

LAKESHORE SCHOOL DIVISION
Board of Trustees
EXECUTIVE LIMITATIONS Policies



LAKESHORE

SCHOOL DIVISION

DEVELOPED WITH TRAINED GUIDANCE WITHIN THE POLICY GOVERNANCE® MODEL by Susan Rogers* who has completed the POLICY GOVERNANCE® ACADEMY. POLICY TEMPLATES PROVIDED TO SUSAN WITH PERMISSION OF ©JOHN CARVER AND MIRIAM CARVER. *Susan Rogers of ROGERS Leadership Consulting, 2-400 River Avenue, Winnipeg, MB, R3L 0C5 Phone: (204) 284 3388 Fax: (204) 284 3533 E-mail: susan@rogersleadership.ca ,www.RogersLeadership.ca

LAKESHORE SCHOOL DIVISION
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Policy Title:	GLOBAL EXECUTIVE CONSTRAINT EXECUTIVE LIMITATIONS
Policy Type:	EL - 1
Policy Number:	EL - 1
Policy Review:	November 2006; September 11, 2007; October 11, 2011; March 13, 2018; October 27, 2022

The Superintendent will not cause or allow any organizational practice, activity, decision, or circumstance which is either unlawful, imprudent or in violation of commonly accepted business and professional ethics and practices.

**LAKESHORE SCHOOL DIVISION
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Policy Title:	TREATMENT OF STUDENTS
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.1
Policy Review:	November 2006; September 11, 2007; October 11, 2011; March 13, 2018; October 27, 2022

With respect to interactions with students and others or those applying to be students, the Superintendent will not cause or allow conditions, procedures, or decisions that are unsafe, undignified, or unnecessarily intrusive.

The Superintendent will not:

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing student information that fail to protect against improper access to the material elicited.
3. Fail to operate facilities with appropriate accessibility and privacy.
4. Fail to establish with students a clear understanding of what may be expected and what may not be expected from the program offered.
5. Fail to inform students of this policy, or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their protections under this policy.

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Policy Title:	TREATMENT OF STAFF EXECUTIVE LIMITATIONS
Policy Type:	EL - 1.2
Policy Number:	November 2006; September 11, 2007; October 25, 2011; March 13, 2018; October 27, 2022
Policy Review:	

With respect to the treatment of paid and volunteer staff, the Superintendent will not cause or allow conditions that are unsafe, unfair, undignified, disorganized, or unclear.

The Superintendent will not:

1. Operate without written personnel rules which:
 - (a) Clarify rules for staff,
 - (b) Provide for effective handling of grievances, and
 - (c) Protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for non-disruptive expression of dissent.
3. Allow staff to be unprepared to deal with emergency situations.
4. Prevent staff from grieving to the Board when (a) internal grievance procedures have been exhausted and (b) the employee alleges that board policy has been violated to his or her detriment.
5. Fail to acquaint staff with the Superintendent's interpretation of their protections under this policy.

**LAKESHORE SCHOOL DIVISION
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Policy Title:	FINANCIAL PLANNING & BUDGETING
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.3
Policy Review:	November 2006; September 11, 2007; October 25, 2011, March 13, 2018; October 27, 2022

Financial planning for any fiscal year or the remaining part of any fiscal year will not deviate materially from the Board's Ends priorities, risk fiscal jeopardy, or fail to be derived from a multi-year plan.

The Superintendent will not allow budgeting that:

1. Risks incurring those situations or conditions described as unacceptable in the board policy "Financial Condition and Activities."
2. Omits credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.
3. Provides less for Board prerogatives during the year than is set forth in the Cost of Governance policy.

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Policy Title:	FINANCIAL CONDITION AND ACTIVITIES
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.4
Policy Review:	November 2006; September 11, 2007; November 8, 2011, March 13, 2018; October 27, 2022

With respect to the actual, ongoing financial condition and activities, the Superintendent will not cause or allow the development of fiscal jeopardy or material deviation of actual expenditures from Board priorities established in Ends policies.

The Superintendent will not:

1. Expend more funds than those in the Board-approved budget.
2. Fail to settle payroll and debts in a timely manner.
3. Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.
4. Fail to actively pursue receivables after a reasonable grace period.

**LAKESHORE SCHOOL DIVISION
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EXECUTIVE LIMITATIONS Policies**



Policy Title:	EMERGENCY SUPERINTENDENT SUCCESSION
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.5
Policy Review:	March 5, 2007; September 11, 2007; November 8, 2011, April 24, 2018; October 27, 2022

In order to protect the Board from sudden loss of Superintendent services, the Superintendent will have no fewer than one other executive sufficiently familiar with Board and Superintendent issues and processes to enable either to take over with reasonable proficiency as an interim successor.

**LAKESHORE SCHOOL DIVISION
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Policy Title: **ASSET PROTECTION & RISK MANAGEMENT**
Policy Type: **EXECUTIVE LIMITATIONS**
Policy Number: **EL - 1.6**
Policy Review: **March 5, 2007; September 11, 2007; May 13, 2008;
November 29, 2011, April 24, 2018; October 27, 2022**

The Superintendent will not cause or allow corporate assets to be unprotected, inadequately maintained or unnecessarily risked.

