

# GOVERNING BOARDS



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

On August 10, 2020, the Superior Court ordered a stay of the application of Bill 40 to English language school boards.

The case will be heard at the Superior Court level in 2021

Version of the Education Act:

<https://www.canlii.org/en/qc/laws/stat/cqlr-c-i-13.3/167695/cqlr-c-i-13.3.html>



# COMPOSITION

A governing board is a representative body established within each school composed of:

- Parents
- School staff (teachers, non-teaching professionals and support staff)
- Daycare member (elementary)
- Students (high school level)
- Members of the community

Sections 42-46 (Education Act)



The governing board is composed of no more than 20 members.

- A) At least 4 parents
- B) At least 4 school staff members
  - ▶ At least 2 must be teachers
  - ▶ At least 1 non teaching professional or a teacher as a substitute
  - ▶ At least 1 support staff or a teacher as a substitute
  - ▶ 1 daycare representative (elementary level)
  - ▶ 2 students (high school level)
- C) 2 community representatives (non voting member)

The parent members (A) must be equal to the staff members (B)



# TERM OF OFFICE

Parents are elected to a term of: two years

*Except for the first year of a governing board when half are elected for 1 year and half for 2 years*

Other groups term is one year.

Term of the chair is one year.



# COMPOSITION

How to request for change in composition:

- Must be made in writing to the school board
- Must include resolutions from the governing board and staff
- Approved by Council
- Must be made by May or June to come into effect the following year



# ELECTION OF GOVERNING BOARD MEMBERS

- ▶ ALL representatives must be elected by September 30<sup>th</sup>

## ELECTION OF PARENT MEMBERS

The general assembly of parents:

- Elects parents' representatives and substitutes to the GB
- Elects delegate and alternate to the parents committee (EMSBPC)
- Decide on the formation of a PPO,
  - choose the number of members
  - decide how to elect the members



# ELECTION OF STUDENT REPRESENTATIVES

- Students are appointed by the students' council or the association representing the students.
- If they do not have an association, they meet to elect their representatives with the principal presiding over the elections.

## ELECTION OF STAFF MEMBERS

- ▶ Staff members meet to elect their representatives
  - ▶ Teachers
  - ▶ Non Teaching Professionals
  - ▶ Support Staff
  - ▶ Daycare staff



# THE COMMUNITY REPRESENTATIVES

- The governing board chooses whether or not they want to have community representatives.
- Recommended that they not be staff members or parent members of the school.

# THE PRINCIPAL'S ROLE ON GOVERNING BOARD

- Acts as the resource person.
- Ensures that proposals are prepared and submitted and all necessary information is given before making decisions.
- By law, they are responsible for the minutes ensuring that they are completed, signed and stored safely.  
(Section 69)
- They must take part in the meeting but is not a member.



# SUBSTITUTIONS

Substitutes can replace absent governing board members.

Each category of members (except community reps) can elect substitute members

- Parents
- School staff
- Daycare
- Students

Substitutes can take part in the meeting only when they replace a member who cannot attend

Section 51.1, Education Act

*Any meeting called in accordance with sections 47 to 50 may elect substitute members to the governing board to replace the members who are unable to take part in a governing board meeting. Likewise, substitute members may be appointed or elected during the process carried out in accordance with section 51. The number of substitute members cannot be greater than the number of governing board members.*



# How to Replace a Member that Resigns or Leaves the Governing Board

## Parent Representative:

Designated by the remaining parents on the governing board for the remainder of the mandate.

## Any Other Member:

Designated by the members they represent for the remainder of the mandate.

## Section 55

*A parents' representative whose child no longer attends the school may remain a member of the governing board until the next meeting held pursuant to section 47.*



# ELECTION OF THE CHAIRPERSON

- ▶ Is elected at the first meeting of the governing board by all the voting members.
- ▶ Presides over meetings.
- ▶ Has the deciding vote in the event of a tie.
  
- ▶ The governing board does not elect a vice-chair.

## Section 60

*If the chair is absent or unable to act, the governing board shall designate a person from among the members who are eligible for the office of chair to exercise the functions and powers of the chair.*



# WHAT CONSTITUTES A GOOD CHAIR

- Is well prepared
- Presides over the meeting (starts and ends on time)
- Respects the rules of internal procedure
- Keeps a speaker list
- Keeps order and ensures speakers remain on topic
- Listens attentively
- Encourages **all** members to speak and explain their views
- Clarifies, gives information and summarizes
- Speaks no more than is necessary
- Ensures that discussions respect the mandate of the governing board



# ROLE OF THE TREASURER

Gives updates on the annual governing board operating budget

i.e. \$250 allocated from the school board.

## Section 66

The governing board shall adopt and oversee the administration of its annual operating budget and render an account thereof to the school board.



