



REPORT TO

GOVERNANCE AND POLICY  
COMMITTEERECOMMENDATIONS FROM THE BY-LAW AD HOC  
COMMITTEE*For I know that my Redeemer lives, and that at the last he will stand upon the earth," Job 19:25*

## Drafted

May 31, 2022

## Meeting Date

June 7, 2022

Eric Roher, Borden Ladner Gervais LLP

## RECOMMENDATION REPORT

**Vision:** *IN GOD'S IMAGE: Growing in  
Knowledge, with Justice and Hope.***Mission:** *Nurturing the faith development and academic  
excellence of our Catholic learning community through the  
love of God, neighbour, and self.*MULTI-YEAR STRATEGIC PLAN  
2022 - 2025

IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope

Brendan Browne  
Director of EducationAdrian Della Mora  
Associate Director of Academic  
Affairs & Chief Operating OfficerDerek Boyce  
Associate Director of Facilities,  
Business & Community DevelopmentRyan Putnam  
Chief Financial Officer & Treasurer

## A. EXECUTIVE SUMMARY

This report recommends to the Governance and Policy committee changes to two sections of the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016). These proposed changes arose from multiple By-Law Ad Hoc Committee meetings. The first proposed change has already been presented to the Governance and Policy Committee, with a request from that Committee for more information.

**The cumulative staff time required to prepare this report was 5 hours**

## B. PURPOSE

1. The purpose of this report is to propose revision to two sections of the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016), as advised by the By-Law Ad Hoc Committee.
2. At the last By-Law Ad Hoc Committee, two proposals were referred to the Governance and Policy Committee.
3. On April 19, 2022 the Governance and By-Law Committee referred one proposal back to staff for further analysis.

## C. BACKGROUND

1. The By-Law Ad Hoc Review Committee met on February 24, 2022 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. On April 19, 2022 the By-Law Committee recommended that the new provision of the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016) be added to include:

**that “Every Committee/Board meeting (private and public) shall be recorded”.**

The Governance and Policy Committee referred this recommendation back to staff for further analysis. A legal opinion was provided and stipulates that the Board is under no obligation legally, to record its meetings. Staff recommends

that private board and/or committee meetings shall not be recorded. If the Board wishes to continue, or expand the recordings of meetings, a retention policy will have to be implemented. Staff recommend that public Board meeting recordings be erased after 2 years.

3. The second recommendation to the Governance and Policy Committee is a new article regarding Electronic Participation in meetings. The recommendation is to add Article 6.10.1 and 6.10.2 as follows:

**The Board will provide the means to participate electronically in Board and Committee meetings in accordance with the provisions of the Act and Ontario Regulation 463/97 – Electronic Meetings; The Board will adopt a process to ensure the security and confidentiality of proceedings held during closed (private) meetings and review the procedures annually; Members will make every effort to provide notice to Board Services if they intend to participate electronically by 5 p.m. on the day prior to the Board or Committee meeting;**

**No more than half of Board or Committee meetings in a twelve (12) month period can be chaired electronically in accordance with Ontario Regulation 463/97 – Electronic Meetings; All members participating via teleconference who are not speaking must use the mute function on their device;**

**Student Trustees may not participate electronically in meetings that are closed to the public in accordance with the in accordance with the TCDSB Student Trustee Policy T. 02 - A Student Trustee is not entitled to be present at a meeting that is closed to the public if the subject matter under consideration 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 or his or her parent or guardian.**

4. Once the Governance and Policy Committee has made recommendations to the By-Law Committee, the Committee will then prepare a draft of the revised Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016) for Board approval.

## **D. EVIDENCE / RESEARCH / ANALYSIS**

Currently, the Board budgets to record meetings of the Public Board, and standing committees (Regular Board, Student Achievement and Well-Being, Corporate Services, Audit, CPIC, Governance and Policy, Caucus and SEAC),

if the new article is added to the Board Operating By-Law Number 175 (as amended on April 21, 2016), “to record every committee/Board meeting (private and public)”, there will be additional costs to the Board.

## **E. STAFF RECOMMENDATION**

Staff recommends that the Governance and Policy Committee accept the proposed changes to the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016) as outlined in paragraph 3 of the background section of this report, however staff does not recommend that a new provision on audio/visual recording as outlined in paragraph 2 of this report be adopted, and that the Governance and Policy Committee refer this report back to the By-Law Ad Hoc committee.