

# **LBPSB GOVERNING BOARD TRAINING**



Lester B. Pearson School Board

# AGENDA

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- Status update – English SBs
- Roles and Responsibilities of the Governing Board
- Operating the Governing Board
- The School Budget
- Partnerships for Student Success
- Resources
- Question period



# STATUS UPDATE: ENGLISH SCHOOL BOARDS

English School Boards currently apply the version of the Education Act and of the Act Respecting School Elections in effect on Feb.7, 2020 (i.e. before Bill 40):



On 10 August 2020, the Superior Court ordered a stay of the application of Bill 40 to English language school boards until a judgment is rendered on the merits of the application for judicial review challenging the validity of certain provisions of the Act.

The case was heard at the Superior Court level at the end of April 2021 and the decision is expected soon.

Applicable versions:

<https://www.canlii.org/en/qc/laws/stat/cqlr-c-i-13.3/161579/cqlr-c-i-13.3.html>

<https://www.canlii.org/en/qc/laws/stat/cqlr-c-e-2.3/latest/cqlr-c-e-2.3.html>



# COMPOSITION OF SCHOOL GBs

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- Parents
- School staff
- Students at high school level
- Daycare representative at elementary level
- Community representatives

The Principal **must** take part in meetings but is **not** a member of the GB. Commissioners have a mandate from Council to attend GB meetings but do **not** have the right to vote.



# SCHOOL GBs: SUBSTITUTES

S. 51.1 EA: Each category of members (except community members) can elect up to the same number of substitutes:

- Parents
- School staff (teachers, non-teaching professionals and support staff)
- Daycare staff members (elementary level)
- Students (high school level)

➤ A substitute can take part in the discussions and vote only when replacing a member who could not attend.

➤ Substitutes can be provided with the same documentation as members and must respect confidentiality.



# TERM OF OFFICE - SCHOOL GBs

Parents are elected for a 2-year term.

**EXCEPT:** During the GB's 1st year, when half of the parents serve for only 1 year.

**NOTE:** Replacement process defined at s. 55 EA (refer to slides on Vacancies).

All other members are appointed for 1 year.

If a GB is unable to meet for lack of quorum after 3 consecutive notices have been sent 7 days apart, the Principal can be assigned the exercise of the GB powers and functions by the School Board (s. 62 EA).



# COMPOSITION OF CENTRE GBs

Adult Education or Vocational Training Centres also have GBs but they do not have substitutes.  
They are composed of (s. 102 EA):

- Students attending the Centres;
- School staff (teachers, non-teaching professionals and support staff);
- Members of the community;
- Parents of students (vocational centres);
- Representatives from local enterprises (in the case of vocational centres, enterprises which operate in economic sectors related to programs offered in the centre).

➤ The Centre Director must take part in meetings but is a member of the GB. Commissioners have a mandate from Council to attend GB meetings but do not have the right to vote.

➤ The fact that a group falls short of the required number of representatives (as determined by the School Board) does not prevent the formation of the GB (s. 106 EA).



# TERM OF OFFICE - CENTRE GBs

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All members are elected or appointed for a 2-year term.

If a GB is unable to meet for lack of quorum after 3 consecutive notices have been sent 7 days apart, the Centre Director can be assigned the exercise of the GB powers and functions by the School Board (ss. 62 and 108 EA).





# VACANCIES ON A SCHOOL GB

## S. 55 EA:

- If a parent resigns before completing their mandate, another parent is appointed **for the remainder of the term** by the parent GB members, who determine the replacement process.
- Vacancies of other members (in case of resignation or if they no longer qualify as a member, for example a member of staff who takes a position in another school mid-year) are appointed according to the procedure for the election of the member.
- A parent whose child no longer attends the school remains a GB member until the next AGA of that school. If 1 year was left to the term, the position open for election at the AGA will be for a 1-year term.



# VACANCIES ON A CENTRE GB

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- A vacancy of any member (in case of resignation or if they no longer qualify as a member, for example, if a parent on a Centre's GB becomes a member of the Centre's staff) is filled for the remainder of the term according to the procedure for the election of the member (s. 102 EA).



