



Preamble – Procedural By-Laws

**Date: 2000 12 01 / 2002 06 11 / 2002 12 01 / 2003 10 28 / 2004 05 25 / 2005 05 24 /
2006 02 01 / 2011 09 13 / 2013 03 05 / 2020 02 25 / 2023 03 28**

Preamble

In any school system, the final authority rests with the elected body of officials, the Board of Trustees, which is answerable to its electorate and the Government of Ontario for the management and business operation of all Board affairs. The St. Clair Catholic District School Board, in recognition of significant responsibilities to its Catholic students and ratepayers, will, in conducting the business of the Board, abide by its Procedural By-Laws and all relevant Acts, Statutes and Regulations.

The Procedural By-Laws of the St. Clair Catholic District School Board shall be observed for the order and dispatch of business at meetings of the Board.

The Procedural By-Laws of the St. Clair Catholic District School Board shall regulate the duties and powers of its Chair, Vice Chair, committees and senior administration, subject to the Act and Regulation of the Ministry of Education and Province of Ontario.

Definitions

Board – In the context of ‘the corporate Board’ refers to the St. Clair Catholic District School Board, including Trustees and senior administration. In the context of ‘the Board of Trustees’ refers only to voting members, who are the appointed or elected Trustees of the Board.

Committee – Includes all ad hoc, legislative, or special committees duly constituted by the Board in accordance with this by-law.

Chair – Refers to the Chair of the Board or of a meeting (whichever the context implies).

Vice Chair – Refers to the Vice Chair of the Board or of a committee (whichever the context implies).

Member – Refers to a voting member of the Board (elected or appointed trustees) or a member of a committee (whichever the context implies).

Ex-officio Member – Refers to a member of a committee, who is permitted, but not required, to act as a member of a committee. The ex-officio member is permitted to vote but is not counted in determining quorum.

Committee Chair – Refers to the Chair of a standing, ad hoc or special committee of the Board.

Director – Refers to the Director of Education and Secretary of the Board.

Treasurer – Refers to the Associate Director and Treasurer of the Board.

Inaugural Meeting – The first Board meeting held following a Municipal Election.

Initial Meeting – The first annual Board meeting in December held between elections.

In-camera Meeting – Meetings held in closed or private session. Such meetings are restricted by legislation to legal, personnel or property matters only.

Vote – The indicated preference of a Trustee in favour of, in opposition to, or abstaining from the question.

Abstain – Any trustee who chooses not to vote on a motion or resolution is said to ‘abstain from voting.’ Abstentions do not affect quorum. Quorum refers to the number of trustees who must be present in order to conduct normal business. Whether they abstain from voting on a particular motion or resolution makes no difference in establishing quorum.

Resolution – (i) A motion having been duly passed by Trustees becomes a resolution of the Board; (ii) as a matter of formality, a motion may be made in the form of a resolution, which is always submitted in writing. Such a resolution is usually a public statement of the Board, which calls for some type of action, recognition or censure.

Conflict of Interest –The *Municipal Conflict of Interest Act* sets out three types of financial interest which must be declared by trustees. A conflict of interest arises where a trustee has a direct, indirect or deemed pecuniary interest that is before the Board of Trustees and that interest is not remote.

- i. Direct Interest – a trustee would have a direct interest, where the trustee himself or herself stands to benefit or suffer financially by a decision of the Board;
- ii. Indirect Interest – a trustee would have an indirect interest if the trustee is a shareholder, director or senior officer of a share or non-share corporation that has a pecuniary interest, or the member of a body that has a pecuniary interest, or is a partner or employee of a body that has a pecuniary interest;
- iii. Deemed Interest – a trustee would have deemed interest when the parent, spouse or child of the trustee, including daughter-in-law and/or son-in-law, has a direct or indirect pecuniary interest that is known to the trustee.

Pecuniary Interest – An interest in a matter that could monetarily affect the trustee, and includes direct, indirect or deemed pecuniary interest.

References

Education Act
Municipal Conflict of Interest Act
Municipal Elections Modernization Act
Robert’s Rules of Order