

**Western School Board**

# **Constitution**

**Revised, Board Approved 19 January 2009**

# Constitution of Western School Board

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## **PREAMBLE**

WHEREAS under Section 60 (1) of the *Schools Act, 1997*, a School Board is required, subject to the approval of the Minister of Education, to prescribe and adopt its Constitution.

NOW THEREFORE the School Board for the Educational District of the Western School District, in a meeting duly assembled on the 14 day of March 2005, hereby adopts and passes the following Constitution of the said Board.

## **ARTICLE I - NAME**

The name of the Board shall be:

**Western School District**

*(hereinafter referred to as "The Board")*

## **ARTICLE II - AIMS & OBJECTIVES**

The aim of the Board is to fulfill its functions and duties under the *Schools Act, 1997*, and amendments thereto, and more specifically, to provide educational services in accordance with the curriculum established by the Department of Education, and enriched by whatever means desirable and feasible for all students attending schools under its jurisdiction.

The Board is committed to the following objectives:

1. To carry out its duties diligently and to exercise its powers and authority in accordance with the *Schools Act, 1997* and amendments thereto.
2. To interpret the educational needs and aspirations of the community and, where possible, to meet them through the formulation of policies which stimulate the learner and the learning process.
3. To effectively and efficiently manage the school system.
4. To provide leadership so that the goals and objectives of the school system can be effectively achieved.

5. To ensure two way communications with the various publics served by the schools.
6. To create such partnerships as are necessary to meet or exceed the expectations set for the Board under the *Schools Act, 1997* and other legislation affecting children and other learners.
7. To advocate for the establishment of future-focused facilities, programs and services to serve the children resident within the boundaries of the Board.

### **ARTICLE III - BOUNDARIES**

The boundaries of the Western School District shall be as defined by the appropriate Order in Council and/or legislation:

*"The Western Newfoundland District shall include the area bounded by a line commencing at Norman Bay, inclusive, and extending in a southerly direction around the coast to Chateau Bay, and then across the Strait of Belle Isle to Big Brook, and then in an easterly direction around the coast of the Northern Peninsula to Harbour Deep, and then in a southerly direction to the southwest tip of Red Indian Lake, and then in a southerly direction to Francois, inclusive, and then in a westerly and northerly direction around the coast to Pond Cove, and then across the Strait of Belle Isle to l'Anse au Clair, inclusive, and then in a northeasterly direction along the boundary of the Labrador School District to the point of commencement."*

*(Boundaries of School Districts Order, 2004)*

### **ARTICLE IV - MEMBERSHIP ZONES: Schools Act, 1997, Section 54**

To ensure that all regions of the District are represented by trustees, the District shall be divided into zones as follows:

#### **Zone 1 - Labrador South**

*The Southern portion of Labrador from L'Anse-au-Clair to Norman Bay, both inclusive.*

#### **Zone 2 - Vinland/White Bay Central**

*The Northern tip and eastern side of the Northern Peninsula from Big Brook to St. Anthony to Englee, all points inclusive.*

#### **Zone 3 - Straits/St. Barbe**

*The west coast of the Northern Peninsula from Eddies Cove south to Portland Creek, both inclusive.*

#### **Zone 4 - Gros Morne/Deer Lake/White Bay South**

*The west coast of the Northern Peninsula from Parsons Pond to Trout River, east to St. Jude's, including Deer Lake, and northeast to Jackson's Arm, all points inclusive.*

**Zone 5 - Bay of Islands/Humber**

*Pynn’s Brook to Gallants, both inclusive, and including Corner Brook and both sides of the Bay of Islands.*

**Zone 6 - Appalachia**

*Cape St. George to Black Duck, including Stephenville, and south to St. Teresa.*

**Zone 7 - Southwest Coast**

*Fischells to Port aux Basques and east along the south coast to Francois, all points inclusive.*

**ARTICLE V - MEMBERSHIP**

1. The Board shall consist of fifteen (15) members, (which number may be changed from time to time by order of the Lieutenant-Governor in Council), all of whom shall be Canadian citizens of at least eighteen years of age, resident in a zone within the boundaries of the Board. All members shall be elected in compliance with the *School Board Election Regulations* and the *Schools Act, 1997*, normally for a term of four years.

