

# Toronto District School Board

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Governance Procedure PR741

Title: **COMMUNITY ADVISORY COMMITTEES (CAC) AND THE BOARD OF TRUSTEES**

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## 1.0 RATIONALE

The Community Advisory Committees and the Board of Trustees Governance Procedure (the “Procedure”) support the implementation of the Community Engagement Policy (P078) and provide details on the function and role of the Trustees in Community Advisory Committees (CACs’) at the Toronto District School Board (TDSB).

This Procedure is also aligned with Regulation 612/00 and 464/97 under the *Education Act*.

## 2.0 OBJECTIVE

To outline the Board of Trustee’s role and relationship in setting out parameters for the CAC structure, operation, and reporting mechanism.

## 3.0 DEFINITIONS

**Board** is the Toronto District School Board, which is also referred to as “TDSB”.

**Board of Trustees** means the collective governing body of the TDSB, constituted as a board pursuant to the *Education Act*, including section 208(1) of the Act.

**Caregiver** refers to “a person involved in a care and commitment relationship that may be ongoing, long-term, significant, and where responsibilities have shifted to a non-family member” (Ontario Human Rights Commission, Defining Family Status).

**Community Advisory Committee (CAC)** means an advisory committee of the Board that provides the Board with ongoing community advice on specific areas of Board policy or program, as well as on educational issues of community interest. CACs include committees established in accordance with legislation, i.e., the Parent Involvement Advisory Committee (PIAC) (under Ontario Regulation 330/10) and the Special Education Advisory Committee (SEAC) (under Ontario Regulation 464/97).

**Guardian** refers to a person who has lawful custody of a child, other than the parent of a child.

**Member** refers to a member of the committee who is appointed or elected to the committee in accordance with the TOR's election/appointment and filling a vacancy process.

**Organizational Meeting** means the annual Regular Meeting at which the Board's Chair and Vice-Chair are elected, committees (including Standing Committees, Statutory Committees, and Community Advisory Committees) are established, and Trustee members are appointed to committees and external organizations.

**Quorum** means the minimum number of members necessary to conduct a meeting, which represents a simple majority of regular members.

**Senior Resource Person (SRP)** is a senior staff member who is designated by the Director to manage the CACs operational needs, identify administrative supports, and act as the committee's link to the system.

**Standing Committee** means a committee, generally of a permanent nature, established by the Board of Trustees. The Board's Standing Committees are as follows: (a) Finance, Budget, and Enrolment Committee; (b) Governance and Policy Committee; and (c) Program and School Services Committee.

**Statutory Committee** means any committee that, by law, the TDSB is required to establish. The Board's Statutory Committees are as follows: (a) Audit Committee (Ontario Regulation 361/10); (b) Parent Involvement Advisory Committee (also a Community Advisory Committee under Ontario Regulation 330/10); (c) Special Education Advisory Committee (also a Community Advisory Committee under Ontario Regulation 464/97); (d) Supervised Alternative Learning Committees (Ontario Regulation 374/10); and (e) Student Discipline Committee (*Education Act*, s.309 (12), and s.311.3 (9)).

**Terms of Reference (TOR)** sets out the working arrangements and operating parameters for a committee and can list vital information about the committee, such as its purpose, chair and membership, meeting schedule, level of administrative support, and dispute resolution processes.

## **4.0 RESPONSIBILITY**

Associate Director, Learning Transformation and Equity and Central Coordinator, Parent/Caregiver, and Community Engagement.

## **5.0 APPLICATION AND SCOPE**

This Procedure applies to Trustees and employees of the TDSB.

## **6.0 PROCEDURES**

### **6.1. CACs Purpose**

- 6.1.1. To advise on matters specifically referred by the Board of Trustees or matters of its choosing, within its mandate and terms of reference.
- 6.1.2. To exercise an advocacy and/or a preferred position on an educational issue under consideration by the Board of Trustees.
- 6.1.3. CACs within their mandate will honour the Board of Trustees' adoption of the Truth and Reconciliation Commission of Canada's Call to Action and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by working with Indigenous Peoples and the Board to protect and promote indigenous Education. By operating within the policy framework under which Indigenous Peoples' rights are lawfully protected and acknowledged as distinct from other equity-seeking groups in that they are self-determining nations with inherent rights, laws, and institutions.

### **6.2. Establishment of Committees**

- 6.2.1. The Board of Trustees will establish CACs, including PIAC and SEAC, to provide the Board with ongoing community advice on specified areas of Board policy or program and educational issues of broad community interest.
- 6.2.2. This Procedure covers Statutory Community Advisory Committees where the *Education Act* or their By-Laws may be silent.
- 6.2.3. Where the direction of related legislation/regulation conflicts with this Procedure, the applicable laws prevail.
- 6.2.4. The Board of Trustees may also amend or dissolve a CAC, subject to applicable legislation

6.2.5. There will be a minimum of two (2) and a maximum of ten (10) CACs and a new CAC may be established every three years during CAC reviews. Appendix A outlines the list of active CACs.

