

# Executive Manual



Manitoba School Boards Association

**Executive Manual**

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**Manual of Policies and Beliefs**

<http://www.mbschoolboards.ca/documents/c2021/Policies%20and%20Requests%20for%20Action%202021.pdf>

**School Board Member Handbook**

<http://www.mbschoolboards.ca/documents/Schoolboardmemberhandbook.pdf>

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Rev: June 2021

# **THE MANITOBA SCHOOL BOARDS ASSOCIATION ACT**

**Formerly The Manitoba Association of School Trustees Act  
S.M. 1972, c. 21; R.S.M. 1990, c. 240**

**Assented to June 17, 2010  
S.M. 2010, c. 5**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

### Definitions

1. In this Act, "association" means The Manitoba School Boards Association;

"board" means the board of trustees of a school division, school district, or school area, established under any Act of the Legislature and operated under *The Public Schools Act*.

"convention" means a general meeting of the association;

"trustee" means a person elected or appointed as a member of a board.

### Association continued

2. The Manitoba Association of School Trustees is continued as a body corporate under the name The Manitoba School Boards Association.

### Powers of association

3. The association has all the powers, rights, and privileges, conferred on and vested in a corporation under *The Corporations Act* and *The Interpretation Act*.

### Objectives of association

4. The objectives of the association are

(a) to promote and advance the cause of education in the province;

(b) to arouse and increase public interest in educational affairs;

(c) to engage in research and study of matters of educational policy;

(d) to promote efficiency and improvement in the fulfillment of the duties of trustees and the exercise of the powers of trustees under the laws of Manitoba;

(e) to co-operate with The Department of Education and Training of the province and with other organizations in Canada or elsewhere having aims and objects the same as, or similar to, those of the association; and

(f) to take any measures, not inconsistent with this Act or any other Act of the Legislature, or any regulations or rules made under the authority of an Act of the Legislature, that the association deems necessary or advisable to give effect to any policy adopted by it with respect to any question directly or indirectly affecting the purposes and objectives of the association.

### Boards as members

5. A board may become a member of the association upon payment of the prescribed membership fee.

### Special honorary members

6. (1) A trustee may be made an honorary life member of the association by resolution at a convention upon the recommendation of the Executive.

### Ex officio honorary members

6. (2) Every person who has been the President of The Manitoba Association of School Trustees, The Manitoba School Trustees' Association, The Urban School Trustees' Association of Manitoba, or of the Association is an honorary member of the Association.

### Rights of honorary members

6. (3) An honorary member of the association has no right to vote on any matter before the association unless the honorary member is also a trustee of a member board.

### Composition of Executive

7. (1) The Executive of the association is to consist of
  - (a) the President;
  - (b) two Vice-Presidents, of whom one must be from a school division or district in which 6,000 or more pupils are enrolled and the other must be from a school division or district in which fewer than 6,000 pupils are enrolled;
  - (c) the immediate Past President; and
  - (d) any other Director elected or appointed to the executive of the association in accordance with the by-laws of the association.

### Eligibility for Executive

7. (2) Any person who is a member of a board which is a member of the association is eligible to be elected or appointed as a member of the Executive of the association.

### Executive officers ceasing to be members

7. (3) Where a member of the Executive other than the immediate Past President ceases to be a member of a board which is a member of the association, he or she shall thereupon cease to be a member of the Executive.

### Elected officers

8. Subject to clause 9. (c), the President, Vice-Presidents and the Directors of the association shall be elected in such manner as the by-laws of the association may from time to time prescribe, and shall hold office until the next ensuing annual convention or until their successors are elected, whichever is the later.

### Powers of Executive

9. The Executive may:
  - (a) exercise all the powers of the association and administer, direct and supervise its business, property and affairs;
  - (b) exercise such of the powers of the association as it may deem necessary for the promotion and attainment of the purposes and objects of the association;
  - (c) fill any vacancy in the Executive until the next annual convention;
  - (d) incur any expense that it deems necessary in the conduct of the affairs of the association and pay the reasonable expenses of the members of the Executive and committees in the discharge of their duties as such;
  - (e) subject to the by-laws, pass, amend, and repeal, by-laws, rules and regulations not contrary to law, for the purposes aforesaid, and for the purpose of regulating the conduct in any particulars of the affairs of the association;
  - (f) appoint an Executive Director and such other employees as may be required to administer the affairs of the association and fix the remuneration of the Executive Director and other employees;
  - (g) appoint such committees as may from time to time be deemed advisable in the interests of the association and prescribe their duties and functions; and
  - (h) do such other things as may be necessary to carry out the objects of the association.

### Confirmation of by-laws

10. A by-law of the association passed by the Executive, or any amendment or repeal of a by-law of the association made by the Executive, ceases to have effect at the close of the annual convention next after the date on which the by-law was passed, amended, or repealed, unless the by-law or the amendment or repeal, as the case may be, is confirmed by resolution passed at the annual convention or a convention prior thereto.

### Officers

11. The officers of the association are the President, Vice-Presidents, the immediate Past President, and such other officers as the by-laws of the association may prescribe.

### Powers and duties of officers

12. The powers and duties of the officers shall be as prescribed in the by-laws of the association.

### Annual convention

13. A convention shall be held at least once in each year at such time and place as the by-laws of the association may provide or as the Executive may otherwise determine.

### Local organization

14. (1) Any group of active members of the association may, with the consent of the Executive, establish a local organization within the association for the furtherance of the association; and the local organization may formulate a constitution, adopt by-laws, and pass resolutions not inconsistent with this Act or the by-laws of the association.

### Submission of local by-laws, etc.

14. (2) A copy of every constitution, by-law, and resolution, of a local organization shall, forthwith upon the passing thereof, be submitted to the Executive Director of the association, and except in so far as it may relate to matters of purely local concern, it is not operative or effective until it has been approved by the Executive which may, in every case, decide whether or not the constitution, by-law, or resolution, relates to matters of purely local concern, and its decision with respect thereto is final.



Report to be presented at annual convention

15. At each annual convention

- (a) the President, or member of the Executive designated by the President, must present the Association's annual report for the immediately preceding fiscal year, which must include the financial statements for the year and the auditor's report on those statements; and
- (b) the members of the Association must appoint an auditor for the current year.

Note: This Act replaces S.M. 1972, c. 21; R.S.M. 1990, c. 240

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# **Manitoba School Boards Association By-Laws**

## **BY-LAW #1**

### **Definitions**

Unless the context otherwise requires, the words defined in section 1 of the Manitoba School Boards Association Act have the same meaning in the by-laws of the Association.

## **BY-LAW #2**

### **Purposes**

Specifically, the purposes of the Manitoba School Boards Association (MSBA) are to promote and coordinate the cause of education by providing leadership and service for boards and trustees, and furthermore, to preserve the public's voice in education through locally elected trustees.

Leadership to boards and trustees will be provided in the following areas:

#### 1. Communication

The Association will

- a) communicate to the public the role of school trustees and boards;
- b) liaise with other levels of government and with other education agencies and associations;
- c) assist school boards to gain greater local community involvement; and
- d) make the public aware of MSBA's position on issues pertaining to education.

#### 2. Education

The Association will provide

- a) a regular and on-going program of trustee development through leadership and management training sessions; and
- b) guidance and supportive information to assist trustees in long range planning, establishing goals and setting priorities.

#### 3. Other

MSBA will provide leadership to boards in areas deemed appropriate and necessary by the members and will include among others, leadership in administration, negotiations and research.

Service to boards and trustees will be provided in the following areas:

1. leadership seminars and programs;
2. negotiations-financial and salary research, spokesperson role, advice on negotiations, assistance in the conciliation and arbitration stages and legal interpretations;
3. liaison and co-operation with Manitoba Education, the Manitoba Teachers' Society, the Manitoba Association of School Superintendents, and the Manitoba Association of School Business Officials;
4. educational information pool;
5. policy development;
6. communications and advocacy on matters that affect all school boards;
7. education research;
8. development of new administration tools;
9. other services as deemed appropriate and necessary by member boards.

### **BY-LAW #3**

#### Membership

1. A board that meets the criteria for membership in the association (as defined in *The Manitoba School Boards Association Act*) is, upon payment of the assessed membership fee, a full members of the association, except as described in #2, below.
2. Where a board's members are not normally chosen through the electoral process outlined in *The Municipal Councils and School Boards Elections Act*, those board members are not eligible to serve on the association's provincial executive or other elected bodies.

### **BY-LAW #4**

#### Rules of Procedure

In all business of the Association, where the rules of procedure are silent, the current edition of Robert's Rules of order shall apply.

### **BY-LAW #5**

#### Annual Convention

1. Notice

A convention, other than an Annual Convention, may be called upon not less than fourteen days written notice to all members of the Association specifying the reason for the convention.

2. Quorum

One hundred delegates constitute a quorum for a convention.

### 3. Who Presides

The President shall open and close all conventions of the Association. In the absence of the President, one or the other of the Vice-Presidents, as designated by the President, shall preside.

### 4. Eligible Voters

Member school boards who have at least one trustee in attendance at the Annual Convention shall be eligible to vote, via board ballots, in the election for President of the Association, and on by-laws and by-law amendments. The number of board ballots assigned to each member board will be determined in accordance with the formula outlined in these by-laws. Board ballots will be distributed, at the Convention, to the trustee or trustees designated by each board to receive those ballots. The method of designating the recipient of board ballots will be communicated to member boards in advance of the Convention.

Trustees from member boards who are registered Convention delegates are eligible to register as voting delegates, and to receive a ballot book and voting delegate card that will be used to vote on resolutions other than by-laws, and for elections other than President.

Only Convention delegates and members of the Executive present at the Convention shall be entitled to vote at Convention; and no person or member shall vote by proxy.

### 5. Board Ballots

The number of board ballots each board is eligible to receive will be determined in accordance with the following formula:

- a) each member school board will be eligible to receive one board ballot;
- b) boards will be eligible to receive one additional board ballot for each 1000 students enrolled in their division or district. For the purpose of determining the number of board ballots a board will receive, student numbers will be rounded up or down to the nearest 1000. The student number used to determine the number of ballots per board will be the immediately previous September 30 K-12 full-time equivalent count used by the Provincial Government.

### 6. Method of Voting

Voting on resolutions and elections shall be conducted in accordance with the following rules:

- a) board ballots shall be used to elect the President of the Association;
- b) board ballots shall be used to vote on any new by-law, or by-law amendment;
- c) board ballots shall be used to appoint the association financial auditors;
- d) individual trustee ballots shall be used to elect all members of the Association Executive except for the President, and
- e) voting on resolutions other than by-laws shall be by a show of hands of individual trustees, unless:
  - i. the chair in their discretion calls for a standing vote before announcing the result of a vote by show of hands, or

- ii. immediately after the result has been announced by the chair, one delegate can call for a standing vote.

## 7. Nominations for Executive Positions

- a) Nominations shall be received for each elected Executive position (President, Vice-President, or Director) for which an election is to be held in a given year, with such elections to be held in conjunction with the Annual Convention of the Association.
- b) Every candidate for office on the Executive shall be a trustee of a member board.
- c) The term of office for all elected Executive positions shall be two years, and no person shall hold the same Executive position for more than two complete, consecutive terms. The term of office for the Past President shall be two years.
- d) The Nominating Committee shall be comprised of the Association's three most recent Past Presidents who continue to serve as school trustees. In the event that there are fewer than three Past Presidents serving as school trustees, the Executive shall appoint a sufficient number of trustees at large to this committee to reach the requisite full complement of three members. Trustees at large serving on this committee will do so until such time as there are sufficient Past Presidents to achieve that complement. The most immediate Past President serving on the Nominating Committee shall chair the committee.
- e) The Nominating Committee will endeavour to fulfill its function in accordance with the following guidelines:
  - i. The Committee will ensure that there is at least one qualified candidate nominated for each Executive position to be elected at any Annual Convention.
  - ii. None of the Committee's nominees shall be a member of the Nominating committee.

Additional responsibilities of the Nominating Committee may be identified by the Provincial Executive in the Committee's mandate.

- f) Further nominations for any of the positions designated in paragraph (e) may be made from the floor of the Annual Convention by any Convention delegate with the consent of the nominee.

## 8. Designation of Boards by Number of Students Served

- a) The assignment of boards (serving more or less than 6000 students) will be reassessed every 4 years, in the months following school board elections, with any change in assignment to take effect at the first Convention following those elections. Reassignment will be automatic except in those instances where a division/district moves above or below the 6000-student cut-off by fewer than 60 students (that is, 1% of 6000). In that case, a school board *may* elect to remain in its original grouping for the ensuing four years. Where a second, consecutive post-election student count confirms a gain or loss of student population that moves a division or district above or below the 6000-student cut-off, that board will be *required* to move to the appropriate group.

- b) The September 30 K-12 full-time equivalent student count used by the Provincial Government will be the student number used for the purpose of determining the number of students served by each board.
- c) School boards may appeal to the Provincial Executive for re-consideration of their grouping at any time.
- d) Every four years, the Executive will review the 6000-student division between the two groups, to determine whether that number continues to result in a reasonable degree of equity between the two groups, in terms of total number of students served. In the event that the Executive determines that a change in this number is desirable, it will bring a by-law amendment before the next Convention.

## 9. Elections

- a) (i) The Association's President will be elected by means of board ballots. The Association's two Vice-Presidents will be elected by means of individual trustee ballots cast by trustees from member boards who are registered Convention delegates. Directors will be elected by means of individual trustee ballots cast by trustees who are registered Convention delegates, and who are from member boards that are included within the region a Director will represent upon election.
  - (ii) Any region that consists of only one school board may, at its discretion, elect or appoint its Director at a time or place other than the Annual Convention.
- b) Where one officer is to be elected, a candidate in order to be elected must receive over 50% of the votes cast. If on the first or subsequent vote no candidate receives over 50% of the votes cast, the name of the candidate receiving the fewest votes shall be deleted and another vote taken.
- c) Where two or more directors are to be elected at one time, a candidate in order to be elected must receive over 50% of the ballots cast. In the event that more than one ballot is necessary, any successful candidate will be declared elected and the candidate receiving the fewest votes shall be dropped from the ballot; except where this would reduce the remaining candidates to one, in which case only the successful candidate shall be removed from the ballot.
- d) Prior to the elections at Convention, the President shall appoint Scrutineers, none of whom shall be voting delegates or staff, and in the event that a vote is required on any election, the Scrutineers shall collect and count the ballots and declare the names of the successful candidates for each office.
- e) Should a tie vote occur during an election which would have the effect of no change in the make up of the next ballot, a second vote shall be taken, where possible. If the second vote again results in a tie, the successful candidates shall be determined by lot.
- f) All members elected to the Executive at the Annual Convention shall take office at the conclusion of the Convention.

## 10. Credentials

- a) The Resolutions and Policy Committee shall be responsible for issuing to each delegate whose credentials are in order, a card showing their standing in the Convention, and no person shall be entitled to a vote who has not been issued a card showing them to be a voting delegate.
- b) The Resolutions and Policy Committee shall be responsible to know the voting strength on the Convention floor at the call of the Chair.
- c) The Resolutions and Policy Committee shall be responsible for ruling on disputes over issuing of ballots.

## 11. Resolutions

- a) Resolutions for consideration at the Annual Convention must be forwarded to MSBA by a deadline set out in the annual call for resolutions.
- b) Each region may adopt a maximum of five board-sponsored resolutions for forwarding for consideration at the association's AGM as regular resolutions. Board-sponsored resolutions not adopted at the regional meeting for forwarding to the AGM may be forwarded, upon a majority vote in the affirmative at the regional meeting, directly to the provincial executive as an issue or request for action.
- c) Proposed resolutions will be categorized in accordance with the timeframe within which they are submitted, and the contents of the resolutions, as follows.

### *Timeframe:*

- **Regular resolutions** are those resolutions submitted by the deadline identified in any call for resolutions.
- **Emergent resolutions** are those resolutions that are received in the period between the deadline for receipt of resolutions identified in a call for resolutions and the conclusion of the last executive meeting prior to the membership meeting at which resolutions will be considered, and which relate an issue which was not evident prior to that deadline. The provincial executive will assess each such resolution to determine whether it is truly emergent in nature. Where the resolution is determined to be truly emergent, the provincial executive will direct that the resolution in question be include among those being considered at the AGM. If the resolution is determined not to be emergent, it may still be considered at the AGM, at the request of the sponsoring board, if such consideration is supported by two-thirds of voting trustees.
- **Extraordinary resolutions** are those resolutions that arise out of the business of the AGM. Extraordinary resolutions will be considered if such consideration is supported by two-thirds of voting trustees.