# **ROLES AND RESPONSIBILITIES OF THE GOVERNING BOARD**





## **MOST IMPORTANT THING TO REMEMBER:**

**Every decision of the GB must be made in  
the best interests of the students  
(ss. 64 and 108 EA).**



## OTHER IMPORTANT MATTERS:

### Conduct (ss. 71 and 108 EA):



- The GB members must act **within the scope of the function and powers conferred on them** and exercise the **care, prudence and diligence** that a reasonable person would in similar circumstances.
- They must also act with **honesty and loyalty**, in the interest of the school, the parents, the school staff, the School Board and the community.



## CONFLICT OF INTEREST:



- A GB member who has a **direct or indirect interest in an enterprise that puts that member in conflict of interest with the school must disclose the interest** in writing to the Principal or Centre Director (ss. 70 and 108 EA).
- In such a case, the member should **withdraw from the meeting (cannot discuss nor influence on the issue)**. The member in conflict can never vote on that issue but remains a member of the GB.
- Before a vote is taken after a member temporarily withdrew from the meeting due to a conflict of interest, verification must be made that quorum remains before a decision is taken on that matter. **A temporary withdrawal does not end a meeting for lack of quorum.**
- *Having a conflict of interest is not prohibited, but not declaring it could lead to forfeiture of office.*



## CONFLICT OF LOYALTY:

Conflicts of loyalty usually arise where, in considering a matter, a member of a decision-making body owes a duty or is influenced by a relationship/personal issue or a formal/informal affiliation.

Sometimes all interests coincide rather than diverge and there may be no reason to remove oneself from consideration of the matter.

**A situation of conflict of loyalty does not involve financial gain but may generate preferential treatments (or an appearance of), concerns over public perceptions and potential loss of credibility of the GB or trust in its decisions. The ability to put one's personal and other interests aside when acting as a member of a GB is essential.**

**Members who find themselves in a situation of conflict of loyalty should recuse themselves, not debate and not vote.**



# **POWERS AND FUNCTIONS OF GBs**

**For Schools: the mandate of the GB is defined at sections 74-95 EA**

**For Centres: the mandate of the GB is defined at sections 109-110.13 EA**

In summary, the mandate of any GB is to analyze the needs of the students and the challenges tied to their success, by means of the school's educational project and oversee its implementation, through concerted action of the various participants and collaboration of students, parents, teachers, staff, community and School Board representatives.





# **POWERS AND FUNCTIONS OF GBs**

- The GBs must execute the mandate given to them by the Education Act or any function or power specifically delegated to them, not manage the daily operations of schools or centres.
- The powers and functions grant responsibility and decisional authority in general matters of school governance, such as educational and community services, as well as material and financial resources.
- GB members should consult the relevant policies and by-laws on the LBPSB website.



# POWERS AND FUNCTIONS OF GBs

The School Board is obligated to consult the GBs on certain matters:

- Amendment or revocation of a deed of establishment;
- Selection criteria of Principal or Centre Director;
- SB Budget.

The GB also advises the School Board on certain matters, i.e. any matter:

- that the School Board is required to submit to it;
- that may facilitate the operation of the school/centre;
- that may improve the organization of services provided by the School Board.



# SUMMARY OF THE POWERS AND FUNCTIONS OF GBs

## Approves



- Subject Time Allocation
- Approach for implementing the Basic School Regulation
- Rules of conduct and safety measures of the school
- School fees
- Use of Premises
- Field Trips

## Acts



- Analyses the school's situation
- Reports on the implementation of the AVAB plan

## Consults



- Parents of the school on matters related to education, in particular report cards



# SUMMARY OF THE POWERS AND FUNCTIONS OF GBs

**Is  
Consulted  
On**



- Criteria for Selection of Principal
- Selection of textbook and instructional materials
- Policies and By-laws of the SB

**Adopts**



- Educational Project
- School Budget
- Annual Activity Report

➤ For a detailed description, refer to the calendar of GB functions on LBPSB's website:  
Parents and Community/ Governing Board/ Calendar of GB Functions



# Definitions

## To approve

**Means that the GB can only vote yes or no on a proposal, it cannot change the content of the proposal.** Thus, if the GB wishes that amendments be brought, it must return the proposal, with comments, to the school administration for them to review, so that it can be resubmitted for approval at a subsequent meeting.