The membership shall be as follows:

Zone 1 -	Labrador South	1 Member
Zone 2 -	Vinland/White Bay Central	1 Member
Zone 3 -	Straits/St. Barbe	1 Member
Zone 4 -	Gros Morne/Deer Lake/White Bay South	2 Members
Zone 5 -	Bay of Islands/Humber	5 members
Zone 6 -	Appalachia	3 members
Zone 7 -	Southwest Coast	2 Members

2. Where a member of the Board ceases to be a member for whatever reason, a replacement shall be for the unexpired portion of the original term as per the provisions of the *Schools Act, 1997*.
3. Vacancies shall be filled in accordance with Section 59 of the *Schools Act, 1997*.

**ARTICLE VI - OFFICERS AND TRUSTEES**

**1. APPOINTMENT/SELECTION**

The Board shall elect at each Annual Meeting a Chairperson, a Vice-chairperson, a Secretary, and a Treasurer.

## 2. **DUTIES**

The duties of the officers and trustees shall be as specified in the *Schools Act, 1997* and as follows:

### 2.1 **The Chair**

The duties of the Chair are:

- To convene and preside at meetings of the Board.
- To convene and preside at meetings of the Executive Committee of the Board.
- To represent the Board in its relations with the Government, other educational authorities and the public.
- To normally be the spokesperson for the Board on governance issues.
- To be an *ex officio* member of all committees of the Board, except the Nominating Committee.
- To carry out such other duties as may be assigned by the Board from time to time.

### 2.2 **The Vice-Chair**

The duties of the Vice-Chair are:

- To assist the Chair in the execution of the duties of the Chair.
- To act as the Chair of the Board in the absence of the Chair.
- To carry out such other duties as may be assigned by the Board from time to time.

### 2.3 **The Secretary**

The duties of the Secretary are:

- To ensure that accurate records of all meetings of the Board, the Executive Committee and other Board Committees are kept.
- To ensure that Board correspondence is presented at a meeting of the Board.
- To carry out such other duties as may be assigned by the Board from time to time.

### 2.4 **The Treasurer**

The duties of the Treasurer are:

- To serve on the Property/Services/Finance Committee of the Board.
- To ensure that the annual budget and financial statements are presented to the Board.
- To carry out such other duties as may be assigned by the Board from time to time.

### 2.5 **The Board Trustees**

The duties of individual trustees are:

- To act in the best interests of all students across the entire District.
- To assume no individual authority to act in the name of the Board except where provided for in the Constitution or Bylaws of the Board or by a resolution of the Board.

- To respect any resolution of the Board after the adoption of that resolution.
- To abstain from speaking or voting on any question where a conflict of interest (as defined in the *Schools Act, 1997*) arises.
- To keep confidential any matter arising in a privileged meeting that continues to be excluded from the public record.

## **ARTICLE VII - COMMITTEES**

### **1. EXECUTIVE COMMITTEE**

- 1.1 The Executive Committee, established as per Section 56 (1) of the *Schools Act, 1997*, shall consist of the Officers of the Board and three (3) other trustees as elected by the Board at its Annual Meeting. At least three (3) zones must be represented on the Executive Committee.
- (a) The Chair of the Board shall be the Chair of the Executive Committee.
  - (b) Executive meetings may be held at any time at the call of the Chair, or in his/her absence, the Vice-Chair.
  - (c) The duties and powers of the Executive Committee shall be in accordance with Section 56 (2) of the *Schools Act, 1997*.
  - (d) For the transaction of business the majority of the members of the Executive Committee shall constitute a quorum.
  - (e) All actions and decisions made by the Executive Committee shall be reported to the Board at the next regular meeting thereof.
- 1.2 The Executive Committee of the Board shall act in the place of and manage the affairs of the Board between regular meetings.
- 1.3 Vacancies occurring on the Executive Committee between Annual Meetings shall be filled by the Board.