6.2.6. The mandate, membership composition, and terms of reference for CACs will be provided to the Board of Trustees for approval and governed by applicable legislation and/or Board Bylaws, policies, and procedures.

6.2.7. On the Board of Trustees' direction, the appropriate department will prepare a staff report which will include the following:

- legislation and/or regulation requirement
- alignment with Multi-Year Strategic Plan and departmental goals and objectives
- financial implications/considerations
- relevance and uniqueness of mandate (work not being explored by other CACs)
- achievability of mandate
- Public Interest, community support/request or feedback
- impact on other departments and users
- proposed Terms of Reference (TOR) using the CAC template
- recommended appointment of appropriate staff resources

6.2.8. Following the establishment of a new CAC, the appropriate Senior Resource Person (SRP) and the department will facilitate the appointment/election process for CAC membership, in accordance with this Procedure and the Committees TOR. The Committee will be added to the Active Committee list (Appendix B).

6.2.9. CACs will develop and provide to the Board of Trustees TORs that clearly outline their operating structure (e.g., membership and chair/co-chair elections, meetings) consistent with this Procedure and the Board's Bylaws, policies, and procedures.

6.2.10. All CACs will be reviewed using the CAC review criteria every three years.

### **6.3. Amendment**

6.3.1. Amendments to (TOR) will be based on the Board of Trustees' decisions and may be prompted by the review of:

- The CAC Annual Report and Self-Evaluation
- The Board of Trustees' decision

- By resolution of the CAC
- By a recommendation and report by the Director of Education

6.3.2. The following factors will be considered when amending a CAC TOR:

- Result of the annual report which measures progress with the completion of the mandate
  - Lack of material purpose, function, or public interest
  - New issues at the Board or public concerns (could add or remove a mandate)
  - Changes to legislation
  - Committee term (see 6.1.3) section above

6.3.3. A report addressing the proposed changes to the TOR will be presented to the Board of Trustees. The report will be analytical in nature and include specifically:

- a. Indication of which factor led to the amendment;
- b. Assessment of the following factors as relevant:
  - Is the CAC's mandate relevant?
  - Is the committee's mandate achievable?
  - Is the CAC's mandate unique (not in conflict with existing CAC mandates or the MYSP)?
  - Is the CAC's mandate aligned with the multi-year strategic plan?
  - Is the CAC operating effectively?
- c. Supporting information, cause/effect, cost analysis, and resources required;
- d. Impact on TOR

#### **6.4. Dissolution**

6.4.1. The dissolution of a CAC can occur at an Organizational meeting or by resolution at any time, as required by the Board of Trustees.

6.4.2. The dissolution of a CAC may be prompted by one of the following:

- expiration of term

- completion of task or mandate
- resolution of issues
- Legislative requirement no longer exists
- merger with another committee
- annual review process
- CAC resolution
- Breach of Board policy, procedure

6.4.3. Dissolution of a CAC will begin with a review. The review will entail:

- notification to all CACs of the review and process
- Review of CACs using the following criteria
  - i. result of the annual report which measures progress against the mandate
  - ii. result of self-evaluation, which measures operational effectiveness in meeting attendance/quorum
  - iii. reports/recommendations to the Board of Trustees (meeting mandates)
  - iv. The findings of the review will be presented to the Board of Trustees

6.4.4. The dissolution of a committee will entail:

1. Removal of CAC from the active committee list (Appendix A)
2. Thank you, letters, sent to CAC members on behalf of the Board
3. Notification to staff members and CACs
4. Notification to the public through the board website and other available mediums

## **6.5. Reporting to the Board**

6.5.1. The Board of Trustees and/or the appropriate Standing Committee will provide feedback to the CACs on reports and/or recommendations presented to Standing Committees for consideration. Recommendations from CACs will be presented to the Board for consideration.

## **6.6. Membership**

- 6.6.1. TOR must clearly outline membership criteria and eligibility. CAC membership composition must include Trustee(s)
- 6.6.2. CACs will be co-chaired by a community member of the CAC elected as co-chair and the Board of Trustees appointed co-chair or member

## **6.7. Trustee Role and Responsibility**

- 6.7.1. A maximum of two (2) Trustees be elected/appointed to CACs for one year at the Organizational meeting of the Board or be appointed from time to time as vacancies arise.
- 6.7.2. The Trustee co-chair is to be elected or appointed at the Organizational meeting, where feasible. If none is appointed or elected, the Trustee appointed or elected will fill the co-chair role.
- 6.7.3. Where two (2) Trustees are elected or appointed, the Trustee not appointed/elected as Co-chair may serve as an alternate Co-chair in the absence of the Co-chair. If only one Co-chair is elected/appointed the CAC Co-Chair will preside over the meeting in the absence of the Trustee Co-chair.
- 6.7.4. Trustees appointed to CACs must attend the meeting and speak to a motion under consideration by the CAC but cannot move or second a motion, vote, or be counted toward the quorum.
- 6.7.5. A Trustee Co-chair or member vacancy will be reported to the Board of Trustees by the CAC and/or the Trustee. In the event of a vacancy, the Board will appoint a member and/or Co-chair, where possible, to fill a CAC vacancy upon being notified.

