

Governance Committee Meeting Minutes

Date: 4 March 2021

Time: 6:45 pm

Present:

Chair: Tara Peterson
Secretary: Liz Alderson

Lynda Jeffs
Lindsay Stephens
Natasha Benham

Tracy Jewitt

Members:

Connie Shepherd
Diana Barbato
Jeff Kearns
Johnny Tkach
Joseph Hagopian

Scott Woolford
Walid Al-Hajj
Laura Maria
Melek De-Wint
Derek Rayside

Also Present:

Mary Linton -
Superintendent of Schools
Cori MacFarlane

Minutes

1. Introduction from Mary Linton

Thank you to the full membership of school council for being actively engaged in school.

Attended the school book club and congratulated the school council for bringing other councils together to talk about a variety of activities and speak about racism.

Can to speak on the role and responsibilities of the principal on school council.

1. School council cannot remove the principal from the school council, per section 3 of regulation act 612.
2. School principal is required to perform a number of duties as it pertains to school council.
3. School council cannot seek to prevent the principal from participating in the school council (this is part of the education act).
4. Templates for school council bylaws that have been made available from Michelle Munroes office are brief and adhere to the requirements of the regulations and also to the accessibility regulations and requirements. It was noted that if they are longer than a page or two, people tune out. English may be a second or third language spoken in a home.
5. Important to work in partnership with the board. Looking for simple ways to communicate on the same page.

Superintendent Linton took a Question and Answer session from the committee.

Q. Can we send the draft bylaws to Michelle Munroe for review.

A. Yes. Through Scott they can be sent and Michalle will give feedback.

Derek noted that no-one is trying to remove the principal from school council. He feels discussion was more around the board template where the language was unclear about

the role of the principal and the use of social media. Specifically, he felt there is a need to revise the language to make it clearer that it's about the official social media accounts of the school council.

Q: Not yet on the agenda but will be doing bylaws for meetings. Melek asked if there are templates for meetings but with respect to zoom meetings, are there any plans for guidance on handling/running zoom meetings from TDSB? Not the technical aspects, but the procedures for votings etc.

A: Will take that back to Michelle. Use of zoom is a new format.

It was clarified that the use of zoom meetings was useful, that more people participate, more people have joined in, but the key thing is how to have the meeting without losing some of the in person aspects.

Q: At the previous meeting we had questions around boundaries with school council. Tara asked what is the purview of the school council, what or who sanctions what school council can or can't do, e.g., fundraising has to be in line with TDSB. In particular with respect to going to the media.

A: In partnership with the principal, acknowledge why you are going to the media, work through things to come to an agreement with the principal. Media should be a last resort. An individual could go but not on behalf of the council. There is a process to work through things, if someone is going on behalf of the council, work through Chair and Vice Chair, determine the next steps of the process, vote on it as group. The group should decide. The primary way to meet the mandate is with advising the principal and the board.

It was noted that in the past when a council member has spoke as a "parent" they have stated that they are speaking as an individual, and may have tweeted as such.

If tweeting as individual that is ok. If the community wants something then it should go through the process. Michelle to provide clarification.

Johnny said that nobody wants to go to the media. The main hypothetical is if you go through the process, and if fully backed by the council, but the principal doesn't agree... what happens?

Michelle to provide clarification.

It was noted that the question arose from the code of ethics and media term "school council OR principal". We don't want rogue parents going to the media. We are also sensitive on the other side as well, don't want individual parents speaking on behalf of the school if the majority voice doesn't agree.

Q: Lindsay: As we are talking about decisions are made, how does structure work on other councils. Is it normal to have an executive council? Is there guidance on that for decision making process.

A: Chairs and vice chairs, other committee chairs, executive is used in many places. The executive meets more often than formal council itself. Plan agenda, do the background

work... might set up committees. So that when full council comes together some of the work is done. Will take to Michelle "What decision gets made at what level?"

Q. Tracey: Community should be defined, when arbitrarily assigned in bylaws, does it mean everyone? Can it be defined in Michelle's response. In the bylaws for example "On behalf of the community", who do we mean by the community. Which community are they representing. Just school council members, or the wider community?

A: Will defer to Michelle.

Derek noted that part of the work of the bylaw subcommittees was trying to define terms and be rigorous about these issues. For example, the hypothetical council and principal disagreement is less likely than for example, principal might agree but officially is not allowed to vote accordingly, more of a concern and more realistic.

2. Agenda

Accepted for the meeting.

3. Minutes of January 14th

Motion to approve the minutes of January 14th: Two corrections: Karen Rothfelds, Where it says "section 17" should say "revision of section 17".

Connie: Move to accept the amended minutes. Seconded by Derek. Approved.

4. Conflict of Interest

Approach:

- Mostly follows the Bowmore example. Most of the work has been around definitions - cleaned up around definitions and examples.
- Three types of conflict of interest, apparent, potential and perceived. Wanted a few more scenario examples than in the original document to help people understand exactly what each of the three types means.

Q: Would it be possible to make the examples slightly more school focused. E.g., the "Using government property", how is this relatable to school council.

A: Aim is not to spell out exact details of an actual transgression, but examples may need to be clarified to make them more appropriate for a school council.

