



POLICY – PO205

Trustee Meeting Attendance Requirements

Area: Governance
Source: Superintendent of Education – Policy Development
Approved: April 12, 1999
Revised: June 15, 2020; May 6, 2024; May 12, 2025

1. Introduction

The Durham Catholic District School Board is committed to complying with statutory and regulatory requirements with respect to Trustee attendance at meetings of the Board of Trustees and committees of the Board.

2. Definitions

Nil

3. Purpose

As Members of the Board of Trustees, Trustees are required to attend regular meetings of the Board, and regular meetings of the Committee of the Whole Board, in person, unless attendance by electronic means is approved in accordance with this Policy and Regulation 463/97 made under the *Education Act*.

The purpose of this Policy is to adopt the requirements in Regulation 463/97 made under the *Education Act*, and outline the grounds and the process by which Trustees may request approval to attend meetings by electronic means.

4. Application / Scope

Trustee attendance requirements apply to voting Members of the Board of Trustees, as defined by the *Education Act*, and do not apply to Student Trustees.

5. Principles

5.1 The Durham Catholic District School Board and the Board of Trustees recognize that:

- 5.1.1 public meetings should be open and accessible, such that members of the public and community partners can observe their elected representatives engaging in debate and decision-making; and
- 5.1.2 electronic means of participation shall allow all meeting participants to communicate with each other simultaneously and instantaneously.

6. Requirements

- 6.1 Board meetings, including meetings of the Committee of the Whole Board, shall take place in the board room at the St. Francis of Assisi Catholic Education Centre unless otherwise determined by resolution of the Board of Trustees.
- 6.2 The Durham Catholic District School Board shall ensure that meetings of the Board of Trustees, and committees of the Board of Trustees, may be held by electronic means that permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.
 - 6.2.1 Regular and special meetings of the Board of Trustees will be live streamed for public viewing. In the event of technical failure, the inability to livestream will not prevent the meeting from proceeding, provided in-person access is still available for public viewing.
- 6.3 Meetings shall be open to the public, for in-person and electronic attendance, except where the Board of Trustees determines by resolution that it shall meet *in camera*, pursuant to one of the exceptions to the requirement to meet in public outlined at Section 207(2)(b) of the *Education Act*.
 - 6.3.1 The Durham Catholic District School Board shall ensure that Student Trustees and members of the public who participate through electronic means do not participate in any *in camera* proceedings; and
 - 6.3.2 When participating in an *in camera* meeting via electronic means, it is incumbent upon the Trustee to ensure that privacy is maintained, taking in to account their location, proximity to others, and the potential for any technological interference that could compromise confidentiality.
- 6.4 The Durham Catholic District School Board shall be responsible for providing Board Members and Student Trustees with the means to participate in meetings electronically, and for ensuring that such means allow all meeting participants to communicate with each other simultaneously and instantaneously. However, the Durham Catholic District School Board may refuse to provide a Board Member with electronic means of participation if the Member's participation by such means has not been approved in accordance with this Policy, or if to allow such form of participation were to result in a breach of the physical attendance obligations of the Chair.

6.5 Subject to the provisions of this Policy, a Trustee who participates in a meeting through electronic means is deemed to be present for the purposes of every Act.

6.6 Electronic Attendance Approval Process

6.6.1 Trustees

- a) All members of the Board of Trustees shall physically attend regular meetings of the Board and Committee of the Whole Board, except where written approval for electronic attendance has been given in accordance with this Policy.
- b) A Board Member seeking authorization to participate in a meeting by electronic means shall submit their request in writing and the reason for the request to the Chair of the Board, copying the Director of Education and the Board Governance Officer (or designate).
- c) Where the Member of the Board making the request is the Chair of the Board, they shall submit their request in writing and the reason for the request to the Vice Chair of the Board, copying the Director of Education and the Board Governance Officer (or designate). If the Board of Trustees has no Vice Chair, the Chair shall submit their request to another member of the Board.
- d) All requests shall be submitted prior to the start of the meeting to which the request applies.
- e) The Chair, Vice Chair, or other member, as applicable, may approve a request if they are satisfied that one or more of the following circumstances exist:
 - i. The member's primary place of residence within the area of jurisdiction of the Durham Catholic District School Board is located 125 kilometers or more from the meeting location;
 - ii. Weather conditions do not allow the member to travel to the meeting location safely;
 - iii. The member cannot be physically present at a meeting due to health-related issues;
 - iv. The member has a disability that makes it challenging to be physically present at a meeting;
 - v. The member cannot be physically present due to family responsibilities in respect of,
 - the member's spouse;
 - a parent, stepparent or foster parent of the member or the member's spouse;

- a child, stepchild, foster child or child who is under legal guardianship of the member or member's spouse;
 - a relative of the member who is dependent on the member for care or assistance; or
 - a person who is dependent on the member for care or assistance and who considers the member to be like a family member.
- f) A request shall not be approved if approval would result in fewer than one member of the Board of Trustees in addition to the Chair of the Board or designate being physically present in the meeting room.
- g) The Vice Chair, or other member if there is no Vice Chair, shall not approve a request from the Chair unless the Chair's designate will be physically present in the meeting room.
- h) A Board Member requesting attendance by electronic means shall receive a response as soon as reasonably possible, and in any case prior to the start of the meeting. The Director of Education and Board Governance Officer shall be copied on the response.
- i) Where a request to attend a meeting by electronic means is approved, the Director of Education or designate will make the necessary arrangements to facilitate electronic participation. The Director of Education may refuse to provide electronic access to a meeting where attendance by electronic means has not been approved.
- j) In accordance with Section 228(1) of the *Education Act*, a Member of the Board vacates their seat if they:
- i. fail to be physically present at a regular meeting of the Board or Committee of the Whole Board without approval of an exemption allowing attendance by electronic means, in accordance with this Policy; or
 - ii. absent themselves without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the Board of Trustees.

6.6.2 Director of Education

- a) The Director of Education, or designate, shall be physically present in the meeting room for each meeting of the Board or Trustees and each meeting of a committee of the Board, including a Committee of the Whole Board.

6.6.3 Committee Chairs

- a) For committees of the Board of Trustees other than the Committee of the Whole Board, the Chair of a committee of the Board or their designate shall be physically present in the meeting room at every regular meeting of the committee of the Board, except that the Chair of the committee or their designate may participate in a meeting by electronic means if another member of the committee, who is also a member of the Board, is physically present in the meeting room.

6.6.4 Exceptional Circumstances

- a) The requirements for members to be physically present at meetings and to request to attend by electronic means do not apply if all schools of the Board are closed pursuant to an order made by:
 - i. the Minister under section 5(1) of the Education Act;
 - ii. a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the Health Protection and Promotion Act;
 - iii. the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2(4) of the Emergency Management and Civil Protection Act; or
 - iv. the Lieutenant Governor in Council under clause 4(1)(a) of the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020.

6.7 If an order is made before September 1, 2025, and continues to apply on that date, the period of exemption starts on September 1, 2025. If an order is made on or after September 1, 2025, the exemption period starts on the day the order is made and ends 60 days after the order ceases to apply.

7. Sources

7.1 [Education Act, Section 228\(1\)](#)

7.2 [Ontario Regulation 463/97 "Electronic Meetings and Meeting Attendance"](#)

8. Related Policies and Administrative Procedures

8.1 [Public Delegations Policy \(PO219\)](#)

8.2 [Public Delegations Administrative Procedure \(AP219-1\)](#)