



ST. JAMES-ASSINIBOIA SCHOOL DIVISION

MISSION STATEMENT

In fulfilling our purpose and journeying towards our vision, St. James-Assiniboia School Division will provide a safe and caring educational environment to prepare all students to be responsible citizens in a democratic society.

AGENDA

Meeting of the St. James-Assiniboia School Division Board

Board Room, Aidan Conklin Building, 2574 Portage Avenue

May 24, 2022

7:30 p.m.

Meeting No. 11-22

Organizational By-Law 316-21 govern meeting procedures of the St. James-Assiniboia School Division Board in accordance with the Public Schools Act, Sec. 33: "each school board shall pass by-laws establishing rules of procedure for the guidance of the school board in the conduct of its meetings."

CALL TO ORDER/ATTENDANCE

The St. James-Assiniboia School Division acknowledges that we are on Treaty One Land, the traditional territory of the Anishinaabe, Ininiw, and Dakota and homelands of the Red River Métis Nation.

ADOPTION OF MINUTES

Board Meeting of May 10, 2022

REPORT ON EDUCATION

Truth Against Distortion: Survivors Speak Out Against Hate

TRUSTEE STATEMENTS

There are no Trustee Statements.

HEARING OF DELEGATIONS

K. Ryback, Community Resident – Opportunity for an Introduction to Golf for Indigenous Students

COMMITTEE REPORTS

Governance Committee – May 5, 2022

Community Engagement Committee – May 9, 2022

Personnel Committee – May 17, 2022

TRUSTEE COMMITTEE UPDATES

Retirement Committee – May 12, 2022

REPORT OF THE SUPERINTENDENT

REPORT OF THE SECRETARY-TREASURER/CHIEF FINANCIAL OFFICER

CORRESPONDENCE

Action Correspondence

There is no action correspondence.

Information Correspondence

1. Manitoba School Boards Association (MSBA)
 - a. E-News May 18, 2022
 - b. Memo re: Renewed Call for Mentors
 - c. Education Equity Audit Webinar Series with Tana Turner
2. Minister of Education and Early Childhood Learning Letter re: Enhancing Protections for Schools

UNFINISHED BUSINESS/BUSINESS ARISING FROM THE MEETING

1. First Reading of By-Law 321-22 Amending By-Law 316-21 Board Organizational By-Law
2. First Reading of By-Law 322-22 Amending By-Law 317-21 Board Member Compensation and Expenses (Trustee Indemnity By-Law)
3. Notice of Motion By-Law 320-22 Appointment of Senior Election Official

AGENDA-BASED QUESTIONS FROM THE PUBLIC

(This time is allocated to hearing questions from the public regarding items on this agenda.)

TRUSTEE PD SUMMARIES

There are no Trustee PD Summaries.

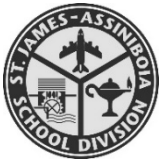
NEW BUSINESS

There are no New Business items.

RECESS TO COMMITTEE OF THE WHOLE IN CAMERA

REPORT OF THE COMMITTEE OF THE WHOLE

ADJOURNMENT



ST. JAMES-ASSINIBOIA SCHOOL DIVISION

REPORT OF THE GOVERNANCE COMMITTEE No. 04-22

#1653652

Meeting Held: Thursday, May 5, 2022, Teams, 5:30 p.m.

Present: Bruce Chegus, Committee Chair
Craig Glennie, Trustee
Sandy Lethbridge, Trustee

Cheryl Smukowich, Board Chair

Mike Wake, Superintendent
Carrie Melville, Secretary-Treasurer/Chief Financial Officer
James Dunlop, Assistant Secretary-Treasurer

Regrets:

DISCUSSION AND RECOMMENDATIONS

1. Call to Order/Attendance

As per above.

2. Approval of the Agenda

Agenda approved

3. Policy BIA and Regulation BIA-R New Board Member Orientation

The Committee discussed learning opportunities for consideration by the Board Chair and Board Vice Chair to complement the orientation program outlined in Policy BIA and Regulation BIA-R that could be made available and/or delivered over an extended period following the civic election. The orientation session should ensure reference to Policy BC Trustee Code of Conduct and Policy BCB Conflict of Interest. Additional learning opportunities could include information in MSBA's School Board Member Handbook for (2018) and possibly a 'mock' Board meeting format to introduce and/or practice Robert's Rules. The Committee recognized the importance and value of the Governance PD sessions that were introduced by the Superintendent during the current Board's mandate. Going forward, similar content should be considered for future sessions and follow-up with the whole Board in attendance.

The Governance Committee Recommends

That revisions to Policy BIA New Board Member Orientation and Regulation BIA-R New Board Member Orientation be approved.

And further;

That revisions to Policy BABA Duties of Chair of the Board and Policy BBABB Duties of the Vice Chair of the Board be approved.

4. Policy BC Trustee Code of Conduct

The Committee reviewed the revised Policy BC Trustee Code of Conduct with an amendment to add Section 3 Ethical Conduct as suggested by MSBA. The Committee reviewed the draft Code of Ethical Conduct and Action Plan to be posted on the Division website under Governance.

The Governance Committee Recommends

That revisions to Policy BC Trustee Code of Conduct be approved.

And further;

That Administration review the draft Code of Ethical Conduct and Action Plan prior to posting to the Division website under the 'Governance' category and be referred to the Committee of the Whole In-Camera agenda on May 24, 2022.

5. Committee Restructuring Relevant Policies and By-Laws

The Committee reviewed policies and By-Laws associated with the Board Committee restructuring. Changes to Policy BDE Board Committees will be deferred for review at the June 7th Governance Committee meeting along with the draft By-Law amending Organizational By-Law 316-21, section 12 sub-heading 'Committees'.

Draft Regulation BDE-R Board Committee Terms of Reference will be reviewed at the next Governance Committee meeting. Regulation BDE-R will include a section regarding 'Conduct at meetings' which had previously been included in the Trustee Code of Conduct. Consideration to be given to means for Board members to record their notes regarding strategic planning 'evidence' used in conjunction with summative evaluation.

