

Sent: May 29, 2020 3:06 PM

Subject: Amendments to the Education Act and O. Reg. 463/97 (Electronic Meetings) to Address Board Member Physical Attendance Requirements and Amendments to the Education Act to address e-Meetings for the Centre Jules-Léger Consortium

Memorandum To: Directors of Education
Johanne Lacombe, Chair, CJL Consortium

From: Didem Proulx
Assistant Deputy Minister
Capital and Business Support Division

Denys Giguère
Assistant Deputy Minister
French-Language Teaching, Learning and Achievement Division

Date: May 29, 2020

Subject Amendments to the *Education Act* and O. Reg. 463/97
(Electronic Meetings) to Address Board Member Physical
Attendance Requirements

Amendments to the *Education Act* to address e-Meetings for
the Centre Jules-Léger Consortium

We are writing to you to let you know that on June 5, 2020, amendments to the *Education Act* and Ontario Regulation 463/97 (Electronic Meetings) under the Act will be in effect.

As you are aware, currently, board members must be physically present for at least three regular board meetings in each 12-month period beginning December 1st. If a member fails to meet these requirements, the member's seat is vacated.

In response to the current public health situation in Ontario, the requirement for board members to physically attend three regular board meetings does not apply for the 12-month period if all schools of a board are closed for a total of two or more months pursuant to a

school closure order. These amendments prevent board members from losing their seats as a result of an inability to fulfill the requirements for physical attendance at board meetings if schools are ordered closed in emergency circumstances.

The amendments to the *Education Act* and O. Reg. 463/97 complement regulatory amendments already made to O. Reg. 463/97, as communicated in the Deputy Minister's March 19 email to directors of education, resolving concerns around contravention of the regulation while boards meet exclusively on virtual platforms when emergency situations occur.

On June 5, 2020, similar legislative changes will also apply to the Centre Jules-Léger Consortium (CJL Consortium). The amendments will enable the CJL Consortium's meetings to be conducted exclusively via electronic/virtual platforms until 60 days after the order that closed the CJL schools ceases to apply. This will allow the CJL Consortium to gradually transition back to normal procedures with respect to the holding of in-person meetings.

As required under section 207 of the *Education Act*, school boards and the CJL Consortium must continue to make the necessary arrangements to allow public access to board meetings, for example, through online means or by phone, except where closed meetings are permitted under the Act.

For more information on the statutory and regulatory amendments, please refer directly to the [Ontario e-Laws website](#).

We would like to take this opportunity to thank you, once again, for your ongoing support and work to maintain school board and CJL Consortium operations during these unprecedented circumstances. Your engagement and partnership continue to be crucial to supporting Ontario's students, families, educators, and education system.

Didem Proulx
Assistant Deputy Minister
Ministry of Education

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