meeting through electronic means shall be deemed to be present at said meeting subject to such conditions or limitations that may be provided for in the Act and/or Regulation and/or Board By-laws; and
- 5.1.6 electronic meetings of the Board or recognized committees defined in the approved Board By-laws (including Ad Hoc Committees) are recognized as being a legitimate means of the Board conducting its business.

6. Requirements

- 6.1 The Director of Education, or designate, shall issue administrative procedures to support this policy and amend them thereafter as the need may arise.
- 6.2 At the request of any Trustee or Student Trustee, the Board will provide the Trustee or Student Trustee with electronic means of participating in one or more meetings of the Board or a committee of the Board, including a committee of the whole Board, except where to do so would not comply with clauses 6.5.1 a) and 6.6.1 a).
- 6.3 Virtual meetings shall be conducted from the St. Francis of Assisi Catholic Education Centre unless otherwise determined by the meeting schedule.
- 6.4 Notwithstanding the electronic means provided:
 - a) the designated meeting location must be such that the public can attend the Open session, unless the meeting is closed to the public in accordance with the Act.
 - b) meetings of the Board shall be conducted in accordance with the Board's approved By-laws or, where not stated, Robert's Rules of Order.

- c) meetings shall be provided in such a way to ensure compliance with the rules of governing Conflict of Interest of Trustees.

6.5 Attendance at Board or Committee of the Whole Board Meetings

6.5.1 In-Person

- a) At every meeting of the Board or of a Committee of the Whole Board, the following persons must physically present in the meeting room of the Board:
 - i. The Chair of the Board or designate subject to section 6.5.2;
 - ii. At least one additional member of the Board;
 - iii. The Director of Education or designate.
- b) Notwithstanding clauses 6.5.1 a) and 6.5.2 a), the Chair of the Board or designate must be physically present for at least half of the meetings of the Board for any 12-month period beginning November 15, 2022.
- c) Each member of the Board shall be physically present in the meeting room of the Board for at least three regular meetings of the Board during each 12-month period beginning November 15, 2022.

6.5.2 Electronic Means

- a) The Chair of the Board or designate may participate in a meeting of the Board by electronic means if:
 - i. the distance from the Chair's or designates current residence to the meeting location is 200 kilometres or more;
 - ii. weather conditions do not allow the Chair or designate to travel to the meeting location safely; or
 - iii. the Chair or designate cannot be physically present at a meeting due to health-related issues.
- b) Section 6.5.1 does not apply if all schools of the board are closed pursuant to an order made by:
 - i. the Minister under section 5(1) of the Education Act;
 - ii. a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the Health Protection and Promotion Act;
 - iii. the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2(4) of the Emergency Management and Civil Protection Act; or
 - iv. the Lieutenant Governor in Council under clause 4(1)(a) of the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020. O. Reg. 42/20, s.1; O. Reg. 632/20, s.4(1); O. Reg. 416/21, s.3(1).

- c) It is incumbent upon the Trustee and/or staff member to ensure participation in electronic meetings that are In-camera and conducted in a manner and location that uphold the confidentiality of the In-camera component.
- d) Student Trustees who are participating through electronic means shall not participate in any proceedings that are not open to the public.

6.6 Attendance at Committee of the Board Meetings

6.6.1 In-Person

- a) At every meeting of a committee of the Board, except a Committee of the Whole Board, the following persons must be physically present in the meeting room of the committee:
 - i. The Chair of the committee or designate subject to section 6.6.2;
 - ii. If the Chair of the committee or designate participates in a meeting by electronic means pursuant to section 6.6.2, at least one additional member of the committee;
 - iii. The Director of Education or designate.

6.6.2 Electronic Means

- a) The Chair of a committee of the Board or designate may participate in a meeting of a committee of the Board by electronic means if:
 - i. the distance from the Chair's or designates current residence to the meeting location is 200 kilometres or more;
 - ii. weather conditions do not allow the Chair or designate to travel to the meeting location safely; or
 - iii. the Chair or designate cannot be physically present at a meeting due to health-related issues.
- b) Section 6.6.1 does not apply if all schools of the board are closed for a total of two or more months during that period pursuant to an order made by:
 - i. the Minister under section 5(1) of the Education Act;
 - ii. a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the Health Protection and Promotion Act;
 - iii. the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2(4) of the Emergency Management and Civil Protection Act; or
 - iv. the Lieutenant Governor in Council under clause 4(1)(a) of the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020. O. Reg. 42/20, s.1; O. Reg. 632/20, s.4(1); O. Reg. 416/21, s.3(1).

6.7 Security Measures

- 6.7.1 All Trustees and staff participating must make every effort to ensure that privacy can be maintained during In-Camera sessions. Consideration must be given to location, proximity to others, and digital technologies that could compromise privacy.
- 6.7.2 All Trustees will use the appropriate conference ID or meeting link through their board account to access all Board and committee meetings.

7. Sources

- 7.1 Education Act, Section 208.1
- 7.2 Ontario Regulation 463/97

8. Related Policies and Administrative Procedures

Nil