



**School District  
No. 92 (Nisga'a)**

# Governance Policy Manual

The Board of Education  
SCHOOL DISTRICT #92 | NISGA'A

DECEMBER 2020

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## **POLICY 1**

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### **GOVERNANCE FOUNDATIONS**

The Board of Education, in fulfilling its responsibilities under the *School Act* of British Columbia to provide and oversee public education in our Nisga'a communities, has developed the school district's vision, mission, values and beliefs, and a strategic plan. It is the expectation of the board that the principles and spirit of these documents will guide all aspects of decision-making and operations in School District 92 Nisga'a.

The board's educational philosophy is captured in the statement of revered Elder Alvin A. McKay:

*"The child is a total being, and those who work with students must never lose sight of the child's basic life components: physical, social, emotional, and spiritual...and it is in the quest for knowledge that one will find wisdom, and this realization will open up the world of life, the world of living. This is the Nisga'a philosophy of education as a total way of life."*

#### **Vision Statement**

The Board of Education embraces Sayt K'il'im Goot (the belief in One Path, One Heart, One Nation). The board is committed to having students in School District 92 Nisga'a learn and understand Ayuukhl Nisga'a (our nation's oral history and language) and believes that learning should occur through Yuuhlmk'askw (knowledge transmission through counsel, lectures, and storytelling). Our Nisga'a way is to live in community and to care and to show respect for ourselves and for the ways of others.

#### **Mission Statement**

The Board of Education's mission is to work with students, families, staff and community to ensure every student within the Nisga'a Nation graduates and leaves the school system with a strong sense of identity, embedded in their language and culture, a sense of self-reliance and self-determination, a strong sense of place, and a sense of belonging.

#### **Values and Belief Statements**

Nisga'a tradition tells us that "even Txeemsim had to gain knowledge, develop control and self-discipline, and learn to share his wisdom with others." The Board of Education believes that these actions are also required of all of School District 92 Nisga'a students and employees.

The Board of Education is committed to the founding provisions of the Constitution of the Nisga'a Nation and to promoting the understanding of Nisga'a heritage, history, and culture throughout the school district.

The board also respects and encourages the revitalization and use of the Nisga'a language in all aspects of the school district's operations and communications.

*"We are committed to the concept of working together, with respect."*

## **Strategic Plan**

The Board of Education creates and annually updates the community on a multi-year strategic plan which outlines its goals and objectives for student learning in School District 92 Nisga'a. The current strategic plan can be found here <https://www.nisgaa.bc.ca/plans>.

## **Strategic Priorities**

The district will continue to create student learning opportunities that build strength in literacy, numeracy, and Nisga'a language, provide multiple pathways to student passions, and build interventions to lift up those who struggle. Continuous improvement is critical to successful completion of the graduation path.

The district will support and encourage the development of initiatives to build students pride and belief in who they are and where they come from, creating a strong sense of personal and cultural identity.

The district will continue to foster the creation of positive community and government partnerships that build opportunity and purpose for our youth to thrive in their communities.

## **Guiding Principles for School District 92 Operations**

For everything we decide and do, we will hold ourselves accountable and we will ask:

1. Does it support Nisga'a students, staff, and communities in their learning?
2. Is it the right thing to do?
3. Are we being true to our foundational beliefs?

## **Student Success**

Our priority is creating compassionate, healthy, and contributing citizens for the Nisga'a nation and the world.

The District will develop and maintain a shared understanding of what is meant by student success for Nisga'a students.

Student health and well-being will be supported as a means of improving student's success in school and after graduation.

### Educational Programs

The needs of individual students on their path to graduation will be identified and accommodated.

Instructional approaches will be grounded in the Nisga'a way and based on current research and good educational practice.

Programs will be reviewed on a regular basis to see if they are achieving the intended results for students.

### Human Resources

Processes for recruitment, selection, assignment, and evaluation of employees' performance will be documented and transparent.

Where qualifications for positions are objectively equal, preference will be given to Nisga'a candidates.

All employees will be held accountable for their job performance in keeping with professional standards and their employment contracts.

The school district acknowledges its responsibility to develop future Nisga'a employees and leaders for School District 92.

### Financial Management

Budgets will be developed with student experiences and success as a priority and aligned with strategic directions.

Sustainability or the ability to maintain a service or a program in the future will be a key consideration in budget development.

Financial reserves will be developed and maintained to allow for future planning and initiatives.

### Facilities and Operations

Facilities will be available for community use.

Facilities, including district-owned housing, will be maintained to a reasonable standard. Long range plans will be developed for facility maintenance, improvements, and eventual replacement.

Transportation services will prioritize safety and efficiency of operation.

### External Partnerships

Proactive relationships will be developed with the NLG, the Province of B.C., and appropriate federal agencies.

Community partnerships may be developed where there is a clear benefit to School District 92 students.

Community involvement in district and school decision-making is encouraged, where appropriate.

### Legal References

*School Act: Sections 65,75,85*

*Order in Council: No. 597*

## **POLICY 2**

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### **ROLE OF THE BOARD**

The Board of Education, School District No. 92 (Nisga'a) is the corporate entity established by provincial legislation and is given authority by the *School Act* and attendant Regulations to provide overall direction and leadership to the district. It is accountable for the provision of appropriate educational programs and services to enrolled students of the district to enable their success, in keeping with the requirements of government legislation.

The board is charged with the responsibility for providing an education system that is organized and operated in the best interests of the students it serves. The BC *School Act* provides that the board is responsible for the improvement of student achievement in the school district. To that end, the board shall make continual appraisals of the educational, administrative, and planning processes in light of the board's stated goals and objectives.

#### **Specific Areas of Responsibility**

1. Accountability to the Provincial Government

*The Board shall:*

- 1.1 Act in accordance with all statutory requirements of provincial legislation to implement educational standards and policies.
- 1.2 Perform board functions required by governing legislation and existing board policy.

2. Developing and Maintaining a Culture of Student Learning

*The Board shall:*

- 2.1 Ensure board agendas reflect the board's commitment to improving student success.
- 2.2 Ensure the district's strategic plan identifies student learning key results.
- 2.3 Ensure that the results achieved are reviewed at least annually, including identification of trends and issues.
- 2.4 Ensure resources for approved initiatives to improve student outcomes are included in the annual operating budget.
- 2.5 Ensure the effectiveness of the Superintendent's leadership in improving student outcomes are assessed periodically.

### 3. Accountability to and Engagement of the Community

*The Board shall:*

- 3.1 Assess community values and interests and incorporate them into the school system's strategic direction and engage staff, parents and the wider community in developing and supporting the district vision.
- 3.2 Make decisions that address the needs of all School District 92 Nisga'a students.
- 3.3 Establish processes and provide opportunities for community input and engagement.
- 3.4 Report district student learning outcomes at least once annually to the community.
- 3.5 Develop procedures for and hear appeals as required by statute and/or board policy.
- 3.6 Meet regularly with local and provincial representatives, as and when required, and with the Nisga'a Lisims Government, to achieve desired educational outcomes.
- 3.7 Model a culture of respect and integrity, openness and transparency.
- 3.8 Make decisions that reflect both individual village or community interests and values, and those of the entire school district.

### 4. Strategic Planning

*The Board shall:*

- 4.1 Work with the Superintendent and Secretary-Treasurer to provide overall strategic direction for the district.
- 4.2 Annually review district priorities and results being achieved in the district's strategic plan.
- 4.3 Annually ensure evaluation of the effectiveness of the district in achieving established priorities and key results.



## 5. Policy

*The Board shall:*

- 5.1 Identify how the board is to function.
- 5.2 Delegate authority to the Superintendent and clearly define performance expectations.
- 5.3 Formulate policies and approve bylaws in conformity with the *School Act* for the effective and efficient operation of schools in the school district.
- 5.4 Ensure motions which are intended to have continuing effect are integrated into existing or new policy statements.
- 5.5 Govern the district through board-approved policies and motions.
- 5.6 Regularly review the policies developed by the board and their effectiveness in meeting students' needs and achieving the board's mandate.

## 6. Board/Superintendent Relations

*The Board shall:*

- 6.1 Select and hire the Superintendent.
- 6.2 Provide the Superintendent with clear board direction.
- 6.3 Delegate, in writing, administrative authority and identify responsibilities in keeping with provisions and restrictions in provincial legislation and regulations.
- 6.4 Periodically assess the Superintendent's performance in accordance with a mutually agreed upon performance appraisal process.
- 6.5 Annually review Superintendent compensation.
- 6.6 Respect the authority of the Superintendent to carry out executive action and support the Superintendent's actions which are exercised within the delegated discretionary powers of the position.
- 6.7 Ensure all board members interact with the Superintendent in a respectful and professional manner.
- 6.8 Promote a positive working relationship with the Superintendent.