The Superintendent will not:

1. Fail to insure adequately against theft, casualty losses and against liability losses to board members, staff and the organization itself.
2. Allow unbonded personnel access to material amounts of funds.
3. Subject plant and equipment to improper wear and tear or insufficient maintenance.
4. Unnecessarily expose the organization, its board or staff to claims of liability.
5. Make any per item purchase: (a) wherein normally prudent protection has not been given against conflict of interest; (b) of over \$10,000.00 without having obtained comparative prices and quality; (c) of over \$25,000 without a stringent method of assuring the balance of long term quality and cost. Orders shall not be split to avoid these criteria.
6. Fail to protect intellectual property, information and files from loss or significant damage.
7. Receive, process or disburse funds under controls that are insufficient to meet the Board-appointed auditor's standards.
8. Compromise the independence of the board's audit or other external monitoring or advice. Engaging parties already chosen by the Board as consultants or advisers is unacceptable.
9. Endanger the organization's public image, credibility, or its ability to accomplish Ends.
10. Change the organization's name or substantially alter its identity in the community.

**LAKESHORE SCHOOL DIVISION
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Policy Title:	COMPENSATION AND BENEFITS
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.7
Policy Review:	November 2006; March 5, 2007; September 11, 2007, April 24, 2018; October 27, 2022

With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the Superintendent will not cause or allow jeopardy to fiscal integrity or to public image.

The Superintendent will not:

1. Change the Superintendent's own compensation and benefits.
2. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
3. Create obligations over a longer term than revenues or budget can be safely projected.
4. Establish or change pension benefits so as to cause unpredictable or inequitable situations, including those that:
 - A. Incur unfunded liabilities.
 - B. Provide less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited.
 - C. Allow any employee to lose benefits already accrued from any foregoing plan.

**LAKESHORE SCHOOL DIVISION
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Policy Title:	COMMUNICATION AND SUPPORT TO THE BOARD
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.8
Policy Review:	November 2006; September 11, 2007, May 29, 2018; October 27, 2022

The Superintendent will not permit the Board to be uninformed or unsupported in its work.

The Superintendent will not:

1. Neglect to submit monitoring data required by the Board in Board-Management Linkage policy "Monitoring Superintendent Performance" in a timely, accurate and understandable fashion, directly addressing provisions of board policies being monitored, and including Superintendent interpretations consistent with Board-Management Linkage policy "Delegation to the Superintendent" as well as relevant data.
2. Allow the Board to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy, regardless of the Board's monitoring schedule.
3. Allow the Board to be without decision information required periodically by the Board or let the Board be unaware of relevant trends.
4. Let the Board be unaware of any significant incidental information it requires including anticipated media coverage, threatened or pending lawsuits and material internal changes (including key issues in transportation, scholarships, expulsions and out of province or overnight trips for students).
5. Allow the Board to be unaware that, in the Superintendent's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Linkage, particularly in the case of Board behaviour that is detrimental to the work relationship between the Board and the Superintendent.
6. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
7. Allow the Board to be without a workable mechanism for official board, officer or committee communications.
8. Deal with the Board in a way that favours or privileges certain board members over others except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.

9. Fail to submit to the board a Required Approvals agenda containing items delegated to the Superintendent yet required by law, regulation, contract to be Board-approved, along with applicable monitoring information.

**LAKESHORE SCHOOL DIVISION
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Policy Title:	ENDS FOCUS OF GRANTS OR CONTRACTS
Policy Type:	EXECUTIVE LIMITATIONS
Policy Number:	EL - 1.9
Policy Review:	March 5, 2007; September 11, 2007, May 29, 2018; October 27, 2022

The Superintendent will not enter into any grant or contract arrangements that fail to emphasize the production of ends and the avoidance of unacceptable means.

The Superintendent will not

1. Fail to prohibit particular methods and activities to preclude grant funds from being used in imprudent, unlawful or unethical ways.
2. Fail to assess and consider an applicant's capability to produce appropriately targeted, efficient results.

LAKESHORE SCHOOL DIVISION
Board of Trustees
GOVERNANCE PROCESS Policies



LAKESHORE

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LAKESHORE SCHOOL DIVISION

Lakeshore School Division
Governance Process Policies



LAKESHORE

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**Board of Trustees
GOVERNANCE PROCESS Policies**

Policy Title:	GLOBAL GOVERNANCE COMMITMENT
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1
Policy Review:	November 2006; June 2007; March 8, 2011; September 26, 2017

The purpose of the board, on behalf of the people of our Division, is to see to it that the Lakeshore School Division:

- (a) Achieves appropriate results for appropriate persons at an appropriate cost (as specified in Board Ends Policies), and
- (b) Avoids unacceptable actions and situations (as prohibited in board Executive Limitations Policies).

GOVERNANCE PROCESS Policies

Policy Title:	GOVERNING STYLE
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.1
Policy Review:	November 2006; June 2007; March 8, 2011; September 26, 2017

The Board will govern lawfully with an emphasis on:

- (a) Outward vision rather than an internal preoccupation
- (b) Encouragement of diversity in viewpoints
- (c) Strategic leadership more than administrative detail
- (d) Clear distinction of board and chief executive roles
- (e) Collective rather than individual decisions
- (f) Future rather than past or present, and
- (g) Pro-activity rather than reactivity.

