


Windsor-Essex Catholic District School Board



Section: Trustees

POLICY
T: 04 Electronic Participation in Board Meetings

NUMBER:	T: 04
EFFECTIVE:	June 26, 2001
AMENDED:	March 29, 2005 Oct.23, 2018 Nov. 24, 2020
RELATED POLICIES:	See References
REPEALS:	
REVIEW DATE:	2025-2026

1.0 OBJECTIVE:

1.1 To provide for the use of electronic means by Trustees and Student Trustees for participating in meetings of the Board and meetings of Board Committees.

2.0 DEFINITIONS:

2.1 *Electronic means* - For the purposes of this policy, electronic means is a two-way communication through a variety of modes, including but not limited to, audio teleconference, virtual web-based platforms or social networks for participation in the meeting of the Board or Board Committee(s).

3.0 GUIDING PRINCIPLES:

- 3.1 The Windsor-Essex Catholic District School Board recognizes the necessity of providing Trustees and Student Trustees with the ability to participate in all meetings arranged by the Board (i.e., regular and special board meetings, Ad Hoc committee meetings and/or standing committees and/or any other meeting that requires Trustee/Student Trustee membership; both in-camera and open sessions).
- 3.2 While the Board recognizes the right of a Trustee or Student Trustee to be provided with electronic means for participating in a meeting or meetings of the Board or its Committees, it is the policy of the Board that the normal method of participation and attendance at such meetings is for the Trustee or Student Trustee to be physically present at the meeting.
- 3.3 At the request of a Board member, in situations where it is not possible for the member to physically attend a regularly scheduled or special meeting of the Board or Committee of the Whole Board, as defined in the Board’s Procedural By-Law, the Board shall provide two-way communications through electronic means for participation in the meeting of the Board or its Committee(s).
- 3.4 The means for allowing electronic participation shall permit the Trustee or Student Trustee to hear and be heard by all other participants in the meeting.
- 3.5 The Windsor-Essex Catholic District School Board is committed to the principles of equity and inclusive education, consistent with our Catholic teachings, which value

and promote human rights and social justice in all Board policies, programs, guidelines, operations and practices.

4.0 SPECIFIC DIRECTIVES:

- 4.1 In the event that a Trustee or Student Trustee is unable to physically attend a meeting of the Board or its committees, the Trustee or Student Trustee will endeavour to notify the Chair or Director of Education as soon as reasonably possible prior to the start of the meeting.
- 4.2 Subject to any conditions or limitations provided for under the Education Act or Regulation(s), a member of a Board who participates in a meeting through electronic means in accordance with O. Reg 463/97 shall be deemed to be present at the meeting and as per Board By-Law, section 3.11, shall be counted as part of the quorum and shall be entitled to vote on any matter on which they are eligible to vote.
- 4.3 Trustees participating electronically will inform the Chair of their departure from a meeting, whether temporary or permanent, to ensure a quorum is maintained at all times.
- 4.4 Student Trustees who are participating through electronic means shall not participate in any proceedings that are closed to the public under Section 207 (2) (b) of the Education Act.
- 4.5 A Trustee or Student Trustee electing to participate through electronic means in a closed meeting of the Board shall be bound by the same requirements of confidentiality as if they were physically present at the meeting. In addition, the Trustee or Student Trustee undertakes and is responsible to ensure that no unauthorized person is given access to the proceedings or any documents pertaining thereto. A Trustee or Student Trustee electing to participate through electronic means in closed meetings of the Board shall not record, videotape or transcribe in any way the proceedings or any part of the meeting.
- 4.6 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.
- 4.7 At every meeting of the Board or of a Committee of the Whole Board, the following persons must be physically present in the Board room:
 - a. the Chair of the Board or designate, subject to section 4.9;
 - b. at least one additional member of the Board; and
 - c. the Director of Education or designate.
- 4.8 At every meeting of a committee of the Board, except a Committee of the Whole Board, the following persons must be physically present:
 - a. the Chair of the committee or designate;
**If the Chair of the committee or designate participates in a meeting by electronic means pursuant to section 4.9, at least one additional member of the committee must be physically present.
 - b. the Director of Education or designate.

- 4.9 The Chair of the Board or of a committee of the Board or their designate may participate in a meeting of the Board or of a committee of the Board by electronic means if:
- a. the distance from the Chair's or designate's current residence to the meeting location is 200 kilometers or more;
 - b. weather conditions do not allow the Chair or designate to travel to the meeting location safely; or
 - c. the Chair or designate cannot be physically present at a meeting due to health-related issues.

- 4.10 It is the policy of the Board that the Chair or designate must be physically present for at least half of the meetings of the board for any 12 month period beginning December 1, or for the period beginning December 1, 2021 and ending November 14, 2022 and may provide that the Chair or designate must be physically present for a greater proportion of the meetings.

Beginning November 15, 2022, the Chair or designate must be physically present for at least half of the meetings of the board for any 12 month period beginning November 15 and may provide that the Chair or designate must be physically present for a greater proportion of meetings.

- 4.11 The Chair may refuse to provide a Trustee with electronic means of participation in a meeting of the Board, a meeting of a Committee of the Whole Board or a meeting of any other committee of the Board, where to do so would be necessary to ensure compliance with section 4.7 and section 4.8 as set out above.
- 4.12 Electronic meetings shall be conducted from the Catholic Education Centre unless otherwise determined by the meeting schedule.
- 4.13 The designated meeting location must be such that the public can attend the open session.
- 4.14 Despite this policy respecting electronic meetings, the requirements under sections 4.7, 4.8, and 4.9 for persons to be physically present at meetings, and the requirement under section 4.10 for the period described, do not apply if schools of the board are closed pursuant to an order made by:
- a) The Minister under section 5 (1) of the *Education 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*; or
 - c) The Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act* (O. Reg. 42/20, s.1.)

The period referred to in section 4.10 starts on the later of,

- a) the day the order is made;
- b) the day the Ontario Regulation 42/20 comes into force, and ends 60 days after the order expires.

5.0 RESPONSIBILITY:

- 5.1 It shall be the responsibility of each Trustee and Student Trustee to be aware of and abide by all of the provisions of the Board's By-Law, policies, procedures and regulations.
- 5.2 The Director of Education and the Board of Trustees shall be responsible for the implementation of this policy.

6.0 REVIEW AND EVALUATION:

- 6.1 The policy shall be reviewed during the 2025-2026 policy review cycle.

7.0 REFERENCES:

Education Act s. 5 (1), s. 55, s. 207, s. 208.1, s. 229
Ontario Regulation 463/97 Electronic Meetings
Ontario Regulation 42/20 Electronic Meetings (amending O. Reg. 463/97)
Health Protection and Promotion Act
Emergency Management and Civil Protection Act.
Municipal Conflict of Interest Act, R.S.O. 1990
Board By-Laws Respecting the Operational Procedures of the Board