The Liaison Committees listed in Policy BDE were confirmed for purposes of the annual Board elections with the exception of 'Board/Municipal Council' which will be addressed under 'Committee of the Whole' in the revisions being considered for Policy BDE. Other Committees will be reviewed and listed by the Board Chair and brought forward to the Committee at its next meeting to firm up a process for trustee representation on the committee(s).

6. Evaluations and Decision-Making Matrix

The Committee discussed the merits of possibly having an evaluation session in each case that would be facilitated. The Committee noted that the newly revised evaluation policies for the two Excluded Staff Members do not have provision for an 'external report' to be obtained by the Board through an external source such as an auditor or a consultant who would conduct 'Leadership Practices' interviews.

The Committee reviewed the revised Policy AG Board Governance Framework and a draft policy on Board Relationships with the Superintendent and Secretary-Treasurer/CFO. Draft Exhibit CBB/AFA was also reviewed with amendments to the

introductory section and the inclusion of seven Performance Expectations rather than the eight listed in the draft exhibit.

The Governance Committee Recommends

That revisions to Policy AG Board Governance Framework be approved.

And further;

That Senior Administration review draft Policy Board Relationship with final drafts to be included on the In-Camera Agenda at the May 24, 2022 Board Meeting.

And further;

That draft Policy CBB/AFA Evaluation of Excluded Staff Member and draft Exhibit CBB-E/AFA-E Excluded Staff Member Performance Assessment Guide be referred to the In-Camera Agenda at the May 24, 2022 Board Meeting.

And further;

That the Excluded Staff Member's evaluation be conducted prior to the end of July 2022.

7. Policy BCB Trustee Conflict of Interest

The Committee reviewed the revised Policy BCB Trustee Conflict of Interest to ensure that the Board is in compliance with the code of conduct and conflict of interest in accordance with the Public Schools Act.

The Governance Committee Recommends

That revisions to Policy BCB Trustee Conflict of Interest be approved.

The meeting adjourned at 8:11 p.m.

Next Meeting: Tuesday, June 7, 2022 at 5:30 p.m.

Report presented by Bruce Chegus, Chair, Governance Committee
Minutes recorded by James Dunlop, Assistant Secretary-Treasurer

#108136

BIA-R

NEW BOARD MEMBER ORIENTATION

The Board believes that members who are familiar with the facilities and operation of the Division, and who are knowledgeable about their obligations, duties and responsibilities can make a more effective contribution to the welfare of their school system. The Board commits itself, therefore, to providing information and orientation to newly elected trustees.

In order to implement this policy, the Board shall:

1. Provide a local information course for newly elected Board members before, or immediately after, they take office; and
2. That the Chair and Vice-Chair of the Board meet with a new Trustees in conjunction with the newly elected Trustee orientation to review the Organizational By-Law and the information in the orientation materials regarding the role of Trustees; and
3. Provide the opportunity to attend the MSBA School for New Trustees.

References:

School Board Member Handbook, Manitoba School Boards Association, 2018
<http://www.mbschoolboards.ca/documents/Schoolboardmemberhandbook.pdf>

Former BHA

ADOPTED	REVIEWED	REVISED	PAGE
28-Sep-76		11-Apr-17	1 of 1
		Motion 06-16-17	

#108137

BIA

NEW BOARD MEMBER ORIENTATION

The orientation of new Board Members may take the form of a locally conducted school for newly elected Trustees run by the Chair of the Board, by the administration of the School Division, or a combination of both.

Listed below is a sample program which may be used:

Orientation of Newly Elected Trustees

1st & 2nd days (or longer)

Division Office

1. Superintendent's Department-duties
2. Secretary-Treasurer/CFO's Department-duties
3. Maintenance Manager's Department - duties
4. Maintenance
5. Transportation

Finance

1. Payroll
2. Budget
3. Division Budget developmental process
4. Audit
5. School budgets
6. Buying procedures
7. Trustees' indemnities & expense forms

Division Policies & Programs

1. Public Schools Act
2. Board Policies and By-Laws including but not limited to:
 - a. Section A – Foundations and Basic Commitments
 - b. Section B – Board Governance

Miscellaneous

1. Review educational objectives of the Division
2. Other information as determined by the Chair of the Board or the Superintendent

Former BHA-R

ADOPTED	REVIEWED	REVISED	PAGE
28-Sep-76		22-Jan-08	1 of 1
		Motion 02-02-08	

128771

DUTIES OF THE CHAIR OF THE BOARD

In addition to the duties required to be performed by a Chair under the provisions of The Public Schools Act, the Chair of the Board shall preside at all board meetings at which he/she is present; and in this duty the Chair shall act with impartiality and tact and shall preserve order and decorum at all times. Without in any way restricting the generality of the foregoing, the Chair:

- (a) Shall call all special meetings and shall preside at all special meetings of the Board.
- (b) Shall call all meetings to order promptly at the prescribed time or as soon as a quorum is present and shall welcome thereto any delegations or guests present and be the spokesman of the Board in dealing with delegations, but shall not communicate to the delegation any commitments of the board on the matter at hand as no decision shall be reached in the presence of the delegation.
- (c) Shall preserve order and decorum at all times, acting with impartiality in all matters.
- (d) Shall, without departing from the agenda, suggest items of business and shall guide the discussions to a speedy but careful conclusion.
- (e) Shall rule on who shall have the floor to speak.
- (f) Shall see that all motions are duly moved and seconded before allowing formal discussion.
- (g) Shall state the question after due discussion, shall call for a vote and shall announce clearly the result of such vote.
- (h) Shall facilitate agenda-based questions from the public, using the following order:
 - i Chair answers question,
 - ii Chair requests Senior Administration to answer question,
 - iii Chair requests contact information and acknowledges that an answer will be provided if an immediate answer is not available.
- (i) Shall facilitate the hearing of Trustee Statements by stating at the Public Board Meeting that this time on the agenda is for Board members to have the opportunity to highlight events and achievements that have or will be happening within their ward. The Chair will allow each trustee two minutes for their report, with the reporting being at their discretion.
- (j) Shall call upon the Vice Chair, or in his/her absence, the member with the longest continuous service to preside if the Chair wishes to enter debate on