Accordingly:

1. The Board will cultivate a sense of group responsibility. The Board, not the staff, will be responsible for excellence in governing. The Board will be the initiator of policy, not merely a reactor to staff initiatives. The Board will not use the expertise of individual members to substitute for the judgment of the Board, although the expertise of individual members may be used to enhance the understanding of the Board as a body.
2. The Board will direct, control and inspire the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended long-term impacts outside the staff organization, not on the administrative or programmatic means of attaining those effects.
3. The Board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policy making principles, respect of roles, and ensuring the continuance of governance capability. Although the Board can change its governance process policies at any time, it will observe those currently in force scrupulously.
4. Continual Board development will include orientation of new Board members in the Board's governance process and periodic Board discussion of process improvement.
5. The Board will allow no officer, individual or committee of the Board to hinder or be an excuse for not fulfilling group obligations.
6. The Board will monitor and discuss the Board's process and performance. Self-monitoring will include comparison of board activity and discipline to policies in the Governance Process and Board-Management Linkage categories.

LAKESHORE SCHOOL DIVISION
Board of Trustees
GOVERNANCE PROCESS Policies



Policy Title: **BOARD JOB DESCRIPTION**
Policy Type: **GOVERNANCE PROCESS**
Policy Number: **GP - 1.2**
Policy Review: **February 1, 2007; March 5, 2007; June 2007; March 8, 2011; September 26, 2017**

Specific job outputs of the Board, as an informed agent of the ownership, are those that ensure appropriate organizational performance.

Accordingly, the Board has direct responsibility to create:

1. The link between the ownership and the operational organization.
2. Written governing policies that address the broadest levels of all organizational decisions and situations.
 - A. Ends: Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good, for which recipients, at what worth).
 - B. Executive Limitations: Constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
 - C. Governance Process: Specification of how the board conceives, carries out and monitors its own task.
 - D. Board - Management Linkage: How power is delegated and its proper use monitored; the Superintendent role, authority and accountability.
3. Assurance of successful organizational performance on Ends and Executive Limitations.
4. Negotiated Contracts with Division staff.
5. Participation in the interview process for hiring senior administrators.
6. Board will have input prior to major changes to bus/transportation routes.

**LAKESHORE SCHOOL DIVISION
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GOVERNANCE PROCESS Policies**



**LAKESHORE
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Policy Title:	AGENDA PLANNING
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.3
Policy Review:	February 1, 2007; June 2007; May 10, 2011, September 26, 2017

To accomplish its job products with a governance style consistent with Board policies, the Board will follow an annual agenda which (a) completes a re-exploration of Ends policies annually and (b) continually improves Board performance through Board education and enriched input and deliberation.

1. The cycle will conclude each year on the last day of June so that administrative planning and budgeting can be based on accomplishing a one-year segment of the Board's most recent statement of long term Ends.
2. The cycle will start with the Board's development of its agenda for the next year.
 - A. Consultations with selected groups in the ownership, or other methods of gaining ownership input will be determined and arranged in the first quarter, to be held during the balance of the year.
 - B. Governance education, and education related to Ends determination, (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.) will be arranged in the first quarter, to be held during the balance of the year.
3. Throughout the year, the Board will attend to Required Approvals agenda items as expeditiously as possible.
4. Superintendent monitoring will be included on the agenda if monitoring reports show policy violations, or if policy criteria are to be debated.

LAKESHORE SCHOOL DIVISION

Lakeshore School Division
Governance Process Policies



**LAKESHORE
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Board of Trustees GOVERNANCE PROCESS Policies

Policy Title:	ROLE OF THE BOARD CHAIR
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.4
Policy Review:	November 2006; June 2007; March 8, 2011, September 26, 2017

The Board Chair, a specially empowered member of the Board, assures the integrity of the Board's process and, secondarily, occasionally represents the Board to outside parties.

Accordingly:

1. The assigned result of the Board Chair's job is that the Board behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
 - A. Meeting discussion content will be on those issues which, according to Board policy, clearly belong to the Board to decide or to monitor.
 - B. Information that is for neither monitoring performance nor Board decisions will be avoided or minimized and always noted as such.
 - C. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.
2. The authority of the Board Chair consists in making decisions that fall within topics covered by Board policies on Governance Process and Board-Management Linkage, with the exception of (a) employment or termination of a Superintendent and (b) where the Board specifically delegates portions of this authority to others. The Board Chair is authorized to use any reasonable interpretation of the provisions in these policies.
 - A. The Board Chair is empowered to chair board meetings with all the commonly accepted power of that position, such as ruling and recognizing.
 - B. The Board Chair has no authority to supervise or direct the Superintendent or to make decisions about policies created by the Board within Ends and Executive Limitations policy areas.
 - C. The Board Chair will represent the Board to outside parties in announcing Board-stated positions and in stating chair decisions and interpretations within the area delegated to her or him.
 - D. The Board Chair may delegate this authority, but remain

**LAKESHORE SCHOOL DIVISION
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GOVERNANCE PROCESS Policies**



**LAKESHORE
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Policy Title:	VICE CHAIR'S ROLE
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.5
Policy Review:	February 1, 2007; June 2007; March 8, 2011; October 31, 2017

The Vice Chair is a specially empowered member of the Board whose purpose is to assist the Chair in ensuring the integrity of the board's governance.

Accordingly:

1. The Vice Chair will act in the absence of the Chair as defined in Policy GP #1.4 Board Chair's Role.
 - A. The Vice Chair will be familiar with all responsibilities normally exercised by the Chair.
 - B. The Vice Chair will be familiar with current and pending Board issues and processes.
 - C. The Vice Chair will preside at meetings of the Board in the absence of the Chair.
 - D. The Vice Chair will preside at the "in camera" sessions.
2. The authority of the Vice Chair is restricted by the Board's policies which will rigorously follow Policy Governance principles.