### **2. STANDING COMMITTEES**

- 2.1 The general purpose of Standing Committees is to gather information, study issues and make recommendations to the Board relative to their assigned areas, including, if necessary the recommendation of policies in their respective areas.
- 2.2 The Board may establish as many committees as deemed necessary for its operation and shall approve the Terms of Reference for each.
- 2.3 The majority of committee members would constitute a quorum.

- 2.4 There shall be the following Standing Committees of the Board:
  - a. Programs Committee, which may operate as a Committee of the Whole
  - b. Property/Finance/Services
  - c. Policy

3. **STANDING COMMITTEES - TERMS OF REFERENCE**

- 3.1 Standing Committees shall develop detailed Terms of Reference for approval.
- 3.2 Standing Committees shall report to the Board at the next regular meeting of the Board.
- 3.3 Programs Committee (which may operate as a Committee of the Whole)  
Examine and report to the Board matters related to the curriculum and instructional programs, especially as they relate to the performance of students.
- 3.4 **Policy Committee**  
To formulate and review new policies, to periodically review existing policies, and make recommendations to the Board for consideration.
- 3.5 **Property/Finance/Services**  
Financial. To prepare and amend the budget, if necessary, for recommendation to the Board. Periodically update the Board on its financial status. Explore all areas of revenue and monitor expenditure to ensure maximum efficiency. Recommend auditors.  
  
Property/Services. Submit to the Board from time to time, or as requested, current appraisal of all Board properties including needs for new schools, extensions, renovations, upgrading, maintenance and disposal.

4. **AD HOC COMMITTEES**

- 4.1 Ad Hoc Committees may be established by the Board from time to time for a specific purpose or function.
- 4.2 The term of appointment and membership on these committees will end upon conclusion of the assigned task or at the pleasure of the Board.
- 4.3 These committees shall only conduct such activities which serve to achieve the terms of reference established by the Board.

## **ARTICLE VIII - SCHOOL COUNCILS**

1. The Board shall facilitate the establishment of School Councils and sign protocol agreements with each School Council in the District in accordance with the *Schools Act, 1997* and the Bylaws of the Board.

## **ARTICLE IX - ANNUAL MEETING OF THE BOARD**

1. In accordance with Section 63(1) of the Schools Act, 1997, the Annual Meeting of the Board shall be held not later than November 30.
2. The purpose of the meeting shall be to receive the Annual Report, elect officers, establish committees and conduct such other business as may properly come before an Annual Meeting.

## **ARTICLE X - ANNUAL REPORT**

The Board shall compile an Annual Report covering the year's activities and its future plans, and shall arrange to have it distributed among the various publics served by the Board.

## **ARTICLE XI - BYLAWS**

1. Bylaws consistent with this Constitution shall be adopted by the Board.
2. Changes to the Bylaws may be made with a majority of the members present and voting.
3. All proposed changes to bylaws shall be made only after having been considered at two (2) regular meetings of the Board.

## **ARTICLE XII - PROPERTY**

1. Title to all school property for the purpose of education shall be vested in the Board subject to the provisions of Sections 84 and 87 of the *Schools Act, 1997*.
2. The use of schools for purposes and events which tend to enhance the life of the community shall be encouraged, provided that it does not interfere with the school program and is done in accordance with School Board Policy.
3. Property shall be disposed of in accordance with Section 84 of the *Schools Act, 1997*.



### **ARTICLE XIII - ACCOUNTS**

1. In accordance with Section 66 of the *Schools Act, 1997*, the Board shall keep accounts of revenue and expenditure in accordance with generally accepted accounting principles.
2. The accounts of the Board shall be audited annually by a firm of Chartered Accountants, appointed by the Board and licensed under the *Public Accountancy Act*.

### **ARTICLE XIV - AMENDMENTS TO THE CONSTITUTION**

1. **Notice of Motion**  
Proposed amendments to the Constitution must be given first as a "Notice of Motion" at a regular meeting of the Board for consideration at a subsequent regular meeting.
2. **Majority**  
Proposed amendments to the Constitution must receive the approval of two-thirds (2/3) of the membership of the Board.