### *Contents:*

- **By-law amendments or new by-laws:** Resolutions in this category require a minimum of one month notice to members (Association by-law #10). For this reason, no extraordinary by-law amendments or new by-laws may be considered, and any emergent ones must be submitted at least one month prior to the meeting at which they are to be considered.
- **Policy additions or amendments:** Resolutions in this category seek to amend the association's existing policy statements, or create a policy statement in an area not previously addressed.
- **Requests for Action:** Resolutions in this category are action items that direct the association to do something, either directly or through its lobbying efforts. Requests

for action should align with association policy; where they do not, that conflict will be identified. Requests for action are time-limited to three years or the completion of the requested action, whichever comes first. At that time, the request for action will be archived, unless renewed by a member board through a new resolution.

- d) Any resolution sponsored by the provincial executive will be deemed to be a regular resolution, whether or not it meets the timelines outlined above.
- e) The Resolutions and Policy Committee is a standing committee of the MSBA Provincial Executive. The responsibilities of the Resolutions and Policy Committee are outlined in the committee mandate detailed in the MSBA procedural manual. A detailed description of the resolutions process is contained in operational policy.

## 12. Associate Members and Visitors

Secretary-treasurers and superintendents employed by member boards shall be associate members of the Association. Associate members and visitors may register at Convention upon the payment of such fee as the Executive may determine. At the discretion of the Chair, associate members may speak on a point of information but may not enter into debate, move, second nor vote on a motion under consideration by the assembly.



**BY-LAW #6**

Regions

1. Each member school board (with the exception of the DSFM) shall be assigned to one of MSBA’s six regions, as follows. DSFM may be represented in multiple regions based on the location of the school community from which individual trustees are elected.

**Region 1 (Western/Northwestern):**

Beautiful Plains	Rolling River
Mountain View	Brandon
Fort la Bosse	Southwest Horizon
Turtle River	Turtle Mountain
Swan Valley	Park West
Division Scolaire Franco-Manitobaine (1 rep)	

**Region 2 (Central/South Central):**

Border Land	Red River Valley
Prairie Spirit	Portage la Prairie
Prairie Rose	Garden Valley
Western	Division Scolaire Franco-Manitobaine (3 reps)
Pine Creek	

**Region 3 (Interlake/Southeastern):**

Lord Selkirk	Lakeshore
Sunrise	Evergreen
Seine River	Whiteshell
Hanover	Division Scolaire Franco-Manitobaine (3 reps)
Interlake	

**Region 4 (Northern):**

Kelsey	Frontier
Flin Flon	Mystery Lake

**Region 5 (Suburban):**

St.James-Assiniboia	River East Transcona
Pembina Trail	Seven Oaks
Louis Riel	Division Scolaire Franco-Manitobaine (4 reps)

**Region 6 (Winnipeg):**

Winnipeg

## 2. Regional Meetings

- a) Each year, each region shall hold a meeting of trustees from that region to:
  - i. nominate eligible candidate(s) for Director(s) of the region (the Director(s) to be elected at the Annual Convention);
  - ii. consider resolutions which the region may wish to bring before the Annual Convention; and
  - iii. deal with such other regional or Association business as may be identified in the meeting agenda.
- b) Trustees may attend regional meetings in person or, where appropriate provisions have been made, they may join such meetings via teleconference or other electronic means. In those instances where a trustee participates in a regional meeting through electronic means, he or she will be considered to be in attendance, and shall have all the same rights as those trustees physically present at the meeting.
- c) Notice of the time and place of regional meetings shall be sent by the Executive Director to the Secretary-Treasurer of each member board in the region at least thirty days before the date of the meeting.

## 3. Regional Communications Network

Each region shall establish a Regional Communications Network which shall include, at a minimum, the Chair (or their designate) of each board in the region, and the MSBA Director for that region.

## **BY-LAW #7**

### Membership Fees

(Effective July 1, 2015)

1. The annual revenue of the Association from membership fees payable by boards shall be based upon the total of members' previous year divisional operating expenditures minus non K-12 programs and services as per the FRAME report.
2. The membership fee structure is comprised of 11 operating expense range categories and a graduated scale of percentage multipliers. Each school board's membership fee is calculated as follows:
  - 1) confirmation of previous year operating expenses minus non K-12 programs and services as per FRAME report
  - 2) assignment to operating expense range category
  - 3) application of corresponding percentage multiplier

Except that the membership fee assessed to any division shall be not less than 1% nor greater than 8% of the total membership fee revenue amount and no division shall pay less than the previous year fees.

3. A charge will be assessed to boards which have not paid membership fees by the due date equal to one percent above the bank's prime rate of interest for the number of days overdue.
4. Fifty percent of each division's and district's membership fee is to be paid by August 1 in each year and the remaining fifty percent is to be paid by December 31 of the same year.

## **BY-LAW #8**

### Executive

1. The Executive of the Association shall be comprised of the President, two Vice-Presidents (one from boards with 6000 or more students, and one from boards with fewer than 6000 students), the Past President, and seven Directors [two from Region 5 (Suburban), and one from each of the other regions].
2. Six members of the Executive shall constitute a quorum for any meeting of the Executive.
3. Any absence of an Executive member over three regularly scheduled consecutive meetings, or a total of four regularly scheduled Executive meetings per term shall cause that member's seat to be declared vacant. Special consideration shall be given to exceptional circumstances.
4. Any question arising at any meeting of the Executive shall be decided by a majority of the members present. The Chair, consistent with the provisions of the Public Schools Act (section 31) as it applies to the Chair of all school boards, has the option of voting with the members of the Executive on all issues.
5. Regular meetings of the Executive may be called by the President or Executive Director on not less than seven days' written notice to all members giving the date and place of the meeting.
6. a) Except as described in b) below, emergency meetings of the Executive may be called at the request of the President, any three members of the Executive, or the Executive Director on not less than 24 hours notice in cases where an issue is determined to be emergent in nature. The business conducted at the meeting shall be confined to that stated in the request for an emergency meeting.  
  
b) During the MSBA Annual Convention (that is, the period between opening and closing ceremonies), the 24 hour notice requirement for an emergency meeting of the Executive [described in (a) above] will be waived. During that period, an emergency meeting may be called on less than 24 hour notice. All other requirements for the conduct of an emergency meeting remain as described in a) above.
7. i) Where a vacancy occurs during the year among the Directors on or before December 15<sup>th</sup>, a meeting of the affected region shall be called to hold an election to fill that vacancy. A person elected in such a by-election will hold that position until the next regularly scheduled election for that position. If the vacancy occurs after December 15<sup>th</sup>, the position shall remain vacant until the next Annual Convention, at which time an election will be held. The term of office for any one elected at such time will be one or two years, depending on whether or not the previous incumbent would have completed their term at the time of the Convention at which the election is being held. Where a vacancy occurs at the President or a Vice-President

position on or before November 15<sup>th</sup>, an election shall take place to fill the position. A person elected in such a by-election will hold that position until the next regularly scheduled election for that position. If the vacancy occurs after November 15<sup>th</sup>, the position shall remain vacant until the next Annual Convention. The term of office for any one elected at such time will be one or two years, depending on whether or not the previous incumbent would have completed their term at the time of the Convention at which the election is being held. Where a vacancy occurs at the Past President position, the position shall remain vacant until a new President is elected.

- ii) Any by-election required under i), above, may be conducted via e-mail or other electronic means, in accordance with a process to be determined by the Provincial Executive.

## **BY-LAW #9**

### Executive Director

1. The Executive Director shall have general responsibility for the administration of the affairs of the Association and for the execution of the policies and instructions of the Executive.
2. Without restricting the generality of the foregoing, the responsibilities of the Executive Director shall include the following:
  - a) have charge of the books and correspondence of the Association;
  - b) properly account for the funds of the Association and keep such records of same as may be directed by the Executive;
  - c) prepare for presentation at each convention, a financial statement of the Association duly audited by a chartered accountant;
  - d) keep the funds of the Association in a bank or banks designated by the Executive and make no payments except by cheque countersigned by such officers as the Executive may, by resolution, appoint;
  - e) attend all meetings of the Executive and keep accurate records of the same and perform such other duties as the Executive may determine; and
  - f) furnish at the expense of the Association, a fidelity bond in the sum of not less than five thousand dollars.

## **BY-LAW #10**

### By-Law Amendment Procedures

1. These by-laws may be amended by board ballot at any regularly called Convention of the Association provided notice in writing of the intended amendments has been given to the Executive Director and circulated to all member boards at least one month prior to the Convention.
2. A favourable vote of not less than two-thirds of the board ballots cast shall be required to approve any amendment to these by-laws.

## **Foundation Statements**

### **Vision**

A respected and influential voice for public education in Manitoba  
A valued and effective advocate for local education governance

### **Mission**

The mission of the Manitoba School Boards Association is to enhance the work of locally elected school boards through leadership, advocacy and service, and to champion the cause of public education for all students in Manitoba.

Association programs and activities are designed to:

- promote and support the work of elected public school boards within the parameters of Manitoba laws and statutes;
- promote and advance the cause of public education in the province through research, study and public discourse;
- work collaboratively with education partners, stakeholders, and community agencies in addressing the learning and developmental needs of school-aged children and youth.

### **Beliefs**

The Manitoba School Boards Association believes that...

- the public school system is a cornerstone of a free and democratic society and the collective responsibility of all citizens;
- community voice and local control are essential features of a quality public education system;
- the public school system in Manitoba should provide equity of opportunity for all students irrespective of geographic location or community wealth; and
- elected school boards must have the legal authority, the financial flexibility and the local autonomy to reflect the education needs and priorities of their respective communities.

### **Values**

The Manitoba School Boards Association

- is committed to excellence in programs and services for member school boards;
- respects the authority and autonomy of locally elected school boards;
- values openness and transparency in its relationship with association members, education partners, stakeholder organizations and the general public; and
- values collaboration, partnership and teamwork in the pursuit of organizational goals.

### **Brand**

Leadership, advocacy and service for Manitoba's public school boards.

*Adopted March, 2006*

## Code of Conduct and Conflict of Interest Policy

### Definitions

In this policy,

**“breach of the Code”** means breach of the Code of Conduct and Conflict of Interest Policy

**“breached the Code”** means breached the Code of Conduct and Conflict of Interest Policy

The Executive and Manitoba School Boards Association committee appointees recognize and accept their collective responsibility to represent and support all member school boards in a respectful manner. We commit, therefore,

- to devote sufficient time, thought and study to our Executive roles so as to render effective and credible service on behalf of member school boards and strive to be knowledgeable on those local, provincial and national issues which impact on one’s Executive responsibility;
- to respect the provisions of the Manitoba School Boards Association Act and the approved by-laws, policies, and procedures of the Association, as well as the laws and regulations governing education in Manitoba, whenever discharging Association responsibilities;
- to make decisions after careful examination and consideration of all available facts, data and perspectives on an issue, mindful of the effect decisions may have upon the rights and needs of the Association's member school boards, and upon the education, training, safety and general future of the students of Manitoba;
- to respect the majority decisions of the Executive and/or committee, reserving the right to seek changes to these decisions in the future through ethical and constructive channels;
- to work with colleagues and partners in a spirit of respect, openness and co-operation, encouraging the free exchange of diverse views on any topic at all times, and expressing any contrary opinions in a respectful and constructive manner;
- to ensure that all Association funds are used efficiently, economically and in the best interest of member school boards and public education in Manitoba;
- to respect the strict confidentiality of all privileged information received in the conduct of Association business;
- to avoid any situation which suggests a conflict of interest, relationship bias or the appearance of impropriety in the performance of his/her Association responsibilities;
- to respect the role of the Manitoba School Boards Association President or his/her designate as the primary public spokesperson for the Association and recognize his/her responsibilities to articulate the official policy of the Association when representing the Association;
- to recognize the authority and responsibility of the Executive Director or his/her designate to administer the normal operations of the Manitoba School Boards Association office; and
- to use social media in accordance with the Executive social media policy

## **Expenses, Use of Association Property and Resources**

- Association property, including equipment and material, and human resources, shall be used only for carrying out Association business unless authorized by the President or Executive Director.
- While campaigning for election to the provincial executive, use of any Association-owned resources may not be used.

## **Gifts**

No Executive member is required to disclose

- any gift worth less than \$250 unless the total value of all the gifts from the donor, during the preceding year, exceeded \$250

## **Process**

The policy applies equally to the President of the Board. In the case of an allegation of a breach of the Code by the President, wherever a process requires action by the President, it shall be modified to read one of the Vice-Presidents.

## **Disclosure**

- An Executive member must openly disclose a real or perceived breach of the Code to the President and Vice-Presidents as soon as the issue arises.
- The alleged breach of the Code shall be brought to the attention of the individual by the President and/or Vice-Presidents prior to being presented to the Executive.
- The President shall share with the Executive an oral report of a complaint within fifteen (15) business days of receiving it. The complaint, any response to the complaint and any investigation of the complaint shall be confidential until it is before the board.

## **Determination of a breach of the Code**

- All discussions will be held in camera and a record of discussion will include only the date, members present, identity of the member in question and the title of the section of the Code being discussed.
- During an in camera discussion on whether a breach of the Code has occurred, the member alleged to have committed the breach of the Code may be present and contribute to the discussion. The member shall not attempt to intimidate others during the discussion.
- If the Executive is of the opinion that the breach of the Code is beyond the 15 days allowed for receipt, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for action, a reply stating the reasons for not proceeding shall be made on behalf of the Executive to the person(s) bringing the allegation forward. Details of the allegation will remain confidential.

## **Decision**

- A motion to sanction an Executive member may be debated in camera, but must be voted on in public.
- The Executive member who is alleged to have breached the Code may be present at the Executive meeting and can participate during the deliberation of the breach of the Code and sanction but shall not vote on a resolution to impose a sanction.

- The Executive member who is alleged to have breached the Code shall not attempt during a meeting of the Executive to intimidate a vote on sanction.
- The vote on a breach of the Code must be done by resolution at a meeting of the Executive. The resolution to sanction shall be decided by a majority vote of the number of members designated for the Executive, with the exception of sanctions to bar or suspend the member or any more serious sanction. These sanctions require at least two thirds (2/3) of the number of members designated for the Executive.
- Sanctions for a breach of the Code shall take effect immediately after the vote at an Executive meeting.

### **Sanctions**

- If a resolution to sanction is achieved, the Executive resolution will stand as the record and at a minimum include the name of the Executive member and the date(s) of the behaviour.
- Sanctions may take the form of one or more of the following:
  - a written apology,
  - a requirement for the Executive member in breach of the Code to engage in professional development,
  - acknowledgement to comply with the sanction will be written into the meeting minutes, and include the measures mutually agreed to by the member and Executive,
  - public censure of the member,
  - barring the Executive member from attending all or part of a meeting of the Executive or a committee of the Executive,
  - barring from sitting on an Executive committee for up to a year,
  - suspending the Executive member from the Association Executive, including suspending all the member's rights, duties and privileges as a member of the Executive, for up to three months.

If the Executive member alleged to have breached the Code refuses to participate in discussions, the Executive may continue in the member's absence. The Executive has no power to declare the member's seat vacant.

*Adopted March, 2021*



**MANITOBA SCHOOL BOARDS ASSOCIATION**

**ANNUAL CODE OF CONDUCT AND CONFLICT OF INTEREST DECLARATION**

Executive Members are responsible for adhering to the policies in the Executive Manual and all subsequent policy revisions of the **Manitoba School Boards Association**.

Executive Members are responsible for preventing real or perceived breaches of the Code of Conduct to protect the integrity of the **Manitoba School Boards Association**.

Contravention may result in sanctions.

Executive members shall:

1. Perform duties with integrity and in a way, that will maintain public and Executive member and member board confidence in the **Manitoba School Boards Association**,
2. Ensure no real or perceived advantage is taken by virtue of their position or from information obtained due to their position as an Executive member, and
3. Immediately disclose to the President or to the Executive members at the meeting any existing or potential breach on any issue.