- 6.9 Promote the professional growth of the Superintendent in continuing to provide quality district leadership.

## 7. Political Advocacy/Influence

*The Board shall:*

- 7.1. Acquire or retain membership in the BCSTA.
- 7.2. Make decisions regarding British Columbia School Trustees Association (BCSTA) and British Columbia Public School Employers' Association (BCPSEA) issues.
- 7.3. Advance district positions and priorities including through BCSTA where applicable.
- 7.4. Act as an advocate for public education and the district.
- 7.5. Arrange meetings with elected local, provincial, and federal government officials to garner support for the board's priorities and directions.
- 7.6. Participate in regional, provincial, and/or national school board associations as deemed appropriate.

## 8. Board Development

*The Board shall:*

- 8.1. Work diligently to improve both the individual and corporate skill sets necessary for effective governance.
- 8.2. Conduct a formal review of the board's effectiveness at least once in each term.

## 9. Fiscal Accountability

*The Board shall:*

- 9.1. Ensure the fiscal integrity of the district.
- 9.2. Approve budget process and timelines at the outset of the budget process.

- 9.3. In collaboration with the Superintendent and Secretary-Treasurer, identify budget assumptions and draft priorities to be used in the creation of the draft annual operating budget.
- 9.4. Approve the annual budget and allocation of resources to achieve desired results, including strategic priorities.
- 9.5. Annually approve the district's updated Five (5) Year Capital Plan.
- 9.6. Annually appoint the auditor and approve the terms of engagement.
- 9.7. Review annually the audit report and management letter and approve those recommendations to be implemented.
- 9.8. Annually review and approve remuneration for excluded staff.
- 9.9. Approve the acquisition and disposition of district land and buildings.
- 9.10. Approve the annual spending plan for the Annual Facilities Grant.
- 9.11. Approve Amended Annual Budget.
- 9.12. Monitor the fiscal management of the district through receipt of at least quarterly variance analyses and year-end projections and updates on capital spending against the budget.
- 9.13. Approve borrowing for capital expenditures within provincial restrictions.
- 9.14. Approve transfer of funds to/from restricted and non-restricted surplus funds.
- 9.15. Approve transportation assistance rates.
- 9.16. Approve changes to student fee schedules.
- 9.17. Establish budget principles and budget priorities, ensure resources are allocated to achieve desired results, and adopt an Annual Budget.
- 9.18. For significant capital projects, receive regular status reports that set out progress on spending against budget, achievement of key milestones and risks related to delivering the project on time, on budget and against project specifications.
- 9.19. Approve allocations of one (1) time exceptional funding.
- 9.20. Establish trustee honoraria and reimbursement.

Legal References

School Act: Sections 65, 74, 74.1, 75, 75.1, 76.1, 76.3, 76.4, 77. 79.2, 82, 82.1, 84, 85, 86, 96, 112, 112.1, 113, 145, 147, 158

## **POLICY 3**

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### **ROLES AND EXPECTATIONS OF INDIVIDUAL TRUSTEES**

#### **ROLE OF THE TRUSTEE**

Trustees are elected in accordance with the Local Government Act. The British Columbia *School Act* prescribes eligibility requirements for running for the office of school trustee. The Board of Education of School District No. 92 is a corporate body elected by citizens of the Nass Valley.

Duly elected trustees take an oath of office which obligates them to commit to and carry out the decisions of the corporate (whole) board. Individual trustees have no authority under the *School Act* or the Local Government Act to make decisions or commitments on behalf of the board or the school district. While individual members of the board may make the needs of their home communities known, they must balance the needs of ALL students and families in the board's policymaking and decision-making.

The Board of Education is a legally established corporation. The decisions of the board in a properly constituted meeting are those of the corporation. The decisions of the board are made by resolution or motion. Once made it is the responsibility of the individual board member to carry out those decisions in good faith. A board member's primary responsibility is to the board which, in turn, is accountable to the electorate.

When an individual trustee, such as the board chair, is given authority by the whole board to act on behalf of the board, the actions of that individual become those of the whole board, and any legal, political, or fiscal consequences of those actions also become the board's. For this reason, individual trustees must make explicit when they are expressing an individual viewpoint rather than making representations on behalf of the whole corporate board.

#### Trustee Roles and Responsibilities

Within the parameters of board policy and bylaws, and once they have taken the prescribed oath of office, individual trustees have a responsibility to:

1. *Be prepared*
  - By understanding and respecting the roles of the board, individual board members, the Superintendent, the Secretary-Treasurer, and other district personnel
  - By reading agenda packages and reports prepared by the Superintendent and senior staff, being familiar with board policy and legislation, and researching issues that will come before the board for decision
2. *Be present*

- By attending all regular and extra-ordinary meetings of the board, and board committee meetings, as assigned
- By attending board orientation sessions, professional learning sessions, and regional and provincial conferences, as contemplated by board policy and/or supported by board motion
- By attending school and community events as appropriate

*Note: The School Act indicates, 52 (2) If a trustee is continuously absent from board meetings for a period of three (3) consecutive months, unless the absence is because of illness or with the leave of the board, the office of the member is deemed to be vacant and the person who held the office is disqualified from holding office as a trustee until the next general school election.*

3. *Be professional*

- By acting in accordance with both the board's code of conduct, and the values and ethics of the British Columbia School Trustees' Association
- By being respectful of the board's time, its members, its staff, and its constituents
- By maintaining confidentiality around the board's affairs and decisions
- By directing issues, complaints, and inquiries of an educational or operational nature back to the member of staff who has the responsibility to resolve it

4. *Be committed*

- To governing in a way that places student success, safety, health, and well-being at the centre of all decisions
- To the board's advocacy efforts and to the principles that define public education
- To the decisions of the corporate board, once made and communicated
- To the principles of accountability and transparency as befits those who hold public office and are stewards of public assets

## **ROLE OF THE BOARD CHAIR**

The Board of Education will elect a board chairperson and a vice chairperson at its first board meeting after each election, and once annually for the remainder of its term.

Neither the board chair nor the vice-chairperson has authority to either make decisions beyond policy created by the board or to supervise or direct staff.

The board delegates and assigns to the chairperson the following roles and responsibilities:

- Setting the agenda for all board meetings, in consultation with the Superintendent and the Secretary-Treasurer.

- Presiding over all public board meetings and ensuring that such meetings are conducted in accordance with the *School Act*, the bylaws, and policies as established by the board, using the parliamentary procedures outlined in Robert's Rules of Order.
- Displaying impartiality and fairness during board discussions and debate, balancing the need to move the agenda along with the right of all members to be heard before votes are cast, and decisions made.
- Acting as chief spokesperson for the board by stating positions consistent with board decisions and policies (except for those instances where the board has delegated this role to another individual or group).
- Serving as a signing officer for the district.
- Formally representing of the board at district and community events, meetings with other levels of government or other organizations or at hearings.  
*Note: When representing the board at official meetings or in an official function, the chair is limited to speaking for positions the board has determined through formal decisions and passing motions. The chair will bring back issues to the board for consideration if the board has not yet made a decision or established direction on the matter. The chair will share with the board all information from meetings held with other levels of government or external organizations which the chair attended as the board's representative.*
- Following consultation with trustees, recommending to the board trustee appointments to any internal or external committees, or appointments as representatives to external organizations.
- Approving expense claims for all trustees except the vice-chair and ensure that the vice-chair's expenses are approved by the finance committee member who is neither the chair or the vice-chair.

## **ROLE OF THE VICE-CHAIRPERSON**

In the event of absence or incapacitation of the board chair, the vice-chair is authorized by the board to exercise all the duties and responsibilities of the board chair.

The vice-chair assists the board chair in ensuring that the board operates in accordance with its own policies and procedures and in providing leadership and guidance to the board.

The vice-chair may be assigned other specific responsibilities, including those of an alternate signing officer, at the discretion of the board.

## **APPENDIX**

### **Trustee Remuneration**

Effective January 13, 2020 trustee remuneration for regularly scheduled board meetings and activities shall be:

- For the Chairperson, an honorarium of \$7777.00 annually, and an expense allowance of \$3901.00
- For the Vice Chairperson, an honorarium of \$7345.00 annually, and an expense allowance of \$3685.00
- For other board members, an honorarium of \$6921.00 annually, and an expense allowance of \$3473.00

These amounts are paid in monthly instalments on the first Friday of each month, and are effective from the date of having been declared elected.