ADOPTED	REVIEWED	REVISED	PAGE
13-Apr-10		13-Apr-21	1 of 2
08-16-10		08-07-21	

- any motion. The chair must ensure that leaving the chair to enter debate is a rare occurrence. If the Chair leaves to enter debate too often it can negatively affect the confidence that the Board must have in the chair's impartiality. Given that the Chair is also a community representative this opportunity must be open but remain limited.
- (k) Shall be guided by the latest edition of Roberts' Rules of Order in the conduct of meetings and the acceptance of motions, amendments, sub-amendments, etc., and on the manner of voting thereon.
 - (l) Shall act as the representative of the Board at all public functions called upon to attend in the capacity of Chair.
 - (m) Shall be the official spokesperson of the Board.
 - (n) Shall be chosen annually at the inaugural meeting of the Board.
 - (o) Shall be an ex officio member of all board standing committees, enabling high quality response to any inquiry.
 - (p) The Chair of the school board is a position of service and leadership and shall provide an important link between the senior administration and the Board.
 - (q) The Chair will attend meetings with the Vice Chair, Superintendent, and Secretary-Treasurer/Chief Financial Officer to prepare the agenda for each regular meeting of the Board. Additionally, attendance at these meetings ensures that Chair and Vice Chair are informed equally and ready to respond capably in the absence of the other.
 - (r) With the assistance of the Vice Chair, lead the annual Board self-evaluation.
 - (s) Lead, in tandem with Senior Administration, new Board Member orientation.

ADOPTED	REVIEWED	REVISED	PAGE
13-Apr-10		13-Apr-21	2 of 2
08-16-10		08-07-21	

#128772

DUTIES OF THE VICE CHAIR OF THE BOARD

The Vice Chair of the Board shall act as Chair of the Board in the absence of the Chair. The Vice Chair shall become the Acting Chair of the Board upon the demise or resignation of the Chair until a duly called meeting of the Board can choose a Chair.

- a) Upon assuming the Chair he/she shall assume all the powers and responsibilities of the Chair for as long as he/she is in the Chair. Without in any way restricting the generality of the foregoing, the Vice Chair shall act on behalf of the Chair, and shall have all the duties and responsibilities of the Chair whenever:
 - i. The Chair is absent or in the event of the demise or resignation of the Chair, or
 - ii. The Chair is deemed to have a conflict of interest in matters that pertain to the Board, or
 - iii. Called upon to take on other duties and responsibilities as assigned by the Chair to do so by the Chair.
- b) Shall act as a representative of the Board at all public functions called upon to attend in the capacity of Vice Chair or Acting Chair.
- c) Shall, in the absence of the Chair, be the official spokesperson of the Board.
- d) Shall be chosen annually at the inaugural meeting of the Board.
- e) In the case of the absence of the Vice Chair, the member with the longest continuous service shall assume the responsibilities of the Vice Chair.
- f) Shall attend meetings with the Chair, Superintendent, and Secretary-Treasurer/Chief Financial Officer to prepare the agenda for each regular meeting of the Board. Additionally, attendance at these meetings ensures that the Vice Chair will be informed equally as the Chair and ready to respond as needed in the absence of the Chair.
- g) Assist the Chair with the annual Board self-evaluation.
- h) Assist the Chair in ensuring that the Board operates in accordance with its own policies and procedures and in providing leadership and guidance to the Board.

ADOPTED	REVIEWED	REVISED	PAGE
13-Apr-10		13-Apr-21	1 of 2
08-16-10		08-06-21	

- i) Assist the Chair with new Board Member orientation.

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ADOPTED	REVIEWED	REVISED	PAGE
13-Apr-10		13-Apr-21	2 of 2
08-16-10		08-06-21	

#108124

Organizational By-Law
BC-R
BC-E-1, 2

TRUSTEE CODE of CONDUCT

Section 1: Integrity and Dignity of Office

The holding of public office is a trust created by the confidence the public places in its School Trustees elected in a free and fair election by community electors. To preserve this confidence, it is the desire of the Board to operate under the highest ethical standards in accordance with the Public Schools Act including the following obligations:

1. Trustees shall serve and be seen to serve their school communities in a constructive, respectful, conscientious and diligent manner;
2. Trustees shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board;
3. Trustees shall ensure their comments are issue-based and not personal, demeaning or disparaging with regard to any person, including Board staff or fellow Trustees;
4. Trustees, as ethical leaders of the Board, must at all times uphold the dignity of office and conduct themselves in a professional manner that will not discredit or compromise the integrity of the Board;
5. Trustees shall respect and understand the roles and duties of individual Trustees, the Board of Trustees, the Superintendent and the Chair of the Board;
6. Trustees shall understand that when engaging residents, staff, student and community whether in person, electronically or in a social media platform, the Trustee Code of Conduct is applicable to their dealings.

Section 2: Statement of Integrity

Governance for each Board member includes a commitment to ethical leadership as set out in the terms of its Organizational By-Law.

To that end, Board members will:

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	1 of 11
Motion 02-02-08		15-03-21	

1. Understand that their first and greatest concern is the educational welfare of all students attending the public schools, and that all decisions must be based on this understanding;
2. Work with other Board members and Board staff in a spirit of respect, openness, cooperation and proper decorum, in spite of differences of opinion that arise during debate;
3. Understand that every Board member has a right to hold and express their individual opinions;
4. Not divulge confidential information which is obtained in the capacity as a Board member, and not discuss those matters outside the meeting of the Board or Board Committee;
5. Render all decisions based solely on their merits;
6. Attend all Board meetings insofar as possible and be responsible for becoming informed on any and all issues coming before the Board, as well as being prepared to discuss and/or act upon all agenda items;
7. Seek to facilitate ongoing communication between the Board and students, staff, parents, and all elements of the community;
8. Conduct our meetings and foster an environment where all elements of the community can express their ideas;
9. Declare a conflict of interest when it arises and excuse ourselves from related discussion and action on that issue;
10. Refrain from using our position on the Board for personal or partisan gain;
11. Insist on regular and impartial evaluation of all staff, and conduct a yearly self-evaluation and set annual goals;
12. Fairly assess all non-instructional aspects of the school operation;
13. Support all decisions by the Board to the community once a decision has been reached;
14. Understand that we have no authority beyond that which is exercised at the Board meeting, and that we shall not lend the impression that we are speaking on the Board's behalf unless that authority has been so delegated.