## To adopt

**Means that the GB can modify the document, in whole or in part.**

It is therefore possible for GB members to make changes deemed necessary and proceed with the adoption on the spot, if the changes:

- follow the law, policies, directives or practices of the SB/school
- do not require an in-depth analysis or additional information/consultation with the staff
- are not major to the point that they modify the substance of the proposal.

In these situations, the proposal must be returned to the administration for further review. The item will then be deferred to another meeting for decision.

**Necessary collaboration in the best interest of students:** The power of the GB to approve or adopt a proposal is limited in the case of proposals that must be developed with the participation of staff, as they relate to responsibilities assigned to them, as well as in time-sensitive matters which must be approved or adopted in acceptable delays. The expertise and experience of all involved must be recognized and considered.



# **OPERATING THE GOVERNING BOARD**



# GB MEETINGS ARE PUBLIC

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- GB Meetings are **public**. However, the meeting has to be closed to the public (in camera) if a matter examined could cause injury to a person (ss. 68 and 108 EA).
- Members (parents, students, staff) must be informed of the date, time and place of GB meetings. The public may attend the meetings and must be given an opportunity to speak at an appropriate time. Copies of the agenda and minutes of meetings should be made accessible(ss. 67 and 108 EA).
- *GB minutes must be signed by the Chair and the Principal and are archived forever (official documents of the school board).*



## DECISIONS AT GB MEETINGS ARE ALSO PUBLIC

- Decisions are made in public and recorded in the minutes.
- **The examination of any matter must fall under the mandate of the GB. Not included under the mandate are issues related to a particular individual (*i.e. a situation involving a specific student or matters governed by the staff's collective agreement*).**
- For example, if a member of the public begins to make comments or to complain about a member of staff, the speaker must be interrupted **immediately** and directed to the Principal or Centre Director.





## ELECTION OF CHAIR AND QUORUM: SCHOOL GB

- One of the parent members is elected as the Chair to preside over the meetings for a term of 1 year. If the Chair is absent or unable to act, another parent must be designated as chair by the GB (s. 56 EA).
- Quorum is DOUBLE: a majority of members AND at least half the parent members:
  - EX 1: Where there are 15 GB members and 6 are parents, quorum requires at least 8 members, 3 of which are parents.
  - EX 2: GB of 15 members including 5 parents: the same numbers of members (8 members including 3 parents) are required to achieve quorum for the meeting.



## ELECTION OF CHAIR AND QUORUM: CENTRE GB

- The Chair is elected from among the community representatives, the parents of vocational students, or from the representatives of local enterprises to preside over the meetings for a term of 1 year. If the Chair is absent or unable to act, one of these members must be designated as chair by the GB.
- Quorum is a majority of members.
- Note that the temporary absence of a member to the meeting may not end it for lack of quorum, but may affect a decision taken by vote. Constant verification of quorum is a must.



# DUTIES OF THE CHAIR

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- To preside (open and close the meetings... and manage them in between!);
- To follow the agenda prepared with the Principal or Centre Director;
- To keep discussions on track;
- To render information accessible to the members in due time;
- To ensure that internal procedures are respected;
- To grant the right to speak to members or guests;



# DUTIES OF THE CHAIR

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- To frame the debate by summarizing positions, questions or answers that have been expressed by the members, and by stating clearly each motion before it is debated, and again before it is voted on in order to ensure that the matters are understood by all members;
- To help members reach a common position;
- To give the members a chance to speak;
- To be fair, impartial, polite, flexible and to keep the meeting under control and within the agreed timeframe as much as possible.
- The Chair has a casting vote (in case of a tie, the Chair can vote a second time, not necessarily the same way as the first time).



# **DUTIES OF OTHER GB MEMBERS**

- To speak;
- To receive information and ask questions on issues discussed;
- To bring up proposals;
- To raise points of order;
- To vote;
- To respect the authority of the Chair;
- To let others speak freely;
- To respect the decision taken by a majority of members;
- To abide by the rules of discretion.