A trustee who has more than one unexcused absence from a regularly scheduled board meeting shall have the honorarium withheld for the month following the missed meeting.

Trustees will be paid a non-taxable honoraria of \$125.00 per day while carrying out official duties of the board, other than for those days on which regularly scheduled board meetings are held.

Trustees will be paid a non-taxable honorarium of \$125.00 per day for up to two full travel days while travelling outside the northwest communities on official board business.

Trustee remuneration will be reviewed each year in September.

### **Attendance at Conventions**

All trustees may attend the BCSTA Annual General Meeting, Northwest Regional Branch Meetings, Trustee Academies and Indigenous Education Committee Meetings.

The board's elected BCPSEA representative or alternate may attend the BCPSEA Annual General Meeting and the Symposium, and the Board's elected BCSTA Provincial Council representative or alternate may attend the BCSTA Provincial Council Meetings.

Any trustee attending, at a district expense, as a board representative, any seminar or meeting outside the school district, excluding Committee of the Whole, Standing Committees and Ad Hoc Committee meetings, shall so be authorized by a board resolution, in advance



where possible, and shall submit a written or verbal report following attendance at the seminar or meeting.

## **Trustee Expense Reimbursement**

Expense reimbursements for trustees representing the board on official business shall be handled as follows:

### Transportation

The board will pay the following costs:

- Actual costs of taxis, buses, economy airfare, airport improvement fees, and ferries upon provision of receipts
- For travel in excess of 800 kms, an amount not to exceed the two-week advance booking economy airfare
- The current BCSTA rate per kilometre for use of a private vehicle. No reimbursement is provided for fuel costs.

### Meals

Each trustee will be reimbursed a per diem, not to exceed \$55.00 per day, or individual meals reimbursed as follows:

Breakfast	\$11.00
Lunch	\$17.00
Dinner	\$25.00

A per diem may be charged for one travel day each way for board-approved travel. This per diem includes gratuities and all other expenses such as dry cleaning, portage, and personal telephone calls.

### Accommodation

The board will reimburse each trustee for the actual cost of reasonable hotel accommodation, upon submission of receipts.

Where private accommodation is used in lieu of commercial accommodation, \$40.00 per day shall be paid.

Accommodations costs are limited to only one additional night for a travel day.

### Registration

The board will pay the travelling trustee any associated registration fees.

### Additional Allowances

In any case not provided for in this regulation, the board may approve by resolution the payment of a special allowance for a special cause.

### Form of Claim

Claims for reimbursement of expenses shall be made within 7 days of return from a trip, with all required receipts attached on the approved expense claim form.

### Legal References

*School Act: Sections 49,50, 52,65,67,69,70, 85*

## **POLICY 4**

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### **TRUSTEE CODE OF CONDUCT**

Trustees as members of the corporate Board of Education shall act prudently, ethically and legally, in keeping with the requirements of provincial legislation. This includes proper use of authority and appropriate conduct and interactions in terms of group and individual behaviour.

#### **Guidelines and Procedures**

##### **1. Integrity and Dignity of the Office**

*Trustees of the Board shall:*

- 1.1 Discharge their duties in a manner that maintains public confidence in the abilities and integrity of the board;
- 1.2 Act as a trustee of this district and work carefully to ensure that it is well maintained, fiscally secure, and operating in the best interest of students;
- 1.3 Recognize that the expenditure of school board funds is a public trust and ensure that available funds are expended efficiently and effectively;
- 1.4 Work together with fellow trustees to communicate accurate and timely information about the district and its schools;
- 1.5 Regularly attend board meetings, meetings of the board committees to which they have been appointed, and meetings for which they have been appointed to serve as board representatives;
- 1.6 Provide leadership to the community through setting strategic direction and creating policies to guide district operations and educational programs and periodically assessing if goals are being met; and
- 1.7 Refrain from using the position of trustee for personal advantage or for the advantage of any other individual, but rather maintaining a focus on the collective interests of students, families, and communities.

##### **2. Compliance with Legislation**

*Trustees of the Board shall:*

- 2.1. Observe bylaws and rules of order, the policies and procedures of the district, and the laws, rules and regulations governing education in British Columbia; and
- 2.2. Respect and understand the roles and duties of the individual trustees, board of education, superintendent of schools and the chair of the board.

### 3. Civil Behaviour

*Trustees of the Board shall:*

- 3.1. Represent the board of education responsibly in all board-related matters and act with decorum at all times. (Decorum: behaviour that is controlled, calm, and polite);
- 3.2. Work respectfully and constructively with fellow trustees, the superintendent of schools, and all other district personnel;
- 3.3. Not make disparaging remarks in or outside board meetings, about other board members or their opinions, and be unfailingly respectful of staff, students and the public;
- 3.4. Use social media responsibly, including an acknowledgment that opinions expressed are those of the individual not the board.

### 4. Upholding Decisions

*Trustees of the Board shall:*

- 4.1. Base their decisions on all available facts, data and perspectives of an issue, respecting the opinions of others and diligently upholding the best interests of the students;
- 4.2. Accept that authority rests with the board and that no trustee has individual authority to direct district staff other than when that authority is specifically delegated by the board;
- 4.3. Uphold publicly the majority decisions of the board of education and the implementation of any board resolutions; and
- 4.4. Accept that the chair of the board is the spokesperson to the public on behalf of the board, unless otherwise determined by the board. No other trustee shall speak on behalf of the board unless expressly authorized by the chair of the board or board to do so. When individual trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the board.

### 5. Respect for Confidentiality

*Trustees of the Board Shall:*

- 5.1. Keep confidential any information disclosed or discussed at a meeting of the board or committee of the board, or part of a meeting of the board or committee of the board that was closed (in-camera) to the public, and keep confidential the substance of deliberations of a meeting closed (in-camera) to the public unless required to divulge such information by law or authorized by the board to do so;
- 5.2. Not use confidential information for personal gain or to the detriment of the board or district; and

- 5.3. Not divulge confidential information, including personal information about an identifiable individual or information subject to lawyer-client privilege that a trustee becomes aware of because of their position, except when required by law or authorized by the board to do so.

Legal References

*School Act: Sections 49, 50, 55, 56, 57, 58, 59, 62, 65, 85, 94, 95*

## **POLICY 5**

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### **BOARD OPERATIONS**

In order to carry out its responsibilities effectively, the board will hold periodic meetings of several types. Formal meetings, at which all formal and legal business of the board will be conducted, may be designated as inaugural, regular, or special meetings. These meetings of the board are open to the public and will follow a specific agenda format.

The board may also hold 'in camera' meetings, which are closed to the public. These meetings are held when the board determines that it is in the public interest to do so, due to the nature of the issues under discussion, or when provisions of the BC Freedom of Information and Protection of Privacy Act apply. These meetings operate under the same requirements for agenda setting, voting procedures and decorum (including the taking of minutes) as board meetings that are held in public. They typically involve items related to individual employees or students, who are entitled to privacy but may also relate to legal, personnel, property, or labour relations issues.

The board is committed to conducting its business and fulfilling its responsibilities in an orderly and efficient manner. All points of procedure not specifically provided for in this policy shall be decided in accordance with Robert's Rules of Order.

The board has adopted specific policy governing board operation and the conduct of its formal meetings.

#### **Board Composition and Elections**

The Board of Education for the school district is comprised of a total of five (5) trustees selected from the following trustee electoral areas:

One (1) trustee from Trustee Electoral Area A, Gitlaxt'aamiks;

One (1) trustee from Trustee Electoral Area B, Gingolx;

One (1) trustee from Trustee Electoral Area C, Laxgalts'ap;

One (1) trustee from Trustee Electoral Area D, Gitwinksihlkw;

One (1) trustee from Nass Camp and surrounding area

## Inaugural Meeting

After the general local election of trustees in the school district, the Secretary-Treasurer must convene a first meeting of the Board within thirty (30) days from the date that the new board begins its term of office. The first order of business shall be to elect a chairperson and vice-chairperson of the board.

The chair of the inaugural meeting shall be the Secretary-Treasurer until such time as the board chair has been elected. The Secretary-Treasurer shall announce the results of trustee elections.

The Secretary-Treasurer shall administer the two (2) oaths of office; the Declaration by Trustee and the Oath of Confidentiality before taking their seats on the board.

The Secretary-Treasurer shall call for nominations for board chair (seconding is not required) and conduct a vote by secret ballot in which that person receiving a clear majority cast shall be elected board chair for the ensuing year. If no person receives a clear majority, further ballots shall be taken until the same is achieved or, if after a third ballot a tie shall occur the board shall recess and reconvene at a time of its choosing in order to conduct a fourth vote.