**I declare that I have read, understood and agree to adhere to the Manitoba School Boards Association's Code of Conduct.**

**Agreed by:** \_\_\_\_\_  
(Print Name)

**Signature:** \_\_\_\_\_

**Witness:** \_\_\_\_\_  
(President or Vice President Signature)

**Date:** \_\_\_\_\_

## **Whistleblower Policy**

### *Preamble*

Every employee and Executive member has a responsibility to work in the best interests of the Association and to use all available resources in the achievement of MSBA's mission. It is expected that employees and Executive members shall refrain from using their positions to benefit either themselves or any other individual or agency apart from the total interest of MSBA. Notwithstanding these assumptions, the purpose of this policy is to provide direction to all current and former employees and Executive members of the Manitoba School Boards Association in the communication of concerns regarding questionable financial or operational matters.

### *Policy Statement*

Concerns about unethical or illegal behaviour of MSBA staff or Executive members in the conduct of Association business must be reported in a timely fashion.

Incidents shall be communicated using the prescribed procedures outlined below.

The Whistleblower will not be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against as a result of communicating a whistleblower incident. Any MSBA employee found to be in violation of this policy will face disciplinary action.

MSBA will not protect any staff or Executive member who is found to have intentionally made false accusations in reporting of a whistleblower incident.

All reported incidents shall be addressed in a confidential and sensitive manner. The Whistleblower shall be provided the opportunity to remain anonymous, if he/she so chooses.

### *Procedures*

1. Any MSBA staff or Executive member who believes another has acted in an illegal or unethical manner has a duty to report the matter directly to the Executive Director/President using the attached Incident Reporting Form.
2. The Executive Director/President or designate will thoroughly investigate any such reported incident and take any necessary action deemed appropriate.
3. Confidentiality will be maintained throughout the process. Information relating to the matter will only be disclosed to the extent necessary to investigate the allegation.



## MSBA Provincial Executive Position Descriptions

In accordance with the MSBA Act and By-Laws of the Association, the Executive acts as the governing body for the Association between conventions and makes all decisions related to policy and operations. Executive members shall be a trustee on a member school board. The President, Vice-President (6,000 students or more) and Vice-President (fewer than 6,000 students) are elected at large, at the annual MSBA Convention and Directors of Regions #1 to #6 are elected by trustees within their region at the annual MSBA Convention.

<p>MSBA Provincial Executive (shared responsibilities)</p>	<ul style="list-style-type: none"> <li>• be familiar with the policies and philosophy of the Association and be knowledgeable about the services the organization provides to the membership;</li> <li>• keep abreast of current issues in education;</li> <li>• attend all scheduled Executive meetings, the annual Executive planning retreat and the association’s annual general meeting and convention;</li> <li>• communicate with member boards and/or individual trustees to gather information and/or to identify concerns to be brought to MSBA;</li> <li>• lobby governments and other organizations/groups on behalf of the association;</li> <li>• employ the Executive Director and participate in their annual performance evaluation;</li> <li>• participate in the annual Executive evaluation process;</li> <li>• annually appoint signing officers for the Association; and</li> <li>• any other duties, as may be required, consistent with the MSBA Act and By-Laws.</li> </ul>
<p>MSBA Executive Officers (President, Vice-Presidents and Past President)</p>	<ul style="list-style-type: none"> <li>• assist in preparation of the agendas for Executive and Liaison meetings, and in planning the annual retreat;</li> <li>• participate as requested in liaison meetings with Government, education partner organizations and other agencies;</li> <li>• review monthly financial statements; and</li> <li>• assist in preparation and presentation of briefs.</li> </ul>
<p>MSBA President</p>	<ul style="list-style-type: none"> <li>• act as official representative and spokesperson for the Association, or designate others to do so;</li> <li>• preside at all meetings of the Executive as well as all Liaison meetings;</li> <li>• serve as an ex officio member of all MSBA standing committees;</li> <li>• open and close the annual convention of the Association;</li> <li>• communicate regularly with the Executive Director of the Association;</li> <li>• review and sign correspondence where necessary;</li> <li>• in consultation with the Executive Director, recommend committee appointments to Executive as required;</li> <li>• authorize temporary committee appointments when representation is deemed urgent, and report appointment to the Executive; and</li> </ul>

	<ul style="list-style-type: none"> <li>• serve as the designated reviewer for advance consideration and approval of Executive Director expense claims on behalf of the Provincial Executive, by virtue of its mandate as the Finance and Audit Committee of the association.</li> </ul>
MSBA Vice-Presidents	<ul style="list-style-type: none"> <li>• attend, and in the absence of the President, preside at meetings of the Executive as well as at appropriate liaison meetings.</li> </ul>
MSBA Past President	<ul style="list-style-type: none"> <li>• act in a consultative role with the Executive and senior staff;</li> <li>• serve as a member of the Resolutions and Policy Committee for a two year term; and</li> <li>• chair the Nominating Committee.</li> </ul>
MSBA Directors	<ul style="list-style-type: none"> <li>• facilitate communication flow between MSBA and the region and amongst the boards within the region;</li> <li>• chair and assist in the planning of MSBA meetings within their respective regions;</li> <li>• serve as the “alternate” representative for their region on the MUST Fund Committee.</li> </ul>

## **Executive Operations**

### 1. New Executive Orientation and Annual Planning Retreat

An orientation for new MSBA Executive members and the annual Executive planning retreat shall take place after each convention and prior to the first regularly scheduled Executive meeting of the term of office.

### 2. Executive Meetings

#### (a) Meeting Schedule

1. The Executive meets between eight and ten times per year from September to June. The schedule of meetings is set by the Executive at the beginning of each new term of office.

#### (b) Participation at Executive meetings

1. Executive member attendance at regularly scheduled Executive meetings is outlined in Association By-Law #8 (3.)(4.).
2. Executive meetings are open to trustees of member boards and delegations.
3. Delegations will be received by the Executive by invitation only with prior arrangements having been made through the office of the Executive Director. Delegations shall be timed items on the agenda. The Executive reserves the right where it deems appropriate to extend time constraints placed on any delegation.

#### (c) Meeting Agendas

1. The agenda for Executive meetings shall be prepared under the direction of the Executive Director in consultation with the President and other Executive Officers.
2. Agenda items must be submitted to the Executive Director or MSBA President seven (7) days prior to the meeting date.
3. Agenda items submitted to the office of the Executive Director after the deadline date shall be reviewed by the Executive Director, in consultation with the President. On those occasions when late agenda items are added to the agenda, an amended agenda and related additional support materials shall be available at the meeting.
4. Items may only be added to the agenda on the meeting date with the consensus of the Executive. Items not approved for addition to the agenda may be referred to the next regular Executive meeting.
5. Agenda packages (including supporting materials) are emailed to Executive members not less than five (5) days prior to the respective meeting dates.
6. Short notice requests requiring immediate action shall be resolved by the Executive Director, in consultation with the President, and reported to the Executive at the next regularly scheduled meeting.

(d) In-camera Sessions at Executive Meetings

1. Discussion shall deal with those matters on which informal and private discussion is deemed desirable, these normally being negotiations, personnel matters, land acquisitions/disposal, security and discipline.
2. Part of any duly constituted regular, special or emergency meeting of the Executive may be held in-camera if decided upon by a majority of the board members present and voting.
3. No minutes shall be recorded other than a record in the minutes of the regular meeting of the topic(s) discussed while in-camera.
4. Executive members and other persons invited to attend an in-camera session of the Executive must respect the confidentiality of all discussions.

(e) Meeting Procedures

1. The Association President shall preside at all meetings of the Provincial Executive and may vote with other Executive members on all questions and motions before the Executive.
2. In the absence of the President, Vice-Presidents (on a rotational basis) shall preside with all the authorities of the Chair.
3. All Executive members have equal rights and responsibilities of participation at the Executive table.
4. The Chair shall ensure that all Executive members have the opportunity to speak to issues and motions before the Executive in an orderly and balanced fashion.
5. All Executive members shall vote on every motion unless abstaining for conflict of interest reasons.
6. Any Executive member may request that their vote be recorded in the Minutes, providing that notice is given prior to voting.
7. Activity reports of Executive members and staff are presented in written format as information without discussion or vote required. Questions for clarification may be addressed, through the Chair, to the author of the report. Issues arising from activity reports may be referred to a subsequent Executive meeting for discussion and/or action.
8. As part of the opening exercises of all Association meetings, including those of the Provincial Executive, general or annual general meetings, conventions, and special events, time shall be allocated for formal recognition and acknowledgement of treaty and territory contexts, in relation to Canada's Aboriginal and Indigenous Peoples. Association staff shall provide the presiding officer with specific wording to fulfill such recognition and acknowledgement.

(f) Meeting Minutes

1. The Executive Assistant to the Executive Director shall record and retain minutes of all Executive meetings.
2. Minutes of Executive meetings shall record the names of members in attendance as well as the names of those who have communicated their regrets to the Chair. Where individual members arrive subsequent to the commencement of a meeting or leave prior to adjournment, the arrival and/or departure shall be noted in an appropriate portion of the minutes.
3. Minutes of Executive meetings shall record all motions made, the nature of delegations and correspondence, and the essence of topics and issues introduced and discussed under each of the agenda categories.
4. Motions passed by the Executive have effect immediately and do not have to await approval of the minutes at a subsequent Executive meeting as outlined in point 3.
5. Highlights of the Executive meeting will be posted to the website within two (2) working days of the meeting. Meeting minutes will be posted once approved by the MSBA Executive at its next regular meeting.

3. Executive Authority

- (a) Positions taken by the MSBA will reflect the policy resolutions passed by voting delegates at the Annual Convention. The Executive will take actions and measures to promote and advance these policy positions.
- (b) MSBA may initiate proposed legislation or amendments to existing legislation. If approved by motion of the Executive, a resolution shall be presented to a general meeting of the membership setting out the main principles of the proposed legislative changes, with a clear statement of intent.
- (c) If approved by motion of the Executive, MSBA may enter into negotiations on specific legislative changes with other interest group(s). Any subsequent agreement, if approved by the Executive, must be presented through a complimentary resolution attaching the full text of any joint agreement to a general meeting of the membership for final approval.
- (d) If approved by motion of the Executive, MSBA may act directly on any written communication from the Minister or their agent(s), (i.e. letter, press release, white paper, bill) being mindful of:
  - existing MSBA policy;
  - any opportunity to present the proposed changes with accommodations to an annual general meeting;
  - the recommendation of school boards in any other general meeting; and
  - the general reaction of member school boards.



#### 4. Public Relations

- (a) Official statements or releases on behalf of the association shall be made by the President or their designate. In the absence of the President or their designate, official statements or releases may be made by the Executive Director if in their opinion, it is advisable that a statement or release be made.
- (b) Executive members should avoid making statements which are not in accordance with MSBA policy. Where an Executive member feels that a divergent opinion must be expressed, such expression of opinion should clearly indicate that it is the member's own opinion and not that of the association.
- (c) Oral or written public statements by Association personnel must not deviate or appear to deviate from the stated policies of the association.
- (d) A spokesperson should indicate if they're speaking on a matter about which there is no official MSBA policy.

#### 5. Executive Evaluation

The MSBA Executive recognizes the critical importance of board evaluation as a tool for enhancing governance of the organization and fulfilling accountability obligations to the membership.

An annual Executive evaluation will be held in conjunction with the Executive Director's yearly performance review.

Executive Officers are responsible to initiate the Executive evaluation process in accordance with the specific objectives and parameters as determined by the MSBA provincial Executive.

#### 6. Political Candidacy

As an advocate for public education in the Province of Manitoba, the Manitoba School Boards Association must operate in a non-partisan manner. In recognition of this position, the following policy/guidelines shall direct the activities of those MSBA Executive members who may consider political office at the provincial or federal level:

- (a) No Executive member shall be denied the right to seek or obtain nomination as, or to become a candidate in a provincial or federal general election or by-election.
- (b) Any Executive member who is nominated as a candidate or becomes a declared candidate in a provincial or federal general election or by-election shall inform the MSBA Executive, in writing, of that candidacy at the first available opportunity.
- (c) Executive members who have been nominated or declared as candidates in a provincial or federal general election or by-election shall take an immediate unpaid leave of absence from the Executive.
- (d) The position of any Executive member successfully elected in a provincial or federal general election or by-election will be considered vacant on the day the election results are officially declared and the vacancy filled in accordance with MSBA By-Law #7, (7).

## **MSBA Regional Structure**

### *Number and Membership*

Manitoba is divided into six regions. Boards that fall within each region's geographical boundaries are members of that region. DSFM has membership in multiple regions, and its trustees are assigned to a particular region based on the geographic location of the school community that they represent. Regional membership is listed in by-laws, but changes necessitated by amalgamation are considered housekeeping in nature and can be made without taking the matter to Convention.

### *Purpose*

Regions exist to enhance effective, two-way communication between the association and its membership. Regions bring together trustees from boards within a geographic area to:

- act as a forum for discussion of relevant, timely, and emerging issues;
- discuss and/or develop resolutions for submission to the MSBA Convention;
- nominate and elect Directors to the MSBA Provincial Executive;
- facilitate the development of trustee skills and knowledge; and
- act on action requests from MSBA.

### *Regional Meetings*

Regional meetings will be held a minimum of once annually. Within the six month timeframe following receipt of the Association's audited financial statements, regional meetings shall be held which will serve as the annual general meeting of the region, at which nominations will be received for the position of Director to the MSBA Executive, MUST Fund representatives will be elected, and matters related to the upcoming Association Convention will be discussed. The process will be as follows:

- meetings will be convened by MSBA;
- agenda will be set by MSBA with input from Directors and boards within the region;
- meetings are open to **all trustees** of all boards in the region (as well as Superintendents and Secretary-Treasurers);
- any additional meetings deemed necessary shall be coordinated by the Provincial Executive.

### *Regional Communications Networks*

To facilitate communications among member boards within a region and between the region and the provincial association, regional networking meetings may be held as desired/necessary. Such meetings may be held:

- via conference call as determined by the Director(s) of the region; or
- in-person as determined by the Director(s) in consultation with MSBA's Executive Director

### *Regional Financial Support*

The MSBA budget will include funds to offset the costs of regional meetings and communications. These funds will cover direct costs incurred by the Directors for attendance at Regional Meetings, including transportation and accommodation costs, and a per diem. The Provincial Association may also cover the cost of meeting facilities and meals for participants as required, or may, at its discretion and with advance notice, recover these costs from participating school boards.

## **MSBA Recognition Awards**

### 1. Long Service Award

Each year at the MSBA Annual Convention, a Long Service Award shall be awarded to trustees who have completed 12, 16, 20, 30 and 40 years of school board service in Manitoba.

### 2. Presidents' Council Award

The Presidents' Council Award is an interorganizational award which recognizes

- exemplary service and outstanding achievement to public education beyond the requirements of one's position;
- demonstrated innovative thinking and personal initiatives directed at improving and/or promoting public education; and
- lasting and pervasive impact on some facet of public education.

Nominees for the President's Council Award may be individuals or groups in one of the two (2) categories – professional educators and support staff and community members – in the field of public education. The recipient category for eligible nominations will rotate on an annual basis. Current Association staff and actively serving Executive members are not eligible for nomination and the award may not be conferred posthumously.

Three months prior to the annual convention of the Association, the Manitoba School Boards Association will solicit nominations for the Presidents' Council Award within the designated recipient category\* from member school boards, education partner organizations and other groups or agencies actively involved in the public education system. Where a nominee is not selected to receive the award in any given year, the nomination may be re-submitted for consideration in subsequent years. Nominations and supporting documentation received by the Association will be deemed confidential information for the sole use of the Selection Committee.

The Selection Committee consists of the current Manitoba School Boards Association President and Vice-Presidents, as well as the three most immediate Past Presidents who are active trustees. The Executive Director of the Association is an ex-officio member of the Selection Committee.

The presentation of the Presidents' Council Award will be made each year at the annual convention of the Association.

#### \* Recipient Categories:

##### Professional Educators:

- Teachers – classroom teachers, resource teachers, itinerant specialist teachers
- Administrators – building principals, divisional coordinators, senior administrators

##### Support Staff and Community members:

- Support staff – educational assistants, bus drivers, clerical, custodial and maintenance personnel
- Community members – volunteers, parents, trustees, post-secondary and civil service personnel

### 3. Student Citizenship Award

The Manitoba School Boards Association Student Citizenship Award program recognizes students from Manitoba schools who demonstrate their commitment to the values of citizenship through activities such as:

- a) volunteer service to the community;
- b) involvement in citizenship or character building organizations;
- c) participation in student government programs or activities; and
- d) leadership ability to motivate others to actions which benefit the community.

