

# Commission scolaire Riverside

<b>By-Law Name:</b>	<b>Delegation of Powers to the Executive</b>
<b>By-Law Number:</b>	3
<b>Resolution Number:</b>	B616-20170523
<b>Date Approved by Council:</b>	2017-05-23
<b>Date of Next Review:</b>	3 years from approval by Council

## **Preamble**

The Council of Commissioners is the governing body of Riverside School Board. In it are vested all the rights, powers and obligations necessary to direct the affairs of the "Board" in accordance with the Education Act.

In accordance with Sections 179 to 181 inclusive of the Education Act and for the purpose of making efficient the day-to-day administration of the Board, certain powers shall be delegated to the Executive Committee. However, all actions of the Executive Committee must be within the existing framework of the law and regulations of the Government of Quebec, of collective agreements, orders-in-council and decrees as well as all rules, policies and decisions of the Board as adopted by the Council of Commissioners. Policy establishment and revision remains the prerogative of the Council of Commissioners.

## **Definitions**

**Council** The duly elected Council of Commissioners of Riverside School Board

**Board** Riverside School Board

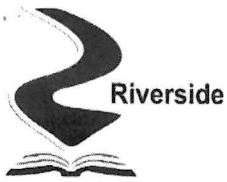
## **Establishment**

**Members** The Executive Committee shall be composed of 6 or 7 members, including:

- three Commissioners appointed by Council
- the Chairman of the Council who shall also preside as Chairman of the Executive
- one Parent Commissioner
- one co-opted Commissioner, if any (non-voting)
- one other Commissioner appointed by Council (elected, parent commissioner or co-opted)

**Board representatives:** the Director General and the Secretary General will take part in the sittings of the executive committee but are not entitled to vote.

**Attendance** Council shall review the appointment of members who miss more than three consecutive meetings of the Executive Committee.



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**Election** The Council shall elect the members of the Executive Committee at the first regular meeting of the Council of the new school year. Notwithstanding the foregoing, following general school board elections, Council shall elect members of the Executive Committee at the first meeting of the new Council.

**Duration** Commissioners shall be elected to the Executive Committee for a one-year term. Any vacancy shall be filled by the Council within 30 days, and the duration of the appointment shall be for the unexpired portion of the mandate of the original member.

## **Section I - Delegation of Rights, Powers and Obligations**

Article 1 In accordance with Section 181 of the Education Act, this By-Law is designated By-Law No. 3 of Riverside School Board and determines the rights, powers and obligations which the Council delegates to the Executive Committee and the conditions of such delegation.

Article 2 Notwithstanding the foregoing, the Council may recall and dispose of any matter hereby delegated to the Executive Committee.

Article 3 The Council reserves the right to rescind, revoke or cancel any decision of the Executive Committee.

Article 4 The Council maintains all functions and powers that are not delegated by virtue of this by-law.

## **Section II - Powers of Decision**

The Council delegates to the Executive Committee the following rights, powers and obligations:

### **FINANCIAL RESOURCES AND AUDIT:**

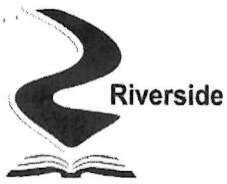
Article 5 the appointment of signing officers;

Article 6 the approval of short and long-term borrowing requirements as authorized by the Minister of Education;

Article 7 the conclusion of leases for periods greater than one year for rental of surplus space or buildings and other vacant accommodation, in accordance with Board policy;

Article 8 the conclusion of leases for additional space as required by Riverside School Board;

Article 9 the awarding of tenders in accordance with Board policy;



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Article 10 the right to insure the buildings and properties of the Board;

## **PEDAGOGICAL AND STUDENT SERVICES:**

Article 11 the review of specific agreements with other boards with respect to the education of students who are the responsibility of this Board or other boards, as the case may, be and the approval of payment of such services;

Article 12 the review of specific agreements with hospitals, social service agencies and similar organizations for the provision of services to students who are the responsibility of this Board, and the approval of payment of such services;

## **HUMAN RESOURCES:**

Article 13 the right to insure personnel of the Board;

Article 14 the right to name Board personnel as representatives authorized to exchange information with departments of the Government of Quebec or Canada and other agencies, as required.