The chair so elected shall assume the chair for the remainder of the meeting.

The board shall proceed to elect a vice-chair, BC School Trustees Association representative and alternate, and a BC Public School Employers' Association representative and alternate, in the same manner as the election of the chair.

Following the elections, the order of business shall be:

Passage of banking resolutions and appointment of signing officers. These appointments may be amended at a regular board meeting as required.

## Annual Election of Officers of the Board

In non-election years, the board shall meet at a time, place and location as determined by the board to elect the officers of the board. This will normally be done annually, however, the *School Act* allows an election at any time.

The chair of the meeting shall be the Secretary-Treasurer until such time as the board chair has been elected.

The Secretary-Treasurer shall call for nominations for board chair (seconding is not required) and conduct a vote by secret ballot in which that person receiving a clear majority cast shall be elected board chair for the ensuing year. If no person receives a clear majority, further ballots shall be taken until the same is achieved or if after a third ballot a tie shall occur, the board shall recess and reconvene at a time of its choosing to conduct a fourth vote.

The chair so elected shall assume the chair for the remainder of the meeting.

The board shall proceed to elect a vice-chair.

### **Regular Public Meetings**

Prior to the end of each school year, the board shall establish a schedule of regular public meetings of the board for the following school year. A regular meeting shall be held at least once per month. Additional meetings shall be held as the board may decide.

A quorum of the board for a regular meeting shall be a majority of the trustees (3) holding office at the time of the meeting.

At the appointed time for commencement of a meeting, the chair shall ascertain that a quorum is present before proceeding to the business of the meeting. If a quorum has not been made within one-half (1/2) hour after the appointed time, the meeting shall stand adjourned until the next regular meeting date or until another meeting shall have been called in accordance with this policy.

If, prior to the meeting, the chair and/or the Secretary-Treasurer have received information suggesting there will not be a quorum, the meeting may be cancelled, and attempts will be made to contact all trustees.

Trustees may be allowed to participate in or attend a meeting of the board by telephone or other means of communication if all trustees and other persons participating in or attending the meeting are able to communicate with each other.

If a trustee participates in or attends a meeting of the board by telephone or other means of communication (as provided above), the trustee is to be counted for the purposes of determining a quorum and voting.

The agenda will be set by the agenda setting meeting, which consists of the board chair, vice-chair, Superintendent and Secretary-Treasurer, no later than the Monday of the week prior to the public meeting. Items for the agenda are to be submitted to the office of the Secretary-Treasurer by 4:00 p.m. on the Tuesday of the week prior to the board meeting.

Written notice of each meeting, together with the proposed agenda, must be given at least forty-eight (48) hours in advance to each trustee by delivery to the place designated by him or her, or via email. Non-receipt by a trustee shall not void the proceedings.

The agenda will include the following items:

- Minutes of the previous meeting;



- Minutes of any special meetings held since the previous regular meeting;
- Briefing notes for any items requiring a decision;
- Copies of information items;
- Notice or items of new business to be considered;
- Copies of board correspondence to be considered.

### The Order of Business

The order of business at all regular board meetings, unless varied by motion, shall be as follows:

*Call to Order*  
*Welcome and Acknowledgements*  
*Agenda – Changes/Additions*  
*Adoption of Agenda*  
*Adoption of Minutes of Prior Meetings*  
*Report on In-Camera Meeting*  
*Presentations or Delegations from the Public*  
*Correspondence*  
*Announcements Board Chair and Superintendent*  
*Superintendent’s Report*  
*Secretary-Treasurer’s Report*  
*Decision items*  
*Information items*  
*Board Business*  
*Public Question Period*  
*Adjournment*

A change to the prescribed order of business may be proposed by any trustee and shall require majority consent, without debate.

New business shall not be considered at any regular meeting unless it arises directly out of correspondence, reports, or other matters arising during the regular order of business, provided that the members present at any regular meeting of the board may, by unanimous resolution, waive the giving of notice. New business may only be introduced by a member as provided herein through a Notice of Motion.

Minutes shall be kept by the secretary of the board of all proceedings of the board, with the minutes to be concise and to record decisions, but not the contents of discussion or debate.

All meetings shall stand adjourned at two (2) hours after their commencement. Meetings may continue to a specified or unspecified time, provided that the members present at the meeting vote unanimously to continue.

All regular public meetings of the board shall be open to the public and to the media and no person shall be excluded except for improper conduct.

The presiding officer may expel and exclude from a board meeting, any person whom they consider has been guilty of improper conduct.

If, in the opinion of the board, the public interest so requires, the board may order a meeting or part thereof to be closed (in-camera) to the public to discuss topics pertinent to that meeting and may exclude persons other than trustees and officers.

Fifteen (15) minutes will be set aside on each regular board meeting agenda to give members of the public an opportunity to ask questions to the board.

The board welcomes questions of a general nature, but the primary purpose of the "Public Question Period" is to ask questions about the board's policies or operations. The Question Period is not a platform for presentations or personal statements.

The chairperson may refer any question to a senior staff member or to the appropriate board committee chairperson. Whenever possible, the questions will be answered immediately. If not, it will be deferred to a later date when all the information is available.

A review of board operations, procedures and policies will be conducted once in each board term.

### Public Participation in Board Meetings

The board welcomes and provides for a variety of forms of public participation by members of the community. Public participation may be through presentations by a delegation, through formal question/comment periods in regular board meetings or in the form of written communications.

### Presentations

Requests to make a presentation before the board shall be submitted to the office of the Secretary-Treasurer by 4:00 p.m. on the Monday of the week prior to the scheduled board meeting.

After the scheduled presentation, board members may ask questions. Except in extraordinary circumstances, no formal response will be given until a later date.

Presentations at regular meetings may include objective criticism of school operations and/or programs but may not include complaints about school personnel or other persons.

Speakers shall be allotted fifteen (15) minutes for a presentation, although the time allotment may be extended up to an additional fifteen (15) minutes more by a majority vote of the board.

## Delegations

The following guidelines will govern groups or individuals wishing to be heard as a delegation.

A delegation is a group or individual requesting permission to appear before the board to speak on a matter relating to the business of the board. Requests to appear as a delegation must be submitted in writing six (6) calendar days prior to a scheduled meeting. The request must outline the purpose of the delegation.

Normally, a delegation representing a group previously heard on a topic will not be heard a second time unless the delegation presents, in advance, material or information not previously considered that is germane to any decision. A motion of the board to hear the delegation must be passed by having a majority of all its members cast an affirmative vote.

Delegations will be limited to five (5) minutes duration, with a brief question period available for trustees at the conclusion.

Any written material to be provided to trustees in conjunction with a delegation must be made available to the school board office by the Thursday afternoon preceding the meeting. Eight (8) copies are required. If the material provided must be returned following the meeting, this must be specified at the time it is provided.

Decisions on requests made by a delegation are not normally made at the meeting at which the delegation is heard. However, if the board believes the matter is emergent, it may consider the matter during the new business portion of the meeting.

Groups or individuals wishing to be heard as a delegation must be present when the meeting is called to order. They may leave the meeting once their business is concluded but are welcome to remain should they so desire.

Any special arrangements required must be made at the time the request to address the board is submitted.

## Question Period

During the Question Period section of the agenda, individuals may ask a question and supplemental questions of the chair on school board matters. The total time for each question, including supplemental questions and the response, is five (5) minutes.

## **Special Meetings**

A special meeting of the board may be called by the chair, or upon written request by a majority of the trustees, shall be called by the Secretary-Treasurer. No business other than that for which the meeting was called shall be conducted at the meeting.

Written notice of a special meeting and an agenda shall be given to each trustee at least forty-eight (48) hours in advance of the meeting. Delivery of a written notice and the agenda may be waived by resolution, provided all reasonable steps have been taken to notify all trustees of the meeting.

## **Closed In-Camera Meetings**

The board may convene a meeting without the public, or without the public and staff present, at which matters of a confidential nature shall be discussed. No trustee shall disclose to the public, the proceedings of a closed (in-camera) meeting unless a resolution has been passed at the closed meeting to allow disclosure.

Minutes of a closed (in-camera) meeting shall be kept in the same manner as a regular meeting but shall be approved only by the board in a closed (in-camera) meeting and shall not be filed with the minutes of the regular meetings.

A general summary of matters discussed, and the nature of decisions made at in-camera meetings shall be prepared following each meeting and, after approval of the in-camera meeting minutes, this statement will be attached to the agenda of the regular meeting immediately following.