Suggestion to break down the examples into the three different types as examples, rather than a laundry list...and If possible make them directly relevant to school council.

It was questioned whether Appendix X was going to form a part of the bylaw or not. The main document doesn't mention Appendix X. Is it part of the final document or not?

Q: If the person is just a parent (or a member of the public) but not a member of the school council does the bylaw extend to *anyone* attending the meeting that is not a member.

A: Section 7.12 of school councils guide does indicate that “School council members is the language used if application of the Bylaws.

Clarification from Connie: Regarding conflict of interest, it relates to the members right to vote. Anyone can have a voice in the meeting, but conflict of interest applies to voting. The confusion arises when the member of the public has a conflict of interest and speaks to a vote.

Likely this should come out of the Conflict resolution bylaw. Chair of governance committee would step in and articulate that the member of the public has a conflict of interest.

Action Tara to clarify whether a member of the public can participate.

Can we use objective qualifications where possible - what are the definitions of sufficiently and reasonably?

It was noted that the spreadsheet approach of comparing to the template bylaws was useful.

Action Tara to prepare spreadsheet for Conflict of Interest bylaws and highlight differences.

Comments can be added directly into the document.

5. Conflict Resolution

Approach:

- To look at different examples from several different school councils (Jackman, Franklin and one more) and how they structured their conflict resolution bylaws. The changes to the template emanated from those examples. Team effort, by consensus in the subcommittee.
- There are two key areas one during meetings that needs to be managed in the meeting and one outside of meetings, a more general situation that somehow limits the operation of the school council.
- What happens in a meeting: Tried hypothetical scenarios and see if ... what they had would cover the different situations and different conflicts...different perspectives...
- Collaborative... intent - the intent was thinking about the future. Clear as possible so there is no room for misinterpretation.

Discussion arose around how long specific bylaws should take to develop. Understand that it is important work, but why are we not adopting existing bylaws as they are and spending time on dissecting every word. Do we need to go into that much detail?

It was noted that some of the language in the drafts is legal and confusing/convoluted. Need some examples to be able to understand.

It was noted that if sitting on an existing committee those documents are already there. We don't have the infrastructure, most organisations have a founding group who are really hands on to set up those governing documents.

It was noted that the templates are already there for use.

With respect to conflict resolution: Regulation 612 says that when you restore order you should give one chance. The draft says three. At school council meetings, parents may have an issue that is important to them, but that is not within the scope of school council to resolve. When advocating for their child they can get upset. Steps to take:

1. Point out that this should be an individual discussion to take place with Mr Woolford or the class teacher.
2. Redirect the conversation and repeat 1.
3. If not letting it go, then you acknowledge the voice, I hear what you are saying, I understand it but you need to take it up with x, y, z. It's not appropriate to discuss further or not under purview of the school council.

That was the example that came and that is the majority of what you will see.

The second part clause 2, when school council is impaired. A third party may be needed to resolve the issue.

Wording doesn't mention TSBD specifically. Didn't intend that TDSB would be the resolution in either condition but could be a third party who could mediate in those circumstances.

In the draft example, if 20% of parents believe the school council is in a state of conflict, then action may be required.

It was noted that as a committee there is professional expertise and that approach is rather than looking at individuals, looking at groups. It was acknowledged that the process is slow, but is it possible to take the work of the subcommittee and send to Michelle for her input.

It was noted that three strikes approach may not address the situation where someone is being aggressive. One strike may be preferable.

There was concern that the language still seems convoluted. In the interests of inclusivity; need to try and make it accessible including for special needs.

It was noted that in other arenas, where discussion is ongoing, if things aren't clear, worth bringing back to a specialist. In this case Michelle is a great resource and governance expert and we should take advantage of her knowledge - ask if other schools are just using the templates or have changed things.

Q: Regarding operational conflict, who would be able to decide if there is an operational conflict. If enough of school council thinks they are in conflict - what does an operational impairment look like? Would it be up to TDSB or up to school council?

A: Clause 2: Article 4: 1.10 independent party 1.11 - the board official (TDSB) or someone else is brought in and a vote shall be taken. If that doesn't resolve the issue then bring in another 3rd party if needed.

Push and pull for lets get things done: let's make sure we are comfortable putting things forward. What is the goal - that we are ready to push this forward to council?

We still have a temporary Code of Ethics. Do we push the revised version to Michelle Munroe and get her feedback.

It was suggested that the documents be sent to Michelle Munroe.

It was noted that these concepts *are* complicated; oversimplifying is not a good idea, then left open to interpretation, need to be specific so there is no wiggle room.

For example TDSB actual, perceived and potential conflict - it's not clarified. Not trying to make things complicated: they are bylaws that will need to be used - trying to clarify as much as possible is the important thing.

Action: Johnny to add examples around student council applicability.

Action all: Comment in documents; Address comments, adding examples in is good; keep it accessible for everyone.

The point of the committee to have an environment where there is room for disagreement. Need to feel safe and work together to be comfortable. See where we don't want to compromise... push and pull gets to the points of impasse.

It was noted that changes in Conflict Resolution document were to give the governance chair more voice.

Meet again: Two weeks