## **6.8. CAC Administration**

- 6.8.1. The role of the CAC Co-Chair is to:
  - preside over meetings of CACs in consultation with the Community Co-chair and SRP
  - establish agendas for CAC meetings, in consultation with the CAC Co-Chair and SRP
  - conduct meetings in accordance with this Procedure
  - present recommendations or attend standing committee meetings to speak to the Board of Trustees on behalf of the CAC through a CAC report
  - Comply with the TDSB's Board Member Code of Conduct Policy (P075); and

- declare any conflict of interest, whether direct or indirect, in accordance with the *Municipal Conflict of Interest Act*

6.8.2. The role of the Trustee is to:

- attend all scheduled meetings of the CAC
- act as an informal liaison between the CAC and the Board of Trustees
- Co-Chair meetings (if appointed/elected)
- communicate the Board of Trustees' decision or matters where appropriate to the CAC
- communicate with Senior Resource Person assigned to the CAC
- assist in agenda preparation/clearing with Senior staff and Chairs/Co-Chairs and troubleshooting
- identify alternate Trustees when unable to attend the meeting and communicate absence to the SRP and Chair/Co-Chairs
- provide the CAC with updates on Board decisions and directives
- support the co-chair in ensuring the CAC's business and meetings are conducted in an orderly fashion and alignment with the Boards Code of Conduct

6.8.3. The role of the SRP (Director designate) is to:

- determine the times and location for CAC meetings in consultation with CAC Co-Chairs
- ensure adherence to the Board Code of Conduct
- keep a full and correct record of the proceedings of every meeting of the CACs
- provide copies of any reports requested by the Ministry of Education
- give notice of all meetings of the CACs
- Provide relevant meeting updates
- Ensure submission of Board report

6.10.4 The role of the Co-Chairs

- provide leadership and ensure the committee fulfills its mandate and any other matters delegated to it by the Board
- chair the meetings
- guides the committee through the agenda items and maintain order
- manage the time and maintain the scheduled meeting timings
- ensure a culture that allows for every member's voice to be heard and discussed
- ensure decisions are reached,
- follow up on agreements to make sure actions are carried out and make decisions between meetings



- ensure adherence to the Board Code of Conduct

## **6.9. Rules of Procedure**

6.9.1. CACs may use the Board of Trustees meeting rules and procedures (adapted parliamentary procedures) as set out in the Board By-Laws or CACs may identify and clearly outline a procedural framework in their TOR that will support:

- Orderly and effective meetings
- democratic decision-making
- culturally relevant and responsive governance framework (e.g., Indigenous, African-centred, etc.)
- clarity of members, rights, and responsibilities
- adherence to the Board Code of Conduct (PR585), the Human Rights (P031), Equity Policy (P031), and related Policies and Procedures

## **7.0 EVALUATION**

This Procedure will initially be reviewed annually for the first three (3) years after the effective date, and at a minimum, every five (5) years thereafter.

## **8.0 APPENDICES**

Appendix A: List of Active Community Advisory Committees

## **9.0 REFERENCE DOCUMENTS**

Policies:

- Community Engagement (P078)
- Equity (P037)
- Human Rights (P031)
- Parent and Caregiver Engagement (P023)

Procedures:

- Community Engagement (PR704)
- Code of Conduct (PR585)
- Parent and Community Involvement (PR558)

Legislative Acts and Regulations:

- *Education Act*, Regulation 612/00
- *Education Act*, Regulation 464/97

## **Appendix A**

### **List of Active Community Advisory Committees (CACs)**

The Board's Community Advisory Committees are as follows:

- Urban Indigenous Community Advisory Committee
- 2SLGBTQ+ Community Advisory Committee
- Alternative Schools Community Advisory Committee
- Black Student Achievement Community Advisory Committee
- Community Use of Schools Community Advisory Committee
- Early Years Community Advisory Committee
- Environmental Sustainability Community Advisory Committee
- Equity Policy Community Advisory Committee
- French-as-a-Second-Language Community Advisory Committee
- Inner City Community Advisory Committee

#### **Statutory Community Advisory Committees**

- Parent Involvement Advisory Committee (also a Statutory Committee per Ontario Regulation 330/10)
- Special Education Advisory Committee (also a Statutory Committee per Ontario Regulation 464/97)