Unless otherwise determined by the board, the following matters shall be considered in a closed (in-camera) meeting:

- Student disciplinary cases;
- Information regarding appointment, employment, discipline or dismissal of an employee;
- Matters of collective negotiations with employees;
- Matters related to the purchase or sale of land;
- Matters of a personal nature that are subject to the Freedom of Information and Protection of Privacy Act;
- Such other matters where the board decides that the public interest so requires.

Notwithstanding any rule limiting reconsiderations of the agenda, a trustee may make a motion to move a matter from the agenda of a closed (in-camera) meeting or session to the agenda of the open meeting, or the reverse. The motion requires a seconder, is debatable, and requires a simple majority in order for the matter to be considered in a closed (in-camera) meeting.

## **Bylaws**

The board shall not give a bylaw more than two (2) readings at any one (1) meeting unless the members of the board who are present at the meeting unanimously agree to give the bylaw three (3) readings at that meeting. The follow matters shall be dealt with only by bylaw:

- Adoption of the budget;
- A capital bylaw;
- The acquisition or disposal of property;
- Amendments to bylaws;
- Where required by the *School Act*.

Written notice of intention to propose a bylaw shall be given in the notice of the meeting where the bylaw is to be proposed.

Every bylaw shall be dealt with in the following stages:

- First reading – no debate or amendment;
- Second reading - discussion of the principle of the bylaw;
- Third reading – consideration of amendments and final decision.

The Secretary-Treasurer shall certify on a copy of each bylaw, the readings and the times thereof and the context of any amendment passed.

A proposed bylaw or amendment may be withdrawn at any stage with unanimous consent of the board.

## **Presiding Officers**

If the chair is absent, or unable to act, the vice-chair shall preside at meetings of the board. If the vice-chair is absent or unable to act, the members shall elect one (1) of their number to preside at the meeting.

The chair may vacate the chair in order to enter debate or propose or second a motion, in which case the vice-chair, if present or another member appointed by the chair shall preside until the issue is disposed of (which seldom should be done).

In the event that neither the chairperson nor the vice-chairperson are able or willing to take

the chair, the presiding officer shall be such person as the board may elect for that meeting.

The chair shall rule on all points of order and shall state their reasons and the authority for ruling when making a ruling. The chair's ruling shall be subject to appeal to the board. An appeal may only be requested immediately after a ruling and before resumption of business.

In discussing matters with a delegation, the chair of the board shall act as spokesperson.

## **Motions**

Unless expressly required to be exercised by bylaw, all powers of the board shall be exercised by resolution (motion).

A motion, when introduced, brings business before the meeting for possible action. A motion shall be worded in a concise, unambiguous, and complete form and, if lengthy or complex, shall be submitted in writing.

The presiding officer may divide a motion containing more than one (1) subject and it shall be voted on in the form in which it is divided.

All motions shall be seconded.

All motions are debatable except the following:

- Motion to call the question;
- Motion for adjournment of debate or for adjournment of a meeting unless such a motion contains a time for recommencement of debate or for a new meeting;
- Motion to fix time for adjournment of a meeting;
- Motion to proceed to the next business;
- Motion to go into closed (in-camera) session.

An amendment is a motion to modify the wording of a pending motion. An amendment must be germane, i.e. closely related to or having a bearing on the subject of the motion to be amended. A motion can be amended more than once, however there can only be one (1) amendment on the floor at a time and it shall be dealt with before another amendment is presented, or the motion is decided. An amendment to an amendment must be germane to the first amendment and cannot be amended.

All motions shall be subject to amendment except the following:

- Motion that the question be now put;

- Motion for adjournment of debate or adjournment of a meeting;
- Motion to table unless such a motion contains a date for further consideration of the matter tabled;
- Motion to refer to committee;
- Motion to proceed to next business.

### Reconsideration and Rescinding of Motions

A motion that has been defeated at a previous meeting can be moved again at a subsequent meeting only if the mover had previously voted on the prevailing side.

Motions to rescind a motion previously adopted can be considered only if notice has been given at a previous meeting or in the call for the present meeting and if no action has been taken which it is too late to undo. Such motions are debatable. There is no time limit for these motions, and they can be moved by any member.

A majority vote is required for approval.

### Debate

Debate shall be strictly relevant to the motion before the meeting and no trustee shall speak for more than five (5) minutes at one time. The presiding officer shall warn speakers who violate this rule or who persist in tedious or repetitious debate.

Speakers shall be recognized by the chair and shall address all remarks to the chair. Each trustee has the right to speak twice on the same question on the same day but cannot make a second speech if any trustee who has not spoken on that question desired to speak.

A point of privilege (a matter dealing with the rights or interests of the board as a whole or of a trustee personally) may be raised at any time and shall be dealt with forthwith before resumption of business.

No trustee shall interrupt another trustee who has the floor except to raise a point of order, a point of privilege, or to disclose a conflict of interest.

## Voting

All trustees present at a meeting must vote on each issue unless they are in a conflict of interest or abstain.

If a trustee has a conflict of interest, they must abstain from voting and the quorum will not be affected.

Any declared conflicts of interest shall be recorded.

Voting shall be by show of hands unless otherwise provided in board policy.

All questions shall be decided by a majority of the votes of the trustees present and voting, save as otherwise provided for in board Policy Handbook or the *School Act*.

## **Minutes**

The board shall maintain and preserve by means of minutes a record of its proceedings and resolutions.

The minutes shall record:

- Date, time and place of meeting;
- Type of meeting (inaugural, regular or special);
- Name of presiding officer;
- Names of those trustees and administration in attendance;
- Approval of preceding minutes;
- Only motions will be recorded in the minutes. Preamble, rationale, or discussions will not be recorded in the minutes, unless directed by the board through resolution;
- Points of order;
- Appointments;
- Recommended motions proposed by committees; and,
- Trustee declaration pursuant to Section 56, 57 or 58 of the *School Act*.

The minutes shall:

- Be prepared as directed by the Superintendent;
- Be considered an unofficial record of proceedings until such time as adopted by a resolution of the board; and
- Upon adoption by the board, be deemed to be the official and sole record of the board's business.



The Superintendent shall ensure that, upon acceptance by the board, appropriate initials are appended to each page of the minutes, and that appropriate signatures and the corporate seal of the district are affixed to the concluding page of the minutes.

As part of its ongoing effort to keep staff and the public fully informed concerning its affairs and actions, the board directs the Superintendent to institute and maintain effective and appropriate procedures for the prompt dissemination of information about decisions made at all board meetings.

The approved minutes of a regular or special meeting shall be posted to the website as soon as possible following approval. The Superintendent or designate is responsible to post the approved minutes.

Upon adoption by the board, the minutes of meetings other than closed (in-camera) meetings shall be open to public scrutiny.

## **Correspondence**

Correspondence is at times sent to the board and at other times to individual trustees. Even when correspondence is addressed to an individual trustee the contents may be more appropriately addressed by the corporate board. Where correspondence is addressed to the board or its contents are more appropriately addressed by the corporate board the following processes shall be adhered to. The intended outcomes of these processes are: to ensure board correspondence is acknowledged in a timely fashion, the corporate board is aware of the public input provided and where required, a corporate response is provided in a timely manner.

Where non-routine correspondence is received that appears to require a formal board response, that correspondence shall be placed on the agenda of the next regular board meeting.

Where non-routine correspondence is received that does not appear to require a formal board response, that correspondence, together with any response issued by the Superintendent, shall be circulated to the trustees.

Where an individual trustee receives correspondence that in the trustee's judgement is more appropriately a corporate board matter, the correspondence will be directed to the chair who will acknowledge the correspondence and determine whether consideration by the entire board is necessary.

## **Audio/Video Recording Devices**

The board requires that anyone wanting to use recording devices at a public board meeting must obtain prior approval of the board chair. This shall be communicated by the board chair at the beginning of the regular or special meeting.

## **Trustee Participation in Meetings through Electronic Means**

A trustee may participate in a meeting of the board by electronic means or other communication facilities if the electronic means or other communication facilities enable the trustees participating in the meeting and members of the public attending the meeting to hear each other.

Trustees participating in a meeting of the board by electronic means or other communication facilities are deemed to be present at the meeting.

The chair of the board may refuse to allow a trustee to participate in a meeting by electronic means or other communication facilities where the required electronic equipment is not available or where special meetings are held in private and or for the purpose of hearing appeals or conducting hearings related to employee matters, or any board matters which attract the principles of natural justice.

Notwithstanding the requirements of these procedures, a trustee cannot attend more than three (3) consecutive regular meetings of the board electronically without being authorized by resolution of the board to do so.