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	2 of 11
Motion 02-02-08		15-03-21	

15. Strive for a positive relationship with the Superintendent, respecting the Superintendent's authority to advise the Board, implement Board policy and administer the Division.
16. Strive for a positive relationship with the Secretary-Treasurer/Chief Financial Officer, respecting the Secretary-Treasurer/Chief Financial Officer's authority to advise the Board and administer the financial operations of the Division.

All Board members are required to read and sign the Statement of Integrity Agreement acknowledging their responsibility in this area. The Board Member Statement of Integrity Agreement shall be completed and submitted to the Secretary-Treasurer/Chief Financial Officer at the time of the inaugural meeting of each new Board or in the event of a by-election by a newly elected Trustee. The Statement of Integrity Agreement shall be included in the Policy Manual as an exhibit (BC-E-1) to Policy BC.

Section 3: Ethical Conduct

This section incorporates all aspects of Part 2, Sections 4 and 5 of The Public Services Act requiring the broader public service, including school divisions, to operate in a manner that is ethical and effective in serving the public. The objectives therein are embraced by the Board and provide direction for the whole Division and for all staff.

The Board recognizes that its conduct must always be ethical and equitable according to the values set out in The Public Services Act and that it must always operate with integrity.

Professional development on all levels is provided to contribute and enhance development of the necessary judgement and skills enabling all staff in the Division to apply ethical principles in concrete circumstances.

The Board believes the public has a right to know how the Division, as a public institution, applies the power and resources entrusted to them. Public scrutiny should be facilitated by transparent and democratic processes, oversight by the legislature and access to public information.

Should there be a potential conflict of interest prior to any board action, board members must announce any conflicts of interest and comply with the conflict of interest requirements in accordance with Policy BCB Board Member Conflict of Interest and all applicable conflict of interest laws.

Section 4: Conduct Respecting Staff Members

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	3 of 11
Motion 02-02-08		15-03-21	

1. No Trustee shall falsely harm the professional or ethical reputation, or the prospects or practice of staff members in the Division, and all Trustees shall show respect for the professional capacities of staff members.
2. Trustees shall be respectful of the role of staff members to provide advice based on objectivity and without undue influence from any individual Trustee or Trustees. No Trustee shall use, or attempt to use, their authority or influence for the purpose of intimidating or pressuring any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity by the Trustee.
3. Individual Trustees shall not provide direction to staff members. Trustees work with the Chair of the Board and the Superintendent. The Superintendent is responsible for communicating directions and associated expectations to staff on behalf of the Board of Trustees.

Section 5: Inappropriate Conduct

1. All Trustees have a duty to treat members of the public, fellow Trustees, and staff members respectfully and without abuse, bullying or intimidation.
2. Federal, provincial and local legislation, including but not limited to Human Rights statutes, Workplace Safety and Health laws and regulations and all associated Board policies and procedures apply.
3. This section applies to all forms of written and verbal communication.
4. Trustees shall refrain from expressing opinions and/or sharing information through social media that would discredit, undermine or compromise the integrity of the Board or interfere with Division senior management in the performance of their duties.

Section 6: Enforcement of the Code of Conduct

The Code of Conduct applies equally to the Chair of the Board. In the case of allegations of a breach of the Code of Conduct and/or related policy issues by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair.

Identification of the breach at the Board Table

The Chair of the Board or Vice-Chair shall follow the Board's By-Laws and rules of procedure. A breach of the rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	4 of 11
Motion 02-02-08		15-03-21	

in accordance with any applicable rule of order. Once such an order is dealt with by the Board, all Trustees shall abide by that decision and no further actions shall be undertaken pursuant to the enforcement of the Code of Conduct, except for persistent improper use of the applicable rules of order by the Chair or Vice-Chair.

Identification of the breach outside the Board Table

Any Board member perceiving another Board member to be in possible breach of the Code of Conduct should first raise the concern with the member in a private setting with the intent to resolve the concern. If the concern is not resolved the Board member who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Board. This is done through the Chair of the Board or if more appropriate, the Vice-Chair. The Chair and at the Chair's option, the Chair and Vice-Chair, will attempt to resolve the matter to the satisfaction of the Trustees involved.

Any allegation of a breach of the Code must be brought to the attention of the Chair no later than four (4) weeks after the breach comes to the knowledge of the person reporting the breach. An inquiry into a breach will not be undertaken after the expiration of six (6) months from the time the contravention is alleged to have occurred.

It is recognized that from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding his/her obligations under the Code.

i. Process

Informal Complaint Procedure

The Board Chair on his/her own initiative, or at the request of a Trustee (without the necessity of providing a formal written complaint) may review the complaint and may, along with a designate, meet informally, with the Trustee who is alleged to have breached the Code, to discuss the breach. The purpose of the meeting is to bring the allegation to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. Notes of any informal meetings may include those names of those present, the name of the person alleged to have breached the Code and reference to the section being discussed.

The remedial measures may include, for example, a warning that a continuation of the behaviour may bring sanctions, an apology, disallowing the person to stand for the position of Chair or Vice-Chair of the Board or a committee of

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	5 of 11
Motion 02-02-08		15-03-21	

the Board and/or an agreed upon consequence which may include the requirement of the Trustee to engage in the successful completion of professional development training. Any agreed upon remedial measures must include a timeframe.

If there is a cost to an agreed upon remedial measure, such as PD, it will be borne by the Division.

Failing resolution, at the request of either party, the Chair or the Vice-Chair shall present the perceived breach to the full Board for consideration at an in-camera meeting and that complaint will be dealt with through sanctions provided in the Public Schools Act.

Formal Complaint Procedure

Serious or recurring breaches of the Code by a Trustee are handled through a formal process.

