



# Sagamok Anishnawbek Education Committee Terms of Reference

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## Preamble

Sagamok Anishnawbek has determined that it is necessary and desirable to establish an Education Committee for the efficient and effective administration of its operations. The purpose of the Education Committee is to assist Chief and Council in their responsibilities as they relate to the planning, development, implementation, and monitoring of the organization's education program.

The Education Committee will make informed decisions through the process of open discussions, critical thinking, and problem solving. This approach to decision making will ensure a high level of accountability, transparency, and responsibility to community members.

Chief and Council shall normally not be involved in the activities of the Education Committee, but in special circumstances, and as the overall authority, shall have the right to reject or modify the decisions of the Education Committee. Council is ultimately responsible and potentially liable for all the decisions made within the organization, including decisions made by the committees it creates.

## Primary Responsibilities

The primary responsibilities of the Education Committee falls into *three* areas: policy provisions, service delivery, and financial advisory matters. These responsibilities shall be carried out by the Committee members within the realm of fulfilling their representative role and legal responsibilities to the collective members.

## Membership

Composition – The Education Committee shall be comprised of a maximum of *ten members*; including one elder, one youth representative, five community members and at least member of Council who holds the education portfolio. The Chief shall be an ex-officio member.

Appointment of Members - Chief and Council shall have the sole discretion to appoint members to the Education Committee. There shall be no limit on the number of terms that a member can serve on the Education Committee.

Members of the Education Committee shall be selected from a list solicited from the community as per the following procedures:

- a) Existing Committee members can allow their names to stand for reappointment.
- b) In August of the same year as Chief and Council elections, the Director of Education will post a notice in the Band Office and other buildings and submit an article for publication in the monthly newsletter requesting applications for positions on the Committee.
- c) The notice will remain posted for two weeks.

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- d) The Director of Education will receive and review applications and forward a recommendation for appointment to Chief and Council.
- e) The short-list of names will be presented to the Chief and Council for approval.
- f) The Education Committee members will commence their duties in the month of September.

Length of Term – Members shall be appointed to the Sagamok Anishnawbek Education Committee for a term of two (2) years.

Eligibility - The following persons are prohibited from being members of the Education Committee:

- a) Any person under the age of 18 years of age.
- b) Any person employed by or on contract with Sagamok Anishnawbek's Education program.
- c) Any person in a real or potential conflict of interest with the Education Committee.

Filling Vacancies - Chief and Council shall have the sole discretion of filling any vacancies on the Education Committee. The member appointed to fill a vacancy shall serve the remainder of the original member's term.

### Executive

Members of the Education Committee shall appoint a Chairperson and Vice-Chair. The chairperson shall be selected by consensus by the appointed members and be entitled to vote on agenda items.

- 1) The Executive members shall be appointed for a two-year term.
- 2) The responsibilities of the Chairperson shall be to:
  - a) To convene meetings of the Education Committee. This includes providing an opportunity for members to smudge and/or to begin the meeting with an opening prayer, recognizing everyone's opinion during the discussions, encouraging productive discussion and active participation, and maintaining order.
  - b) To act on behalf of the Committee as delegated by the full committee.
  - c) To keep the discussion focused and act as a facilitator when members have different opinions.
  - d) To help improve decision making by asking probing questions.
  - e) To summarize discussions and future action.
  - f) To communicate with Chief and Council, the Director of Education, and others as directed by the Education Committee.
  - g) In consultation with the Director of Education, prepare the agenda for meetings.
  - h) To ensure that the terms of reference for the Education Committee is reviewed annually by the full membership.
  - i) Present recommendations to the Standing Committee for approval.

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- 3) The responsibilities of the Vice-Chair shall be to assume full duties of the Chair in his or her absence.

## **Meetings**

Meetings of the Education Committee shall be called for the purpose of discussing matters impacting Sagamok Anishnawbek as outlined in the “Responsibilities” section of this document. Further to the Rule for Conducting Official Meetings (Policy #06-20) under the Sagamok Anishnawbek – Administration Manual (May 8<sup>th</sup>, 2006) shall be adhered to.