LAKESHORE SCHOOL DIVISION
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GOVERNANCE PROCESS Policies



LAKESHORE
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Policy Title:	BOARD MEMBERS' CODE OF CONDUCT
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.6
Policy Review:	November 2006; June 2007; May 10, 2011; October 31, 2017

A school board must establish a code of conduct that applies to trustees as per The Public Schools Act sections 35.1(1) and 35.1(2). The position of school trustee is one of responsibility and trust, and individuals holding that position must conduct themselves accordingly.

Protocol

Therefore, the school trustees of LAKESHORE School Division will:

- Abide by the provisions of all federal, provincial and local legislation, including but not limited to human rights statutes, and *The Public Schools Act*, as well as school division by-laws and policies;
- Recognize that the School Board's authority rests with the corporate body, not with individual trustees, and therefore trustees will not speak or act on behalf of the School Board only if they have been authorized to do so;
- Uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reversal may be brought by a Trustee;
- Understand that their position may make them privy to confidential information about individuals including students or staff, or financial or other sensitive matters, and will keep any such information confidential and not use it for either personal gain or to the detriment of the Board;
- Prioritize and accept responsibility to attend all regular and special meetings of the Board and those committees on which they serve, and if unable to do so, advise the designated individuals of their pending absence;
- Attend an in-person board meeting a minimum of every third session unless granted permission by the board to attend additional sessions virtually;
- If attending a virtual board meeting, expectations for conduct, attire, and engagement remain the same as in-person meetings. Utilize participation strategies including, camera on throughout the meeting (if bandwidth permits) and active discussion. In a virtual meeting the board member must ensure that the environment they are joining from is suitable for confidentiality and upholds the decorum of the board.
- Review meeting agendas and other relevant information prior to board and committee meetings and arrive at such meetings informed and prepared to contribute to the open and honest discussion about matters before the Board or committee;

- Listen respectfully and with an open mind to the full range of opinions on each matter before them, and make their decisions based on the merits of these varying opinions;
 - Treat Board colleagues, divisional and school staff, students and community members in a respectful and courteous manner, and refrain from using abusive or denigrating language in any dealings with them;
- Abide by the principle that the superintendent is the only employee of the board and as such, avoid individual interactions that are not on behalf of the board with divisional staff that may interfere, undermine or discredit the work delegated to the superintendent;
- Refrain from expressing opinions and/or sharing information through social media that would discredit, undermine or compromise the integrity of the Board;
 - Refrain from accepting a gift from any person or entity that has dealings with the Board if it could be perceived that the gift could influence the Trustee when performing his or her duties to the Board. Exchanges of gifts and tokens shall be permitted in association with cultural ceremonies and customary traditions.

Procedures:

Pecuniary Interest

The provisions of Sections 37, 38 and 39 of The Public Schools Act, Province of Manitoba, shall govern the Board.

Relationship Bias

The LAKESHORE Board expects its members to be alert to situations that have the appearance of a bias and to avoid actions that might be detrimental to themselves or to the Board.

Trustees shall familiarize themselves with provisions for Codes of Conduct, Section 35 under The Public Schools Act, its regulations and any guidelines approved by the Board and be responsible to fulfill any obligation therein.

It is recognized that the Trustees elected to serve LAKESHORE School Division are often involved in a variety of activities in their community and may have family, relations and friends working for the school division. It is further recognized that trustees often make decisions that affect large numbers of people in the communities served by LAKESHORE School Division and will have knowledge of a wide range of confidential information.

Regardless, the Trustees are always expected to place the public interest first in carrying out their duties. Part of protecting the public interest involves avoiding or effectively resolving relationship bias situations where private or personal interests influence or may appear to influence, the performance of their duties and responsibilities.

Trustees shall always act in the best interests of LAKESHORE School Division as a whole, fulfilling their responsibilities and obligations as elected public officials in a fashion that inspires confidence and trust in the integrity, objectivity and impartiality of the school board.

1. Definition

A relationship bias exists when an individual trustee's personal interests, or those of family members, business partners, or close personal associates, financial or otherwise, interfere with or compromise the trustee's ability to act in the best interests of the school division and the constituents whom they serve. Such relationship bias may be real or perceived.

In addition to the provisions of The Public Schools Act concerning monetary conflicts of interest, trustees are also considered to have a relationship bias in these circumstances:

- When they, their dependents, business partners or close personal associates may benefit financially or professionally, either directly or indirectly, from the trustee's position on the Board.

- When circumstances arise that compromise, or appear to compromise, independence and impartiality to make fair and unbiased decisions (i.e. employment or professional status, political affiliations, community affiliation that may conflict with trustee responsibilities).
- When they appropriate divisional financial or other resources for personal use. (i.e. information, equipment, supplies).
- When they are involved in staffing and student issues involving dependents, business associates or personal friends (i.e. contracting for services, hiring, promotions, evaluations, disciplinary actions).

Section 36(1) of The Public Schools Act defines a dependent as (a) the spouse or common-law partner of a trustee, and (b) any child, natural or adopted, of the trustee who resides with the trustee.

