



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:	Dates of Amendments: November 24, 2011 – Board December 13, 2012 – Board August 25, 2016 – Board April 22, 2021 - 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 Appendix B – Delegation Registration Quick Fact Sheet		

Purpose:

This Policy affirms and promotes the process by which students, parents and community members can present their views and concerns consistent with Catholic Values 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-Law Number 175. 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 division of work between Board meetings and Committee meetings, **the Chair of the Board, in consultation with the Director of Education, retains discretion to reasonably determine whether or not a delegation at Regular or Special Board meetings will be received,** ~~delegates will be accepted at the discretion of the Director and Chair of the Board at Regular or Special Board meetings~~ only if any of the criteria below are met:



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- (i) In exceptional circumstances; or
- (ii) If the matter is deemed to be time sensitive; or
- (iii) If a new item/report or new information has been placed on the agenda/addendum, that has not been dealt with at a Committee.

(iv) If a delegation is in regard to a recommendation from a Statutory Committee

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 Chairs of the Committees of the Board, in consultation with the Director of Education,** ~~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-Law Section 10.9.11). A report may be requested following a delegation in special circumstances on a majority vote when:
 - (i) An item is deemed urgent;
 - (ii) At the recommendation of the Director of Education; or
 - (iii) The topic is time sensitive.
4. If any delegate requires assistance to submit their request to delegate, they should contact the Recording Secretary's Office. Any delegate with a



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disability will be accommodated by being provided assistance to submit their request to delegate.

Submitting a Request to Delegate

5. No one may display signs or placards, applaud, or debate those who are making deputations or engage in other conversations or other behaviours that may disrupt the meeting.
6. The local Trustee will be notified if a delegate registers to make a deputation on a subject matter that is Ward specific.
7. Potential delegates shall submit a Delegation Registration Form to the Recording Secretary's Office no later than 12:00pm, two (2) business days preceding the meeting at which the individual or group intends to delegate.

If the meeting is on:	The Delegation Registration Form <u>MUST</u> be submitted by:
Monday	Thursday at 12:00pm
Tuesday	Friday at 12:00pm
Wednesday	Monday at 12:00pm
Thursday	Tuesday at 12:00pm
Friday	Wednesday at 12:00pm



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8. All delegates must:

- (i) submit a written copy of their deputation (verbatim speech, which should be separate from any possible PowerPoint presentation/supporting materials) to the Recording Secretary's Office no later than two (2) business days preceding the meeting at which the individual or group intends to delegate.
- (ii) **Any visual or written presentation or materials a delegate intends to provide or project on screen during the deputation must be provided to the Recording Secretary of the Board no later than 12:00 pm, two (2) business days preceding the meeting at which the individual or group intends to delegate. The Board reserves the right to accept, reject or modify such materials, which notice of same provided to the delegate at least 24 hours before the meeting. Personal or private information included in the delegate's materials will be removed.**

- 9. If a delegate requires accommodation to submit their request, they should contact the Recording Secretary's Office for assistance.
- 10. Any delegate who wishes to make their deputation by electronic means rather than in person, should contact the Recording Secretary's Office.
- 11. 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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12. A delegate may request that their deputation be made to the Board of Trustees or a Committee of the Board in private session if the matter involves the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board or a pupil of his or her parent or guardian. The Director, Board Chair or Chair of a Committee may determine at the Committee Agenda setting meeting to schedule a delegation in closed session if the matter is deemed to be of a confidential nature as per the *Education Act*.

Private Session or In Camera mean a meeting of the Board or any Committee of the Board which is closed to the public in accordance with the *Education Act*, when the subject-matter under consideration involves:

- (i) The security of the property of the TCDSB
- (ii) The disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of TCDSB or a pupil or his or her parent or guardian;
- (iii) The acquisition or disposal of a school site;
- (iv) Decisions in respect of negotiations with employees of the TCDSB;
- (v) Litigation affecting the TCDSB; or
- (vi) An ongoing investigation under the *Ombudsman Act* respecting the Board of Trustees.

13. If the number of oral delegation requests exceeds the maximum number of delegations permitted, the Recording Secretary in consultation with the Director or designate may request that potential delegates be contacted and



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propose that the potential delegate submit a written delegation instead of an oral delegation, or be advised of an alternate meeting date to delegate.

If a Special Meeting is called to hear delegations, the corresponding agenda item will be deferred to that Special Meeting. The Recording Secretary will contact delegates as soon as possible informing them about the change in their delegation meeting date.

Delegation Requirements

~~14. Any visual or written presentation or materials a delegate intends to provide or project on screen during the deputation must be provided to the Recording Secretary of the Board no later than 12:00 pm, two (2) business days preceding the meeting at which the individual or group intends to delegate.~~ 72 hours in advance of the meeting. The Board reserves the right to accept, reject or modify such materials, which notice of same provided to the delegate at least 24 hours before the meeting. Personal or private information included in the delegate's materials will be removed.

14. There may be up to a maximum of ten (10) deputations per meeting

15. A Delegate may only speak once at a particular meeting.

~~16. There may be up to a maximum of ten (10) deputations per meeting.~~

16. Delegates and their topic of deputation will be listed on the agenda of the meeting. Private information shall not be included.



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17. 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.

18. Delegates are not permitted to:

- (i) make negative or derogatory personal references, or
- (ii) ask questions or cross debate with other delegates, staff or Trustees of the Board.

19. 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.

20. 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.



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- (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.
21. The Chair of the meeting may expel or exclude **any person including** 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.
22. 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.
23. 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.
24. Board and some Committee meetings are 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.
25. At the conclusion of the deputation the Chair or Director will advise the delegate as to how the matter will proceed and the estimated timeline. Where an item has been referred to staff, staff will communicate follow-up actions to the delegate.



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26. Priority for the right to delegate is given to:

- (i) A parent/guardian of a Toronto Catholic District School Board student**
- (ii) Catholic voter/resident of Toronto**

Delegations by Staff

27. Employees of the Board or representatives of employees are not permitted to delegate to the Board or Committee:

- (i) to express their views relative to their employment or professional interest;
- (ii) is a matter dealt with by the employee's 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 in the discretion of the Board or Committee in consultation with the Director of Education.

28. 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

29. 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.
30. 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.
31. A Trustee may ask up to two (2) clarifying questions of the delegate for a maximum of 3 minutes, which includes the delegate's response.
32. Questions asked by Trustees are limited to clarifying questions only. No questions of staff are permitted. The Director may clarify information.



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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.

Deputation

A formal talk made to the whole Board or Committee in a public or private session of the Board or Committee relating to a specific issue or concern.

Receipt

Receipt is a motion of the Board of Trustees acknowledging that the deputation has been heard by the Board of Trustees and been made accessible to the public. **A motion to receive or hear a delegation or presentation, or a motion to receive a communication or other matter shall not be construed as constituting the approval of the Board of Trustees.**

Receipt and Referral

Receipt and Referral to Staff is a motion of the Board of Trustees requesting staff to consider the presentation by the delegate and to communicate to the delegate appropriate action taken to remedy the **matter. All motions to refer require appropriate and succinct instruction for the receiving body.**



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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 was fair, equitable and supported the goals of the TCDSB the Multi Year Strategic Plan.