

Section 5 – Operating the Governing Board

Establishing the Governing Board

Election of the Parent Members ([s. 47](#), [s. 102](#))

In the youth sector, during the period beginning on the first day of the school year and ending on the last day of September each year, an Annual General Assembly of Parents is held at each school. It is during this meeting that parent elections are held.

In the case of vocational centres, at least 2 parents of students attending the centre, who are not members of the staff of the centre, are elected by their peers according to the procedure determined by the centre director.

The chair of the governing board from the previous year or, if there is none, the principal is responsible for calling the meeting and giving at least four days *written* notice to parents of its time and date. Practically, however, this notification should have gone out during the first week of school, along with a call for nominations to fill the open parent positions on the governing board. All parents and legal guardians of students attending the school are invited to attend.

During the meeting the parents present must elect their representatives to the governing board. The onus is on the parents to fill all positions that are up for election. If they don't, the governing board cannot operate and all its functions and powers are turned over to the principal.

The term of office for parents is two years, with half of the parent seats up for election each year. The general assembly of parents elects representatives to a two-year term only, except in the situation of a new school, where half the parent representatives are elected for one year and half for two years.

[Section 55](#) of the [Education Act](#) stipulates that a parents' representative whose child no longer attends the school, may remain a member of the governing board until the next general assembly. A vacancy resulting from the departure of a parents' representative is filled for the unexpired portion of the representative's term by a parent designated by the other parents' representatives on the governing board.

Other things must happen at the Annual General Assembly, not directly related to forming the governing board. They are mentioned here for your convenience. From among the parent members elected to the governing board, the general assembly elects a representative to the Sector Parents' Committee and also designates a substitute representative. The general assembly also decides whether or not to establish a Parent Participation Organization.

The Election of Teachers, Professional Staff, Support Staff and Daycare Staff ([s. 48](#) – [s. 50](#), [s. 102](#))

During the month of September, the staff of each of these groups of the school (if any) will hold a meeting to elect their representative(s) according to the procedure set out in their collective agreement.

If the staff fails to elect all the positions to the governing board, they must be elected according to a procedure established by the principal/centre director after consulting with the affected groups.

The term of office for teachers, professional staff, support staff and daycare staff is one year.

The governing board can operate without filling all the staff positions.

The Appointment of Student Representatives ([s. 51](#), [s. 102](#))

In high schools, during the month of September, the students' committee or the association representing the students, if any, shall appoint two student representatives to the governing board.

If the students fail to appoint representatives to the governing board, the principal may preside over the election of students' representatives in accordance with the rules established by the principal after consulting with the students enrolled at the secondary school.

In continuing education centres, the students are elected according to the procedure determined by the principal after consulting with the students.

The term of office for student representatives is one year.

The governing board can operate without filling all the student positions.

The Election of Substitute Members ([s. 51.1](#))

As of July 1, 2017, any meeting called in accordance with sections 47 to 50 may elect substitute parents, teachers, non-teaching professionals (including staff assigned to childcare) and support staff to replace the member(s) of their respective group who are unable to take part in a governing board meeting.

Likewise, substitute student members may be appointed or elected during the process carried out in accordance with section 51.

The total number of substitute members elected cannot be greater than the number of governing board members for each school. Each distinctive group may not elect more substitute members than the number of members established for their group by the School Board. The concept of substitutes on governing boards applies to the youth sector only. Governing boards should amend their internal rules to define the process by which the substitutes elected (or appointed, in the case of students) will be called upon should a permanent member be absent or unable to attend one or more meetings of the governing board.

The Appointment of Community Representatives ([s. 42](#), [s. 102](#))

In the youth sector, two community representatives who are not members of the school staff are appointed by the voting members of the governing board. This would be done at the first meeting of the school year.

For continuing education centres, two persons are appointed by the school board after consulting with the socio-economic and community groups in the territory principally served by the centre.

The term of office for community representatives is one year.

The governing board can operate without filling the community representative positions.

The Appointment of Enterprise Representatives ([s. 102](#))

In continuing education centres, at least two persons are appointed by the school board from within enterprises of the region which, in the case of a vocational centre, operate in economic sectors corresponding to the vocational education programs offered by the centre.

The term of office for the enterprise representative is one year.

The governing board can operate without filling the enterprise representative positions.

Taking Office ([s. 53](#))

The members of the governing board take office as soon as all members are elected or, in the case of the youth sector governing boards, not later than September 30.

Managing the Governing Board Finances ([s. 275](#))

The school board's annual financial allocation to the school must include funding to be used to operate the governing board ([s. 275](#)). Any money that is not used during the year will be rolled over to the following year. The school must account for any expenditure during the year and the governing board must report by the fall. The prescribed reporting format is in [Addendum D](#) of this manual.

Lester B. Pearson practices state that the use of the this money is to be decided by the governing board, however, it is important to remember that the funds are provided for the **operation** of the governing board and not for donating to charities or to student recognition, school activities or events. Donations, bursaries, awards and contributions are not expenditures that reflect the operations of the board.