Seven awards are given annually, one to a student in each of MSBA's geographic regions, and one provincial award which recognizes an outstanding student group. There are no age or grade restrictions on these award; all students in regular attendance in the K-12 program at a Manitoba public school are eligible.

Each member school board is invited to nominate one student and one student group annually (with the exception of the board of Winnipeg School Division, which can nominate up to 4 students and one student group). The selection panel consists of members of the MSBA Provincial Executive. Regional winners and the student group recipient each receive a cash award in the amount of \$500; all other individual (but not group) nominees receive a \$100 cash award. All nominees also receive a certificate recognizing their achievements.

The recipient of the AMM George Harbottle Memorial Award (formerly the Young Community Leader Award) is chosen by the Association of Manitoba Municipalities from among the six individual citizenship award winners.

## **Associate Membership – First Nations Education Authority**

The Manitoba School Boards Association established an associate membership category for local First Nations education entities within the following parameters.

### Eligibility:

- open to Manitoba First Nations local education entities, i.e. school board/education authority/school as non-voting members

### Associate Membership Benefits:

- access to non-confidential information, communications and publications of the association
- attendance at association sponsored events, information sessions, training workshops and annual general meeting and convention at the full members' rate
- access to direct services on a fee-for-service basis plus expenses

(Adopted at the 2011 AGM)

## **Harassment Policy**

Please read the following policy carefully as it is a material policy of the Manitoba School Boards Association (“the Association”). Failure to comply may be considered a breach of your employment contract or other relationship with or to the Association, and cause for discipline, up to and including termination.

### **APPLICATION**

This policy applies to all employees, volunteers, and representatives of the Association, including any employee, agent, volunteer or representative of a member, partner, stakeholder, vendor or any other entity with which the Association maintains a contractual or non-contractual relationship. It also applies to all visitors entering the Association premises and under the direction of the Association.

### **PURPOSE**

The Manitoba School Boards Association (the “Association”) is committed to a collegial work environment in which all individuals are treated with respect and dignity. Each individual employee of the Association has the right to work in an environment where equal opportunities of advancement and career are promoted and where discriminatory practices and harassment are prohibited.

Each individual agent, volunteer or other representative of the Association has the right to provide service to the Association in an environment where discriminatory practices and harassment are prohibited.

The Association prohibits all forms of harassment, including those specifically described below. Harassment may also constitute a form of discrimination and is prohibited by law. The Association will not tolerate any harassment engaged in by any employees, agents, volunteers or other representatives.

This document is intended to inform all employees, agents, volunteers or other representatives of the Association’s policy regarding sexual harassment, psychological harassment and other types of harassment and about the responsibilities of all employees, agents, volunteers or other representatives of the Association.

### **SCOPE**

This policy applies to all forms of harassment, including sexual harassment, psychological harassment and harassment based on legally prohibited grounds. It applies to all employees, agents, volunteers or other representatives, regardless of their position, hierarchical level or status. It applies to relationships between employees and their supervisors as well as between fellow employees and between colleagues. It applies to all relationships between employees, agents, volunteers and representatives of the Association. This policy also applies to situations of harassment between employees, agents, volunteers and representatives of the Association, and third parties, such as members, partners, stakeholders, vendors, clients, suppliers and visitors to the Association premises.

### **DEFINITIONS**

**“Harassment”** means any objectionable conduct, comment or display at, or towards, another employee, agent, volunteer or representative of the Association which creates a risk to the health or interests of the employee, agent, volunteer or representative. Harassment includes:

- (a) *Harassment based on prohibited grounds*, which includes harassment based on grounds of race, creed, religion, family status, color, sex, sexual orientation, marital status, disability, physical size or weight, age, nationality, ancestry or place of origin;

- (b) *Sexual harassment*, which includes offensive or humiliating behavior based on a person's sex; behavior of a sexual nature that creates an intimidating, hostile or poisoned work environment; or behavior that could be reasonably thought to put sexual conditions on a person's job or job opportunities. Examples include: questions and discussions about a person's sexual life; persisting in asking for a date after having been refused; writing sexually suggestive letters/notes or emailing sexual jokes; and
- (c) *Psychological harassment*, which includes bullying or abuse of authority which creates a risk to the health of another employee. This type of harassment consists of a single instance or repeated instances of objectionable and unwelcome comments or conduct directed at another person which serves no legitimate work purpose and has the effect of interfering with the other person's work performance or creating an intimidating, humiliating or hostile work environment.

The illustrations of unacceptable behavior outlined in the above sections are provided as examples of what may constitute prohibited harassment under the present policy. Since it is impossible to anticipate every possible situation, these examples are by no means exhaustive, and other forms of behavior may be regarded as prohibited harassment under this policy.

### **WHAT DOES NOT CONSTITUTE HARASSMENT**

To understand the types of conduct that may not constitute harassment, the following examples are offered:

- (a) The exercise of normal management activities does not constitute harassment. Normal management of discipline, work performance or absenteeism, the assignment of tasks, the application of progressive discipline and even termination of employment constitute the legitimate exercise of management rights. These actions do not constitute psychological harassment as long as management rights are not exercised in an abusive or discriminatory manner.
- (b) Difficult conditions of employment and professional requirements, job related stress and organizational changes that are justifiable on an economic or technological basis where they affect personnel in a manner that is not arbitrary.

### **PLACES WHERE HARASSMENT MAY OCCUR**

For the purpose of this policy, harassment may occur, not only in the work place but also anywhere else as a result of employment responsibilities or employment relationships, such as outside assignments, work travel, or employment-related social events.

### **RESPONSIBILITIES**

- Employees, agents, volunteers and representatives of the Association are responsible to treat others with respect and dignity, and to speak up if they, or others, are being harassed.
- Employees, agents, volunteers and representatives of the Association are responsible for working together in a professional manner and resolving issues in a respectful manner.
- Employees, agents, volunteers and representatives of the Association are responsible to report incidents of harassment to their supervisor and/or to the Association.
- Employees, agents, volunteers and representatives of the Association must cooperate in an investigation of harassment. Any employee, agent, volunteer or representative of the Association who gives evidence or information during an investigation or is involved in the process, must keep the information confidential, except as necessary to effectively deal with the issue.
- The Association is responsible for creating a safe work environment, free from harassment.
- The Association must ensure, as much as is reasonably practical, that no employee is subjected to harassment in the workplace.

- The Association must ensure, as much as is reasonably practical, that no employee, agent, volunteer or representative is subjected to harassment in the performance of their duties.
- The Association will take corrective action with anyone under its direction who subjects an employee to harassment.
- The Association will take corrective action with anyone acting under its auspices who subjects another person to harassment.
- To the extent possible, the Association will take corrective action with anyone who subjects an employee, agent, volunteer or representative of the Association to harassment.

## **WHAT TO DO IN THE EVENT OF HARASSMENT**

If an employee, agent, volunteer or representative feels that they are or have been the victim of harassment, the employee, agent, volunteer or representative is encouraged to notify the person responsible for the conduct and request that it stop immediately. The Association recognizes that, while in some circumstances this may be difficult, in many situations it will be the most effective method of eliminating the problem.

If an employee, agent, volunteer or representative does not wish to bring the matter directly to the attention of the person responsible, or where such an approach is attempted and does not produce a satisfactory result, the employee, agent, volunteer or representative should discuss any concerns with a designated representative of the Association.

## **COMPLAINT AND INVESTIGATION PROCEDURE**

Many complaints are resolved without a formal investigation. An informal process is encouraged if it brings about a timely resolution to the satisfaction of the parties. If informal attempts by the employee, agent, volunteer or representative prove ineffective or are not feasible or appropriate, a formal complaint and investigation is required. The procedures are as follows:

### *Report the Complaint*

A complaint shall be provided in written form, with a summary of the allegations. Any complaint should contain a brief account of the offensive incident(s), when it/they occurred (including the date and time of day) and the person(s) involved and the names of witnesses, if any. The report should also include the remedy sought by the complainant and be signed and dated by the complainant.

### *Attempted Mediation*

Depending on circumstances, it is often possible to resolve the matter without further investigation. With the consent of the complainant and the person accused, the Association may attempt to mediate a settlement of a complaint at any point prior to or during an investigation. Any settlement would have to be satisfactory to both the complainant and the person accused.

### *Investigation*

The investigation shall be conducted by the Association or its designate, which investigation will be conducted and completed as soon as reasonably practical following receipt by the Association of a written complaint. The investigation may include the following components:

- (a) a meeting with the complainant to review the complaint and to seek any such clarification as needed;



- (b) a meeting with the person(s) alleged to have violated this Policy for the purposes of communicating the allegation and receiving their version of events (which may be requested in writing);
- (c) collection of all relevant evidence, and;
- (d) interviews with and/or receipt of written submissions from all witnesses the Company considers to be material.

In exceptional circumstances where there is a danger of imminent harm, the Association may act immediately by taking such reasonable steps to prevent imminent harm, as the circumstances dictate.

*Where criminal or statutory violations may be disclosed*

The Association is bound by all applicable laws and regulations in the conduct of its affairs and shall refer any complaint to an appropriate legal authority if it is determined that any complaint involves any form of alleged criminal or statutory violation.

**RESULTS OF INVESTIGATION**

Upon completion of the investigation, the Association shall prepare a written report summarizing the investigation findings and recommending corrective action if necessary. The Association shall administer any discipline as warranted by the circumstances.

Where the investigation results in a finding that the complaint of harassment is substantiated, the outcome of the investigation and any disciplinary action will be recorded in the Association's records relating to the offender and all records relating to the offender shall be maintained in a secure location.

Where the investigation results in a finding that the complaint of harassment is not justified, all record of the complaint shall be removed from the Association's records relating to the person against whom the complaint was made, and all record of complaint shall be destroyed in a secure manner.

A copy of any final investigation report concerning a complaint shall be maintained in a file distinct and separate from the respondent's personnel file, should such report be required in future for purposes of workplace health and safety investigations.

**DISCLOSURE OF COMPLAINT INFORMATION**

All information provided by the complainant, including the name of a complainant, shall be kept confidential unless otherwise required by law, or necessary to investigate the complaint or take corrective action with respect to the complaint.

If any information about the complaint or complainant is required to be disclosed in accordance with this Policy, such disclosure shall be the minimum amount required to accomplish the purpose for which disclosure is required.

If the investigation concludes that the complaint is substantiated, no information shall be placed in the complainant's file. If the complaint is found to be a frivolous or malicious, the complaint and the results of the investigation will be placed in the complainant's file.

## **FALSE AND MALICIOUS ACCUSATIONS**

False and malicious accusations of harassment will be severely dealt with and may result in disciplinary action, up to and including termination of employment or service.

## **RETALIATION**

Any employee, agent, volunteer or representative who retaliates or threatens to retaliate against any person who has complained of harassment, given evidence in an investigation, or been found guilty of harassment, will be considered to have violated this Policy and will be disciplined accordingly. Retaliation of any kind will be severely dealt with and may result in disciplinary action, up to and including termination of employment or service.

## **REMEDY FOR THE VICTIM OF HARASSMENT**

Any employee, agent, volunteer or representative who, after an investigation, is determined by the Association to have suffered from harassment in the workplace or in service to the Association, may be entitled to one or more of the following remedies, depending on the severity of the harassment:

- an oral or written apology from the offender and/or the Association;
- compensation for any lost wages or benefits, if the complainant is an employee of the Association; or
- such further and other remedies as the Association deems appropriate.

## **OTHER REMEDIES NOT PRECLUDED**

Notwithstanding the existence of this Policy and its procedures, every employee, agent, volunteer or representative of the Association continues to have the right at any time to seek assistance from the Manitoba Human Rights Commission, seek redress under the Criminal Code of Canada, or to seek any other statutory or civil remedy that may be available, whether or not steps are being or have been taken under this Policy.

## **PROCEDURE WHERE A PERSON BELIEVES THAT A COLLEAGUE HAS BEEN HARASSED**

If an employee, agent, volunteer or representative of the Association believes that a colleague has experienced or is experiencing harassment (or retaliation) the employee, agent, volunteer or representative should report this belief to the Association, or any member of management.

## **HARASSMENT BY THIRD PARTIES**

An employee, agent, volunteer or representative who considers that s/he has been subjected to harassment by a person who is not an employee, agent, volunteer or representative of the Association, such as a client or a supplier or any other person with whom the Association does business or maintains relations, including employees, agents, volunteers or representatives of an affiliated company, member, partner, stakeholder or other person who maintains contractual or non-contractual relations or affairs with the Association, should report to the Association, or any member of management. Any such behaviour may result in corrective action by the Association, which may include but is not limited to, termination of contract or service where applicable.

## **HARASSMENT TO THIRD PARTIES**

It is prohibited for an employee, agent, volunteer or representative to engage in any form of harassment contemplated by this Policy towards an employee, agent, volunteer or representative of a client or supplier or towards any other person with whom the Association does business or maintains relations, including employees, agents, volunteers or representatives of an affiliated company, member, partner, stakeholder or other person

who maintains contractual or non-contractual relations or affairs with the Association. Any such behaviour may result in disciplinary action, up to and including termination of employment or service.

## **CONFIDENTIALITY**

All reported incidents of any kind of harassment will be investigated. The Association is aware of the sensitive nature of issues relating to harassment. Accordingly, each investigation of any complaint will be conducted in a confidential manner with the findings communicated only to the appropriate parties.

It is equally important that all other persons, including the complainant, the person against whom a complaint is made, and anyone involved maintain confidentiality. An employee, agent, volunteer or representative who makes a complaint has the right to be accompanied by a person of their choice when meeting with management to address matters contemplated by this Policy. All records relating to any complaint are confidential, unless required to be disclosed for investigation purposes, the disciplinary process or by law.

## **INFORMATION**

The Association shall post a copy of this Policy in a visible location within the Association premises. The Association shall, as soon as practicable after a new employee has been hired, provide such new employee with a copy of this Policy.

The Association shall, as soon as practicable after a new agent, volunteer or representative has been retained to serve the Association, provide such new agent, volunteer or representative with a copy of this Policy.

The Association shall take reasonable measures to inform any third party with whom it maintains business or relations of the existence of this Policy and shall furnish a copy of this Policy to any such third party upon request.

An unintentional failure on the part of the Association to provide a copy of this Policy to an employee, agent, volunteer or representative of the association, or to any other person with whom the association maintains a current or future contractual or non-contractual relationship, does not excuse any person from compliance with this Policy or dismiss any disciplinary or corrective actions that may be taken by the association pursuant to this Policy.

## **REVIEW OF POLICY**

The Association shall review this Policy in accordance with the requirements of *The Workplace Safety and Health Act* (Manitoba), as amended from time to time.

