



REPORT TO

REGULAR BOARD

FROM THE BY-LAW AD HOC COMMITTEE – PROPOSED CHANGES TO TCDSB OPERATING BY- LAW NUMBER 175

For it is not the hearers of the law who are righteous before God, but the doers of the law who will be justified.
Romans 2:13

Drafted

February 24, 2022

Meeting Date

March 24, 2022

Paul Matthews, General Legal Counsel
Eric Roher, Borden Ladner Gervais LLP

INFORMATION REPORT

Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ. We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Brendan Browne
Director of Education

Adrian Della Mora
Associate Director of Academic
Affairs & Chief Operating Officer

Derek Boyce
Associate Director of Facilities,
Business & Community Development

Ryan Putnam
Chief Financial Officer & Treasurer

A. EXECUTIVE SUMMARY

This report provides an invitation to Trustee Colleagues from the Committee to the process of updating the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016), for their input and additional recommendations for the committee to continue its work updating the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016).

The cumulative staff time required to prepare this report was 3 hours

B. PURPOSE

The purposed of this report is to provide the Board with an update on the current work and proposed revisions to the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016). It is an invitation to Trustees who are not on the By-Law Ad Hoc committee to provide additional recommendations.

C. BACKGROUND

1. The *Ad-hoc By-Laws Review Committee* met to discuss and review various articles of the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016) and instructed staff to review matters discussed at the meeting and report back to the committee.
2. **February 24, 2022** – The By-Law committee reviewed the proposed changes and recommended that the draft changes be reviewed by the Board by the end of March 2022. Some recommended changes are also to be reviewed by the Integrity Commissioner and the Governance and Policy Committee
3. Due to the addition of some proposed articles the new numbering has been indicated where possible.

4. The Committee is pleased to report good ideas and proposals have been recommended, however further recommendations from other Board committees are ongoing. Once input from Board committees and the Board itself have been incorporated and discussed a final draft proposal will be submitted to the Board for approval.

D. EVIDENCE/RESEARCH/ANALYSIS

At the February 24, 2022 By-Law Ad-Hoc Committee Meeting there were proposed changes to the current Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016). Those changes are described in Appendix A of the report. Once the By-Law Ad-Hoc Committee has made final changes the draft Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016) will be presented to the Board for final review.

E. CONCLUDING STATEMENT

This report is for the information of the Board of Trustees.

APPENDIX A – PROPOSED CHANGES TO DRAFT TORONTO
CATHOLIC DISTRICT SCHOOL BOARD OPERATING BY-LAW
175 (AS AMENDED ON APRIL 21, 2016)

Proposed Section Change	Proposed Change
Proposal: <u>Add new sections: Purpose of Bylaws (NEW ARTICLE 2)</u>	<ol style="list-style-type: none"> 1. These By-laws are enacted by the Board of Trustees with support of the Director of Education or designate; 2. The By-laws govern the actions of Trustees in Board and Committee meetings and promote democratic decision-making through debate; and 3. The By-laws will be in adherence with applicable legislation, including the <i>Education Act</i>, <i>Municipal Act</i>, and <i>Municipal Conflict of Interest Act</i>.
Proposal: Acknowledgement of Traditional Lands (NEW ARTICLE 5.1)	All Board and Committee meetings will include an acknowledgement of the Traditional Territories/Ancestral Lands of Aboriginal peoples recited by the Chair or Vice-Chair of Committees.
Proposal: Review Cycle (NEW ARTICLE 17.2)	The By-laws will be updated as required and reviewed at a minimum every four (4) years.
Proposal: Audio/Video Recording of Meetings	Every Committee/Board meeting (private and public) shall be recorded.
Proposal: Add to Definitions	“Code of Conduct” means the Trustee Code of Conduct for the Toronto Catholic District School Board.

	<p>“Conflict of Interest Registry” means the registry of Trustees’ conflict of interest declarations, established in accordance with the Municipal Conflict of Interest Act.</p> <p>“Integrity Commissioner” means the Integrity Commissioner appointed by the Board of Trustees.</p>
Proposal: <i>Add Attendance at Meetings</i> (NEW ARTICLE 5.3.2)	A Trustee may be absent for 20 consecutive weeks or less, if the absence is a result of the Trustee’s pregnancy, the birth of the Trustee’s child or the adoption of a child.
Proposal: <i>5.6 Composition of Ad-Hoc Committees</i> (NEW ARTICLE 6.6)	<p>that it is strongly recommended, line 3, be added as follows:</p> <p>...To the extent possible the Board of Trustees shall ensure equitable distribution of Trustees on Committees and it is strongly recommended that ...</p>
Proposal: <i>10.10.17 Inquiries and Miscellaneous</i> (NEW ARTICLE 11.10.17)	<p>that <i>of an urgent nature</i> be removed, 1st line:</p> <p>...only of an urgent nature, which may be the subject only of a motion for receipt...</p>
Proposal: <i>10.8 Member of a Committee Placing Matter/Notice of Motion on Agenda of Meeting</i> (NB NEW 11.8.9)	10.8.9 Any recommended changes to policy, program or services from SEAC shall stand referred to staff for a report to the Board of Trustees.
Proposal: <i>10.8.10 Items on Order Paper of Committee Meetings</i> (NB NEW 11.8.10)	Any recommended changes to policy, program or services from CPIC shall stand referred to staff for a report to the Board of Trustees; and

	<p>Any matter dealing with recommended changes to parent involvement/ engagement policy of services shall, if adopted, stand referred to the Catholic Parent Involvement Committee (CPIC) where applicable, prior to submission to the Board of Trustees for consideration; and the staff report, along with any CPIC response, shall be submitted to the appropriate committee for review prior to submission to the Board of Trustees.</p>
<p>Proposal: <i>Indemnification (NEW ARTICLE 19.1)</i></p>	<p>18.1 Reimbursement for Costs and Expenses Relating to Municipal Conflict of Interest Proceedings that upon receipt of a formal documented request, in consultation with the Board of Trustees, the TCDSB shall pay on behalf of or reimburse, irrespective of any awarded costs, all reasonable costs and expenses, as agreed or taxed, incurred by a Trustee who has been found not to have contravened Article 5 of the Municipal Conflict of Interest Act.</p>