



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: DELEGATIONS AND PUBLIC PARTICIPATION

POLICY NO: T.14

Date Approved: November 10, 2010 - Board	Date of Next Review: January 2025	Dates of Amendments: November 24, 2011 – Board December 13, 2012 – Board August 25, 2016 – Board
Cross References: TCDSB Code of Conduct Policy, S.S.09 TCDSB Operating By-Law Number 175 <i>Ontario Human Rights Code</i> <i>Canadian Charter of Rights and Freedoms</i>		
Appendix A – Delegation Registration Form		

Purpose:

This Policy affirms and promotes the process by which students, parents and community members can present their views and concerns to the Trustees of the Toronto Catholic District School Board.

Scope and Responsibility:

The policy applies to students, parents and community members making deputations to the Board or its committees, including public Statutory Committees, Standing Committees, Ad-Hoc Committees and Sub-Committees (“Committee(s)”) in accordance with the TCDSB By-Laws. The Director of Education, with the assistance of the Recording Secretary, is responsible for this policy.



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Alignment with MYSP:

Living Our Catholic values

Enhancing Public Confidence

Achieving Excellence in Governance

Policy:

The TCDSB is committed to advocacy for students, parents and communities. In recognition of the need to hear the concerns of the TCDSB community and of individuals to have a voice in the decision-making process, delegates may be heard at meetings of the Board of Trustees or Committees, as stipulated in, and limited by, the regulations outlined below. This policy is subject to and will be interpreted in accordance with TCDSB By-Law Number 175, as amended from time to time.

Regulations:

Appropriate Forums for Delegations

1. Given the current division of work between Board meetings and Committee meetings, delegates will be accepted at the discretion of the Director and Chair of the Board at Regular or Special Board meetings only:
 - (i) In exceptional circumstances; or
 - (ii) If the matter is deemed to be time sensitive.



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2. Delegates may be heard at public Committees of the Board on an item on the agenda or concerning matters within the Committee's terms of reference. The topic of deputation will determine at which Committee the delegate will be heard. The Director of Education, in consultation with the Committee's Chair, retains discretion to reasonably determine whether or not a deputation will be received.
3. Delegates may be the subject of a motion for receipt, or a motion of referral to the appropriate Committee or to Staff, or a motion of both receipt and referral to the appropriate Committee or to Staff. (By-Laws Section 10.9.11)
4. Where the Board has initiated community engagement with respect to any matter, delegates will be referred to that consultation process and will not be registered to appear before a Committee meeting.

Submitting a Request to Delegate

5. Those wishing to make a deputation can obtain further information and details on the delegation protocol by contacting the Recording Secretary Office at 416-222-8282 ext. 2293, or by visiting the TCDSB portal site at www.tcdsb.org.
6. The local Trustee will be notified if a delegate registers to make a deputation on a subject matter that is Ward specific.



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7. Potential delegates shall submit a Delegation Request Form to the Recording Secretary's Office no later than noon, two (2) business days preceding the meeting at which the individual or group intends to delegate.

If the meeting is on:	The Delegation Request Form <u>MUST</u> be submitted by:
Monday	Thursday at noon
Tuesday	Friday at noon
Wednesday	Monday at noon
Thursday	Tuesday at noon
Friday	Wednesday at noon

8. All delegates must submit a written copy of their deputation to the Recording Secretary's Office with the Delegation Request Form two (2) business days preceding the meeting at which the individual or group intends to delegate.
9. If a delegate requires accommodation to submit their request, they should contact the Recording Secretary's Office for assistance.
10. A deputation may be made on a topic only once to the Board or any Committee within a 12-month period, unless the subject matter of the delegation has changed substantially since the prior deputation was made.