# COMMISSIONERS

When carrying out a mandate by the council, proposed by the chair, a commissioner may take part in meetings of the governing board but is not entitled to vote.

(Section 45)

Taken from Education Act:

- Elected by the citizens.
- Determine orientations of the school board by taking into consideration the interests of students, parents and community.
- Exercise responsibilities comparable to those of municipal councillors.
- Since 2014, chair is elected by universal suffrage – elected by all voters.
- The EMSB council of commissioners meets once a month.
- Since the elected officials represent their community, they must take the time to become familiar with the issues that concern them and to inform parents, electors, the governing boards and the community as a whole of the decisions taken.



# OBSERVERS

- ▶ Do not take part in governing board meetings
- ▶ Are given an opportunity to ask questions addressed to the chair during question period

*Copies of the agenda should be made available to observers but they do not receive minutes or documents*

*Governing board meetings are open to the public, however it is recommended that the meeting be closed to the public (in camera) if a matter being discussed could cause injury to a person (Section 68)*



# QUORUM

A majority of the members of the governing board, who are in office, including **at least half the parents**, is a quorum of the governing board.

## EXAMPLE

**A governing board with 13 members:**

- 6 parents
- 4 teachers
- 1 member of the support staff
- 1 daycare worker
- 1 community representative (non voting member)

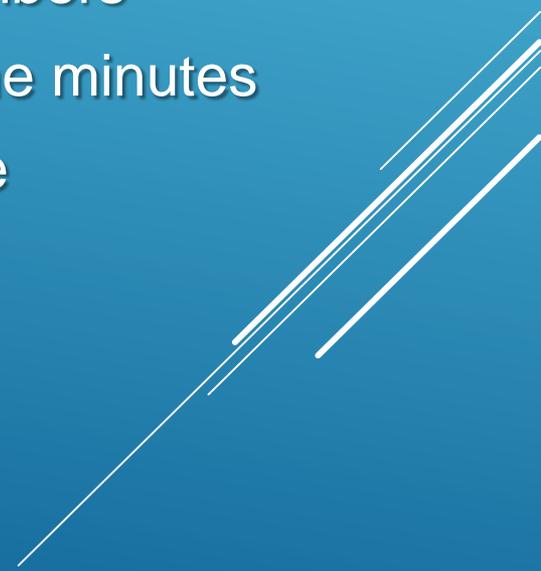
**Seven (half) constitutes quorum:**

- 3 parents (half)
- 2 teachers
- 1 daycare worker
- 1 community representative (non voting member)

# GOVERNING BOARD DECISIONS

The decisions of the governing board are made by a majority vote of the members present and entitled to vote.

- ▶ A majority of members including half the parents
- ▶ Abstentions do not count
- ▶ Community representatives are non voting members
- ▶ Decisions are made in public and recorded in the minutes
- ▶ Chair casts the deciding vote in the case of a tie



# RULES OF INTERNAL MANAGEMENT

The governing board establishes its own rules.

The rules of internal management should:

- ▶ reflect the needs of the governing board
- ▶ be reviewed every year

The governing board must provide for at least 5 meetings during the year.



# RULES OF INTERNAL MANAGEMENT

Do questions from the public do not all have to be answered at the same meeting?

Rules for public questions must be determined by the governing board and should be included in the internal rules.

Public question period is included on the agenda at the beginning and/or end.

Questions from the public are addressed during question period and are directed to the chair.

Questions do not have to be answered right away.  
You can come back with an answer at the following meeting.



# RULES OF INTERNAL MANAGEMENT

## WHAT TO INCLUDE

### Procedures for calling regular and special meetings

- Number of days required to send notice and/or agenda
- Who sends the notice/agenda
- How is the notice/agenda sent
- What else is sent with the notice/agenda

### Rules for the meeting

- Location, schedule, duration and discussion process
- How and when to bring up a proposal
- Conduct of the members

### Agenda

- Who drafts the agenda (content, priorities of items)
- Time allocation and nature of discussion of items should be indicated



# RULES OF INTERNAL MANAGEMENT

## WHAT TO INCLUDE

### Minutes

- Who records the minutes
- Who receives the minutes (other than the members of the governing board)

### Note:

*Following approval, the minutes are signed by the chairperson and the principal or the person appointed by the principal.*

*The minutes must be kept by the principal in a register and are open to the public (Section 69).*

### Budget

- Management operating budget (250\$)

Usually used for refreshments, photocopying, babysitting, transportation



# MINUTES

## What do they include:

- Date, time, and location of the meeting
- Names of the members present
- Names of members who sent regrets or are absent
- Time the meeting was called to order
- Adoption of the agenda
- Adoption of the previous meeting minutes (with modifications)  
*Corrections should not change the sense of what was recorded but should clarify any factual or clerical mistake*
- Exact wording of a motion with the vote
- Brief summary of items discussed
- Items that have been tabled or deferred
- Time of adjournment