It is within the authority of the governing board to only use these funds for the reason they were provided. Training materials, photocopies, coffee and refreshments are typical uses of the funds. Governing boards may agree to compensate members for mileage to attend meetings or for babysitters.

The Minutes

Minutes are an official record of the proceedings of a meeting. The minutes include:

- The date, time and place of the meeting
- Names of members present and regrets from those absent
- Names of the members of the observing public
- Verification of the quorum
- Adoption of the agenda (with any modifications)
- Adoption of the minutes of the previous meeting (with any modifications)
- The exact wording of motions (unless withdrawn) including the names of the mover and seconder, if the internal rules of order dictate that motions are seconded
- Record of the votes
- Brief references to items of discussion and reports
- Items tabled or deferred
- Time of adjournment

After approval at the following meeting, the minutes are signed by the person presiding over the meeting and the school principal, or the person appointed by the principal.

The minutes must be recorded in a register kept for that purpose by the principal or by a person appointed by the principal. The register is open to the public. ([s. 69](#), [s.108](#))

Corrections to the minutes should not change the sense of that which was recorded, but may include a clarification or state an omission.

The form and content of the minutes can be set in the internal rules of management, however, in most cases, the minutes do not include details of discussions. (A sample internal rules of management document is included in [Addendum J](#)).

The First Meeting of the Year

It is important that everyone feels welcome and comfortable at this meeting. If there are new members, time should be given for people to get to know each other. Providing name tags and a few refreshments can help to create a more relaxed atmosphere. A closed “orientation meeting” can also be held to bring new members up to speed on roles, operation, powers and functions and issues carrying over into the new school year and while this can be done at the same time as the first public governing board meeting, no decisions can be taken during the closed portion.

The principal/centre director presides over the first meeting of the governing board until the chairperson is elected. The chairperson is chosen from among those parent members who are not employed by the school board. Once the chairperson is elected, he/she takes over the meeting. If members fail to elect a chair, the principal continues to chair until a chair is elected or for at least the minimum five meetings ([s. 67](#)) required by the [Education Act](#).

At youth sector governing boards, the appointment of the two community representatives should be one of the items on the agenda.

At the first meeting, the governing board should set the dates, times and meeting place for the year’s meetings. They may also wish to discuss how the governing board operating budget allocated by the school board is to be used.

Internal rules of management should also be discussed at the first meeting. Certain rules of operation are determined by the [Education Act](#) and must be respected, but governing boards are also required to establish their own rules. Some of the items governing boards may wish to consider are:

- how to give notice to parents and staff of the dates and times of the meetings
- the appointment of a secretary and, optionally, a treasurer
- the appointment of a vice-chairperson, if desired
- rules of procedure for meetings (duration of the meeting, time limits on agenda items, procedures for adding items to the agenda, etc.)
- guidelines for the conduct of members
- procedures to permit members of the public to be heard at the meetings of the governing board
- procedures for calling special meetings.

Other items on the agenda will vary from school to school depending on the local situation.

A generic internal rules of management document is included in [Addendum J](#).

A suggested agenda for the first meeting is in [Addendum E](#).

What Makes for a Good Meeting?

There are a number of ingredients that contribute to a good meeting, including:

- a well-planned agenda, distributed in advance with the minutes of the previous meeting and any other documentation relevant to the agenda
- a comfortable setting
- guidelines on conduct agreed to and respected by all members
- regular attendance
- an effective chairperson
- involvement of all members in the discussions
- a timeframe for agenda items
- open-mindedness and a sense of collaboration.

Preparation of the Agenda

The agenda is prepared in advance of the meeting by the chairperson in consultation with the principal/centre director. Other members of the board may be consulted when appropriate.

Some of the standard items are the adoption of the agenda and the minutes of the previous meeting, business arising from the minutes, reports and new business.

An agenda should not be too long or include too many items that require lengthy discussion. It may be helpful to specify a time limit for each item so that the agenda can be completed and to indicate whether they require a decision or are consultation or information items. It also helps if items can be arranged in order of priority for the meeting.

Members who wish to add items to the agenda should let the chairperson know well ahead of the meeting. Items may be added at the meeting when "Adoption of the Agenda" is being considered but these should be kept to a minimum. The added item, if a new topic, should be placed under the correct heading if one exists already or under "Varia," with the understanding that it may be deferred until the next meeting if more information is required.

Notice of Meeting

Meetings of the governing board are public. [Section 67](#) (also referred to in [section 108](#) for continuing education centres) states that parents and school staff are to be informed of the dates, times and place of meetings.

Parents and public may be advised through notices and newsletters sent home with the students. The agenda should also be posted in a location in the school where staff will see it. The school's website can be a perfect place to post these items.

Public and Closed Meetings

General

Meetings of the governing board are public. However, under [section 68](#) (also referred to in [section 108](#) for continuing education centres) of the [Education Act](#), the governing board may decide that a meeting be closed to the public if a matter to be examined could cause injury to a person.

The governing board may not make decisions at closed meetings since it may only study certain matters on these occasions and no minutes are recorded. Any decisions taken by a governing board must be made in public and recorded in the minutes of the meeting.

The governing board, in public and closed meetings, must act within the limits of its functions and powers.

