



REPORT TO

REGULAR BOARD

REVISION TO BY-LAW REGARDING TRUSTEE DEBATE – RECOMMENDATION REPORT

Jesus said to them, "I am the bread of life, he who comes to Me will not hunger, and he who believes in Me will never thirst - John 6:35

Drafted

April 11, 2025

Brendan Browne, Director of Education

Meeting Date

April 24, 2025

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



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Associate Director of Corporate
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A. EXECUTIVE SUMMARY

At the April 10th Corporate Services Committee Meeting, the Board approved the “Revision to the By-Laws Regarding Trustee Debate” report. The report gave notice of the motion to remove subarticle 11.4 of the Board Operating By-Law 175, and renumber the By-Laws and Table of Contents accordingly. The report provided the appropriate notice, rationale, and recommendation to amend the By-Law as per Article 17 “Amendments to the By-Laws.”

This follow up recommendation report now places the motion from the April 10 meeting on this Board agenda for approval with the support of 2/3rds of the Trustees.

Board approval of the motion recommended in this report will result in the removal of subarticle 11.4 “Staff Reports – Information, Questions, & Debate” and the renumbering of the By-Laws, and Table of Contents to reflect this change.

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

B. PURPOSE

1. This report places the motion to amend the By-law, for which notice was given on April 10, before the Board for its consideration and approval. Approval of the motion results in removal of subarticle 11.4 of the By-Laws and renumbering the By-Laws and Table of Contents accordingly.

C. BACKGROUND

1. The TCDSB By-law provides important rules for the governance and operation of the Board business.
2. The Board’s By-Law Review Ad-Hoc Committee focusses on revisions to the By-Law. Over the last several years the Committee met regularly with staff to revise and update the Board’s Operating By-Law. Those revisions were brought to the Board and approved on November 14, 2024.
3. One of the revisions to the By-Laws, was the addition of subarticle 11.4 “Staff Reports – Introduction, Questions, & Debate.” This subarticle introduced a new protocol for staff to present reports at Board meetings and Trustees to ask questions of staff regarding their reports for ten minutes prior to the commencement of debate

4. This revision to the By-Law and influence and impact on debate, has created confusion in Board and Committee meetings and resulted in several Trustees requesting this revision be eliminated from the By-Law.
5. The report “Revisions to the By-Laws Regarding Trustee Debate” was approved at the April 10th Corporate Services meeting, which provided written notice of the motion to amend the By-Laws required by Article 17.
6. Trustees may now approve the motion to remove subarticle 11.4 and renumber the By-Laws on a vote of 2/3rds approval.

D. EVIDENCE, RESEARCH, ANALYSIS

1. The revised By-Laws were passed by Trustees on November 14, 2024.
2. One revision made to “Article 11 Protocol for Debate” was the addition of subarticle 11.4.
3. Subarticle 11.4 includes two concepts, not previously in the By-Law before the November 2024 revisions:
 - a. That the Chair may (but does not have to) ask staff to introduce their reports and if so, staff can only speak for a maximum of 5 minutes;
 - b. That debate of the report will be preceded by a question and answer period for Trustees to ask questions of staff about the report for a maximum of 10 minutes
4. Article 11. 4 reads:

11.4 Staff Reports – Introduction, Questions & Debate

When a staff report is put before the Board or a Committee, the following procedure shall be followed:

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| 11.4.1 | A motion to receive the report shall be moved and seconded; |
| 11.4.2 | The staff member shall speak to the report only if asked to do so by the Chair. Where such introduction is requested, the staff member shall speak for no more than five (5) minutes; |
| 11.4.3. | Immediately following the staff introduction (if one has been requested), Trustees may ask staff questions. This question and answer period shall not exceed ten (10) minutes; |
| 11.4.4. | After the question and answer period, a motion shall be moved regarding the Board or Committee’s decision on the staff report and recommendations, if any; and then |
| 11.4.5. | Debate shall begin in accordance with Article 11.6. |

5. Staff's understanding of the intention behind new subarticle 11.4 was the By-Law Review Committee's consideration about how best to use Board Meeting time.
6. The Board has followed the provision for the last several months. The compartmentalizing of the procedure into staff comments, questions, and then Trustee debate, has not resulted in the efficiencies intended by the subarticle. Specifically, the Board of Trustees often ask questions of staff during debate as staff's role is to provide the best information and context to trustees to support decision making of the board. The 10 minutes allotted for questions does not allow enough time for all Trustees to have the opportunity to ask questions, and questions to staff continued into the time allocated for debate. This results in the blurring of the intended sections as per subarticle 11.4 and has created confusion and dissatisfaction from many Trustees since its implementation. Many Trustees, including some who served on the By-Law Review Committee, have expressed that it may not be working as envisioned.
7. As Secretary to the Board as Director of Education, I have reviewed the By-Law, and the implications on Board and Committee meetings. It is in the best interests of the Board and the Board's commitment to good governance to always be working toward effective, efficient, and responsible rules for debate and governance.
8. Trustees and the public are used to debate that provides Trustees with 3 minutes each to ask questions, make statements, and contribute to debate. This allows all Trustees the opportunity to contribute to debate, ask important questions, and make appropriate statements. This approach to standardize debate, including staff reports, will provide consistency and clarity.

IMPLEMENTATION AND PROCEDURAL CONSIDERATIONS

1. The Board may amend its By-Law at any time, subject to Article 17 of the By-Laws. This Article requires that any amendments to the By-laws can be made at a meeting of the Board. Amendments can be made on an affirmative vote of 2/3rds of all Trustees.
2. Article 17.1.1 requires written notice of the proposed changes be given at a meeting of the Board before the meeting at which the vote on the amendment is conducted. Article 17.1.2 requires a brief statement of the intended purpose for the amendment.

3. The report approved at the April 10th Corporate Services Committee meeting satisfied that requirement in Article 17.

E. RECOMMENDATION

The Director of Education and Secretary of the Board recommends that Trustees approve, with a 2/3rds majority as per Article 17 of the By-Laws, the following:

That subarticle 11.4 “Staff Reports – Introduction, Questions, and Debate” (excerpted earlier in this report) be deleted from Board Operating By-Law 175, and that the By-Law articles and Table of Contents be renumbered to reflect this change.