**Frequency** - The Education Committee shall meet the *second Monday of every month* beginning at 6:00 p.m. A special meeting may be held between the regularly scheduled monthly meetings if necessary. Meetings shall not normally exceed three hours. For scheduling purposes, a list of meeting dates will be prepared covering a one year period.

**Open Meetings** - All meetings of the Education Committee shall be open to the public living within the Sagamok Anishnawbek. In camera sessions may be held at the discretion of the full Committee.

**Agenda** – Seven days prior to a meeting, members wishing to put forward an item for the Education Committee’s agenda shall submit it in writing to the Recording Secretary and Director of Education. As an alternative, members may verbally put forward an agenda item at the close of the meeting for discussion at the next meeting.

**Meeting Logistics** - The Director of Education and/or Data Clerk shall be responsible for the logistics of the meeting. Duties shall include: distributing the agenda five days prior to each meeting, booking the meeting room, distributing meeting minutes within five days of the meeting, preparing packages of information, and conducting other preparatory and follow up duties as delegated.

**Quorum** - A quorum shall be the majority (50 plus1) of the Education Committee. A meeting shall not be considered official unless a quorum of members is present.

**Decision Making** - Decisions of the Education Committee shall be by consensus of the members present. When necessary, a formal decision making process will be followed to help reach consensus. When consensus cannot be reached, the decision will be made based on majority rule with the chairperson having one vote.

The decision making process will consist of the following steps:

- Develop a brief description of what the real issue(s) is.
- Make a clear statement of what decision must be made or the immediate problem that must be solved. Secondary problems must be identified as they are usually the root cause of the immediate problem.

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- Conduct an analysis of the problem's implications and its effects on the organization, program or client.
- Develop alternatives and identify their advantages and disadvantages.
- The Education Committee relies on the Education Management Team to provide information packages to inform the decision making process.
- Choose the best solution that solves the problem and document the reasons why it was chosen.

Attendance at Meetings - A member who misses 50% of all regularly scheduled monthly meetings in a year or three consecutive meetings will be deemed to have resigned from the Education Committee. The Committee may wish to review the resignation and, under exceptional circumstances, may reinstate the member.

Education Committee members who are unable to attend a meeting shall notify the Director of Education and/or Data Clerk prior to the meeting.

Meeting Minutes - The minutes of the Education Committee's meetings shall be the official record of business conducted, following the approval by the Education Committee. The preparation and distribution of minutes shall follow the process described below:

- Minutes of the Education Committee shall be prepared and distributed to the Committee members one week before the next meeting.
- Minutes shall be recorded in a standardized format that captures the discussion in sufficient detail, decisions and/or recommendations.
- Minutes shall be reviewed and approved by the Education Committee and signature by the Chairperson.
- Once approved by the Education Committee, the minutes shall be posted in the Band Office and a copy forwarded to the Director of Operations.
- Minutes will record a motion to enter and conclude in-camera sessions. The in-camera discussion shall not be recorded. A final recommendation of the discussion held during in-camera shall be prepared by the Chairperson and written into the meeting minutes.

### **Conflict of Interest**

Conflict of Interest for Sagamok Anishnawbek has been defined in section C-3.8 of the "Sagamok Anishnawbek Personnel Policy and Procedures Manual" (see Appendix A). This section of the Manual shall apply to members of the Education Committee.

An Education Committee member shall not use their position for personal gain to the detriment of the interests of Sagamok Anishnawbek.

In the event that an Education Committee member and/or an immediate family member has a personal interest in a matter being discussed by the Committee, the member shall declare a conflict and refrain from taking part in the discussion or participating in the decision. The

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Committee member may or may not leave the room for the duration of the discussion dependent upon the sensitivity of the issue and at the discretion of the Chairperson.

## **Committee Expenses**

Members shall be paid an honorarium of \$150.00 for the first meeting of the month and \$50.00 for any subsequent meetings in the same month for performing their duties as a member of the Education Committee to the limit of the resources available in the annual budget. Payment will be limited to once per month and payable at the end of each month. Any person serving on Committee business while being paid a regular wage from Sagamok Anishnawbek shall not be eligible to receive both payments.