Public Meetings

Governing boards should develop guidelines for meetings that will allow members of the public an opportunity to speak at an appropriate time (e.g. during a question period). The public must also be informed that the topics raised must be appropriate to the functions and powers of the governing board.

There are many matters that do not fall under the jurisdiction of the governing board. Examples are matters governed by the staff's collective agreement or those related to individual students, if such matters are raised at a meeting, either by governing board members or members of the public, the chairperson must interrupt and deny any such matter from being presented.

For example, at a governing board meeting, if a member of the public begins to complain about a member of staff, the chairperson must immediately intervene, indicate that the issue does not fall under the functions and powers of the governing board and direct the speaker to meet with the principal at another time.

Copies of the agenda should be available for the public at the time of the meeting. The reverse side of the agenda could be used to give information about the guidelines for question period, the current focus of the governing board, recent or upcoming events in the school, etc., anything that might be of interest to those attending the meeting.

Immunity and Prosecution ([s. 72](#), [s. 73](#), [s. 108](#))

[Section 72](#) (also referred to in [section 108](#) for continuing education centres) of the [Education Act](#) states, "The members of a governing board may not be prosecuted for an act performed in good faith in the exercise of governing board functions".

If a member is prosecuted by a third party for an act done within the exercise of a governing board function, the school board will defend that member. If the member is found liable for damage caused by an act done in bad faith, the school board may require repayment by the member for the legal expenses.

Governing Board Training

The school board is responsible for providing training to governing boards, as required. Lester B. Pearson has given this responsibility to the Director of Community Services. Training material, once finalized, is made available to all governing board members and is posted in the Governing Board Resource section of the LBPSB website:

<http://www.lbpsb.qc.ca/eng/Governingboard/GoverningboardV2.asp>

It is highly recommended that all governing board members and principals participate in the training offered. Training for individual governing boards is available upon request.

The Director of Community Services facilitates a meeting of the governing board chairs each year.

Calendar of Governing Board Functions

Revised 2018

The following is a suggested calendar of recurring events that governing board members should expect to work with on an annual basis. Some board consultations consistently come out at the same time of the year. Other events on this calendar will likely take place within the suggested calendar period. Please consider this calendar as a guideline only. References to the relevant sections of the Education Act are in parentheses where applicable. Please note that the GB needs to meet at a minimum 5 times per year and that monthly meetings are not a requirement under the law. The different items below are organized into tentative meeting groupings.

Please note that a decision of a majority of the votes cast by GB members entitled to vote present in a meeting where quorum has been established is required for every proposal that the GB must approve or adopt as per the Education Act.

September
<ul style="list-style-type: none">• Final meeting of the previous year's GB will adopt annual report and approve financial report to be submitted to the school board• Annual GB AGM to elect all GB members and GB substitutes (51.1), as well as nominate representative and alternate representative to Parent Committee from elected GB members

October through December

- First meeting of new GB for current school year
- Election of Chair and other positions (s. 56, 107)
- Appoint community reps * (s. 42(5)) and industry reps for vocational centres (s.102, 106,107)
- Internal rules of management are reviewed and adopted with any changes
- Prepare and adopt annual GB operating budget (s. 66)
- Establish daycare advisory committee, upon request only *
- Review recommendations from GB annual report
- Major School Change (If applicable) (s. 212)
- Enrollment criteria consultation (if applicable)* (s. 239)
- Report on TTFM Bullying and School Safety report and ISM Bullying and Violence tabulations for prior school year *
- Report on and evaluate results of ABAV plan for prior school year (s 83.1) *
- Approval of Field Trips and Fundraisers scheduled for October, November, December
- Review Finalized school/centre budget (s. 95, 110.4)
- Review educational project (s. **75, 109.1**)
- PEF submissions
- Make public the school or centre educational project (s. **83** and 109.1)
- Begin periodic review of educational project * (s. **74**)
- Approval of Field Trips and Fundraisers scheduled for January, February

February and March

- Capital budget priorities (s. 96.22, 110.13)
- Selection criteria for principal/centre director consultation (s. 79, 110.1)
- Budget consultation begins
- Report on evaluation (s.**74, 110.10**)
- Review GB composition and request change from school board, if desired (s. 43, 103)
- 3 year plan of allocation consultation
- Establish principles re cost of the documents (s. 77.1, 110.3.2)
- Propose changes to ABAV Plan where applicable (s. 83.1) *
- Approval of Field Trips and Fundraisers scheduled for March, April

April through June

- Review rules of conduct and safety measures* (s. 76)
- Report on TTFM Engagement and Our School report *
- Major School Change launch (if applicable) (s. 212)
- Adopt school/centre proposed budget (s.95, 110.4)
- Teaching Material for next year * (s. 84)
- Approval of Field Trips and Fundraisers scheduled for May, June
- Approve school/centre fees (s. 77.1, 110.3.2)
- Approve Subject Time Allocation for the following year (s. 86, 110.2)
- GB annual report (s.82, 110.3.1)
- GB Financial report (s. 82, 110.3.1)
- Approve field trips and fundraisers scheduled for September, October

* Youth sector only

Please note that GB meetings do not take place during the months of July and August