Trustees who connect to a meeting of the board by video conference, teleconference or other means of electronic transmission will be considered in attendance at the meeting and form part of the quorum.

## APPENDIX A

### TRUSTEE ELECTIONS BYLAW

Board of Education

School District No. 92 (Nisga'a)

Trustee Elections Bylaw No. 2

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#### BYLAW NO. 2 – TRUSTEE ELECTIONS

A bylaw to provide for the determination of various procedures for the conduct of general school elections and other trustee elections.

#### Preamble:

Under the School Act, the Board of School Trustees may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections.

In School District No. 92 (Nisga'a), under Section 46 of the School Act, trustee elections in the following trustee electoral areas are the responsibility of the school district:

Area	Trustee electoral area	# of trustees
A	Gitlaxt'aamiks	one
B	Gingolx	one
C	Laxgalts'ap	one
D	Gitwinksihlkw	one
E	Nass Camp	one

The Board of School Trustees wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

The Board of School Trustees, in a regular meeting of the board, enacts as follows:

#### **1. Definitions**

The terms used shall have the meanings assigned by the *School Act* and the Local Government Act, except as the context indicates otherwise.

“By-election” means a trustee election to fill a vacancy on the School Board.

“Election” means a trustee election.

“Board” or “School Board” means the Board of School Trustees of School District No. 92 (Nisga’a).

## **2. Application**

This bylaw applies to both general elections and by-elections and to those trustee elections carried out by other authorities, except as otherwise indicated.

## **3. Order of Names on the Ballot**

The order of names of candidates on the ballot will be determined by lot in accordance with sections 54(1) and 55(3) of the School Act and Section 107 of the Municipal Act.

## **4. Elections Conducted by School Board**

The following provisions apply to those trustee elections which the school board conducts on its own behalf.

### **4.1 Mandatory Advance Voting Opportunity**

The mandatory advance voting opportunity will be held on the tenth day before general voting day and no other advance voting opportunity will be held, except any that is established by the chief election office.

### **4.2 Additional Advance Voting Opportunity**

The chief election officer is authorized to establish additional advance voting opportunities for each election and designate voting places, establish the date and the voting hours for these opportunities.

## **5. Number of Scrutineers at Voting Places**

As authorized under section 110(2)(d) of the Municipal Act and Section 54(1) of the School Act, the number of scrutineer for each candidate that may attend at an election is a maximum of one (1) scrutineer for each ballot box in use.

**6. Title**

This bylaw may be cited at "School District No. 92 (Nisga'a) Trustee Election Bylaw No. 2".

The Bylaw is to provide for the determination of various procedures for the conduct of general school election and other trustee elections.

Read a first time the \_\_\_\_\_

Read a second time the \_\_\_\_\_

Read a final time the \_\_\_\_\_

Reconsidered, Finally Passed and Adopted on the 9th day of June, 2009

\_\_\_\_\_  
Secretary Treasurer

\_\_\_\_\_  
Chairman of the Board

I hereby certify this a true copy of School District No. 92 (Nisga'a) Bylaw No. 2.

\_\_\_\_\_  
Secretary-Treasurer

Legal References

School Act: Sections 50,56,57,58,59, 66-71, 71.1, 71.2

Financial Disclosure Act

Income Tax Act

## **POLICY 6**

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### **POLICY DEVELOPMENT AND REVIEW**

One of the Board's primary functions is the establishment and monitoring of policy. The Board further believes that its policies are detailed expressions of intent, which must be aligned with the Board's mission, vision and values statements as well as the strategic plan. Board policies also reflect the community's views. Formal publication of Board policy is necessary in order that the community may be informed of the Board's direction for the school system and hold the Board accountable.

Policies are adopted by the Board in order to take actions consistent with the *School Act* and its regulations, ministerial orders, other legislation. It is the responsibility of the Superintendent of Schools to establish a program of regular evaluation and consultation to review Board and district policies. The process of policy development and review shall include open and authentic communication between the Board and its students, staff, parents and other members of the community, where appropriate.

Policies guide the actions of the Superintendent, who acts on the Board's behalf in monitoring the implementation of policies and administrative procedures. The Board is responsible for the implementation of policies related to its own governance processes; the Superintendent is responsible for the implementation of other policies.

#### **Criteria for Exemplary Policy**

The following are considered the criteria for exemplary Board policies:

- Policies prioritize enhancing student learning
- Policies are consistent with the Board's vision and strategic direction
- Policies are developed in response to a real need and are the result of a consultative process
- Policies are clearly written and are easily understood by those who reference them
- Policies are precise enough to give guidance, but broad enough to allow appropriate discretionary action
- Policies are current, up-to-date, and compliant with legislation
- Policies are readily available and accessible to anyone who wishes to reference them
- Policies are deemed to be effective after regular review.

#### **Process for Policy Implementation**

Following Board adoption of a policy, the Superintendent assumes responsibility for implementing the policy. The process of implementation will include the development of written administrative procedures, communication with affected groups, determination of any

immediate actions required by the policy, and the establishment of long-term plans. The Superintendent will inform the Board of any changes to the administrative procedures. Administrative Procedures are not subject to approval/adoption by the Board.

A program of regular evaluation of the effectiveness of policies shall be undertaken by the Superintendent who will report findings to the Board as and when necessary.

Legal References

*School Act: Sections 65,74,85*

## **POLICY 7**

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### **BOARD DELEGATION OF AUTHORITY**

The *School Act* allows for the board to delegate certain of its responsibilities and powers to others.

The board authorizes the Superintendent exercise any of the powers of the board, except those powers or authorities which cannot be delegated, under provincial legislation. This delegation of authority to the Superintendent specifically:

1. Includes any authority or responsibility set out in the *School Act* and regulations as well as authority or responsibility set out in other legislation or regulations;
2. Includes the authorization to enact Administrative Procedures required to carry out the board's authority and direction; and
3. Includes the ability to sub-delegate this authority and responsibility as required.

Notwithstanding the above, the board reserves to itself the authority to make decisions on specific matters requiring board approval. This reserved authority of the board is set out in board policies, as amended from time to time.

Further, the board requires that any significant new provincial, regional or local initiatives must be initially brought to the board for discussion and determination of decision-making authority.

*Specifically:*

1. The board expressly delegates to the Superintendent, the authority to discipline, suspend or dismiss an employee, subject to the limitations of legislation, collective or contractual agreements and board policy. Any suspensions or dismissals shall be reported to the board as soon as practicable.
2. The Superintendent is directed to develop an administrative procedure to fulfill board obligations created by any federal or provincial legislation.



## **Role of the Superintendent**

### Background

The Superintendent of schools is the chief executive officer of the district. The Superintendent reports directly to the board and is accountable to the Board of Education for the conduct and operation of the district. All board authority delegated to the staff of the district is delegated through the Superintendent.

The Superintendent is tasked by the board with the responsibility for improving student learning. The Superintendent ensures that all district programs and services, including its business operations are aligned with this purpose, and that employees are held accountable for their responsibilities to further this goal. The Superintendent has dual accountability to the board for the lawful, ethical, and effective implementation of its policies, directions, and decisions and to the Minister of Education for compliance with all relevant provincial legislation.

### Specific Areas of Responsibility for the Superintendent

1. *Educational Leadership to Improve Student Learning*
  - 1.1 Commits to understanding and supporting Nisga'a ways of being, knowing, and learning
  - 1.2 Ensures all students have access to an appropriate educational program
  - 1.3 Ensures all learning environments are physically and emotionally safe spaces for students
  - 1.4 Identifies and promotes instructional and assessment practices that are current, effective, and responsive to learner needs and abilities
  - 1.5 Supports professional development for all employees
  - 1.6 Promotes practices, programs, policies and processes that are grounded in developing student health, safety, and well-being
  - 1.7 Ensures district planning and practices are aligned with current Ministry direction
2. *Creating and Maintaining Positive District Culture*
  - 2.1 Builds an effective district-wide "one-team" approach that is focused on student learning

- 2.2 Celebrates and actively promotes the Nisga'a way
- 2.3 Emphasizes the role of all employees in creating student success
- 2.4 Identifies and actively develops Nisga'a educational leaders
- 2.5 Promotes the value of understanding individual Nisga'a communities and schools
- 2.6 Develops district capacity for problem-solving and capacity building
- 2.7 Communicates respectfully and effectively with students, employees, and all community members

3. *Human Resources Development and Management*

- 3.1 Has overall authority and responsibility for all personnel-related matters, except the mandates for collective bargaining and those personnel matters precluded by legislation, collective agreements or board policy
- 3.2 Fulfills and promotes the board's obligations to ensure employees' health and safety
- 3.3 Ensures structures and processes are in place for the recruitment, retention, professional development/training, and supervision of employees
- 3.4 Models and provides incentives for all employees to make student-centred decisions.
- 3.5 Works in ways that honour collective agreements, personnel contracts, and Employment Standards.

