



Governance Corner

LEGAL and GOVERNANCE CORNER

Background:

This memo is intended to highlight Trustee access to professional development pursuant to Policy 2.18 (the “Policy”) and provide some considerations if the Board was to ever review the Policy.

Discussion:

Part of the purpose of the 2.18 states as follows:

The Board also recognizes that Trustees must remain informed and must continue to upgrade their skills. The Board may include funds in the annual budget to cover Trustee expenses for attendance at provincial, national and international seminars, conferences or workshops related to education.

The Policy then divides trustee professional development type expenses into two categories:

1. Board related expenses. These include BCTSA, BCPSEA meetings, Board retreats and other events that all Trustees attend; and
2. Individual Trustee Professional Development.

Board Related Expenses

Board related expenses are reasonably obvious. Attendance at BCSTA AGM, BCSTA Trustee Academy, Board reps to BCPSEA, VISTA and other bodies. While most are optional, the budget is intended to encourage attendance to ensure Trustees are getting the same general information as well as being active participants provincially, sharing best practice etc. In the first year other potential training may bring costs slightly higher and the Policy provides for this.

Individual Trustee Professional Development

Individual Trustee professional development, while less prescriptive, also contains limits. The yearly budget is \$2,400 per Trustee. At the request of a Trustee, and with the approval of the Chair, the amount can be carried forward. For instance, an international event is likely to cost more than a single years’ allocation. Without the carry forward request the amounts go into the District’s general revenues as part of the year end surplus. Further, a Trustee may exceed the amount in a given year with approval of the Board. For instance, one year perhaps a group wants to go to a conference internationally and another group does not intend to expend their allocations (which is the norm) then the Board can approve the reallocation or the Board can approve the overage with the reallocation.



The Policy also provides a Trustee the “discretion” to choose professional development. However, 4.1.1. limits that discretion to “participate in conferences or meetings which provide personal development in the area of education”. Similarly, as noted above the purpose of the Policy highlights “seminars, conferences or workshops related to education”. Finally, 3.2 references “conventions, conferences and seminars”. 4.1.4 provides the requirement to file a written report when a Trustee attends a professional development convention or conference..... but seemingly not a seminar.

As written the Policy does limit individual professional development funds to items of limited duration e.g. conventions, seminars and conferences. Further, it contains the limit of the professional development being “in the area of education”. As written this would not allow the use of funds for accredited courses, books or memberships associated with professional development. Further, on its face, and frankly absurdly, it would limit the funds for use for Robert’s Rules training as an example.

However, in practice, the fund has been used in the past for non-education related professional development such as public speaking and generic governance training.

Future Review

The Board may wish to review the currently existing restrictions in the Policy. For instance, if a Trustee wanted to become a certified parliamentarian through course work over time this would appear to be a benefit to the Board and in the general spirit of the Policy but at this point technically runs afoul of its requirements both due to its duration as well as its content (not being education). Therefore, the expansion of the topics beyond just “education” is recommended. The Board could require that the professional development topic be related to the Board’s work or alternatively have a benefit to the Board (although this may be too subjective). Further, there should be some consideration for the type of method of receiving the professional development. A course or membership or book may be appropriate. I note that our TRC 57 Speakers’ series has both a book and a seminar element. To ensure accountability the Board may wish to alter 4.1.4 (the reporting requirement) to broaden the report to be a general professional development report (at least where expenses are incurred).