A Trustee, employee or member of the public who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may verbally bring the breach to the attention of the Board by providing to the Chair:

- the name of the Trustee who is alleged to have breached the Code;
- the alleged breach or breaches of the Code;
- when the alleged breach occurred;
- information as to when the alleged breach came to the attention of the complainant;
- the grounds for the belief of the complainant that a breach of the Code has occurred; and
- the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

The Chair shall share with all Trustees an oral report of the complaint within fifteen (15) business days of receiving it. The complaint, any response to the complaint and any investigation of the complaint shall be confidential until it is before the Board for a decision on sanctions.

The Chair may choose to appoint a Committee of three (3) consisting of the Chair and two (2) other Trustees – one selected by the Trustee alleged to have breached the Code to discuss the breach prior to bringing the matter before the Board.

ii. Refusal to Conduct Inquiry

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	6 of 11
Motion 02-02-08		15-03-21	

If the Chair and Vice-Chair or Code of Conduct Committee is of the opinion that the breach is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a breach, it shall be recorded in the minutes stating the date, section of the code discussed and the reason for not moving forward. If the person bringing the allegation forward is not present at the meeting, the Chair shall communicate the decision not to move forward to the complainant.

iii. Steps of Inquiry

Any inquiries into a breach will be conducted confidentially. If the inquiry includes written statements, the person making the statement should be informed that it may be subject to release through the Freedom of Information and Protection of Privacy Act (FIPPA) or litigation.

The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations in a private meeting with the person(s) bringing it to their attention or those undertaking the inquiry. The Trustee may also respond in writing but should be informed that any written reports or statements may be subject to FIPPA or litigation.

If the accused Trustee refuses to participate in the inquiry, the inquiry will continue in his/her absence.

If the Chair or Code of Conduct Committee discover that the matter is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the inquiry shall be suspended, and this shall be reported to the Board and the complainant.

iv. Decision

An oral report containing the recommendations of the Chair or Code of Conduct Committee shall be made to the Board, and a decision by the Board as to whether or not the Code of Conduct has been breached and the sanction, if any, may be made as soon as practical after receipt of the report.

The Trustee who is alleged to have breached the Code of Conduct may be present and can participate in deliberations but will not attempt to intimidate other Trustees or the committee either at a meeting or outside a meeting.

The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach nor a resolution to sanction. The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	7 of 11
Motion 02-02-08		15-03-21	

A vote on a public sanction must be carried out at a public Board meeting. The resolution shall be recorded in the minutes and include the Trustee's name, the sanction and a reference to the point of the Code that was breached.

The resolution on policy sanctions or for public censure shall be decided by a majority vote of the total number of Trustees allotted for the Division. A resolution on a sanction to bar or suspend a Trustee in accordance with The Public Schools Act subsection 35.2(1) shall be decided by 2/3 (two-thirds) of the Trustees allotted to the Division.

Deliberations may be held in camera. In accordance with subsection 35.2(2) of The Public Schools Act, the motion may be debated at a Board meeting that is closed to the public but must be voted on in public.

v. Sanctions

Subsection 35.2(1) of The Public Schools Act authorizes the Board of Trustees to impose one or more of three sanctions following an inquiry into whether the Trustee has breached the Board's Code of Conduct.

- a. Censuring the Trustee;
- b. Barring the Trustee from attending all or part of a meeting of the Board or a committee of the Board;
- c. Suspending the Trustee from the Board, including suspending all the Trustee's rights, duties and privileges as a member of the Board, for up to three months.

The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous.

The Board will apply the sanctions and remedial measures itemized under the following steps to address the first and subsequent occurrences of a breach of the Code of Conduct, with documentation provided to the Trustee indicating next step(s) to be taken if the Trustee refuses to go with lesser options. Note – these steps may not necessarily be sequential:

1. One-on-one meeting (Trustee-to-Trustee or with Chair)
2. Verbal Admonishment from Chair with electronic follow-up verifying the conversation occurred
3. Written Letter of Admonishment marked 'Personal and Confidential' under the Chair's Signature, including an expectation of an apology and professional development requirement

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	8 of 11
Motion 02-02-08		15-03-21	

4. Bar from taking a Board or Committee position for a period of time

The following measures below, as per The Public School Act, are voted on by the Board in a public forum:

1. Censure with electronic follow-up from Chair to Trustee
2. Written Letter of Censure marked 'Personal and Confidential' under the Chair's signature
3. Bar from attending all or part of a Board or Committee meeting
4. Suspension from the Board for a period of time not to exceed three months

The Board has no power to declare the Trustee's seat vacant if they are barred or suspended.

A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.

The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting.

vi. Appeal to Adjudicator

In accordance with the process in section 35.3 of the Public Schools Act, a Trustee may appeal a sanction to a single adjudicator appointed by the minister.

In accordance with The Public Schools Act Trustee Code of Conduct Appeal Regulation, the final determination of the Adjudicator will be provided at the same time to both parties.

Section 7: Conflict of Interest Matters Real or Perceived

The Board expects its members not only to adhere to all laws regarding conflict of interest but also to be alert to situations that have the appearance of conflict of interest and to avoid actions that might be detrimental to themselves or to other members of the Board.

Section 8: Board Member Confidentiality Agreement / Requests for Personal Employee Information

Board members may have access to personal information and personal health information about others, including students, the confidentiality and protection of

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	9 of 11
Motion 02-02-08		15-03-21	

which is governed by FIPPA and The Personal Health Information Act (PHIA) or any other applicable acts.

The Division and the Board of Trustees are one and the same under the Public Schools Act, so personal information that is shared internally with the Board does not require a FIPPA access application.

Trustees have the authority to request information as a Board, but not as individuals. Requests for information outside of the formal Board process regarding individual employees should be made to the Chair of the Board, in writing. For further information on Board Members requests for personal employee information, please see the Regulation attached to this policy (BC-R).