4. *Policy and Governance*

- 4.1 Actively supports the board's governance role and responsibilities and facilitates the implementation of that role as defined in board policy.
- 4.2 Assists the board in the planning, development, implementation, and ongoing review of board policies.
- 4.3 Develops and maintains current administrative procedures that is consistent with board policy and provincial policies, regulations, and procedures.

- 4.4 Ensures policies, procedures, and practices are aligned with the needs of students and the Board's vision, values, and strategic direction.
- 4.5 Works to maintain a positive, proactive, and professional working relationship with the board, and lends support to members in fulfilling their duties as trustees.
- 4.6 Provides the board with information, options, and recommendations, as appropriate, on all matters requiring board action or decisions

## 5. *Strategic Planning and Reporting*

- 5.1 Leads the development and implementation of the strategic planning process
- 5.2 Involves the board appropriately and collaboratively in the development of the Board's Strategic Plan (board identification of priorities and key results, and final board approval of the plan).
- 5.3 Reports at least annually on results achieved with respect to student learning and the goals of the strategic plan.

## **Role of the Secretary-Treasurer**

### Background

The Secretary-Treasurer is the statutory corporate financial officer of the Board of Education, responsible to the board and the Ministry of Education for financial statements, corporate records, minutes and procedural documents of the district. The *School Act* requires the Secretary-Treasurer to preside over the official records of the district, including board minutes, all legal documentation and the budget. As such, the Secretary-Treasurer can be requested to report directly to the Minister of Education.

The Secretary-Treasurer is also the chief business official, and heads the district's business division, which is responsible for finance, facilities and support services. The Secretary-Treasurer attends all board meetings and officially endorses all corporate minutes, documents and financial transactions.

The Secretary-Treasurer reports to the Superintendent except on matters relating to the role as corporate financial officer. Working closely with the Superintendent and the board of Education, the Secretary-Treasurer;

- 1.1 Ensures the fiscal management of the district is in accordance with the terms or conditions of any funding received by the board under the *School Act* or any other Act or regulation.

- 1.2 Ensures the district operates in a fiscally responsible manner, including adherence to recognized accounting procedures.
- 1.3 Prepares and presents the budget which reflects board priorities including strategic plan priorities.
- 1.4 Ensures the board has current and relevant financial information.

The Secretary-Treasurer, Superintendent and Board Chair work together closely to prepare agendas, schedule meetings and ensure that the board and its administrative staff execute their responsibilities effectively.

Legal References

*School Act: Sections 22, 23, 65 (2),74,85*

## **POLICY 8**

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### **LANGUAGE VISIBILITY, PROMOTION, AND APPRECIATION**

The founding provisions of the Constitution of the Nisga'a Nation state that:

*4 (1) The official languages of the Nisga'a Government are Nisga'a and English; and*

*4 (2) Nisga'a Government must respect and encourage the use of the Nisga'a language and the practice of Nisga'a culture.*

Accordingly, the Board of Education of School District No. 92 (Nisga'a) has adopted this policy to respect and encourage the use of Nisga'a throughout the school district, as described in the founding provisions of the Nisga'a Nation.

#### **POLICY**

In order to ensure the visibility, promotion and appreciation of the historic language of the Nisga'a nation, the Board of Education expects the Nisga'a language to be used as much as possible in conducting business with its employees, as well as in its interactions with local, provincial and federal governments.

Therefore, the board directs that:

1. The Board of Education, the school district administration, and the staff of schools in School District No. 92 (Nisga'a) are expected to lead the visibility and promotion of the Nisga'a language by example.
2. All school district employees should refer to the four Nisga'a communities by the original Nisga'a names: Gitlaxt'aamiks, Gingolx, Laxgalts'ap, and Gitwinksihlkw, while working for the district. The names of New Aiyansh, Greenville, Kincolith, or Canyon City should not be used.
3. Employees sending official correspondence, whether on paper or electronically will include as much Nisga'a content as reasonably possible (i.e. greeting, subject of the letter).
4. Employees should seek input from Nisga'a authorities on appropriate and accurate use of the Nisga'a language.
5. Every written contact with parents or community initiated by either a school or the school Board office, should integrate as much Nisga'a content as possible. English

should continue to be used to facilitate understanding. The electronic displays at all our schools should use both the Nisga'a language and appropriate translations into English.

6. School district administration are responsible for the development of policies, strategies, and initiatives to facilitate the implementation of this policy.
7. The board will request that the Ministry of Education use the original Nisga'a names when referring to the four Nisga'a communities.
8. The Nisga'a chiefs, matriarchs and respected elders who have revitalized this nation and who have thus made history, will be honoured in the "Wall of Heroes" in each and every school with documents, posters and any resource that reflect their contribution to the revitalization of the Nisga'a Nation.
9. School district administration are responsible to establish an inventory of all resources depicting the history and the people of the Nisga'a Nation, with the intention that an accurate record of these resources be maintained, that the resources be restored if needed, and that efforts are made to identify those individuals who have been community builders of the nation.
10. The school district will work with partners to develop credit courses that honour and reflect the history of the Nisga'a Nation, its leaders, and its treaty.
11. The Board of Education of School District No. 92 (Nisga'a) will make best efforts to secure funding to implement the goals set out in this policy as soon as possible.

Legal References

*School Act: Sections 5 (3)*

## **POLICY 9**

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### **STUDENT SAFETY, SECURITY, HEALTH AND WELLBEING**

#### **POLICY**

It is the policy of the board that all students and staff have the right to feel safe, healthy and well, while engaged in the learning process in School District 92 Nisga'a schools. To that end and in keeping with the Nisga'a Vision for Education, the board directs that;

All members of the school community are expected to comply with the purpose and spirit of the BC Human Rights Code, including respectful practices towards all people regardless of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

Bullying, harassment, intimidation and violent and aggressive behaviours will not be tolerated, and all school district events are to be conducted in ways that support learning, promote safety, respect property, environment, personal space and privacy and model courtesy, compassion and respect. The board will not permit, encourage, nor tolerate any behaviours contrary to these beliefs whether by commission, or omission, and is committed to providing support and assistance to those who may be intended or unintended targets of such behaviours.

#### Delegation and Direction

The Board of Education for School District 92 Nisga'a delegates to the Superintendent authority and the responsibility to develop the administrative procedures and processes necessary to implement this policy.

The board shall be informed when significant changes are made to these policies or procedures.

#### Appeals

Section 11 of the *School Act* (RSBC) makes provision for an appeal process on decisions that significantly impact the education, health, or safety of students. The board's Appeal Bylaw 3 is presented in its entirety as Appendix A to this policy.

## APPENDIX A

### **SCHOOL DISTRICT NO. 92 (NISGA'A)**

#### **BYLAW NO. 3 – APPEAL BYLAW UNDER SECTION 11 OF THE SCHOOL ACT**

**Date Passed:** November 9, 2009 **Dated Amended:** May 21, 2019

**Description:** APPEAL BYLAW UNDER SECTION 11 OF THE SCHOOL ACT

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#### **BYLAW NO. 3**

##### Parent or Student May Appeal a Decision

1. A student entitled to an education program in the school district may appeal a decision of an employee of the school board which significantly affects the education, health or safety of the student.
2. When an employee of the school district makes a decision which significantly affects the education, health or safety of a student, that student and his/her parents or advocates must be informed of their right to an appeal in the letter that is sent informing them of the above mentioned decision.
3. The failure of an employee to make a decision shall be deemed to be a decision for the purpose of bringing an appeal.
4. There will be no reprisals against student/parents exercising their right to appeal.

##### Notice of Appeal – Written Notice

5. Every appeal to the school board must be commenced by the completion of the Notice of Appeal form (Appendix A) and include:
  - 5.1 The name and address of the student and/or parent or guardian bringing the appeal and, where the parent or guardian is initiating the appeal on behalf of the student, the name of the student
  - 5.2 The current placement of the student (i.e. school, grade and home-room teacher)
  - 5.3 The decision which is being appealed and the date the student and/or parent or guardian bringing the appeal was informed of the decision
  - 5.4 The name of the school board employee(s) who made the decision being appealed



## 5.5 The grounds for the appeal and the relief sought

### Review of Steps Taken

6. The school board or its designate may direct the student and/or parent or guardian bringing the appeal to first discuss the decision with the principal of the school in which the student is enrolled and the member of District staff who has responsibility for that school.

