

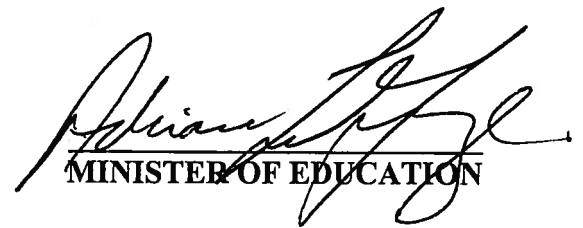
ALBERTA REGULATION 82 / 2019

FILED ON August 16 2019

**GOVERNMENT OF ALBERTA**  
**DEPARTMENT OF EDUCATION**  
**MINISTERIAL ORDER (# 016 / 2019 )**

I, Adriana LaGrange, Minister of Education, pursuant to Section 69 of the **Education Act**, make the Order set out in the attached Appendix, being the *Board Procedures Regulation*.

DATED at Edmonton, Alberta August 15, 2019.

  
MINISTER OF EDUCATION

**APPENDIX**  
**Education Act**  
**BOARD PROCEDURES REGULATION**

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**Organizational meeting**

**1(1)** The organizational meeting of a board

- (a) subject to clause (b), must be held annually, and
- (b) in any year in which a general election takes place, must be held within 4 weeks following the date the statement of the results of that election is announced or posted,

at a time and place to be fixed by the secretary of the board.

**(2)** The secretary of the board must give notice of the organizational meeting to each trustee as if it were a special meeting.

**(3)** At the organizational meeting, and afterwards at any time as determined by the board, the board must elect one of its members as chair and another as vice-chair to hold office during the pleasure of the board.

**Regular meetings**

**2(1)** The board must hold as many regular meetings as it considers necessary to deal adequately with its business.

**(2)** The resolution of the board establishing the regular meetings of the board must state the date, time and place of the regular meeting.

(3) The board is not required to give notice of the regular meetings of the board.

### **Special meetings**

**3(1)** A special meeting of a board may be called by

- (a) the chair of the board,
- (b) a majority of the trustees, or
- (c) the Minister,

after written notice has been given to each trustee in accordance with this section.

(2) A notice of a special meeting must state

- (a) the date, time and place of the special meeting, and
- (b) the nature of the business to be transacted at the special meeting.

(3) The notice of a special meeting must be sent at least 2 days before the special meeting by

- (a) recorded mail to the last known address of each trustee as shown on the records of the board,
- (b) personal service on the trustee or a person capable of accepting service at the trustee's residence, or
- (c) fax, email or other electronic means to be received at the last fax number, email address or other electronic receiving number of the trustee as shown on the records of the board.

(4) Notwithstanding subsections (1) to (3), a special meeting may be held without notice being given under this section if every trustee agrees to waive the requirements of subsections (1) to (3).

(5) Unless all of the trustees are present at the special meeting, no business other than that stated in the notice of the special meeting must be conducted at the special meeting.

### **Policies and procedures**

**4** The board must

- (a) establish policies and procedures governing the conduct of meetings of the board and the administration and business of the board, and
- (b) monitor and evaluate the effectiveness of the established policies and procedures on a regular basis.

#### **Board meetings**

**5(1)** A trustee may participate in a meeting of the board by electronic means or other communication facilities if the electronic means or other communication facilities enable the trustees participating in the meeting and members of the public attending the meeting to hear each other.

**(2)** Trustees participating in a meeting of the board by electronic means or other communication facilities are deemed to be present at the meeting.

#### **Readings of bylaws**

**6(1)** Every bylaw of a board must have 3 distinct separate readings before the bylaw is passed.

**(2)** Not more than 2 readings of a bylaw must be given at any one meeting unless the trustees present at the meeting unanimously agree to give the bylaw a 3rd reading.

**(3)** The first reading of a bylaw must be in full and, if each board member has in the member's possession a written, printed or electronic copy of the bylaw, the 2nd and 3rd readings may be by title and description only.

#### **Quorum**

**7(1)** No act or proceeding of a board is binding unless it is adopted at a meeting at which a quorum of the board is present.

**(2)** The quorum of a board is a majority of the number of trustees that are to be elected under section 78 of the Act and any trustees appointed to the board under section 82 or 84 of the Act.

**(3)** Notwithstanding subsection (1), the Minister may order that when the number of trustees has fallen below the quorum the remaining trustees are deemed to be a quorum until elections are held to fill the number of vacancies required to achieve a quorum.

(4) Notwithstanding subsection (1), when the number of trustees at a meeting is less than a quorum because one or more trustees have declared a conflict of interest with respect to a matter before the board at the meeting, the Minister may order that the remaining trustees are deemed to be a quorum for the purpose of deciding that matter.

#### **Voting on questions**

**8(1)** All resolutions must be submitted to a board by the chair of the board or a trustee, and no seconder is required.

(2) The chair of the board and every trustee present at a meeting of the board must vote for or against every question unless

- (a) in a specific case, the chair or a trustee is excused by resolution of the board from voting, or
- (b) the chair of the board or a trustee has a pecuniary interest in the matter and abstains from voting as required by section 88(1) of the Act.

(3) The secretary of the board must, whenever a recorded vote is requested by a trustee, record in the minutes the name of each trustee present and whether the trustee voted for or against the matter.

(4) Notwithstanding subsection (3), the secretary of the board must, immediately after a vote is taken and on the request of a trustee, record in the minutes the name of that trustee and whether that trustee voted for or against the matter or abstained.

#### **Required votes**

**9** At a meeting of a board the following applies:

- (a) each question must be decided by a majority of the votes of the trustees present;
- (b) in case of an equality of votes, the question must be decided in the negative;
- (c) a vote on a question must be taken by open vote;
- (d) notwithstanding clause (c), with respect to the election of a chair of the board or a vice-chair of the board, if one or

more trustees request that the vote be by secret ballot, the vote must be by secret ballot.

**Records**

**10** The board must maintain a record of all the proceedings of the board and committees of the board.

**Expiry**

**11** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on August 31, 2029.

**Coming into force**

**12** This Regulation comes into force on September 1, 2019.