All Board members are required to read and sign the Confidentiality Agreement acknowledging their responsibility in this area. The Board Member Confidentiality Agreement (exhibit BC-E-2) will be completed and submitted to the Secretary-Treasurer/Chief Financial Officer at the time of the inaugural meeting of each new Board or in the event of a by-election for a newly elected Trustee.

Section 9: Election Campaign Work

Election activity in this section refers to campaigns for municipal, provincial, and federal office or campaigns on a question on a ballot.

No Trustee shall use the facilities, equipment, supplies, services, or other resources of the Board (including newsletters, social media sites and websites linked through the Board's website, contact information including email addresses obtained as a result of the member's performance of his or her duties as a Trustee) for any election campaign or campaign related activities.

No Trustee shall undertake campaign-related activities on Board property unless permitted by Board policy. No Trustee shall use the services of persons for election-related purposes during hours in which those persons receive any compensation from the Board.

Board Logo

Any unauthorized use of the St. James-Assiniboia School Division logo is not permitted. The Division logo may not be used on any partisan or campaign materials or communications including, but not limited to, pictures, flyers, advertisements, social media, and campaign websites

Trustee Responsibilities:

1. Understanding that any Trustee who is found to have violated this section of the policy is subject to the Statement of Integrity.
2. Requesting clarity from the Superintendent, or designate, with regard to the use of Board resources for partisan activities and campaigning.

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	10 of 11
Motion 02-02-08		15-03-21	

The Superintendent, or designate, is responsible for providing guidance regarding the use of Board resources for partisan activities and campaigning.

Section 10: External Organizations

While carrying out business of the Board, a Trustee's interests are first and foremost that of the Division. In order to ensure that this primary responsibility is not compromised, nor their impartiality drawn into question Trustees are strongly discouraged from serving as a member of any organization (whether school or community based) that may have cause to make a request of the Board or have like interests.

When an organization which includes among its membership a Trustee, official or otherwise, the Board will not receive the Trustee as part of the organization's delegation or when making a formal presentation or request of the Board.

When an organization which includes among its membership a Trustee, makes a request of a Board, the member Trustee shall recuse themselves from any discussions or vote on the matter involving that organization.

ADOPTED	REVIEWED	REVISED	PAGE
22-Jan-08		August 24, 2021	11 of 11
Motion 02-02-08		15-03-21	

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AG-R
AG-E

The Mission of the St. James-Assiniboia School Division is to provide a meaningful, safe and caring educational environment so that all students are prepared to be responsible citizens in a democratic society.

BOARD GOVERNANCE FRAMEWORK

Trusteeship in School Board governance is about setting and maintaining the course through leadership. Board trusteeship is fiduciary in nature. It is a responsibility of oversight, of being accountable. Trusteeship must ensure legal compliance, financial stability and commitment in achieving the school division's mission, priorities and goals.

The Board of Trustees of the St. James-Assiniboia School Division has a long-standing practice of making measured and deliberate decisions that balance the needs of our children's education with the interests of the community.

These practices have focused on the Mission as described above with a strong student centered focus. In an effort to become more effective as a Board, the trustees have examined their own internal structure. This framework is intended to assist the public in understanding the basic governance model and general responsibilities of the Board of Trustees.

Effective leadership and trusteeship require that a governing board and its senior administrative staff work together. The Board, Superintendent and other senior staff members must be committed to ensure that the Board's distinct governance role and the administrative role of the Superintendent are linked and carried out effectively in tandem.

Board Governance involves a set of relationships between the Board, administration, and community. Board governance also provides the structure through which the objectives of the Division are set, and the means of attaining those objectives and monitoring performance are determined.

Part A

The Board's organizational behavior establishes a set of practices and norms by which the Board agrees to operate. These practices and norms are set out in detail in the following documents:

ADOPTED	REVIEWED	REVISED	PAGE
9-Mar-10	09-Sept-14	24-Aug-21	1 of 3
06-11-10	30-Jan-18	15-02-21	

1. The Public Schools Act (sections 29-57) define the Board's governance responsibilities.
2. Section B of the Board Policy manual provides guidelines for the conducting of Board operations and business.
3. The organizational by-law gives direction to trustees regarding their conduct and meeting responsibilities.

Part B

Governance Activities of the Board:

1. Ensure that a Strategic Plan, as referenced in Policy BA, Strategic Planning and Operational Goals, is developed and receive regular reports from the Superintendent regarding indicators of success and/or progress of identified outcomes.
2. Review and update the Board by-law annually.
3. Ensure that when policy is developed its intent is aligned with the values and beliefs of the school division as outlined in the Strategic Plan.
4. Develop and approve an annual budget.
5. Approve the Annual Audit Report and the division's Financial Statements.
6. Evaluate the Superintendent annually.
7. Evaluate the Secretary-Treasurer/Chief Financial Officer annually.
8. Conduct a Board self-evaluation annually as per AG-R.
9. Oversee the operations of the division through a committee structure defined in policy and delegate management functions to the Superintendent.
10. Commit to an ongoing process for trustee development.

Part C

It is the expectation of the Board that it receives regular reports for the

- Monitoring of operations
- Decision making
- Celebration of accomplishments

Senior Administration will provide annual reports to the Board. If the Board determines that a particular report(s) is no longer needed to meet its priorities, administration will discontinue the preparation of the report.

Board Policies

Developing its policies is the Board's major responsibility. By adopting policies aimed at specific priorities, the Board clearly defines its vision for the Division while

ADOPTED	REVIEWED	REVISED	PAGE
9-Mar-10	09-Sept-14	24-Aug-21	2 of 3
06-11-10	30-Jan-18	15-02-21	

it leaves room for the administration to use judgment in selecting an approach to implementing them. Neither the Board nor Superintendent can work alone in this process.

The Board reviews, evaluates and adopts policies that define its intent for the Superintendent and what is needed to implement the policies. The Superintendent suggests policies to the Board, provides information and drafts written policies, develops regulations, and collects information on the impact specific policies have on the Division.

Clarifying Roles

The Board and Superintendent have distinct and separate roles. Together they form the Division's leadership team along with the Secretary-Treasurer/Chief Financial Officer. Before an effective working relationship is established, a Superintendent and Board must develop a mutual understanding of their respective roles, then review and validate this understanding on a regular basis.