## ROLES AND RESPONSIBILITIES OF ALL GB MEMBERS

- Decisional solidarity: Once a decision has been reached, a member who disagrees must still abide by the decision and avoid causing prejudice to anyone or to the SB in discussing it.
- Right to privacy and reputation: GB members must respect and protect the right to privacy and reputation of other members, the school or centre, the SB and its employees.



# RUNNING THE GB MEETING

## MEETING GUIDELINES

- Well-planned agenda, distributed in advance, along with the minutes of the previous meeting and any other relevant documentation;
- Guidelines on conduct agreed to and respected by all members;
- Involvement of all members in the discussions;
- A timeframe for agenda items;
- Open-mindedness and a sense of collaboration.



# THE VOTE

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- A GB is composed of a maximum of 20 members (all voting for Centres and 18 voting members for Schools), representing different groups. Therefore each vote carries weight.
- The power of the vote is granted only to those voting members who are present at the meeting. Abstention from voting by any member (including the Chair) is always allowed.





# THE VOTE

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- The representatives of each group must make an effort to understand and reflect the attitude of their peers through their vote; the representatives must always vote in accordance with their understanding of the best interests of the students.
- All members should be free from repercussions stemming from their vote or the discussion.
- Once a decision is taken by a majority, it must be respected and commented on respectfully.



# THE VOTE

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- Decisions which are part of the mandate of the GB (approval or adoption) require a majority vote and must be made in public, as required by the Education Act.
- Responses to consultations are not legal decisions, they can be discussed in public as well as between GB members outside of GB meetings. The response provided to the SB can represent the consensual or majority opinion of the GB members, it can also include dissenting points of view.



# RULES OF INTERNAL MANAGEMENT

**RULES OF INTERNAL MANAGEMENT are required by the EA.  
They are a tool to make meetings more effective.**

For example:

- How and when to bring up a proposal;
- Frequency and duration of members' interventions and procedures regarding the question period for the public (when, how, how long, etc.);
- Notice to parents on the dates and times of the meetings (minimum 5/year);
- Rules of procedure for meetings (duration, time limits on agenda items, procedure for adding items to the agenda, etc.)
- Guidelines for the conduct of members
- Procedures for calling special meetings
- Process to manage substitution (s. 51.1 EA): For example, on a rotation, first come, interest, expertise, availability basis, etc.?



# RULES OF INTERNAL MANAGEMENT

However, Rules of Internal Management do not supersede the EA (for example, they cannot review the composition or formation of the GB). They address matters not already regulated by the EA in order to establish rules of operations for the GB.

- Rules of Internal Management do not address:
  - Term of office for members;
  - Consequences of repetitive absences from meetings for any member;
  - Voting outside of public attendance.



# THE MINUTES

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- The Minutes are the official recording of proceedings (decisions), not of all the discussions held at a meeting.
- Once approved, the minutes are accepted as a true representation of the proceedings they record. They must be signed by the Chair and the Principal or Centre Director and must be kept in a register open to the public (ss. 69 and 108 EA).
- The minutes include:
  - Date, time and place of the meeting;
  - Names of members present and regrets from those absent;
  - Verification of quorum;
  - Adoption of the agenda (with any modifications);
  - Adoption of the minutes of the previous meeting (with any modifications).  
[Note that corrections should not change the sense of what was recorded but address a clerical or factual mistake, include a clarification or state an omission.]



# THE MINUTES

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- The minutes also include:
  - Exact wording of motions/resolutions as adopted;
  - Record of the votes;
  - Brief summary of items of discussion and reports (not detailed);
  - Items tabled or deferred;
  - Time of adjournment.
- They can be posted on the website. Paper copies can be charged.



# THE GB BUDGET

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- The GB budget is used to operate the governing board.
- Typical expenses may include :
  - Postage;
  - Photocopying;
  - Meeting refreshments;
  - Training materials;
  - Babysitting;
  - Transportation/Mileage;
  - Consultations.
- Funds are not intended for donations to any activities, funds, bursaries, etc



# **BUDGETS: SCHOOLS & CENTRES**





# GB RESPONSIBILITIES

- To advise the principal on the needs of the school;
- To adopt the school's annual budget proposed by the Principal, and submit the budget to the School Board;
- To receive updates (monitoring).