# GOVERNANCE AND MANAGEMENT

- ▶ **Governing** is setting goals
  - ▶ Governing boards govern
- ▶ **Managing** is taking action to meet goals
  - ▶ School administrators manage and serve as resources to help guide the governing board in setting goals



# ROLE OF THE GOVERNING BOARD

Governing board members:

- ▶ voice opinions of the groups they represent
- ▶ discuss general orientations
- ▶ work together
- ▶ work in the students' best interests
- ▶ encourage cooperation among people having an interest in the school

## **IMPORTANT: Conduct** (*Section 71*)

- Members of the governing board must act within the scope of the functions and powers conferred on them, and exercise the care, prudence and diligence that a reasonable person would exercise in similar circumstances.
- They must also act with honesty and loyalty and in the interest of the school, the students, the parents, the school staff and the community.



## IMPORTANT: CONFLICT OF INTEREST (Section 70)

A governing board 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.

In such a case, the member should withdraw from the meeting while the issue is being discussed and voted on (Section 70).

Having a conflict of interest is not prohibited, but not declaring it could lead to forfeiture of office.



# ROLE OF THE GOVERNING BOARD

- ▶ The Education Act defines the powers and responsibilities between the governing board and principal.
- ▶ The governing board powers are defined in Sections 74-95.
- ▶ The principal's powers are defined in Sections 96.12-96.26.
- ▶ The governing board is the focal point for decisions that affect the life of the school.

Governing board members should consult the relevant policies and by-laws on the EMSB website.



# Governing boards:

- determine what the school should achieve through the educational project.
- *seek collaboration of persons having an interest in the school.*
- *encourage communication and dialogue between all parties in order to achieve students success.*

## *(Section 74)*

*The governing board shall analyze the situation prevailing at the school, principally the needs of the students, the challenges tied to student success and the characteristics and expectations of the community served by the school. Based on the analysis and taking into account the commitment-to-success plan of the school board,, the governing board shall adopt the school's educational project, oversee the implementation and evaluate project at the intervals specified in it.*

*Each of these stages shall be carried out through concerted action between the various participants having an interest in the school and in student success. To that end, the governing board shall encourage the collaboration of students, parents, teachers, other school staff members, and community and school board representatives.*



## The school administrator:

- is the **academic** and **administrative** director of the school.
- ensures that the decisions of the governing board are implemented.
- ensures objectives of the educational project are achieved.

### Section 96.12

*The principal, under the authority of the director general of the school board, shall ensure that educational services provided at the school meet the proper standards of quality.*

*The principal is the academic and administrative director of the school and shall see to the implementation of the decisions of the governing board and of the other provisions governing the school.*



# DIFFERENT TYPES OF POWER

## DECISION

- ▶ Certain responsibilities (obligations) that it should assume and on which it should make a decision.

I.E. preparing the annual report and how to inform the community

## ADOPTION

- ▶ The option to change, adapt, add or remove elements of a proposal submitted by the principal.

I.E. annual budget, Educational Project, GB annual report



# DIFFERENT TYPES OF POWER

## APPROVAL

- ▶ Accept or reject proposals without making changes (say *yes* or *no*).

If rejected, a new proposal must be submitted to the governing board for approval before its implementation.

I.E. basic school regulation, educational activities, anti-bullying plan

## INFORMATION

- ▶ Receive information after a decision is made by the principal with no possibility to reconsider the decision.

I.E. Local program of study, student achievement, instructional methods, enrolment criteria



# CONSULTATION

- ▶ Provides an opinion on any matter with the possibility of influencing the final decision.
- ▶ Consulted by the school board and the principal on certain issues related to the operation of the school.
- ▶ May also take the initiative to advise the school board.

I.E. Deed of establishment, criteria for principal, budget building

## Section 78

*The governing board shall advise the school board concerning:*

- (1) any matter the school board is required to submit to the governing board;*
- (2) any matter likely to facilitate the operation of the school;*
- (3) any matter likely to improve the organization of the services provided by the school board.*



# SUBJECTS OUTSIDE THE MANDATE OF THE GOVERNING BOARD

- Personnel management  
(hiring, assignment of workload, choice of supply teachers, discussion about members of staff)
- The situation of a particular student
- Teaching methods: choice of approaches, activities and types of homework to achieve the objectives of the programs
- The choice of report card and exams
- Class size and organization
- The school calendar
- Professional development of the staff



# CONCLUSION

Governing board's principal function:

- ▶ Provide guidance and positive influence.
- ▶ Promote the exchange of information and expertise in order to foster positive relationships.

## Section 74

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## TEAMWORK!

the key to a successful governing board!



# Questions