2. Disclosure

- A trustee must openly disclose a real or perceived relationship bias as soon as the issue arises and before the Board or its committees deal with the matter.
- Where uncertain about whether or not the issue constitutes a relationship bias, the trustee may consult with the Board Chair or the Secretary-Treasurer for advice and guidance.
- Where any trustee is aware of a real or perceived relationship bias not declared by any other trustee, they have a responsibility to raise the issue of clarification with the individual, and if unresolved, then with the Board.
- Full disclosure does not remove or eliminate a relationship bias.

3. Decision-Making Process

- Where there is a question or uncertainty about a relationship bias, the Board by vote shall make a final determination.
- The trustee so affected will be present during the discussion of the issue but will not vote upon it. The trustee shall not attempt to personally intimidate the Board's decision in regard to the issue.
- If a relationship bias is declared a trustee will recuse themselves from any discussion and voting related to the relationship bias. This shall be duly recorded in the official minutes of the meeting.

Use of Division Property

- Division property, including vehicles, equipment and material, shall be used primarily for carrying out Division business.
- The Superintendent or Secretary-Treasurer may authorize the use of supplies or equipment if he/she feel that such use will assist Board members in their assigned work for the school

division. It may be required that some staff and Trustees regularly retain district-owned supplies or equipment in their possession.

- A written record of the authorization of the use of supplies or equipment shall be maintained indicating the time of release, the signature of the user, and the date on which the item is returned.
- Trustees are responsible for exercising all reasonable care to prevent abuse to, excessive wear of, or loss of district-owned equipment or material entrusted to their care.

While actively campaigning for election, use of any Division-owned resources:

- May not be used other than to carry out Division related business
- Use of Division trademarks and logos are not permitted in campaign material
- Use of trustee divisional email accounts are not permitted in campaign correspondence or advertising

External Organization Clause

The office of school trustee is a position of trust, with incumbents accountable to all community members within the school division. In order to ensure that this primary responsibility is not compromised, nor their impartiality drawn into question:

- school trustees are strongly discouraged from serving as members of any organization (whether school or community based) that may have, from time to time, cause to make a request of the school board.
- when an organization which includes among its membership a school trustee, official or otherwise, the board will not receive the trustee as part of the organization's delegation or when making a formal presentation or request of the board
- when an organization which includes among its membership a school trustee, makes a request of a school board, the trustee who is a member will be recused from any discussions or vote on the matter involving that organization.

Chair/Presiding Officer

- The Code of Conduct applies equally to the Chair of the Board. In the case of an allegation of a breach of the Code by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair.
- The Chair of the Board or Presiding Officer of any meeting of the Board or committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.

Complaint Procedure

- A trustee, employee or member of the public who has reasonable grounds to believe that a trustee has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Board. This is done through the Chair.
- Any allegation of a breach of the Code must be brought to the attention of the Chair no later than four (4) weeks after the breach comes to the knowledge of the person reporting the breach. An inquiry into a breach of the Code will not be undertaken after the expiration of six (6) months from the time the contravention is alleged to have occurred unless the severity of the conduct is such that it reasonably may bring the board into disrepute.
- Whenever possible, allegations of a breach of the Code of Conduct by a Trustee shall be dealt with by steps that will cause the least interruption to board work and shall be appropriate with the seriousness of the breach. It is recognized from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgement made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding their obligations under the Code.
- Only serious and/or recurring breaches of the Code by a Trustee should be dealt with by going to the full board and moving directly to sanctions within the *Public Schools Act*.

- The Chair of the Board on their own initiative, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) may review the complaint and may, along with a designate, meet in private and informally with the trustee who is alleged to have breached the Code. The trustee alleged to be in breach may also bring an advocate to the meeting.
- The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to determine if remedial measures or corrective action are appropriate and will prevent future breaches.
- The Chair will keep notes consisting only of the date of the meeting, names of those present, the number of the Section of the Code being discussed, for example, Section 1, point 6 and reference to the agreed actions and dates for completion.
- If the Chair considers the breach serious enough, the Chair may decide to bring the allegation before the full board and without meeting with the trustee first. The board may decide that remedial measures or sanctions less than those in the *Public Schools Act*, are not rigorous enough and may move directly to impose a sanction from the *Public Schools Act*.
- The remedial measures may include, for example, a verbal warning, a reprimand written into the public minutes, an apology, that the trustee in breach may not hold the position of chair for the board or a committee for a specified period, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Manitoba School Boards Association.
- If the Board and the Trustee alleged to have breached this Code cannot agree on remedial measures, or if the agreed upon actions are not carried out in an agreed upon timeframe, then a formal complaint will be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with through sanctions provided in The Public Schools Act.
- A trustee, employee or member of the public who has reasonable grounds to believe that a Trustee has breached the Board's Code of Conduct may bring the breach to the attention of the Board by providing to the Chair of the Board:
 - The name of the Trustee who is alleged to have breached the Code;
 - The alleged breach or breaches of the Code;
 - When the alleged breach occurred;
 - Information as to when the alleged breach came to the person's attention;
 - The grounds for the Trustee's belief that a breach of the Code has occurred; and
 - The names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.
 - The above information may be provided orally. If in writing, the person should be advised that any written details may be subject to FIPPA.

If the Chair decides an informal meeting with the trustee in breach and using remedial measures is not appropriate,

- The Chair may share with the Board an oral report of the complaint within fifteen (15) business days of receiving it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board.
- The Board may appoint an ad hoc committee of three (3) Trustees – one selected by the trustee alleged to have breached the code, to review the complaint and bring a recommendation to the full board.