## **Section III - Powers of Study, Consultation and Special Duties**

The Council delegates to the Executive Committee the following powers of study, consultation and special duties:

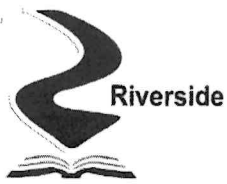
Article 15 to review and prepare for deposit at Council new draft policies and by-laws submitted by departments or mandated by Council and to review and revise existing policies and by-laws on an ongoing basis as the need arises;

Article 16 to carry out any specific duties as may be mandated by the Council from time to time;

Article 17 to apply article 9.1 of By-Law 14: Examination of Complaints which states that the Executive Committee will decide on the actions to be taken and ensure that the complainant, the Student Ombudsman and the Council of Commissioners are so advised;

Article 18 In the event that a meeting of the full Council cannot be convened, the Council of Commissioners delegates the following functions and powers to the Executive Committee to ensure the continuity of the administration of the School Board:

- To make any and all decisions and perform any actions needed to conclude and sign acts, contracts, agreements, protocols or requests;
- To make any necessary staff appointments or transfers and take all necessary measures to ensure that administrative and management



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obligations are met within prescribed deadlines, in accordance with the proper functioning of the School Board and in order to avoid incurring prejudice; and

- To render an account to Council of the application of this clause.

## **Section IV - Obligations to Meet, to Report and to Make Recommendations**

Article 19 The Executive Committee shall meet in public session at least four (4) times during the school year. A special meeting may be called by the Chairman or two members of the Executive, as required.

Article 20 The Executive Committee is subject to the same rules of procedure as adopted by Council under By-law 1, with the exception of any item herein mentioned as well as any specific regulations as may be included in the Education Act.

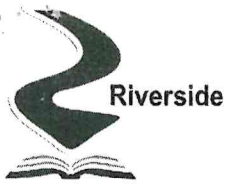
Article 21 The Executive Committee shall report regularly to Council on actions it has taken by virtue of the authority delegated to it. The Agenda and the Minutes of the Executive Committee shall be sent to all Commissioners.

Article 22 The Executive Committee shall make recommendations to the Board on any item covered under Section III of this By-Law that requires Board action.

Article 23 Any Commissioner may attend any or all meetings of the Executive Committee. (Section 180 of the Education Act: "Commissioners who are not members of the executive committee are entitled to attend its sittings, but are not entitled to vote or to take part in the proceedings of the committee.")

Article 24 The meetings of the Executive Committee are public meetings, and shall include a time period for questions from the public. A calendar of meeting dates shall be adopted each year.

Article 25 This By-Law comes into force upon its adoption by Council and will be the subject of a public notice as soon as possible after its adoption. It is to be available to be viewed by the public at the Board offices during regular working hours.



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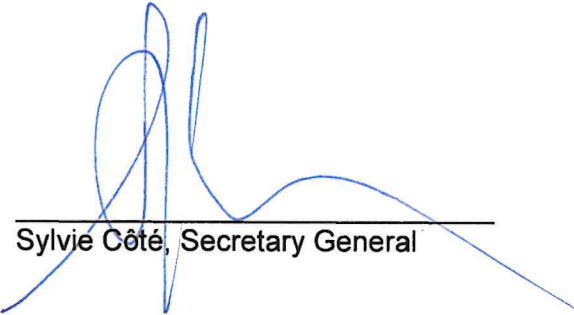
This By-Law # 3 – Delegation of Powers to the Executive was adopted at the Council of Commissioners on May 23, 2017.

Signed, in accordance with Section 396 of the Education Act, at Saint-Hubert, Quebec.



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Dan Lamoureux, Chairman



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Sylvie Côté, Secretary General