## Schedule A: Reporting Structure

It should be noted that the same procedures outlined below should be followed in cases where a person believes that a colleague has been harassed (e.g. on behalf of each type of complainant)

<b>If the respondent of a complaint of harassment is:</b>	MSBA employee; or an independent agent or contractor who provides services to MSBA; or a volunteer for MSBA	Representative of MSBA (including members of Provincial Executive or trustees serving on behalf of MSBA in relation to internal or external committees)	External third party (includes any person outside of MSBA who receives payments from, or provides unpaid services to MSBA)	Visitor to MSBA offices
<b>Then the formal complaint should be made to:</b>	Executive Director  If complaint is about Executive Director, then complaint should be made to President	President  If complaint is about President, then complaint should be made to Executive Director	Executive Director	Executive Director
<b>How to file complaint:</b>	<p>To Executive Director– By email to the regular work email of the Executive Director; or by written note delivered (in person, by postal or courier service) in sealed envelope during or following work hours addressed to the mailing address of the office of the Executive Director.</p> <p>To President– By email to the President’s school board email account (where the President normally serves as a trustee) or by written note delivered (in person, by postal or courier service) in sealed envelope addressed to the offices of the Manitoba School Boards Association and to the attention of the President and clearly marked “Confidential, For President Only” during or following work hours.</p>			
<b>Timeframe:</b>	Whether Option 1 or 2 are pursued as outlined below, all complaints shall be addressed in a timely manner at the earliest possible time by the complainant and the recipient of the complaint. The timeframe for issuance of any final report shall remain dependent upon access to complainant and respondent and any evidence or information that may be relevant or pertinent to each case.			
<b>Next step: Mediation (Option 1)</b>	Depending upon who receives the complaint, the Executive Director or the President shall decide, on a case by case basis and, given the overall substance of the complaint, whether mediation is present as an option for resolving the complaint. If the complaint is not resolved or resolvable through mediation or the substance of the complaint is deemed to be of such gravity or severity that a full investigation is required, they shall resort, as a next step, to Option 2. <b>Under all circumstances, a third party mediator shall be sought to conduct any mediation process.</b> The Executive Director or President <b>shall not</b> undertake or attempt to undertake any mediation involving a complaint.			
<b>Next step: Investigation (Option 2)</b>	Depending upon who receives the complaint and if they should judge such complaint to merit an investigation, the Executive Director or President shall request that an ad-hoc subcommittee of MSBA Provincial Executive be formed to coordinate such an investigation. <b>Under all circumstances, a third party investigator (which may include corporate legal counsel or an independent third party investigator) shall conduct the investigation.</b> The ad-hoc subcommittee <b>shall not</b> undertake or attempt to undertake any investigation related to a complaint. The role of the ad-hoc			

	subcommittee shall be to ensure that an investigation does occur and to ensure that all procedures outlined under this policy are followed.
<b>Who receives report (Options 1 and 2):</b>	Depending upon who originally received the complaint, the Executive Director or the President, that person shall receive the final report of any mediator (Option 1). The ad-hoc subcommittee shall receive the final report from an investigator (Option 2).
<b>For Option 2 (Investigation): If the final report confirms harassment on the part of an MSBA employee (not including Executive Director); agent, contractor; volunteer; external third party; or visitor to MSBA office</b>	The ad-hoc subcommittee shall direct the Executive Director to undertake any further actions that may be deemed necessary, arising from the report and in keeping with the provisions of the harassment policy.
<b>For Option 2 (Investigation): If the final report confirms harassment on the part of the Executive Director; a member of Provincial Executive; or a trustee representative of MSBA</b>	The ad-hoc subcommittee shall undertake any further actions that may be deemed necessary arising from the report and, in keeping with the provisions of the harassment policy.

## **Violence Prevention Policy**

Please read the following policy carefully as it is a material Association policy. Failure to comply may be considered a breach of your employment contract and/or terms of service (as applicable) with the Association and cause for discipline, up to and including termination.

*This policy applies to all employees, officers, agents and representatives of the Manitoba School Boards Association*

### **URGENCY OF INCIDENT A FACTOR**

Notwithstanding the existence of this Policy and its procedures, every employee, officer, agent or representative of the Association continues to have the right at any time to seek assistance from the Manitoba Human Rights Commission, seek redress under the Criminal Code of Canada, or to seek any other statutory or civil remedy that may be available, whether or not steps are being or have been taken under this Policy. This means that in instances where it is appropriate that external authorities be contacted to prevent or address a situation or incident of actual or potential violence, it shall remain at all times incumbent and in keeping with due diligence, to do so.

### **PURPOSE**

The Manitoba School Boards Association (the “Association”) is committed to providing its employees, officers, volunteers, agents and representatives with a professional environment that is safe, secure, and free of intimidation, threats, and violence. The Association intends to maintain this commitment by responding with zero tolerance (which may include: investigation, determining of consequences) to acts of violence, by training its employees to recognize and effectively respond to behaviour which may lead to violence, by communicating to employees, officers, agents and representatives the expectations of responsible behaviour in the conduct of the Association’s affairs, and by setting out actions and measures the Association will take to eliminate the risk of violence to officers, agents and representatives or to control that risk, if it is not reasonably practicable to eliminate it.

### **SCOPE**

The Violence Prevention Policy (the “Policy”) applies to all Association employees including but not limited to directors, managers, employees, as well as elected and appointed officers, agents, representatives and contractors providing services to the Association. It equally applies to relationships between employees and their supervisors as well as between fellow employees or between colleagues (inclusive of all officers, agents and representatives of the Association).

### **OBJECTIVES**

The objectives of this Policy are:

- (a) to ensure that all persons covered under this Policy are aware that the Association will not tolerate workplace violence;
- (b) to ensure that the workplace is free of violence, so far as it is reasonably practical to do so;
- (c) to ensure that all employees, officers, agents and representatives of the Association are aware of the actions taken and the measures implemented to control the risk of violence in the workplace;
- (d) to establish procedures:
  - i. setting out the steps in place for obtaining immediate assistance when an incident of violence occurs or is likely to occur;
  - ii. to be followed by all employees, officers, agents and representatives of the Association in reporting an incident of violence to the Association; and

- iii. to be followed in documenting and investigating any incident of violence to any employee(s), officer(s), agent(s) and representative(s) of the Association, of which the Association becomes aware.

## DEFINITIONS

“**Violence**” means (a) the attempted or actual exercise of physical force against a person; or (b) any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person.

## ASSESSMENT OF POTENTIAL WORKPLACE VIOLENCE

In accordance with this Policy, the Association shall evaluate the risk of violence to its employees, officers, agents and representatives of the Association in an effort to eliminate the risk of violence or to control that risk if it is not reasonably practicable to eliminate it.

The actions and measures referred to herein may include:

- a review of any particular worksite where an incident of violence has occurred or may reasonably be expected to occur;
- a review of any particular job functions at the workplace or in other professional contexts where employees, officers, agents and representatives of the Association perform a function that has been, or may reasonably be expected to be, exposed to incidents of violence;
- a review of the measures that the Association may implement to eliminate the risk of violence to an employee(s), officer(s), agent(s) and representative(s) of the Association, or to control that risk if it is not reasonably practicable to eliminate it;
- implementing measures and procedures that the Association has in place for obtaining immediate assistance when an incident of violence occurs or is likely to occur; or
- a requirement that this Policy be included in the employment and other policies of the Association and be posted in a conspicuous area at the head office.

## INCIDENT REPORTING AND RECORDKEEPING

Any employee, officer, agent or representative of the Association who feels that they have been subjected to violence contrary to this Policy, shall report the incident according to the attached reporting framework under Schedule A.

All reports of violence are to be recorded by the individual designated under Schedule A to receive any such report where the incident occurred. A copy should be sent to the Executive Director and also to the President of the Association, based on who receives such report.

## VIOLENCE BY EMPLOYEES

Where, after an investigation in accordance with this Policy, an employee of the Association is found to have acted contrary to this Policy, a copy of report, information concerning the incident and any letters to the employee are to be filed in the employee’s employment file.

## **VIOLENCE BY OFFICERS, AGENTS, CONTRACTORS OR REPRESENTATIVES**

Where, after an investigation in accordance with this Policy, an officer, agent, contractor or representative of the Association is found to have acted contrary to this Policy, a copy of report, information concerning the incident and any letters to the officer, agent, contractor or representative are to be filed in a secured file maintained by the Executive Director.

## **ANNUAL REPORT ON VIOLENT INCIDENTS**

Annually, the Association shall prepare a report that compiles the records of the incidents of violence to an employee, officer, agent, or representative of the Association if any, and the results of any investigation into an incident of violence, including a copy of any recommendations for control measures or changes to this Policy. The report shall not include any confidential and/or personal information relating to any employee, officer, agent, or representative of the Association, unless absolutely necessary.

The annual report respecting violence must be provided to the employees and executive officers, including directors of the Provincial Executive of the Association.

## **INVESTIGATING REPORTS OF VIOLENCE**

Upon the receipt of any information alleging violence or risk of violence contrary to this Policy, the Association shall ensure an investigation is conducted in accordance with this Policy, including provisions included under Schedule A.

The investigation shall be conducted by a designate appointed by the Association, which investigation will be conducted and completed as soon as reasonably practical. The investigation may include the following components:

- (e) a meeting with the complainant to review the complaint and to seek any such clarification as needed;
- (f) a meeting with the person(s) alleged to have violated this Policy for the purposes of communicating the allegation and receiving their version of events (which may be requested in writing);
- (g) collection of all relevant evidence; and
- (h) interviews with and/or receipt of written submissions from all witnesses the Association considers to be material.

In exceptional circumstances where there is a danger of imminent harm, the Association may act immediately by taking such reasonable steps to prevent imminent harm, as the circumstances dictate.

## **RESULTS OF INVESTIGATION**

Upon completion of the investigation, the Association shall identify any control measures that are identified as a result of the investigation that will eliminate or control the risk of violence to an employee, officer, agent or representative of the Association. The Association shall administer any discipline, action or response, as warranted by the circumstances.

Where the investigation results in a finding that the complaint of violence is substantiated, the outcome of the investigation and any disciplinary action will be recorded in the Association's records relating to the offender. Where the investigation results in a finding that the complaint of violence is not justified, all record of the



complaint shall be removed from the Association's records relating to the person against whom the complaint was made.

## **DISCLOSURE OF COMPLAINT INFORMATION**

All information provided by the complainant, including the name of a complainant, shall be kept confidential unless otherwise required by law, or necessary to investigate the complaint or take corrective action with respect to the complaint.

If any information about the complaint or complainant is required to be disclosed in accordance with this Policy, such disclosure shall be the minimum amount required to accomplish the purpose for which disclosure is required.

If the investigation concludes that the complaint is substantiated, no information shall be placed in the complainant's file. If the complaint is found to be a frivolous or malicious, the complaint and the results of the investigation will be placed in the complainant's file.

## **FALSE AND MALICIOUS ACCUSATIONS**

False and malicious accusations of violence will be severely dealt with and may result in disciplinary action, up to and including termination of employment or service.

## **RETALIATION**

Any employee, officer, agent, contractor or representative of the Association who retaliates or threatens to retaliate against any person who has complained of violence, given evidence in an investigation, or been found guilty of violence, will be considered to have violated this Policy and will be disciplined or responded to accordingly. Retaliation of any kind will be severely dealt with and may result in disciplinary action, up to and including termination of employment or service.

## **ASSISTANCE TO EMPLOYEES SUBJECTED TO VIOLENCE**

An employee who has been exposed to an incident of violence will be given the opportunity to consult with a physician for treatment or referral for post-incident counseling without loss of pay or benefits.

## **CONFIDENTIALITY**

All reported incidents of any kind of violence will be investigated. The Association is aware of the sensitive nature of issues relating to violence. Accordingly, each investigation of any complaint will be conducted in a confidential manner with the findings communicated only to the appropriate parties.

It is equally important that all other persons, including the complainant, the person against whom a complaint is made, and anyone involved maintain confidentiality. An employee, officer, agent, contractor or representative of the Association who makes a complaint has the right to be accompanied by a person of their choice when meeting with management to address matters contemplated by this policy. All records relating to any complaint are confidential, unless required to be disclosed by a disciplinary process or by law.

## **INFORMATION**

The Association shall post a copy of this Policy in a public place within the Association premises and, as soon as practicable after this Policy comes into effect and, where potential for violence is identified, inform any existing employee, officer, agent or representative of the Association about the nature and extent of the risk of violence to them in the performance of their duties.

The Association shall, as soon as practicable after a new employee has been hired or, after an officer, agent or representative of the Association has entered into the service of the Association, provide such new employee, officer, agent or representative of the Association with a copy of this Policy.

**REVIEW OF POLICY**

**The Association shall review this Policy in accordance with the requirements of *The Workplace Safety and Health Act (Manitoba)* and related statutes, as amended from time to time.**

**Schedule A: Reporting Structure**

<p><b>If the respondent of a complaint of actual or intended violence is:</b></p>	<p>MSBA employee; or an independent agent or contractor who provides services to MSBA; or a volunteer for MSBA</p>	<p>Representative of MSBA (including members of Provincial Executive or trustees serving on behalf of MSBA in relation to internal or external committees)</p>	<p>External third party (includes any person outside of MSBA who receives payments from, or provides unpaid services to MSBA)</p>	<p>Visitor to MSBA offices</p>
<p><b>Then the formal complaint should be made to:</b></p>	<p>Executive Director  If complaint is about Executive Director, then complaint should be made to President</p>	<p>President  If complaint is about President, then complaint should be made to Executive Director</p>	<p>Executive Director</p>	<p>Executive Director</p>
<p><b>How to file complaint (time sensitive and non-time-sensitive options):</b></p>	<p>To Executive Director– By email to the regular work email of the Executive Director; or by written note delivered (in person, by postal or courier service) in sealed envelope during or following work hours addressed to the mailing address of the office of the Executive Director.</p> <p>If the complaint is <b>time-sensitive</b>, this should be brought to the attention of the Executive Director as expediently as possible, including in-person, via email, or by telephone conversation.</p> <p>To President– By email to the President’s school board email account (where the President normally serves as a trustee) or by written note delivered (in person, by postal or courier service) in sealed envelope addressed to the offices of the Manitoba School Boards Association and to the attention of the President and clearly marked “Confidential, For President Only” during or following work hours.</p> <p>If the matter is <b>time-sensitive</b>, this should be brought to the attention of the President as expediently as possible, including in-person, via email, or by telephone conversation.</p>			
<p><b>Timeframe:</b></p>	<p>All complaints shall be addressed in a timely manner at the earliest possible time by the complainant and the recipient of the complaint. The timeframe for issuance of any final investigation report shall remain dependent upon access to complainant and respondent and any evidence or information that may be relevant or pertinent to each case. In matters of greater time-sensitivity, follow-on actions shall be undertaken as expediently as possible to prevent or respond to an actual or intended incident.</p>			
<p><b>Next step: Responding to time sensitive complaint</b></p>	<p>The designated recipient of any such complaint shall follow-up with proper authorities and also with the person(s) who may be harmed by an alleged or intended incident of violence at the earliest possible time to issue warning in keeping with this policy.</p>			
<p><b>Next step: Investigation (non-time-sensitive complaint)</b></p>	<p>Depending upon who receives the complaint and the time-sensitivity involved, the Executive Director or President shall request that an ad-hoc subcommittee of MSBA Provincial Executive be formed to coordinate such an investigation. <b>Under all circumstances, a third party investigator (which may include corporate legal counsel or an independent third party investigator) shall conduct the investigation.</b></p>			

	<p>The ad-hoc subcommittee <b>shall not</b> undertake or attempt to undertake any investigation related to a complaint. The role of the ad-hoc subcommittee shall be to ensure that an investigation does occur and to ensure that all procedures outlined under this policy are followed.</p> <p>If a complaint is time-sensitive and requires more immediate response, more expedient follow-up will be taken by the Executive Director or President in an effort to address or prevent an incident of violence from occurring.</p>
<b>Who receives report:</b>	Depending upon who originally received the complaint, the Executive Director or the President, that person shall receive the final report of any investigation. The ad-hoc subcommittee shall receive the final report from an investigator.
<b>Outcome 1: If the final investigation report confirms an incident of violence or an intention to commit violence on the part of an MSBA employee (not including Executive Director); agent, contractor; volunteer; external third party; or visitor to MSBA office</b>	<p>The ad-hoc subcommittee shall direct the Executive Director to undertake any further actions that may be deemed necessary, arising from the report and in keeping with the provisions of the violence policy.</p> <p>If a complaint is time-sensitive, the Executive Director shall follow-up with relevant authorities in an effort to address or prevent an incident of violence from occurring.</p>
<b>Outcome 2: If the final investigation report confirms an incident of violence or intention to commit violence on the part of the Executive Director; a member of Provincial Executive; or a trustee representative of MSBA</b>	<p>The ad-hoc subcommittee shall undertake any further actions that may be deemed necessary arising from the report and, in keeping with the provisions of the violence policy.</p> <p>If a complaint is time-sensitive, the President shall follow-up with relevant authorities in an effort to address or prevent an incident of violence from occurring.</p>

## Committee Protocols and Procedures

### A. MSBA Committees

1. Except where governed by a separate trust agreement, the purpose of an MSBA committee – whether permanent or ad hoc in nature – is to gather and evaluate information, consider possible courses of action, and make recommendations to the Executive through the chair of the committee. The Executive may delegate more extensive authority to such committees, but in all cases remains accountable for the actions of its committees.
2. All MSBA committees shall be entitled to staff assistance. The Executive Director shall assign a staff member to such duty, which will include the keeping of minutes, making arrangements for meetings and any other assistance necessary for the committee to carry out its mandate.
3. The President and the Executive Director are ex officio members of all MSBA committees and shall receive notice of all committee meetings.
4. Annually, at the initial meeting of any MSBA committee, a chair shall be appointed and the committee mandate shall be reviewed. Proposed amendments to a committee mandate shall be submitted to the Executive for final approval.
5. The Executive shall:
  - (a) receive and review all committee reports and recommendations;
  - (b) take action where necessary;
  - (c) remain accountable for the actions of all MSBA committees.
6. Committee members are expected to abide by the Association *Executive Code of Conduct and Conflict of Interest Policy* as outlined in the Association governance section of the Executive manual.