Refusal to Conduct Inquiry

If the Board or ad hoc committee is of the opinion that the breach is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an inquiry, an inquiry shall not be conducted and this shall be recorded in the minutes of the next meeting.

Steps of Inquiry

- Procedural fairness and the rules of natural justice shall govern debate at a Committee of the Whole for trustees only. A formal inquiry may involve oral statements by trustees or written statements provided by any witnesses, the trustee, employee or member of the public bringing the complaint, and the trustee who is alleged to have breached the Code of Conduct.
- If a statement is made in writing, the person making the statement should be informed that it may be subject to FIPPA.
- The trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations in the Committee of the Whole meeting with the person(s) undertaking the inquiry. The trustee may also respond in writing but should be informed that any written reports or statements may be subject to FIPPA.
- If the accused Trustee refuses to participate in any inquiry or debate at the Committee of the Whole, the process will continue in their absence.

Suspension of Inquiry

If the Board or ad hoc committee, when conducting the inquiry, discover that the subject matter of the inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the inquiry shall be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be communicated to the complainant.

Decision

- A decision by the Board as to whether or not the Code of Conduct has been breached and the sanction, if any, shall be made as soon as practical.
- Trustees shall consider only the findings presented when voting on the decision and sanction. No trustee shall undertake their own investigation of the matter.
- The trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction. If it is a trustee who brought the complaint to the attention of the Board, that trustee may vote on those resolutions.
- The trustee who is alleged to have breached the Code of Conduct may be present and can participate in deliberations but will not attempt to intimidate other trustees or the committee.
- The trustee who is alleged to have breached the Code of Conduct shall not attempt to intimidate the vote on the decision of breach or sanction.
- The determination of a breach of the Code of Conduct and the imposition of a sanction must be done by resolution of the Board. The vote on the resolution shall be at a public meeting. The resolutions shall be recorded in the minutes of the meeting.

- The resolution to sanction by public censure is a majority vote. The motion to sanction by barring or suspending a trustee shall be decided by a vote of at least two thirds (2/3) of the total number of trustees allotted to the division.

Sanctions

- If the Board determines that the trustee has breached the Trustee Code of Conduct, the Board will take action. The Board may choose to impose a remedial measure or may impose one or more of the following sanctions as stated in subsection 35.2(1) of The Public Schools Act:
 - Censuring the Trustee;
 - Barring the Trustee from attending all or part of a meeting of the school board or a committee of the school board;
 - Suspending the Trustee from the school board, including suspending all the Trustee's rights, duties and privileges as a member of the school board, for up to three months.
- The Board shall not impose a sanction, which is more onerous than those in the Public Schools Act.
- The Board has no power to declare the trustee's seat vacant if imposing a 3 month suspension. The suspension is viewed as a void and attendance at regular meetings recommences at the time of reinstatement.
- A trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.

- The imposition of a sanction barring a trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of The Public Schools Act regarding absences from meetings as stated in subsection 35.2(3).

Appeal to Adjudicator

- As stated in subsection 35.3(1) of The Public Schools Act, in accordance with the regulations, a trustee who is sanctioned under item 2 or 3 of subsection 35.2(1) may appeal to a single adjudicator appointed by the minister.
- The trustee and the school board will abide by the procedures for appeal as provided in The Public Schools Act, Section 35.
- In accordance with The Public Schools Act Trustee Code of Conduct Appeal Regulation, the final determination of the adjudicator will be provided to both parties.



Policy Title:	BOARD COMMITTEE PRINCIPLES
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.7
Policy Review:	November 2006; June 2007; April 12, 2011; June 14, 2011; November 28, 2017

Board committees, when used, will be assigned so as to reinforce the wholeness of the Board's job and so as never to interfere with delegation from Board to Superintendent.

Accordingly:

1. Board committees are to help the Board do its job, not to help or advise the staff. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation. In keeping with the Board's broader focus, Board committees will normally not have direct dealings with current staff operations.
2. Board committees may not speak or act for the board.
3. Board committees cannot exercise authority over staff. Because the Superintendent works for the full Board, he or she will not be required to obtain approval of a Board committee before an executive action.
4. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore, a Board committee that has helped the Board create policy on some topic will not be used to monitor organizational performance on that same subject.
5. Committees will be used sparingly and ordinarily in an *ad hoc* capacity.
6. This policy applies to any group which is formed by board action, whether or not it is called a committee and regardless whether the group includes board members. It does not apply to committees formed under the authority of the Superintendent.

LAKESHORE SCHOOL DIVISION
Board of Trustees
GOVERNANCE PROCESS Policies



LAKESHORE
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Policy Title:	BOARD COMMITTEE STRUCTURE
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.8
Policy Review:	February 1, 2007; June 2007; April 12, 2011; June 14, 2011; November 28, 2017

A committee is a Board committee only if its existence and charge come from the Board, regardless whether Board members sit on the committee. The only Board committees are those which are set forth in this policy. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.

1. Ownership Linkage Committee

- A. Product: Ownership linkage plan for annual board consideration – by no later than May 31 of the previous school year.
- B. Authority: To incur reasonable costs and reasonable hours of staff time.
- C. Composition: Three Board members as chosen by the Board and senior administration.