Roles of the Board and Superintendent are to be clarified through discussions of the expectations and responsibilities for various tasks. Written resources such as per the link below can be utilized for reference as needed.

[LeadingTogether ResourceGuide 2015.pdf \(mbschoolBoards.ca\)](#)

The Board and Superintendent should treat each other with respect at all times. The actions of the Board and Superintendent should provide the public with confidence that the Division is being run professionally and in a manner that is consistent with the students' educational needs and the community's desires and aspirations.

If the Board and Superintendent make an effort to understand and respect each other's roles, they will avoid unnecessary conflicts. They also stand the best chance of responding successfully to the various issues confronting the Division.

Reference: Leading Together: A Resource Guide for School Boards, Superintendent and Secretary Treasurers (2015). A resource developed by Manitoba Association of School Superintendents, Manitoba Association of School Business Officials, and Manitoba School Boards Association.

http://www.mbschoolboards.ca/documents/LeadingTogether_ResourceGuide_2015.pdf

ADOPTED	REVIEWED	REVISED	PAGE
9-Mar-10	09-Sept-14	24-Aug-21	3 of 3
06-11-10	30-Jan-18	15-02-21	

BOARD MEMBER CONFLICT OF INTEREST

Board members of the St. James-Assiniboia School Division Board of Trustees shall familiarize themselves with the conflict of interest provisions of The Public Schools Act, its related regulations and any guidelines approved by the Board including those set out herein, and be responsible to fulfil any obligations therein.

Board members will not use their position as a Board member for personal or partisan gain or to benefit any person or entity over the interest of the Division and its students.

The Board expects all Board members to conduct themselves in accordance with the provisions of The Public Schools Act with respect to disclosure of any conflict of interest situation either real or perceived.

Pecuniary Interest

The provisions of Sections 37, 38 and 39 of The Public Schools Act shall govern the fiduciary responsibilities of the Board.

In carrying out his or her fiduciary duties, a Board member will not:

1. Disclose or use confidential information acquired in the course of his or her official duties to further substantially his or her personal financial interests;
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in his or her position or which he or she know or should know is primarily for the purpose of rewarding his or her for official action taken;
3. Engage in a substantial financial transaction for his or her private business purposes with a person whom he or she supervises in the course of official duties;
4. Perform an official act which directly and substantially confers an economic benefit on a business or other undertaking in which he or she has a substantial financial interest, or in which he or she is engaged as a counsel, consultant, representative, or agent.

The phrase “economic benefit tantamount to a gift of substantial value” (\$250.00 or more) includes a loan at a rate of interest substantially lower than the prevailing commercial rate and compensation received for private services rendered at a rate substantially exceeding the fair market value.

ADOPTED	REVIEWED	REVISED	PAGE
11-May-21		12-Oct-21	1 of 4
Motion 10-08-21		Motion 18-04-21	

It is permissible for a Board member to receive:

1. An occasional non-pecuniary gift which is insignificant in value;
2. Non-pecuniary award publicly presented by a non-profit organization in recognition of public service;
3. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he or she is scheduled to participate;
4. Reimbursement for or acceptance of any opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of his or her position;
5. Items of perishable or non-permanent value, less than \$250.00 including but not limited to meals, lodging, travel, expenses, or tickets to sporting, recreational, educational or cultural events;
6. Payment for speeches, debates, or other public events reported as honorariums.

Process for Addressing a Conflict of Interest

Once a Board member becomes aware that he or she is in a position that creates a conflict of interest, he or she will declare the nature and extent of the conflict.

When the conflict has been disclosed, the Board member involved must abstain from deliberating or voting on the issue, giving rise to the conflict and shall absent herself or himself from the vote, and also from the deliberation.

School Board Member Conduct

A Trustee who fails to declare a conflict of interest and/or fails to excuse him/herself from the related discussion and action on an issue is in breach of the Statement of Integrity set out in the Board's Organizational By-Law. The process for addressing a breach of the Statement of Integrity is set out in policy BC Trustee Code of Conduct.

If the Trustee is found to have violated The Public Schools Act, pursuant to a court order, he or she is disqualified from holding office and his/her seat becomes vacant.

Relationship Bias

It is recognized that Trustees elected to serve the St. James-Assiniboia School Division are often involved with and have connections through community activities outside their Board responsibilities. Further to that, Trustees may have immediate family, close associates and friends working for the school Division.

ADOPTED	REVIEWED	REVISED	PAGE
11-May-21		12-Oct-21	2 of 4
Motion 10-08-21		Motion 18-04-21	

Regardless, Trustees are expected to place the public interest first in carrying out their Board duties. Part of protecting the public interest involves avoiding or effectively resolving relationship bias situations where personal interests influence or may appear to influence, the performance of their duties and responsibilities.

1. Definition

Immediate family member is that which is commonly understood in legal terms. May include, but not limited to, a parent, spouse or child or stepchildren.

A relationship bias exists when:

- a Trustee's personal interests, or those of immediate family members, close personal associates, financial or otherwise, interfere with or compromise the Trustee's ability to act or make unbiased decisions in the best interests of the school Division. Such relationship bias may be real or perceived
- a Trustee is involved in staffing and student issues involving immediate family, business associates or close friend (i.e. contracting for services, hiring, promotions, evaluations, disciplinary actions)
- an immediate family member or close friend belongs to a union with which the Board is involved in contract talks or negotiations

2. Disclosure

A Trustee must openly disclose a real or perceived relationship bias as soon as the issue arises and before the Board or its committees deal with the matter.

Where uncertain about whether or not the issue constitutes a relationship bias, the Trustee may consult with the Board Chair for advice and guidance.

Where any Trustee is aware of a real or perceived conflict of interest not declared by any other Trustee, he/she has a responsibility to raise the issue for clarification with the individual, and if unresolved, then with the Board.

Full disclosure does not remove or eliminate a relationship bias.

3. Decision-Making Process

Where relationship bias is in question, the Board by vote shall make a final determination.