### B. External Committees

1. At any given time, the MSBA is represented on a wide range of external committees established by government departments, education stakeholder organizations and community partners. MSBA participation in these committees ensures that school board perspectives and MSBA policy positions are given due consideration in discussions and decisions on the topics addressed by these various committees.
2. External committees may be either permanent or ad hoc in nature and their mandates, terms of reference and compositions are determined by the sponsoring agency/organization.
3. Appointment to committees established by external organizations shall be filled as requests are received, and if the Executive deems such representation desirable.
4. MSBA representatives to external committees shall provide the Association with committee reports and meeting minutes after each committee meeting and submit an annual year-end report in the format determined by the Association. Sponsoring organizations/agencies of external committees will be requested to copy MSBA's Executive Assistant on all committee correspondence.

5. MSBA external committee representatives are expected to abide by the MSBA's Executive Code of Conduct and Conflict of Interest Policy as outlined in the Association governance section of the MSBA Executive Manual.
6. Where an external committee representative fails to attend committee meetings and/or to fulfill the reporting requirements as outlined above, the appointment of such representative may be terminated by the executive.

C. Committee Volunteer Procedures

Trustees will be formally surveyed at the beginning of each new term of office to determine their interest in serving on MSBA committees. Additional expressions of interest communicated to the MSBA office throughout the term will be recorded and filed with the Executive Assistant to the Executive Director. An online volunteer form is available on the MSBA website.

D. Committee Appointment Procedures

1. The committee appointment process will endeavor to:
  - ensure broad based involvement of trustees, both Executive members and trustees at large, from all regions and MSBA member school boards across the province;
  - balance expressed interests and experiences of individual trustees with particular committee mandates; and
  - comply with the committee terms of reference as articulated by the host organization or agency.
2. All vacancies on MSBA standing committees and external committees will be filled as required. In municipal election years, terms due to expire will be extended to the election date and new committee appointments made thereafter
3. All committee appointment recommendations to the Executive shall be made by the President in consultation with MSBA staff and be subject to the final approval of the MSBA Executive. The MSBA Executive has the right to amend, reject or refer any committee appointment recommendation.
4. Where a request for trustee representation is received, and no meeting of the Executive is scheduled within the near future, the Executive Director, in consultation with the President, may make a temporary appointment and request ratification of that appointment at the next regularly scheduled Executive meeting.
5. As a general rule, no trustee shall be re-appointed to a committee after having served two consecutive two-year terms. This provision does not apply to the MUST Fund, MSBA Pension Plan Committee, or the Manitoba Schools Insurance Committee and may be waived in other specific circumstances in accordance with Association policy or as deemed appropriate by the MSBA Executive.

E. Committee Mandates/Information

MANITOBA PUBLIC SCHOOL EMPLOYEES DENTAL & EXTENDED HEALTH PLAN TRUST COMMITTEE

*Mandate:*

To oversee and to manage the MSBA/MTS jointly trusteeed Dental & Extended Health plans for school division/district personnel and retirees in accordance with the terms of the trust agreement which governs the plans.

*Composition:*

The Board of Trustees is composed of four members appointed by the MSBA and four members appointed by the Manitoba Teachers' Society. The Board may elect to appoint additional trustees as per the terms of the Trust Agreement.

*Meetings:*

As required, usually two to three times per year.

FINANCE/AUDIT COMMITTEE

*Mandate:*

To oversee all material aspects of the association's financial reporting, control and finance functions. Duties may include, but are not necessarily limited to:

- (a) review and discussion of policies, processes and internal controls for financial reporting;
- (b) review and approval of draft financial statements and presentation of audited financial statements to the annual general meeting of MSBA;
- (c) independent meeting with auditors at least once annually;
- (d) formal review of auditing services provider every fifth year, or sooner where appropriate;
- (e) recommendation of appointment of external auditors, subject to ratification by the membership at MSBA's annual general meeting;
- (f) regular review of Executive & Executive Director expense reimbursement claims.
- (g) in relation to subsection (f), the President shall exercise delegated authorities on behalf of the Finance and Audit Committee to undertake advance review, consideration and approval of all Executive Director expense reimbursement claims, prior to the actual reimbursement of such expense claims. No reimbursement may be made to the Executive Director by the association until such time as the President has indicated their approval for each claim to the association's Finance and Administration Unit in writing, in accompaniment of a submitted expense claim.

Where the Finance/Audit Committee determines it advisable or necessary to effect a change in service provider arrangements, the Committee will utilize a Request for Proposals approach. Criteria and process for the RFP will be developed jointly by management and the Committee.

*Composition:*

The MSBA Executive serves as the Finance & Audit Committee for the Association.

*Meetings:*

In accordance with regular Executive meeting schedule.

MANITOBA SCHOOLS INSURANCE COMMITTEE

*Mandate:*

To oversee and manage the operation of the Manitoba Schools Insurance Program (MSI) in accordance with the terms of the trust agreement which governs the program.

*Composition:*

The committee shall be comprised of seven voting members as follows:

- a) five trustees as appointed by the MSBA Executive,
- b) two members of the Manitoba Association of School Business Official as appointed by MASBO.

The chairperson who shall be a trustee is elected by the committee members. In addition, MSBA's Risk Manager and the insurance broker/consultant serve as non-voting members of the committee. A quorum requires five committee members of which at least three must be trustees.

*Meetings:*

The Committee generally meets three times per year.

MANITOBA PUBLIC SCHOOL EMPLOYEES GROUP LIFE INSURANCE PLAN COMMITTEE

*Mandate:*

To oversee and to manage the Manitoba Public School Employees Group Life Insurance Plan (MPSEGLIP) for public school employees in accordance with the terms of the trust agreement which governs the plan.

*Composition:*

The Trust Committee is comprised of 6 principal trustees, 3 appointed by the MSBA and 3 appointed by the Manitoba Teachers' Society. The principal trustees may further appoint additional trustees as per the terms of the Trust Agreement. Currently, the Trust Committee includes a WANTE nominee to represent the interest of non-teaching employees, a MASBO representative sits in a non-voting capacity to advise the Trust Committee on administrative issues.

*Meetings:*

As required, usually two to four times per year.



## MSBA UNIVERSAL STANDARDS TRUST FUND (MUST)

### *Mandate:*

To assist participating member school divisions by defraying or covering the legal costs (excluding damages) involved in:

- protecting and furthering management rights/responsibilities,
- controlling salary considerations, or
- other employee/labour matters of provincial or regional implication.

### *Composition:*

The MUST Fund Committee shall be composed of one trustee elected at the annual regional meeting of each of the MSBA regions. Such trustees shall serve for a two (2) year term commencing the first day of the month following annual regional meetings. A Chair and Vice-Chair shall be selected by the Committee members, and shall be full voting members. A quorum of the committee shall be four (4) members and any vote taken shall require a simple majority of the members present.

### *Meetings:*

The Committee generally meets two times per year.

## NOMINATING COMMITTEE

### *Mandate:*

To ensure that there is at least **one** qualified candidate who has consented to allow their name to stand for each of the following positions at the Annual Convention of the Association:

President  
Vice-President (6,000 students or more)  
Vice-President (fewer than 6,000 students)  
Director Region #1  
Director Region #2  
Director Region #3  
Director Region #4  
Director Region #6

and at least **two** qualified candidates who have consented to allow their name to stand for the position of Director Region #5.

Candidates for Director positions shall be from the region which each represents. Nominating Committee process details are outlined in MSBA By-Lay #8.

### *Composition:*

There are five trustees on the Nominating Committee, the immediate Past President, the next two most immediate actively serving Past Presidents and two trustees at large. The immediate Past President shall serve as Chair of the Committee. The term of appointment to this Committee is three years.

*Meetings:*

The Committee generally meets once per year prior to Convention.

MSBA NON-TEACHING PENSION PLAN COMMITTEE

*Mandate of the Board of Pension Trustees:*

To oversee the administration, maintenance and operation of the MSBA Non-Teaching Employees Pension Fund, the Plan and the Administration Account in accordance with the terms of the trust agreement which governs the plan. The MSBA Provincial Executive retains responsibility for continuation of the plan as well as for any changes to level of pension contributions.

*Board Composition:*

The Board of Trustees consists of nine persons, appointed as follows:

- (a) five persons appointed by the MSBA Executive from among the school trustees of the participating school boards, one of whom shall be a member of the MSBA Executive,
- (b) one person appointed by the Manitoba Association of School Business Officials, or its successor, from among its active members,
- (c) two persons appointed by the Canadian Union of Public Employees, or its successor, from among the members of the Plan, and

*Meetings:*

Generally the committee meets two times per year, with one additional annual meeting each May. Additional meetings are possible to consider plan, investment structure changes, etc.

RESOLUTIONS AND POLICY COMMITTEE

*Mandate:*

To review submitted resolutions and resolutions process prior to the annual general meeting and act as the credentials committee at the annual general meeting.

*Composition:*

Five trustees are appointed to this committee, three trustees from member school boards and two of whom are the two most immediate Past Presidents of the Association.

*Meetings:*

This Committee meets at least once annually.

## CONVENTION PLANNING COMMITTEE

### *Mandate:*

To plan and oversee the delivery of the annual convention of the Manitoba School Boards Association. In fulfilling its mandate, the Committee works to advance Association objectives and priorities, as established through policy and/or identified by the MSBA Provincial Executive. Specific responsibilities of the Committee include:

- theme selection and program development including the engagement of speakers and presenters;
- budget development and determination of a registration fee to offset anticipated costs and generate additional revenue for the Association;
- logistical requirements, including facilities selection; and
- meals selection, entertainment and social activities.

The Committee also works with staff and other Association committees to ensure that appropriate arrangements are made for the conduct of Association business that takes place at the time of the Convention.

### *Composition:*

The Convention Planning Committee consists of five trustee members and may include an external event planner.

The term of office for members of the Convention Planning Committee is two years. Members are eligible for reappointment for a second two-year term, to a maximum of four years in total.

### *Meetings:*

The Committee meets on average four times per year.

## **External Committees & Organizations**

External committees are those structured by agencies and organizations other than MSBA. These committees may be either permanent or ad hoc in nature. Their mandates, terms of reference, and compositions are determined by the sponsoring agency/organization.

- Arts in Education Steering Committee K-12
- Celebration of Excellence in Teaching (Selection Committee)
- Certificate Review Committee
- Child Nutrition Council of Manitoba
- Manitoba Education for Sustainable Development Working Group
- Manitoba High Schools Athletic Association (MHSAA)
- Minister's Advisory Committee on Funding of Schools Program
- Provincial Healthy Child Advisory Committee & Educaring Sub-Committee
- Student Services/Inclusive Education Consultation Committee
- Teacher Education and Certification Committee

## Trustee Remuneration & Expenses

Per diems, annual stipends and travel reimbursement rates are set by the provincial Executive and reviewed and revised periodically by Executive motion as deemed appropriate. The rates apply to all Executive members, MSBA committee appointees and Association staff.

### A. Executive Officer Stipends

1. The following positional indemnities shall be paid by the Association during the term of office:

President .....	\$18,600
Vice-President (6000 students or more) .....	6,480
Vice-President (fewer than 6,000 students) .....	6,480
Past President.....	6,480

The indemnity recognizes the roles, responsibilities and time commitment of Senior Executive Officers. Per diem rates will be paid the following activities in which the Executive Officers participate, e.g. regularly scheduled monthly Executive meetings, regional meetings, planning retreat and special meetings called by the Association Executive.

2. The President will receive no remuneration when asked by committee chairs to attend committee meetings in an ex-officio role OR when volunteering to sit in on such a meeting. The President or other Executive officers continue to receive committee rates for committees where they are appointed members.

### B. Meeting Per Diems

Executive <ul style="list-style-type: none"> <li>• for regular Executive meetings</li> <li>• directors' attendance at any annual general meetings in all regions*</li> </ul> <p>* Where multiple meetings occur on the same day, only one per diem may be claimed.</p>	\$140
Committee * <p>Full day</p> <p>Half day</p> <ul style="list-style-type: none"> <li>• participation at meetings as MSBA appointee or official representative</li> <li>• directors' attendance at board visitations and regional networking meetings</li> </ul>	\$120 \$60
Teleconference <ul style="list-style-type: none"> <li>• all meetings convened via teleconference</li> </ul>	\$25/hr.

\* does not apply where per diem is paid by an external organization

C. Travel Expenses

Executive members may claim a travel expense for the following:

- a) to attend Executive meetings;
- b) to attend meetings, seminars or conventions as designated representatives of MSBA;
- c) to attend MSBA committee meetings;
- d) to attend regional meetings of MSBA within their respective regions;
- e) to attend the annual general meetings in other regions; and
- f) any other trip approved by the President.

The following amounts are those which may be claimed by Executive and/or staff for travel on Association business.

Meals (including gratuities)	<p>For expenses incurred within Manitoba:</p> <p>Breakfast \$10.00 Lunch \$15.00 Dinner \$25.00</p> <p>For expenses incurred outside of Manitoba:</p> <p>Breakfast \$14.00 Lunch \$21.00 Dinner \$35.00</p> <p>These rates will apply at U.S. dollar amounts for travel in the United States.</p> <p>If claiming an expense for meals other than your own or for which an expense exceeds the established meal rate, list on the expense account the names of the people for whom meals have been purchased and the purpose of the meeting and, where applicable, a rationale for exceeding the established meal rate. Where possible, meal expenses that exceed the established meal rates should be approved in advance but may also be approved post-facto under submitted expense claims that clearly include the above information for consideration of the designated expense claim signors.</p>
Hotel	<p>Actual amount with receipt or \$30.00 per night without receipt. Direct billing is to include only room charges, parking, telephone and appropriate taxes.</p>
Transportation/Mileage	<p>The mileage rate will be the same as the minimum Canada Revenue Agency (CRA) rate and will be adjusted annually July 1st as part of the normal budget process. Mileage or economy air fare may be claimed, whichever is lesser. Where the equivalent of economy air fare is claimed in lieu of mileage, necessary ground transportation at both ends may also be claimed.</p>

	<p>Where trustees/Executive members are paid a committee or Executive per diem, they shall receive an additional 10¢ per kilometer to a maximum of 300 kilometers for distance travelled outside the perimeter highway. This provision is intended to encourage and facilitate the participation of rural/northern trustees in Manitoba School Boards Association activities.</p> <p>Reasonable expenses related to use of hired ground transportation (taxis, ride share services, or motorcoach) shall be eligible for reimbursement according to actual expense incurred and inclusive of tip or gratuity, as evidenced through submission of a valid receipt. Use of limousine services shall not be permitted.</p>
Telephone and Parking	Actual cost with receipt.
Tips and Gratuities	Up to a maximum of 15 percent on appropriate items for which tips and/or gratuities are normally assessed including but not limited to meal-related service expenses and fares associated with hired ground transportation (e.g. taxi, ride share service, or motorcoach) and a maximum of \$5.00 reimbursement as an incidental allowance for each night spent in hotel or other business-related accommodations.
Other	<p>Health insurance shall be secured at the expense of the association for those individuals who do not have private health coverage. Cancellation insurance will not be provided at the expense of the association.</p> <p>Actual cost; any single item in excess of \$5.00 must be accompanied by a receipt.</p>

When travel is required for Association business during the COVID-19 endemic period commencing February 15, 2022, the Association shall provide to all Executive members, appropriate Personal Protective Equipment (including masks, face shields, protective eyewear, and hand sanitizer) prior to engaging in such travel. PPE will be sent to all members of Executive by the Association in sufficient quantities to promote health and safety. Replenishment of PPE can be ordered directly from the Association with 14 days advance notice of individual supply requirements, prior to travel.

Prior to business-related travel, the Association shall also make arrangements, on behalf of members of Provincial Executive, to obtain and apply appropriate individual or group insurance coverage in the name and to the benefit of those members, related to travel health and trip cancellation, as well as coverage related to trip prolongation, flight delay, and self-isolation or quarantine stays in designated hotel or hospitality suites as may be required or ordered by a public health or other authority that is authorized to mandate such a requirement or make such an order.

The Association shall lastly bear expenses up to USD\$500.00 per test, as may be incurred by members of Executive for all travel, whether on official business, or for voluntary purposes (such as professional development), when related to any pre-entry or pre-departure medical or other tests that are required by a public health or other authority that is authorized to mandate such a requirement. Receipts must be submitted for actual reimbursement of such testing expenses.