2. Negotiations Committee

- A. Product: Negotiated contracts with Division staff.
- B. Authority: To incur reasonable costs and reasonable hours of staff time.
- C. Composition: Three board members as chosen by the Board and senior administration.

3. Partnership Representation: Fieldstone Ventures Education Centre and Lakeshore Recreation Commission.

LAKESHORE SCHOOL DIVISION
Board of Trustees
GOVERNANCE PROCESS Policies



Policy Title:	COST OF GOVERNANCE
Policy Type:	GOVERNANCE PROCESS
Policy Number:	GP - 1.9
Policy Review:	February 1, 2007; June 2007; June 14, 2011; November 28, 2017

Because poor governance costs more than learning to govern well, the Board will invest in its governance capacity.

Accordingly:

1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
 - A. Training and retraining will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing member skills and understandings.
 - B. Outside monitoring assistance will be arranged so that the board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit.
 - C. Outreach mechanisms will be used as needed to ensure the board's ability to listen to owner viewpoints and values.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.
 - A. Up to \$10,000 in a fiscal year for training, including attendance at conferences and workshops.
 - B. Up to \$25,000 in a fiscal year for audit and other third-party monitoring of organizational performance.
 - C. Up to \$2,000 in a fiscal year for surveys, focus groups, opinion analyses, and meeting costs.
 - D. Up to \$21,000 in a fiscal year for board materials and meeting costs.
 - E. Up to \$60,000 in a fiscal year for trustees' compensation/expenses.

LAKESHORE SCHOOL DIVISION
Board of Trustees
BOARD MANAGEMENT LINKAGE Policies



LAKESHORE

SCHOOL DIVISION

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LAKESHORE SCHOOL DIVISION

Board of Trustees

Lakeshore School Division
Governance Process Policies



LAKESHORE

SCHOOL DIVISION

BOARD MANAGEMENT LINKAGE Policies

Policy Title:	GLOBAL GOVERNANCE-MANAGEMENT CONNECTION
Policy Type:	BOARD MANAGEMENT LINKAGE
Policy Number:	BML - 1
Policy Review:	November 2006; June 2007; September 13, 2011; January 16, 2018

The Board's sole official connection to the operational organization, its achievements and conduct will be through a Chief Executive Officer, titled Superintendent.

LAKESHORE SCHOOL DIVISION
Board of Trustees
BOARD MANAGEMENT LINKAGE Policies



LAKESHORE
SCHOOL DIVISION

Policy Title:	UNITY OF CONTROL
Policy Type:	BOARD MANAGEMENT LINKAGE
Policy Number:	BML – 1.1
Policy Review:	March 5, 2007, June 2007; September 13, 2011; January 16, 2018

Only officially passed motions of the Board are binding on the Superintendent.

Accordingly:

1. Decisions or instructions of individual Board members, officers, or committees are not binding on the Superintendent except in rare instances when the Board has specifically authorized such exercise of authority.
2. In the case of Board members or committees requesting information or assistance without Board authorization, the Superintendent can refuse such requests that require, in the Superintendent's opinion, a material amount of staff time or funds or is disruptive.

LAKESHORE SCHOOL DIVISION
Board of Trustees
BOARD MANAGEMENT LINKAGE Policies



Policy Title:	ACCOUNTABILITY OF THE SUPERINTENDENT
Policy Type:	BOARD MANAGEMENT LINKAGE
Policy Number:	BML – 1.2
Policy Review:	March 5, 2007; June 2007; September 13, 2011; January 16, 2018

The Superintendent is the Board's only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the Board is concerned, is considered the authority and accountability of the Superintendent.

Accordingly:

1. The Board will never give instructions to persons who report directly or indirectly to the Superintendent.
2. The Board will not evaluate, either formally or informally, any staff other than the Superintendent.
3. The Board will view Superintendent performance as identical to organizational performance, so that organizational accomplishment of Board stated Ends and compliance with Executive limitations will be viewed as successful Superintendent performance.

LAKESHORE SCHOOL DIVISION
Board of Trustees
BOARD MANAGEMENT LINKAGE Policies



Policy Title: **DELEGATION TO THE SUPERINTENDENT**
Policy Type: **BOARD MANAGEMENT LINKAGE**
Policy Number: **BML – 1.3**
Policy Review: **March 5, 2007; June 2007; September 27, 2011; January 16, 2018**

The Board will instruct the Superintendent through written policies which prescribe the organizational Ends to be achieved, and describe organizational situations and actions to be avoided, allowing the Superintendent to use any reasonable interpretation of these policies.

Accordingly:

1. The Board will develop policies instructing the Superintendent to achieve specified results, for specified recipients at a specified relative worth. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies. All issues that are not Ends issues as defined above are Means issues.
2. The Board will develop policies that limit the latitude the Superintendent may exercise in choosing the organizational means. These limiting policies will describe those practices, activities, decisions and circumstances that would be unacceptable to the board, even if they were to be effective. These policies will be developed systematically from the broadest, most general level to more defined levels, and they will be called Executive Limitations policies. The Board will never prescribe organizational means delegated to the Superintendent.
 - a. Below the global level, a single limitation at any given level does not limit the scope of any foregoing level.
 - b. Below the global level, the aggregate of limitations on a given level may embrace the scope of the foregoing level, but only if justified by the Superintendent to the Board's satisfaction.
3. As long as the Superintendent uses *any reasonable interpretation* of the Board's Ends and Executive Limitations policies, the Superintendent is authorized to establish all further procedures or regulations, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the Superintendent shall have full force and authority as if decided by the Board.
4. The board may change its Ends and Executive Limitations policies, thereby shifting the boundary between Board and Superintendent domains. By doing so, the Board changes the latitude of choice given to the Superintendent. But as long as any particular delegation is in place, the board will respect and support