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Delegation Requirements

11. A Delegate may only speak once at a particular meeting.
12. There may be up to a maximum of seven (7) deputations per meeting.
13. Delegates and their topic of deputation will be listed on the agenda of the meeting. Private information shall not be included.
14. Delegates will:
 - (i) present concerns in a positive and constructive manner;
 - (ii) maintain a level of decorum which will allow meetings to proceed effectively; and
 - (iii) refrain from the use of abusive or derogatory language.
15. Delegates are not permitted to:
 - (i) make negative or derogatory personal references, or
 - (ii) cross debate with other delegates, staff or Trustees of the Board.
16. During a deputation, should the delegate use offensive language or the name/title/position of any person in a negative, critical, or derogatory fashion, directly or indirectly, the Chair of the meeting shall advise the delegate to cease using offensive language or refrain from negative or derogatory personal references. Should derogatory language or personal references continue to be made, the Chair has the authority to stop the delegate from proceeding.



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17. The Board may decide to move a public deputation to a private session. During a deputation in a private session of a regular or special Board meeting or Committee meeting, should a situation arise where a delegate intends to refer to someone in a negative way then the following will apply:
 - (i) Delegates intending to use the name/title/position of any person in a negative or critical fashion must indicate this intention at the time of registration and prior to presenting. The delegate will be required to address the Committee or Board in private session.
 - (ii) The Board shall inform staff if a delegate intends to speak about them at a Committee or Board meeting, in a negative or critical fashion. The staff member has the right to be present during the deputation and be represented by the agent of their choice.
18. The Chair of the meeting may expel or exclude a delegate from the meeting should they engage in conduct contrary to the TCDSB Code of Conduct or Respectful Workplace Guidelines, or fail to comply with this Policy.
19. The Chair of the Board or Committee and the Director of Education reserves the right to refuse any delegation request to ensure compliance with applicable law including, but not limited to, the *Ontario Human Rights Code*, the *Canadian Charter of Rights and Freedoms* and relevant privacy law. A person who is denied a request to delegate will be provided a written reason for the denial.
20. Commercial enterprises are prohibited from delegating before the Board of Trustees or a Committee of the Board for the purpose of promoting their product or service.



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21. No one may display signs or placards, applaud debating participants or engage in conversations or other behaviours that may disrupt a meeting.
22. Board and Committee meetings may be recorded and broadcast live. The recording is retained as a public record of the proceedings. Delegates that are part of recorded proceedings are so advised and consent to being recorded.
23. At the conclusion of the deputation the Chair will advise the delegate as to how the matter will proceed. Where an item has been referred to staff, staff will communicate follow-up actions to the delegate.

Delegations by Staff

24. Employees of the Board or representatives of employees are not permitted to delegate to the Board or Committee:
 - (i) to express to their views relative to their employment or professional interest;
 - (ii) is or may be a matter dealt with by the employees' professional association or under a Collective Agreement to which the Board is a party, such submission shall be dealt with in accordance with the provision of such Collective Agreement;
 - (iii) a request for delegation from staff, regardless of topic, will be considered and may be accepted solely at the discretion of the Board or Committee Chair in consultation with the Director of Education.
25. Delegates who are TCDSB employees shall disclose this information at the time of registering to delegate and at the beginning of their deputation.



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Time Allotted for Delegation

26. The length of time allotted for a delegate speaking to the Board of Trustees or a Committee of the Board will be up to a maximum of three (3) minutes.
27. The delegation period shall be limited to a maximum of 60 minutes. The maximum time limit may be amended by a 2/3 vote of all members of the Board or Committee eligible to vote.
28. A Trustee may ask questions of the delegate for a maximum of 3 minutes.
29. Questions asked by Trustees are limited to clarifying questions only. No questions of staff are permitted.

Definitions:

Delegate

A delegate may include:

- (1) an individual speaking on his or her own behalf;
- (2) an official representative of a TCDSB committee;
- (3) an official representative of student government; or
- (4) a spokesperson for another group or organization.



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Deputation

A formal presentation made to the whole Board or Committee of the Board relating to a specific issue or concern.

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

Trustees and the Director shall review the process of delegation every three (3) years to ensure that it is fair, equitable and supported the goals of the TCDSB the Multi Year Strategic Plan.