### Report to Board

7. Where discussions under Section 6 do not resolve the appeal, the Superintendent or designate will prepare a report for the school board concerning the matter and will provide a copy to the student and/or parent or guardian bringing the appeal.

### Submission of Appellant

8. The school board will invite written submissions from the student and/or parent or guardian bringing the appeal and may decide the appeal based on the written submissions. The school board may also invite oral submissions in which case the school board will decide the appeal based on the oral and written submissions presented to it.

### Meeting

9. Where the school board considers it necessary to receive an oral submission, it shall set a time, date, and place for this purpose and shall give notice to the student and/or parent or guardian bringing the appeal.

### Board Committee

10. The school board may establish a committee(s) to investigate matters pertaining to an appeal and the committee shall report to the school board on such matters and in the manner directed by the school board. The board may, in its discretion, appoint trustees, senior officials, administrative officers, teachers or any other person the school board considers appropriate as members of the committee.

### Interim Decision

11. The school board may make any interim decision it considers necessary pending the disposition of the appeal.

## Procedure

12. The board chairperson should ensure that all parties concerned have received information pertinent to the appeal.
  - 12.1 Where a decision of an employee is being appealed to the Board of Education, the appellant may be represented by an advocate of her/his choice.
  - 12.2 The board will listen to the appellants as they present their concerns. The presentation should be allowed to proceed uninterrupted to allow the appellants to develop their arguments.
  - 12.3 At the end of the presentation, the board will ask questions for clarification. Questions should be objective and to the point. Leading questions should not be asked.
  - 12.4 The representatives of the school will then be given an opportunity to present their side of the issue, giving reasons for their decisions.
  - 12.5 At the conclusion of this presentation, the board will once again ask questions for clarification.
  - 12.6 The chairperson of the board will then invite the parties involved to ask questions of each other for clarification. Questions should be neither personal nor judgmental.
  - 12.7 The board will have one more opportunity to question either party for the purposes of clarification.
  - 12.8 The parties involved will then be asked to leave. The board will meet in camera to rule on the matter. It must be decided whether to uphold the school's decision, to increase or decrease the extent of the school's decision, or to set the decision aside.
  - 12.9 The decision of the board will be communicated to the parties concerned by the board chairperson as soon as possible.
  - 12.10 Effective March 8, 2008, the decision of the board may be appealed under Section 11 of the *School Act* to a Superintendent of Appeals. A Notice of Appeal form to the Student Appeals Branch, Victoria, will be provided to the appellant.

### Decision in Writing

13. The decision of the school board shall be in writing and the school board shall promptly notify the student and/or parent or guardian bringing the appeal of its decision.

### Refuse to Hear

14. The Board of Education may refuse to hear an appeal where:

- 14.1 The appeal has not been commenced within a four (4) week period from the date the decision significantly affected the student's education, health or safety was made; or
- 14.2 The student and/or parent or guardian has refused or neglected to discuss the decision under appeal with the person(s) directed by the school board or its designate; or
- 14.3 The decision does not significantly affect the education, health or safety of the student.

### Nature of Decision for Appeal

15. The following decisions shall be deemed to significantly affect the education, health or safety of a student:
  - 15.1 Disciplinary suspension from school due to conduct for a period in excess of ten (10) consecutive days;
  - 15.2 Suspension or expulsion from an educational program;
  - 15.3 Suspension from school for a health condition;
  - 15.4 Placement in an educational program;
  - 15.5 Distributed learning requirement as part of disciplinary matter;
  - 15.6 A complaint by a student or parent related to intimidation/bullying/harassment/threat or violence by another student;
  - 15.7 Consultation about placement in Individual Education Plan (IEP);
  - 15.8 Assessment for the purposes of obtaining an IEP;
  - 15.9 Fees and deposits (hardship policy);

15.10 Grade promotion and graduation;

15.11 Refusal of offer of an educational program to a student 16 years of age or older;

15.12 and any other decision that in the opinion of the school board or the designate significantly affects the education, health or safety of a student.

Form or Technical Irregularity

16. The Board of Education may consider an appeal notwithstanding any defect in form or other technical irregularity.

This Bylaw may be cited for all purposes as "School District No. 92 (Nisga'a) Bylaw No. 3".

This Bylaw is to provide an appeal procedure under Section 11 of the *School Act* and in all respects in accordance with the provisions of the *School Act*.

Read a first time the \_\_\_\_\_

Read a second time the \_\_\_\_\_

Read a final time the \_\_\_\_\_

Reconsidered, Finally Passed and Adopted the \_\_\_\_\_

\_\_\_\_\_  
Secretary-Treasurer

\_\_\_\_\_  
Chairman of the Board

I hereby certify this a true copy of School District No. 92 (Nisga'a) Bylaw No. 3.

\_\_\_\_\_  
Secretary-Treasurer

## APPENDIX A

Ref. POLICY AND REGULATION 504

### NOTICE OF APPEAL

Attached is School District 92 (Nisga'a) Policy regarding the appeals procedure. Parents/Guardians/Students should read this information carefully before initiating a formal appeal.

1. Information about the person(s) initiating the appeal

Name of Student: (first) \_\_\_\_\_ (last) \_\_\_\_\_

Name of School: \_\_\_\_\_

Student address: \_\_\_\_\_

Phone: \_\_\_\_\_

Student birth date: (year) \_\_\_\_\_ (month) \_\_\_\_\_ (day) \_\_\_\_\_ Grade: \_\_\_\_\_

Parent/Guardian name: (first) \_\_\_\_\_ (last) \_\_\_\_\_

Parent address: \_\_\_\_\_

Phone: \_\_\_\_\_

Parent/Guardian name: (first) \_\_\_\_\_ (last) \_\_\_\_\_

Parent address: \_\_\_\_\_

Phone: \_\_\_\_\_

2. *PLEASE COMPLETE (a) OR (b)*

(a) Information about the decision being appealed

Date you were informed of the decision: \_\_\_\_\_

Name of employee whose decision is being appealed: \_\_\_\_\_

Describe the decision (or attach to document where decision may be written):

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(b) Information about a failure to make a decision

Date you became aware that a decision would not be made: \_\_\_\_\_

Name of employee who is declining to make a decision: \_\_\_\_\_

Describe the circumstances leading up to the failure to make a decision:

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3. Other Information About the Appeal

Give your reasons for appealing the employee's decision or failure to make a decision:

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Comment on how the decision or failure to make a decision significantly affects the education, health, or safety of the student. (See Guiding Principle 4 of Policy 1110 for further clarification regarding appealable decisions)

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Suggest a solution to the problem which would satisfy you:

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4. Levels of Consultation

List the employee(s) with whom you have discussed the decision you are appealing:

Employee name: \_\_\_\_\_

Employee position/job: \_\_\_\_\_

Date of meeting: \_\_\_\_\_

Name of employee's immediate supervisor: \_\_\_\_\_

Date of meeting: \_\_\_\_\_

Name of District Supervisor: \_\_\_\_\_

5. Signatures

\_\_\_\_\_  
Signature of Student Date of Appeal

\_\_\_\_\_  
Signature of Parent/Guardian Date of Appeal

\_\_\_\_\_  
Signature of Parent/Guardian Date of Appeal

*Received by the Chair of the Board:*

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Legal References

School Act: Sections 11,65

## **POLICY 10**

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### **DISTRICT HOUSING**

The Board of Education for School District 92 Nisga'a is authorized under Section 102 of the *School Act* to provide housing for its employees. Section 102 also specifies the parameters for the funding and the establishment of rental fees for the housing provided.

The board recognizes that the provision of housing is a significant factor in the ability to recruit and retain employees. The board also recognizes that the primary responsibility for management of District's physical assets including school buildings, other facilities, and housing are the responsibility of the Secretary-Treasurer.

Therefore, the board directs the Secretary-Treasurer to establish regulations and administer procedures for the allocation of housing, the collection of rent, and the maintenance of housing units.

It is the expectation of the board that priority for housing will be given to employees of the board, and that housing that is surplus to employee needs may be rented to non-employees, provided that reasonable safeguards to ensure the safety and security of these district assets are in place.

Any lease arrangements made with non-employees must readily ensure availability can be arranged for employees if the need arises. The terms of the lease shall prohibit any additional financial burden to the school district.

The Secretary-Treasurer will inform the board when any significant changes to regulations and procedures with respect to housing allocation are being contemplated.

#### Legal References

*School Act: Section 102*