D. Conferences

- (a) Where An Executive member or another trustee is designated to attend a conference or seminar as an official representative of the Manitoba School Boards Association, he/she may claim registration fees and travel expenses in accordance with MSBA policy. Per diems are not provided for attendance at said conferences and/or seminars.
- (b) The President, or their designate (the Vice-President, if possible), and the Executive Director or their designate, are entitled to attend the CSBA annual meeting and annual Congress and claim expenses in accordance with this policy.
- (c) Conference registration fees may be claimed at the time incurred; air fare may be claimed within 30 days prior to the event. Claims for all other conference expenses may be submitted at the conclusion of the event.

E. Participation of Executive and Planning Committee Members at MSBA Special Events

*Executive Members:*

- (a) Registration fee for Convention, Pre-Convention workshops and other business meetings of the Association will be waived for all Executive members.
- (b) The registration fee for special events other than Convention will be waived for the President, Vice-Presidents and Past President.
- (c) The Association will pay charges for accommodations during the Convention and other special events for the President, Vice-Presidents, and Past President **only**.
- (d) Per diems, one night's accommodation and mileage at 50% will be paid for attendance at regular Executive meetings that occur in conjunction with a Convention or other special event. No per diems or expenses will be paid for the Executive meeting immediately following the close of the business session at the annual MSBA Convention.

*Planning Committee Members:*

- (a) The event registration fee will be waived for all members of the Committee responsible for planning any Convention or other special event.
- (b) The Association will pay charges for accommodations during the Convention and other special events for the Chair of the relevant Planning Committee **only**.
- (c) No per diems or travel expenses will be paid for attendance at Planning Committee meetings that occur in conjunction with a Convention or other special event organized by the Committee in question.

F. Recognition of Elders and Traditional Community Teachers

- (a) In recognition of the provision of services by an Aboriginal or Indigenous Elder or other Traditional Community Teacher in conjunction with special events, meetings or committees of the association, a formal honourarium of \$200.00 for a half-day (three hours or greater) and a formal honourarium of \$100.00 for performance of other services (less than a half-day) shall serve as the maximum limit payable to an Elder or Traditional Community Teacher by the association, in keeping with acceptable community practices.
- (b) Where practicable, payment of all honouraria shall be issued to the Elder or Traditional Community Teacher by cheque prepared by the association in advance of the special event, meeting or



committee at which the provision of services is to take place, in keeping with acceptable community practices.

- (c) When issuance of a cheque for payment of honouraria is not practicable according to available timeframes or in view of special or other cultural considerations, out of pocket payment for honoraria as submitted under an expense claim shall be reimbursed only where provision of such monies to an Elder or Traditional Community Teacher can be verified by an independent member of Provincial Executive (with accompanying written statement by this independent member of Provincial Executive concerning witness of such monies being provided to the recipient, which is to be attached to the relevant expense claim).
- (d) Presentation of a standard tobacco or other traditional offering, where warranted, shall be subject to reimbursement by the association upon submission of itemized receipts concerning such presentation, up to a maximum limit of \$30.00 per offering.

## **MANITOBA SCHOOL BOARDS ASSOCIATION**

### **Corporate Credit Cards**

The Manitoba School Boards Association may issue a corporate credit card to its senior management employees as a means for them to pay expenditures incurred on behalf of the Association.

#### **Allocation of Corporate Credit Cards:**

Cards will be issued to a specific person, who will remain personally accountable for the use of the card. Each cardholder will sign the attached issue form on receipt of the credit card.

No more than one corporate credit card shall be issued per cardholder. The combined credit limit available to all credit card holders must not exceed \$50,000.

Card availability as follows:

- Executive Director – a balance not exceeding \$10,000.
- Manager, Finance & Administration – a balance not exceeding \$50,000.

#### **Acceptable use of corporate credit cards:**

**All purchases made with the corporate credit cards must fall within the guidelines of the Association Expense Reimbursement policies found in the Staff and Executive Manuals.**

- The Corporate credit card issued to the Chief Financial Officer shall be utilized for:
  - Registering and booking workshops, conferences and other Association activities for all staff and elected officials.
  - Hotel accommodations for Elected officials and staff members as required
  - Purchase transactions that cannot be accommodated by forwarding an Association cheque, money order or direct transfer of funds
  - Payment of regular monthly association expenses setup to auto-pay on visa - including but not limited to: parking, computer consulting, telephone internet and cellular charges, photocopier lease, and subscriptions.
- The Corporate card issued to the Executive Director shall be utilized for:
  - Regular business expenses, subject to the terms of this policy and existing financial protocols
  - Registering for and booking accommodations for the Executive Director while traveling out of the city on Association business
  - The cost of meals, ground transportation, and incidentals while travelling on Association business

#### **Cardholder responsibilities:**

The Cardholder Shall:

- In all cases, obtain and retain sufficient supporting documentation to validate the expense (detailed invoice including itemized purchase and clearly stating GST)

- Complete the Credit Card Expense Form (attached), attach all supporting documentation and submit to the Finance Department for processing of the monthly credit card statement received from the Financial Institution.
- Immediately notify the Financial Institution and the Chief Financial Officer if
  - The card is lost or stolen
  - Any unauthorized transaction is detected or suspected
- Notify the Chief Financial Officer of any change in name or contact details
- Take adequate measures to ensure the security of the card
- Return the card to the Chief Financial Officer if the cardholder relationship is terminated with the employer.
- Be personally liable for any unauthorized transaction unless the card is lost, stolen or subject to fraud on some part of a third party.

The Cardholder shall not:

- Exceed the maximum limit set on his or her Corporate credit card
- Obtain cash advances through the Corporate credit card
- Use the card for any proscribed or personal purchases
- Claim double allowances (i.e.: request reimbursement for an expense already paid by the card or personal reimbursement)

Finance and Administrative Services shall:

- Review the monthly statements
- Sign each monthly statement to verify that all transactions that have been made are posted and accounted for.

Review and authorization:

- The monthly statements of all credit cards shall be itemized on the 'Credit Card Procurement form' (attached), and reviewed by the Executive Director and the President of the Association

Clarification concerning "personal purchases" as defined by this policy

- For greater clarity, nothing under this policy shall restrict, limit or preclude the cardholder from reimbursing the association for expenses incurred in support of ancillary companion fares when reserving travel, for accompaniment of companions of staff and Executive officers when travelling on business out of province.
- In instances where reimbursement of companion fares is warranted, all reimbursement to the association for companion travel shall be repaid to the association within the same fiscal year in which the travel occurs.
- Such reimbursement shall remain binding as a legal obligation and debt owing to the association by the Executive officer or staff member who incurred such repayable expense and shall remain fully recoverable by the association using all means necessary to do so.
- In the event of an unforeseen travel cancellation resulting in the issuance of flight credits or vouchers by an air carrier, the total monetary value of all such flight credits or vouchers as retained under the name of a staff member or Executive officer shall be repaid to the association by the staff member or Executive officer under which such flight credits or vouchers may have been issued, if such credits cannot be used towards future association business and/or are not transferable to other staff or Executive members for future association business.

- Such repayment shall be required under all circumstances including termination of staff employment or discontinuance of status as an officer of the Executive.



**MANITOBA SCHOOL BOARDS ASSOCIATION  
CREDIT CARD DECLARATION**

Cardholder Name \_\_\_\_\_ Card Limit: \$ \_\_\_\_\_

Position / Department \_\_\_\_\_

I understand and agree that the corporate credit card is issued to me on the express understanding that I will, at all times, comply with the following conditions.

**USE:**

- The credit card is the property of the Manitoba School Boards Association and is in my possession under my strict control.
- I will not permit the Card to be used by any person other than myself other than allowed by the Use of Credit Card policy
- I will only use the card for official Association purposes
- I will immediately report any unauthorized use of the Card to the Financial Institution and to the Chief Financial Officer.
- I will not use the card to pay for expenses that have already be claimed, or will be claimed by any form of allowance.

**MONTHLY RECONCILIATION AND DOUCMENTATION:**

- I will, in all cases, obtain and retain sufficient supporting documentation to validate the expense, including a detailed description of the purchase and GST paid
- I will provide all supporting documentation to the Chief Financial Officer as charges occur for matching to the monthly statement from the Financial Institution.

**CHANGE IN CARDHOLDER DETAILS:**

- I will immediately advise the Chief Financial Officer of any change in my name or contact details.

**UPON LEAVE:**

- I will immediately return my card to the Chief Financial Officer if I resign, retire or my employment is otherwise terminated.

**LOST OR STOLEN CARDS:**

- I will immediately report the loss or theft of my card to the Financial Institution and the Chief Financial Officer.

**DECLARATION:**

- I confirm that I have access to only one corporate credit card.
- I acknowledge that I have been briefed on all aspects of the operation and use of the card.

Cardholder Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Authorized card issuer: \_\_\_\_\_ Date: \_\_\_\_\_

## **Office Operations**

### ***Manitoba School Boards Association Services Profile***

#### **Risk Management**

MSBA's risk management services cover all aspects of school board operations including facilities, transportation, student safety and workplace safety and health for school division employees.

##### *Services include:*

- information, consultation and education sessions for school board members and senior divisional management personnel;
- on-site inspection of facilities and operations;
- liability and property insurance coverage for member school divisions;
- publications, information bulletins and advisories as appropriate; and
- regular liaison with relevant Government agencies, industry representatives, education partners, insurance providers and legal counsel.

#### **Labour Relations/Human Resource Services**

Labour Relations personnel are responsible for providing labour relations/human resource services to member school boards in the capacities of advisor, coordinator and bargaining agent.

##### *Services include:*

- collective bargaining support;
- collective agreement administration and human resource management;
- legal services and interpretations on contract and collective bargaining issues of provincial scope;
- MSBA Universal Standards Trust Fund - in support of legal costs incurred by school divisions on labour issues of provincial scope;
- data collection and research on emerging trends and issues; and
- governance and/or administration of benefit plans
  - MSBA Pension Plan for Non-teaching Employees
  - Manitoba Public School Employees Group Life Insurance
  - MSBA/MTS Dental Plan for Non-teaching Employees

#### **Education and Communication Services**

The focus in this area is on effective board governance and informed policy development.

##### *Services include:*

- trustee education and development activities;
- advice and support to the MSBA Executive on current and emerging education issues;
- information and assistance to school boards and the MSBA Executive with regard to policy development;
- development and production of publications, reports, position papers and briefs;
- media relations; and
- conference planning and organization

### **Executive and Corporate Services**

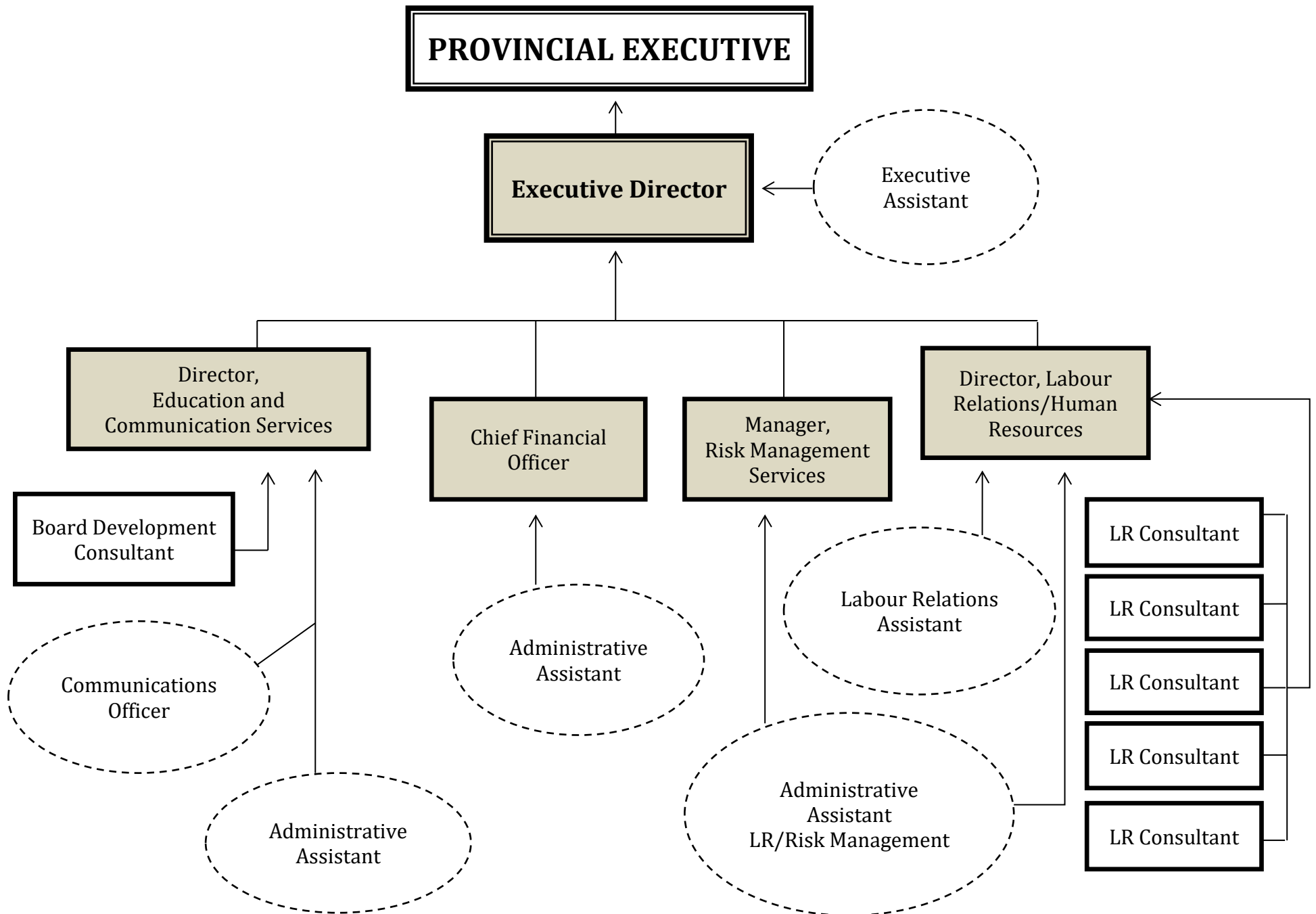
Executive and corporate services are dedicated to the management of Association affairs and the implementation of Association goals and policies as determined through resolution at MSBA's annual general meeting and the directions and priorities of its governing body.

#### *Services include:*

- administrative and logistical support to the MSBA Provincial Executive;
- consultation and support to school boards and senior divisional personnel regarding governance and legal issues in school board operations;
- liaison and advocacy activities at the provincial and national levels on current education issues and on all matters relating to the stated goals of MSBA as detailed in the MSBA Act; and
- management of the financial, physical, and human resources of MSBA.



# MSBA Organizational Chart



**POSITION:** Executive Director  
**DEPARTMENT:** Executive Office  
**DATE:** January 2020

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**POSITION SUMMARY:**

Reporting to the Provincial Executive, the Executive Director is the Chief Executive Officer of the organization responsible for:

- the attainment of Association strategic directions and goals,
- the development and delivery of member programs and services, and
- the administration and financial management of Association resources in accordance with established policies and procedures of the organization.

**MAJOR ACCOUNTABILITIES:**

- leadership and support to the Association’s governing body;
- representation of the Association with education partners, the Government and external agencies;
- delivery of member services and supports; and
- management of the Association’s human, fiscal and physical resources.

**NATURE & SCOPE OF POSITION:**

The Manitoba School Boards Association is an organization created by provincial statute to advance the cause of public education in Manitoba and to support local education governance by elected boards of school trustees.

Its membership consists of elected public school boards whose obligations and responsibilities are defined in provincial legislation. As autonomous, elected governing bodies, school boards’ membership in the Association is voluntary. Acting in an advisory and support capacity to member boards, the Association provides a comprehensive array of programs and services in the areas of labour relations and collective bargaining, risk management and insurance coverage, employee benefit programs, education and information services for trustees and senior divisional personnel and advocacy services and supports with regard to education policy and governance in Manitoba. Such services and activities may have financial, legal and political implications for all school boards in the province.

The Executive Director provides direction and support to Association’s professional and support staff in all areas including labour relations, employee benefit programs, risk management, education, communication and advocacy services, finance and administration. He/she monitors all programs and services on a continuous basis, and reports regularly to the Provincial Executive regarding program/service status and emerging issues, needs and developments for consideration. The incumbent is responsible for management oversight of all association operations including the administration of the Manitoba Schools Insurance program and the Manitoba School Boards Pension Plan for Non-teaching Employees.

