



POLICY NAME:

**ELECTRONIC PARTICIPATION IN-
MEETINGS OF THE BOARD,
COMMITTEES OF THE BOARD, AND
THE COMMITTEE OF THE WHOLE-
BOARD ELECTRONIC MEETINGS AND
MEETING ATTENDANCE**

POLICY SECTION:

Administration and Governance

DATE APPROVED:

October 15, 2013

DATE OF NEXT REVIEW:

~~2029~~ **2030**

DATES OF AMENDMENTS:

October 18, 2018; October 2021, August 2024,
May 2025

RESPONSIBLE DEPARTMENT:

Legal Services

Policy:

Ontario Regulation 463/97 **to the *Education Act* “Electronic Meetings and Meeting Attendance”** requires that every **school b**Board shall develop and implement a policy providing for the use of electronic means for the holding of meetings of the Board, and meetings of a committee of the Board, including a committee of the whole Board. The policy is in alignment with **Toronto Catholic District School Board’s** (TCDSB) Multi-Year Strategic Plan (MYSP), and reflects Catholic values rooted in the love of Christ.

Scope and Responsibility:

The policy extends to **members of the Board of Trustees** (**referred to as “members of the Board or Trustees,” interchangeably through this policy**) ~~and Student Trustees~~ of the TCDSB. The Director of Education is responsible for this policy.

Regulations:

Provision of Electronic Means

1. At the request of any Board Member or Student Trustee, the TCDSB shall provide the Trustee ~~and or~~ **Student Trustee, as the case may be** with electronic means for participating in one or more meetings of the Board or a committee of the Board, including a committee of the whole board. **Participation by electronic means will be as provided in the**

regulations that follow.

Board Meetings – Member Attendance

2. At every **regular** meeting of the Board **and every regular meeting of a committee of the whole Board**, the following persons must be physically present in the Board room:
 - (i) **Each** ~~All~~ member of the Board.
 - (ii) The Director of Education ~~of the board~~ **or their** ~~or his or her~~ designate.
3. Despite Regulation 2, a member of the Board may participate in a meeting by electronic means instead of being physically present if the member receives written approval **in accordance with the process outlined here** ~~in under Regulation 6~~ before the meeting begins.
4. If a member of the Board proposes to participate in a meeting described in Regulation 2 by electronic means, the member shall submit a request in writing and the reasons for the request to the Chair of the Board before the meeting begins.
5. If the member of the Board making a request under Regulation 4 is the Chair of the Board, the Chair shall submit the request and reasons to the Vice-Chair of the Board or, if the Board has no Vice-Chair, to another member of the Board.
6. The Chair, Vice-Chair or other member, as applicable, may approve a request if they are satisfied that one or more of the following circumstances exist:
 - (i) **w**Weather conditions do not allow the Trustee to travel to the meeting safely.
 - (ii) the distance from the Trustee's primary residence to the meeting location is 125 kilometers or more.
 - (iii) the **T**rustee cannot be physically present at a meeting due to health-related issues.
 - (iv) the Trustee has a disability that makes **it challenging to be physically present at a meeting** ~~attending meetings in person more challenging; or~~

- (v) the Trustee **cannot be physically present** ~~is unable to attend in person~~ due to family responsibilities in respect of,
 - a. the Trustee's spouse,
 - b. a parent, step-parent or foster parent of the **Trustee member** or the Trustee's spouse,
 - c. a child, step-child, foster child, or child who is under legal guardianship of the Trustee or the Trustee's spouse,
 - d. a relative of the Trustee who is dependent on the Trustee for care or assistance, or
 - e. a person who is dependent on the Trustee for care or assistance and who considers the trustee to be like a family member.
- 7. **The Chair shall not approve a request under Regulation 6 if approving the request would result in less than one Trustee of the Board, in addition to the Chair of the Board or their delegate, being physically present in the meeting room.**
- 8. **The Vice-Chair or other member of the Board will not approve a request under Regulation 6 unless the Chair's designate will be physically present in the meeting room.**
- 9. At every meeting of a committee of the Board, except a committee of the whole Board, the **Chair of the committee or their designate** ~~following persons~~ must be physically present in the **Board meeting room, except that the committee chair or their designate may attend by electronic means if another member of the committee, who is also a member of the Board, is physically present in the meeting room.**
- 10. ~~Despite regulation 2, the Chair of the Board or designate must be physically present in the Board room for at least half of the meetings of the Board of Trustees for any 12-month period beginning December~~ **The Director of Education or their designate shall be physically present in the meeting room for each meeting of the Board and each meeting of a committee of the Board, including a committee of the whole Board.**
- 11. The Board is permitted to refuse to provide a member with electronic means of participation in a **regular** meeting of the Board, a meeting of a committee of the whole Board or a committee of the Board, where to do so is necessary to ensure compliance with this policy.

