



**DURHAM CATHOLIC
DISTRICT SCHOOL BOARD**
Learning and Living in Faith

Memorandum

To: Board of Trustees
From: Tracy Barill, Director of Education
Date: December 19, 2022
Subject: **Electronic Meetings and Meeting Attendance**

Purpose

The purpose of this report is to update the Board of Trustees regarding Ontario Regulation 463/97 - Electronic Meeting Attendance.

Background

During the pandemic, the Ontario government put temporary measures in place to ensure that board and committee meetings could continue to convene safely online when public gathering restrictions were imposed. These measures were extended up to the recent Municipal election and the end of the term of the former Board of Trustees.

[O. Reg. 463/97 – *Electronic Meetings and Meeting Attendance*](#) outlines the physical attendance requirements of Trustees which are in as of November 15, 2022.

The Regulation stipulates that:

5. (1)... at every meeting of the board or of a committee of the whole board, the following persons must be physically present in the meeting room of the board:
 1. The chair of the board or his or her designate, subject to subsection 5.1(1)
 2. At least one additional member of the board.
 3. The director of education of the board or his or her designate.

It further states that:

...at every meeting of a committee of the board, except a committee of the whole board, the following persons be physically present in the meeting room of the committee:

1. The chair of the committee or his or her designate, subject to subsection 5.1(1)
 - 1.1. If the chair of the committee or his or her designate participates in a meeting by electronic means pursuant to subsection 5.1 (1), at least one additional member of the committee.
2. The director of education of the board or his or her designate

Note: Subsection 5.1 is a provision in the regulation to permit the chair (or designate) to participate in meetings by electronic means if the distance from the chair's residence to the meeting is 200km or more, or if weather conditions or health-related issues do not permit attendance, as long as the chair is physically present for at least half of the meetings of the board for the year.

The regulation also requires every board in the province of Ontario to have a policy providing for the use of electronic means for holding board and committee meetings. The policy must include specific requirements for each member of the board to be physically present in the meeting room of the board for at least three (3) regular meetings of the board during each 12-month period beginning November 15, 2022.

In a memo to Chairs and Directors dated October 28, 2022, Minister of Education, Stephen Lecce wrote:

Open, accessible public meetings where members of the public, community partners and stakeholders can see, hear or otherwise engage in-person with their representatives is a fundamental part of how Ontario school boards demonstrate transparency and accountability as democratic institutions. We have supported students, families and communities to enable a return to a normal school experience for students, and so too should the requirements for public meetings return to normal while the implications for permanent changes are considered.

Within the parameters of the regulation and board policy [PO205 – Electronic Meetings](#) Trustees, Student Trustees and senior staff resourcing meetings will continue to be provided with electronic means to connect to meetings of the Board when required.

TB/eb