The Trustee so affected may be present and participate during the discussion of the issue but will not vote upon it. The Trustee shall not attempt to intimidate fellow Trustees with regard to the vote.

ADOPTED	REVIEWED	REVISED	PAGE
11-May-21		12-Oct-21	3 of 4
Motion 10-08-21		Motion 18-04-21	

If a relationship bias is declared a Trustee will recuse themselves from any voting related to the matter. The recusal shall be recorded in the meeting minutes.

4. Trustee with a child(ren) enrolled in the Division (referred to herein as the 'parent-Trustee')

It is important in this scenario for a parent-Trustee to separate their governance role as a Trustee from their role as a parent. If doing so, using the perspective of the parent-Trustee will assist the Board to understand a parent's viewpoint and maintain a link between governance and the parent community.

The Trustee's governance role is to act in the interests of the entire student body so the parent-Trustee should avoid in their decision making, referring to their child, or to anecdotal evidence based only on their child's, or a friend's experience.

In most cases, it will not be necessary to declare a personal interest in Board matters that may impact the parent-Trustee's child. However, the parent-Trustee should do so if:

- The matter would affect their child individually (e.g. an appeal to the Board for a suspension regarding inappropriate behavior);
- The Trustee feels too close to the matter to be impartial.

In case of a dispute regarding whether the parent-Trustee should withdraw, the Board shall make the decision by voting on the matter.

Reference: Conflict of Interest FULL DISCLOSURE – Manitoba School Trustees

<https://www.mbschoolBoards.ca/documents/coiMBEd.pdf>

ADOPTED	REVIEWED	REVISED	PAGE
11-May-21		12-Oct-21	4 of 4
Motion 10-08-21		Motion 18-04-21	



COMMUNITY ENGAGEMENT COMMITTEE REPORT - NO. 7 – 21-22

May 24, 2022

MEETING HELD: Tuesday, May 9, 2022 at 5:00 p.m. via Microsoft Teams

PRESENT: Nicole Bowering, Chair
Holly Hunter, Trustee

Cheryl Smukowich, Board Chair
Bruce Chegus, Trustee
Sandy Lethbridge, Trustee

Jenness Moffatt, Assistant Superintendent, Education (K-12), Student Services and Administration

REGRETS: Jennifer Lawson, Vice-Chair of the Board

DISCUSSIONS AND RECOMMENDATIONS

1. Call to Order / Attendance

Trustee Nicole Bowering called the meeting to order at 5:00 p.m.

Attendance recorded above.

2. Approval of Agenda

The agenda was approved as distributed.

3. Community Event for May 2022

The May 26, 2022 Community Event BBQ poster was shared. The event has been posted on all social media and at various outlets.

4. Community Update Newsletter

The Committee discussed the Community Update Newsletter which is ready and will be distributed the week of May 16, 2022.

5. Community Representation re: Framework and Terms of Reference for Trustee Indigenous Advisory Council

The Community Representation item regarding the Framework and Terms of Reference for the Trustee Advisory Council was discussed. A draft Framework and Terms of Reference will be developed for consideration and determination of next steps.

Feedback from the May 24th, 2022 Committee of the Whole meeting will be referred to the June 7th, 2022 Governance Committee meeting.

The Community Engagement Committee Recommends:

That the draft Framework and Terms of Reference for the Indigenous Advisory Council be referred to the Committee of the Whole for feedback.

6. Policy Revision: IFCA – Indigenous Education

A discussion took place about potential policy revisions related to Indigenous Education.

The next meeting is Monday, Monday, June 6, 2022 at 5:00 p.m.

The committee adjourned at 5:55 pm.

Minutes submitted by Nicole Bowering, Chair

Minutes recorded by Jenness Moffatt, Assistant Superintendent, Education (K-12), Student Services and Administration

**ST. JAMES-ASSINIBOIA SCHOOL DIVISION
REPORT OF THE PERSONNEL COMMITTEE 08-22**

May 24, 2022

Meeting Held: Tuesday, May 17, 2022, Microsoft Teams, 12:00 p.m.

Present: Sandy Lethbridge, Chair
 Craig Johnson, Trustee
 Jennifer Lawson, Board Vice-Chair
 Bryan Metcalfe, Trustee

 Cheryl Smukowich, Board Chair

 Mike Wake, Superintendent
 Carrol Harvey, Manager, Human Resources
 Cindy Labaty, Manager, Human Resources

Regrets: N/A

DISCUSSIONS AND RECOMMENDATIONS:

1. Call to Order/Attendance

The meeting was called to order at 12:00 p.m. Attendance recorded above.

2. Approval of Agenda

The agenda was approved as distributed.

3. Excluded Staff Member Evaluation Process

Administration advised that the evaluation process is continuing to be looked at and is likely to wrap up before the end of summer.

4. Equity in Education

This item was added as a standing item. There were no new items for discussion at this time.

5. Job Description AP2-11 Administrator, Inclusion Support Services and Accessibility

With the creation of this new excluded, 12-month Director position, Administration presented revisions to the job description for the Administrator, Inclusion Support Services and Accessibility.

The Personnel Committee recommends:

That the revisions to job description AP2-11 Administrator, Inclusion Support Services and Accessibility be approved.

6. Job Description AP3-4 Educational Assistant B

Administration presented revisions to job description for AP3-4 Educational Assistant B including that the position provides practical training to students, keeps inventory and maintains a weekly cleaning schedule.

The Personnel Committee recommends:

That the revisions to job description AP3-4 Educational Assistant B be approved.

7. Policy GBL Staff Recognition

Administration presented revisions to policy GBL Staff Recognition to revise service to include all maternity and parental leaves and long-term sick leaves of less than one school year.

The Personnel Committee recommends:

That the revisions to policy GBL Staff Recognition be approved.

8. Personnel Report to the Board

Administration shared the Personnel Report to the Board updated to May 13, 2022.

The meeting adjourned at 12:30 p.m.

Next Committee Meeting: Tuesday, June 21, 2022, 5:00 p.m.

Report presented by Sandy Lethbridge, Chair, Personnel Committee
Minutes recorded by Carrol Harvey, Manager, Human Resources