12. A Trustee or Student Trustee who participates in a meeting through electronic means in **accordance with the requirement of the *Education Act*, related regulations and this policy** is ~~shall be deemed to be present at the meeting and will be recorded in attendance at the meeting. Minutes of the meeting will record the names of Trustees and Student Trustees who participated in the meeting using electronic means~~
13. In accordance with TCDSB Operating By-Laws #175 regarding quorum for Board or committee meetings, Board members participating using electronic means **in accordance with this Policy** will be included for quorum purposes as long as they remain electronically connected to the meeting. If quorum is not present within thirty minutes after the time appointed for any meeting, the Recording Secretary shall record the names of Trustees and officials of the **B**oard who are present, and the meeting shall stand adjourned.
14. To ensure quorum is maintained, Trustees using electronic means to participate in meetings shall, **prior to their departure**, inform the Chair of the Board or the Chair of the Board committee, **as the case may be**, about their intention to leave the meeting, either on a temporary or permanent basis.
15. **The means for electronic participation provided by the Board to Trustees and Student Trustees using electronic means to participate in meetings must allow all meeting participants to hear and be heard simultaneously and instantaneously** ~~by all participants of the meeting.~~
16. At all meetings of the Board or its committees, Trustees and Student Trustees participating by electronic means must comply with the requirements of the *Municipal Conflict of Interest Act*.
17. ~~Student Trustees may~~ **not participate in any proceedings through electronic means** ~~attend meetings of the Board or its committees that are closed to the public pursuant to section 207(2)(b) of the *Education Act*. through electronic means, except for meetings closed to the public pursuant to section 207 (2)(b) of the Education Act.~~
18. Trustees and Student Trustees using electronic means for participation in meetings of the Board or its committees should follow the protocol for electronic meetings enforced by the Chair.

19. Public meetings of the Board and its committees comprised of all Trustees shall be web broadcast.
20. Copies of all materials shall be securely provided to Trustees electronically before the start of the meeting.
21. Trustees and Student Trustees participating in meetings closed to the public through electronic means must ensure confidentiality of all materials, discussions, and decisions.
22. Appropriate processes will be put in place to ensure the security and confidentiality of proceedings that are closed to the public in accordance with the *Education Act*.
23. The Board shall provide members of the public with electronic means for participating in meetings in line with the board's Delegation and Public Participation Policy. The electronic means of participation provided will allow for simultaneous and instantaneous communication by all persons participating in the meeting and shall ensure members of the public participating through electronic means do not participate in any proceedings closed to the public under section 207(2) of the *Education Act*.
24. The meeting room of the board or of a committee of the board, as the case may be, shall be open to permit physical attendance by members of the public at every regular meeting of the board or of the committee of the board, except for meetings closed to the public in accordance with section 207(20) of the *Education Act*.

School Closures

25. (1) The requirements under Regulations 2 and 9 for members to be physically present at meetings, and the requirement under Regulation 24, do not apply for the period described in Regulation 25(2), if all schools of the board are closed pursuant to an order made by:
 - (a) the Minister under section 5 (1) of the Act;
 - (b) a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the Health Protection and Promotion Act;

(c) the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the Emergency Management and Civil Protection Act; or

(d) the Lieutenant Governor in Council under clause 4 (1) of the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020

(2) The period referred to in Regulation 25(1) is determined as follows:

1. If an order is made before September 1, 2025 and continues to apply on that date, the period starts on September 1, 2025 and ends 60 days after the order ceases to apply.

2. If an order is made on or after September 1, 2025, the period starts on the day the order is made and ends 60 days after the order ceases to apply.

26. A Trustee vacates their seat if they:

a) Absent themselves without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the Board; or

b) fail to be physically present at a regular meeting of the Board or Committee of the Whole Board without approval of an exemption allowing attendance by electronic means, in accordance with this Policy.

Cross References:

Legislation

- *Education Act*, S. 208.1 **S.228(1)**
- *Municipal Conflict of Interest Act*
- Ontario Regulation 463/97, “Electronic Meeting and Participation”, as amended ~~Municipal Conflict of Interest Act~~

TCDSB Bylaw

- **Board Operating By-Law#175**

Policy /Procedure

- TCDSB Policy: Student Trustee TCDSB
- **Delegations and Public Participation Policy**

Evaluation and Metrics:

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

- An annual Information Report about participation at meetings of the Board and its committees will be presented to Trustees for consideration.