## **KEY DUTIES & RESPONSIBILITIES:**

### **A. Governance**

- provide leadership to the Provincial Executive in the identification and articulation of Association directions, priorities and goals;
- plan and organize new member orientation, Executive planning retreat, Executive meetings and regional meetings;
- implement strategic directions set by Executive and monitor and report progress on a regular basis;
- consult regularly with the President and, where appropriate, other Executive Officers on matters regarding the affairs of the Association;
- inform and advise the Executive with regard to educational governance, and policy issues and Association operations.

### **B. Representation and Advocacy**

- participate in and facilitate dialogue and liaison with Manitoba education partners, government departments and representatives, elected officials, community agencies and the media on topics and issues relevant to school board governance and to the Association's stated directions and goals;
- oversee the development and organization of the Association's advocacy strategies and provide logistical support to the lobbying efforts of Provincial Executive members and member school boards;
- act as spokesperson for the organization in the absence of the President;
- maintain effective linkages with other provincial and national education organizations and advise the Provincial Executive concerning emerging issues, developments and trends which may have relevance for public education in Manitoba;
- represent the Association on external committees as designated by the Provincial Executive.

### **C. Member services**

- ensure regular and effective communications with member boards to inform and support local education governance;
- participate in the planning, development and delivery of trustee education programs and services;
- provide direct support to school boards and senior divisional administration on educational policy, governance and administrative matters;
- oversee the management of employee benefit programs and risk management services to member school boards.

### **D. Management**

#### ➤ ***Human Resources***

- provide leadership to the Association's Senior Management team in the planning and delivery of programs and services and consideration of operational issues within the provincial office;
- oversee and manage the development of human resources within the organization;
- identify emerging staffing needs to meet organizational mandates and goals and advise the Provincial Executive accordingly;
- conduct departmental and general staff meetings as required and involve staff in planning exercises to ensure implementation of organizational goals and objectives;
- meet regularly with Directors and Managers to monitor progress toward achievement of organizational goals and review status of member needs and services;
- conduct performance reviews of Directors, Managers and Executive Assistant in accordance with Association policy;

- exercise full authority for the employment, promotion, termination and placement on grid and of all Association personnel.
- **Financial and physical resources**
  - oversee the annual budget development process and ensure involvement of the Provincial Executive and senior staff;
  - monitor regularly, the revenue and expenditure status of the Association and ensure that financial affairs are managed in accordance with established policies and procedures;
  - report regularly to the Provincial Executive on the financial health and status of the Association and its programs;
  - monitor and confer with the Chief Financial Officer and the Risk Manager regarding building security, maintenance and upkeep;

### **QUALIFICATIONS:**

The position requires:

- a graduate degree in education, public administration or related fields. Additional training and/or certification in the areas of human resource management and public relations and communications are desirable
- extensive knowledge of board governance and successful experience in working with boards
- proven managerial skills and demonstrated success in a senior leadership position
- English/French bilingualism would be an asset

### **COMPETENCIES:**

#### ***Knowledge:***

The position requires a thorough understanding of public education systems and their component parts. The Executive Director must be knowledgeable with regard to provincial education legislation and policy in Manitoba, governance processes and practices, organization theory and management, and educational trends and tendencies both provincially and nationally.

He/she must also have a solid understanding of the key stakeholder groups within Manitoba's public education system and their mandates and roles as they relate to and impact education policy and governance in the province.

#### ***Intra and interpersonal skills:***

The Executive Director must be able to lead with vision and compassion and to manage effectively in a multi-faceted, complex and politically sensitive environment. He/she must be able to work independently, to exercise good judgment and to demonstrate integrity in dealings with association members, staff, partners and community. Active listening, planning and priority setting, time management, teamwork, conflict mediation and resolution skills and political acumen are necessary capacities to success in the role.

#### ***Communications:***

The Executive Director must possess highly developed skills in both oral and written communications. He/she must be a skilled listener and be able to articulate clearly Association positions and policies to trustees and divisional personnel, education partner organizations, government officials and agencies, community organizations, the general public and the media. The Executive Director must be able to convey complex issues and ideas in an easily understood fashion to these various audiences, to think quickly and to respond appropriately with regard to unexpected developments and sensitive and controversial matters.

The Executive Director must be able to develop high quality written communications and documents for both internal and external audiences, and to provide assistance to Association staff in this regard.

As the Executive Director is often required to make public addresses and to deliver training sessions for school board members, effective public-speaking and presentation and facilitation skills are essential.

***Management:***

The incumbent must possess strong planning and budgeting skills and the ability to articulate detailed action plans to move the organization toward goal attainment in multiple areas at the same time. He/she must ensure the deployment of association resources in a fashion which supports the organization's goals and directions, and within budget parameters established by the Provincial Executive. As Chief Executive Officer responsible for all association staff, the Executive Director must be skilled in recruitment, selection and performance appraisal processes at all levels within the organization.

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## **Executive Director Performance Appraisal**

The Executive shall conduct an Executive Director performance appraisal each year prior to the Association's annual general meeting. This performance appraisal process is complementary to the annual Executive Self-Evaluation exercise. Taken together, the two serve as a mechanism to assess progress toward the achievement of identified association goals and may fulfill both developmental and evaluative functions.

### **Process:**

1. The Executive Director performance appraisal is to be initiated by the President of the Association in conjunction with the annual Executive (board) evaluation process.
2. The details of the performance appraisal, i.e. responsibilities, timelines, meeting dates, data sources and other issues as jointly agreed upon, will be mutually determined by the Provincial Executive and the Executive Director each year prior to the commencement of the process.
3. Every 3 to 5 years as determined by the Provincial Executive the performance appraisal will be expanded to include feedback from association staff and external organizations and agencies as agreed to by the Executive Director and the Provincial Executive.
4. Once the data has been collected and compiled, the Executive and the Executive Director will meet together to review and discuss the evidence and its implications for association direction and operations.
5. The Executive will meet in-camera to prepare its report which will then be communicated by the President, or designate, in writing to the Executive Director.
6. The Executive Director shall have the opportunity to respond to the Executive's assessment of performance and any recommendations offered for consideration.

### **Principles:**

1. The performance appraisal recognizes and values the shared responsibilities and contributions of the Executive Director and the Provincial Executive in the achievement of organizational goals.
2. The performance appraisal is relevant to the identified role and job descriptions of the Executive Director and the Provincial Executive.
3. The performance appraisal is characterized by honesty, fairness and mutual respect between the Provincial Executive and the Executive Director.
4. The performance appraisal shall respect the confidentiality of the employer-employee relationship.
5. The performance appraisal shall be congruent with those provisions of the Executive Director's contract which address evaluation issues.

## **MSBA Compensation Philosophy**

### **Purposes**

The Manitoba School Boards Association compensation program is designed to attract, motivate and retain qualified, highly skilled employees who drive the association's success in providing leadership, advocacy and service to its member school boards.

The Association seeks to be an employer of choice in Manitoba, providing competitive rates of compensation for association staff and ensuring a respectful and collaborative workplace culture which values the individual and collective contributions of all employees.

The Manitoba School Boards Association is committed to fair employment practices and respect for human rights in accordance with relevant Manitoba and federal statutes.

### **Compensation structure**

MSBA's compensation structure includes a salary component, vacation and sick leave entitlements, employee benefits plans and a service recognition program as detailed in the Staff Manual.

Association staff is paid an annual salary based upon position and years of service which in turn determine placement on the salary grid. Vacation entitlements vary with position and years of service while all other benefit programs apply equally for all staff.

### **Salary administration**

The Association's Executive Director has full authority for the employment, promotion, dismissal and placement on the salary grid of all association staff within the limits of the budget authorized by the MSBA provincial Executive.

Salary reviews will take place annually or as otherwise agreed to by the provincial Executive and association staff. Adjustments to the salary grid and/or employee benefits will be authorized by the provincial Executive pursuant to dialogue with designated employee representatives and MSBA's Executive Director as per the Association's established protocol in this regard. Individual salary adjustments may occur at other times of the year based on a mid-year promotion or the re-evaluation of the market value of a position due to competitive information.

### **Competitive positioning**

Annual base salary for MSBA employees will be set at or near the 75 percentile of the marketplace. Where positions are deemed strategic in nature and requiring highly specialized skills and knowledge, compensation levels may fall outside of normal market practices.

Every fifth year a study will be undertaken to assess the competitive positioning of association staff salaries and benefits packages relative to the market. Prior to such a study, association staff will be consulted concerning the study's scale and/or scope and appropriate reference points for both executive and non-executive positions within the organization. The study's findings will be shared with association staff and no current employee shall incur any reduction in salary or benefits as a result of compensation decisions based upon the outcomes of the study.

## **MSBA Compensation Review Protocols**

### ***Annual compensation review process***

Annually or otherwise agreed to by the provincial Executive and Association staff, a Joint Executive – Staff Committee will be convened for the purpose of recommending adjustments to staff salaries and benefits. The process is as follows:

- (a) Executive appoint before the end of June three of its members to consider and recommend to Executive parameters for adjustments to staff compensation;
- (b) Staff appoint before the end of June three of its members to prepare and submit staff compensation proposals to members appointed by the Executive;
- (c) The six appointed members meet as needed to reach an agreement before the February Executive meeting;
- (d) The Joint Committee recommendations are submitted to the provincial Executive for consideration and ratification.
- (e) If required, the services of an external facilitator may be used to help reach a mutually satisfactory agreement.
- (f) Administration is responsible for implementing general compensation adjustments as approved by the Executive.

### ***Market review process***

Every fifth year, a joint ad hoc committee of Executive and Association staff members will be convened for the purpose of conducting a study to assess the competitive positioning of staff salaries and benefits packages relative to the market. The process is as follows:

- (a) In the designated review year, Executive and Staff each appoint before the end of June three of their members to the Joint Compensation Review Committee;
- (b) Executive and Staff each name one of its members as co-chair of the committee;
- (c) The Joint Compensation Review Committee carry out the review process by first identifying comparators;
- (d) Internal resources be used to collect data as needed by the Committee for the review;
- (e) Preliminary results of the review be submitted to an external resource for validation purposes;
- (f) The Joint Compensation Review Committee take into account the results of the external validation process before preparing and submitting its final report to be submitted to the Executive not later than its regular November board meeting.
- (g) Administration is responsible for implementing compensation changes resulting from the review in accordance with MSBA's Compensation Philosophy.



## Operational Policies

### A. MSBA Seminars and Workshops: Fees and Services

MSBA departments organize a number of seminars and workshops each year as a service to school boards.

#### *Registration fees*

1. A base fee for MSBA sponsored events will be established to recover the projected costs for the event/activity.
2. The base fee outlined above applies to trustees and employees of MSBA member school boards. All other registrants will be assessed a fee equal to the base fee for the session, plus 50%, although this practice may be waived for specific groups who are invited to attend a specific session.

If space is limited, priority will be given to registrants from MSBA member boards.

3. Discounted registration fees may be offered to large groups, students, or other registrants. Persons invited to participate in the program are not charged a fee.
4. Full refunds will be given if notification of any cancellation is received by the MSBA office **seven days prior to** the scheduled event. If notification of cancellation is received within that seven day period, but prior to the event, partial refunds will be given; an administration fee will be levied. After that time, no refunds will be offered, although substitutions will be allowed. This policy will appear on registration material.

This clause will be waived in exceptional circumstances, as determined by the Director of the department involved.

### B. Support to External Organizations

#### 1. Endorsements

The Manitoba School Boards Association may from time to time endorse conferences or other events on topics related to the objectives of the association. Endorsement does not entail any financial commitment on the part of the Association. Endorsement is provided by a majority vote of the Provincial Executive.

By providing an endorsement, MSBA may agree to:

- (a) subject to approval of the Executive Director, distribute in a regular mailing to school boards literature provided by the organizers of the conference/event;
- (b) include a notice of the conference/events in MSBA communications to member boards;
- (c) advise boards of education of the association's support for the conference.

## 2. Sponsorship and Advertising

- Sponsorship and advertising requests that support endeavours congruent with the association's core activities (as reflected in our vision, mission, and mandate), or endeavours that support current strategic priorities (such as improving outcomes for Aboriginal learners) may be considered.
- Sponsorship or advertising in support of any one organization or event will normally be provided no more than once in any fiscal year.
- General sponsorship or advertising support for partner organizations (such as advertising in MASS or MASBO publications) will not normally be approved, although support for specific events (such as major conferences) may be authorized on a case-by-case basis.
- General sponsorship or advertising support for organizations and agencies where we are members or core sponsors (e.g. CNCM, Safe Schools Manitoba, etc.) will not normally be approved, although support for specific events (such as major conferences) may be authorized on a case-by-case basis.
- Requests for sponsorship or advertising, to a maximum of \$1,000, may be approved by the Executive Director or Director, Education and Communication Services, providing that any such request falls within the parameters set by this policy, and can be accommodated within the current years' budget.
- Sponsorship or advertising requests of more than \$1,000, or which fall outside the parameters set by this policy but with are thought to have special merit, may be approved by the provincial Executive.

## 3. Donations

Generally, MSBA will not make donations to other organizations either through direct donations or through assistance in sponsoring a seminar, workshop or other function. If, however, in the opinion of the President and the Executive Director, a request is received for financial assistance which would have a direct or indirect benefit to school boards, it may be referred to the MSBA Executive for special consideration.

## C. Commercial Products or Services

Where consideration is given to projects involving commercial products or services which may result in generating revenue for MSBA, the following guidelines and procedures shall apply:

1. The Executive Officers will serve as the initial committee to guide the development of any new projects related to commercial products or services. After initial examination, the issue will be presented to the Executive.
2. A survey of all boards which may be potential users of the product or service will be conducted to explore the value of, or the need for, a particular product or service.
3. During the exploration stage of the project boards may be invited to informational sessions regarding the initiative where possible.
4. Where appropriate, a call for proposals will be advertised.

5. Reference checks will be conducted on all short listed suppliers.
6. In all cases where contractual arrangements are involved, legal counsel will be sought in developing the project. All contractual arrangements will be approved by the Executive.
7. The first priority is to provide an improved service or product to boards in the most efficient manner possible. A secondary objective of the project may be to generate revenue for MSBA.
8. Regular reports will be made to boards on the development and maintenance of projects.
9. All revenue generated from projects will be examined through the normal auditing process.
10. Where MSBA sponsors/endorse a product or service which goes beyond direct service to boards, it will declare that the product or service is sponsored or endorsed by the Manitoba School Boards Association and if administration fees are being received.

D. Negotiation Spokesperson Fees

- (a) The MSBA negotiation spokesperson fee shall be \$2,000 per bargaining unit. Fee adjustments must be approved by the MSBA Executive.
- (b) Where a school board and union agree to negotiate certain provisions within the term of said collective agreement, for example a wage re-opener, and where MSBA staff are requested to continue as spokesperson, an additional \$500 fee shall be charged.
- (c) When MSBA staff are requested to act as spokesperson to negotiate certain provisions within the terms of a collective agreement, for example a wage re-opener, and where MSBA staff did not act as spokesperson in the original negotiation of said agreement, a \$1,500 fee shall be charged.

E. MSBA Reserve Policy

The intent of the MSBA reserve policy is to ensure that

1. decisions will be made with greater assurance and less risk;
2. capital expenditures may be funded without undue financial strain on the Association;
3. effective long-range planning may be enhanced through an annual review of reserve available;  
and
4. the investment of reserve funds will generate revenue for the Association and can be used for cash flow purposes.

The reserve fund of the Manitoba School Boards Association shall be as follows:

1. A reserve for the Manitoba Schools Insurance Program of \$200,000.
2. A reserve for building repairs and maintenance up to a maximum of 20% of the City of Winnipeg assessed building value.

3. A reserve for staff salaries in the event of severance or restructuring.
4. A reserve for unforeseen capital expenditures, budget deficits or technological upgrading at \$50,000.
5. A reserve for potential TRAF pension liability.

The accumulated reserve of the Association shall not exceed six (6) months operating costs of the Association's previous year's audited expenditures.

Disposition of reserve over six (6) months operating expenditures

The Executive shall consider:

1. rebating member boards;
2. utilizing this amount to reduce or offset future membership fees; or
3. applying an amount to fund specific projects approved by the Executive.