LAKESHORE SCHOOL DIVISION
Board of Trustees
BOARD MANAGEMENT LINKAGE



LAKESHORE
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Policy Title: **MONITORING SUPERINTENDENT PERFORMANCE**
Policy Type: **BOARD MANAGEMENT LINKAGE**



Policy Number:	BML – 1.4
Policy Review:	February 1, 2007; March 5, 2007; June 2007; September 27, 2011; February 13, 2018

Systematic and rigorous monitoring of Superintendent job performance will be solely against the only expected Superintendent job outputs: organizational accomplishment of Board policies on Ends and organizational operation within the boundaries established in Board policies on Executive Limitations.

Accordingly:

1. Monitoring is simply to determine the degree to which Board policies are being met. Information that does not do this will not be considered to be monitoring information.
2. The Board will acquire monitoring data by one or more of three methods:
 - (a) by internal report, in which the Superintendent discloses compliance information, along with his/her justification for the reasonableness of interpretation;
 - (b) by external report, in which an external, disinterested third party selected by the board assesses compliance with policies, augmented with the Superintendent's justification for the reasonableness of his/her interpretation; and
 - (c) by direct Board inspection, in which a designated member or members of the Board assess compliance with policy, with access to the Superintendent's justification for the reasonableness of his/her interpretation.
3. In every case, the standard for compliance shall be *any reasonable Superintendent interpretation* of the board policy being monitored. The Board is final arbiter of reasonableness, but will always judge with a "reasonable person" test rather than with interpretations favored by Board members or by the Board as a whole.
4. All policies that instruct the Superintendent will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule.

<u>Policy</u>	<u>Method</u>	<u>Frequency</u>
1. <i>Global Executive Limitation</i>	<i>Internal</i>	<i>June</i>
1.1 <i>Treatment of Consumers</i>	<i>Internal</i>	<i>September</i>
1.2 <i>Treatment of Staff</i>	<i>Internal</i>	<i>October</i>
1.3 <i>Financial Planning/Budgeting</i>	<i>Internal</i>	<i>January - March</i>

1.4 Financial Condition & Activities	Internal	Jan/April/Aug/Oct
	External	TBD with auditor
1.5 Emergency Superintendent Succession	Internal	November
1.6 Asset Protection & Risk Management	Internal	February
1.7 Compensation & Benefits	Internal	May
1.8 Communication & Support	Internal	October
1.9 Ends Focus of Grants & Contracts	Internal	April
ENDS	Internal	January

LAKESHORE SCHOOL DIVISION
Board of Trustees
BOARD MANAGEMENT LINKAGE Policies



Policy Title:	SUPERINTENDENT MONITORING PROCESS
Policy Type:	BOARD MANAGEMENT LINKAGE
Policy Number:	BML – 1.5
Policy Review:	February 1, 2007; March 5, 2007; June 2007; September 27, 2011

The Board, in the format described below, will conduct a formal evaluation of the Superintendent, based solely on the achievement of Board's Ends policies and non-violation of its Executive Limitations policies over the course of the past year.

Accordingly:

1. The Board will present the formal evaluation to the Superintendent annually at the February Board meeting.
2. The board's formal process will consist of:
 - a) an in-camera discussion in which the board reviews the compilation of the monitoring reports the Superintendent has provided throughout the year, and
 - b) a follow-up discussion with the Superintendent in which the board seeks any further clarification and understanding of the monitoring reports, for these are the only criteria against which Superintendent performance can be assessed.
3. The 'presentation' of the evaluation will be in the form of a letter from the board that:
 - a) indicates its receipt of the monitoring reports and comments on the timeliness of them,
 - b) indicates its level of satisfaction/any issues with the accomplishment of or rate of progress the Superintendent has made towards organizational ENDS, and
 - c) indicates its level of satisfaction/any issues related to the Superintendent's compliance with EXECUTIVE LIMITATIONS policies.

LAKESHORE SCHOOL DIVISION
Board of Trustees
ENDS Policies



LAKESHORE

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LAKESHORE SCHOOL DIVISION

Lakeshore School Division
Governance Process Policies



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SCHOOL DIVISION

Board of Trustees

ENDS Policies

Policy Title:	MEGA – END AND SUCCESSIVE ENDS LAYERS
Policy Type:	ENDS
Policy Number:	E - 1, 2.1, 2.2 and 2.3
Policy Review:	January 2007; February 1, 2007; March 5, 2007; June 2007; January 10, 2012

1. MEGA END

Lakeshore School Division exists so that all students will have equal opportunities to be successful at a cost that justifies the results achieved.

This is further defined, *in order of priority*, as:

All students will have the work and social skills necessary to communicate and interact appropriately in society, including:

- a) Students will show respect for self and others
- b) Students will practice honesty and integrity
- c) Students will demonstrate a strong work ethic
- d) Students will be contributing members of society

All students will have opportunities to achieve their utmost potential in the areas of:

- a) Literacy
- b) Numeracy
- c) Technology
- d) Problem-solving
- e) Critical thinking
- f) Accessing information

All students will have the skills to make healthy lifestyle choices.