## **To Note:**

- The budget is a public document;
- Schools and Centres are not permitted to run deficits;
- The Allocation of Resources Committee makes yearly recommendations to Council on the use of schools and centres surpluses for the following school year.



# SCHOOL/CENTRE BUDGETS – FUND 1

## Fund 1 – Operating Funds

- Operating funds are used for purchases that are usually depleted within one year.
- Operating funds are assigned on a per student basis (Elementary).

## Examples:

- Consumable materials;
- Printing, paper...;
- Administrative expenses;
- Computer software.



# SCHOOL/CENTRE BUDGETS – FUND 2

## Fund 2 – Capital Funds

Capital funds are used for purchases of a more lasting nature.  
Capital funds are assigned on a per student basis.

### Examples:

- Computer hardware;
- Desks and chairs;
- Furniture;
- Playground equipment;
- Building upgrades.



# SCHOOL/CENTRE BUDGETS –OTHER FUNDS

## Fund 3 Salaries

- Salaries are the responsibility of the school board and are not presented to governing boards.

## Fund 4 Daycare

- Elementary schools are assigned operating funds in Fund 4 for daycare and lunch program.
- This fund should be included in the school's budget.

## Fund 5 Special Programs

- In-and-out budgets.
- PELO, student teachers, director's days...



# BUDGET TEMPLATES

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2022-2023 Budget Templates:

- [School](#)
- [Centre](#)



# Partnership For Student Success

The proper functioning of the Governing Board permits co-operation between those providing the educational services and those receiving them.



# GOVERNING BOARD PRIORITIES

<u>SEPTEMBER</u>	<u>OCTOBER - DECEMBER</u>	<u>FEBRUARY AND MARCH</u>	<u>APRIL - JUNE</u>
<ul style="list-style-type: none"> <li>AGA (NOTE: the AGA is a meeting of the parents of the school to elect them on the GB, it is not a GB meeting).</li> </ul>	First meeting of GB: <ul style="list-style-type: none"> <li>GB Budget</li> <li>Review Internal Rules of Management</li> <li>Review school/centre budget</li> <li>Review educational project</li> </ul>	<ul style="list-style-type: none"> <li>Capital budget priorities</li> <li>Selection criteria for principal/centre director</li> <li>SB Budget consultation</li> <li>Review GB composition</li> <li>3-year plan of allocation</li> <li>Review ABAV Plan</li> </ul>	<ul style="list-style-type: none"> <li>Approve rules of conduct</li> <li>Approve proposed budget</li> <li>Approve school/centre fees</li> <li>Approve Subject Time Allocation and implementation of BSR</li> <li>Annual report on GB's activities</li> <li>GB Financial report</li> </ul>

# ROLES OF THE PRINCIPAL

- Assists the Governing Board in its functions and powers;
- Ensures the implementation of the decisions of the Governing Board;
- Ensures that proposals are prepared and submitted to the Governing Board;
- Ensures that the Governing Board is provided with the necessary information;
- Consults the staff and makes proposals required by EA;
- Encourages concerted action between parents, staff and students.





# EFFECTIVE MEETINGS

- Well-planned agenda and established process for setting agenda;
- Meeting documents available prior to the meeting;
- Clear expectations for rules of conduct;
- Regular attendance;
- Chairperson who:
  - i) Respects internal rules;
  - ii) Listens and encourages all to speak;
- Discussion respects mandate of GB;
- Respect for the principles of equity and equality of opportunity to permit success for the greatest number;
- Communicate with the community:
  - i) GB Annual Report;
  - ii) School's Educational Project;
  - iii) Posted agenda – time – date of meeting;
  - iv) Posted minutes



# RESOURCES

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- LBPSB Website
- Governing Board Resource Manual, including the Templates GB Resource Manual (currently being updated)
- Parent Committee Website
- *Education Act; Basic School Regulation, Basic Adult General Education Regulation, Basic Vocational Training Regulation*
- Other relevant regulations : *Childcare Services provided at School, Transportation, Complaint Examination Procedure established by a School Board*



**Questions?**  
**Merci / Thank you!**