Reasonable expenses incurred by members of the Education Committee while performing their duties as members shall be paid to the individual members subject to the following exceptions:

- a) Travel expenses shall be paid at those rates established by Chief and Council only if travel is required outside of the boundaries of Sagamok Anishnawbek.
- b) Training expenses for members of the Education Committee shall be paid as per the budget of the Education Committee.
- c) The Education Committee shall not exceed its budgeted amount in any fiscal year.

## **Role of Staff**

The Director of Operations, Director of Education, Secondary School and Post-Secondary Student Support Workers, Data Clerk, Day Care Supervisor, School Principal and the Biidaaban Teacher Reps. shall provide advice and/or support to the Education Committee.

## **Code of Conduct**

Members of the Education Committee are seen to be in special positions of trust with high expectations with regard to proper use of resources, information, and authority. As such, it imposes obligations on them to conduct themselves in ways that serve the best interest of community members. Members of the Education Committee are expected to strive to live up to the following statements and to reaffirm them on an annual basis:

- I will respect the opinions, skills, and knowledge, and the personal strengths and weaknesses of my fellow members.
- I will demonstrate solidarity outside of the meeting even at times when I personally disagree with a decision made by the committee.
- I will reflect on and assess my own well being and its impact on the committee on a regular basis.
- I will work to establish positive relationships with my fellow members and set aside differences for the benefit of those I serve.
- I will always maintain and respect the public interest.

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- I will defend my beliefs and convictions when requested or when confronted.
- I will strive to be objective and open to changing my opinion when presented with a more constructive way of conducting business.
- I will never see myself as superior to my fellow members.
- I will not withhold information pertinent to the work of the Education Committee and I will not offer or document information or advice that I know to be false or misleading.
- I will respect the rules of confidentiality as it applies to the Committee.

## Responsibilities

The major responsibilities of the Education Committee are to ensure that the Education Unit operates in an efficient and effective manner and to protect the program from liability issues by ensuring that procedures are identified and practiced.

As **individuals**, Education Committee members are responsible for:

1. Coming to meetings prepared which means reviewing information distributed and preparing comments or questions for clarification.
2. Prioritizing committee meetings and attending on a consistent and regular basis.
3. Completing tasks assigned, within the time frame identified, and distributing information to committee members in advance of meetings.
4. Actively participate in discussions by offering informed suggestions, opinions, and comments.
5. Acting as a liaison between community members and the Education committee by communicating community concerns and relaying decisions made by the committee.
6. Administering the functions of the Education Committee in an open, fair and unbiased fashion.
7. Supporting the decisions made by the Education Committee.
8. Refraining from becoming involved in the day-to-day administration.

As a **collective**, Education Committee members are responsible for:

### Policy Provisions

1. The functions of the Education Committee as outlined in the established policies under the Education Unit.
2. Monitoring the effectiveness of the Education policies and recommend changes to the Standing Committee as necessary.
3. Providing direction for the development of policy and procedures in areas where it does not exist.
4. Keeping informed of provincial and federal policy that impacts the Education Unit and bring recommendations to the Standing Committee's attention.
5. Reporting to Chief and Council as requested on compliance with policies.

### Service Delivery

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6. The review of annual Education Unit goals and objectives.
7. Assisting the Education staff in educating the community on issues related to Education.
8. Reviewing the Education program descriptions and any subsequent evaluations of services and recommend improvements to the structure, additional services, or quality of existing service provision.
9. Review of the Director's quarterly report prior to submission to the Director of Operations.
10. Advising or giving direction to the Director of Education.
11. Assisting in the development and establishment of curriculum guidelines and curriculum with special concern for the Anishnawbe language and culture.
12. Supporting the overall management and operations of the Education Unit.
13. Supporting the community development process as it relates to the Education Unit and community, i.e. 10 Year Community Plan.

## Finance

14. Participating in the annual financial planning process including the development of an annual education budget and review of financial statements on a quarterly basis.
15. Lobbying for the financial resources required to operate the Education Unit in an effective and efficient manner.
16. Making recommendations to invest the surplus resources of the Education Unit.

## Accountability

The Education Committee shall be accountable to community members and to Chief and Council for the overall performance of the Education Unit and in all areas pertaining to the duties outlined in these terms of reference. Accountability will be achieved by:

- Distributing the Education Committee minutes and making available a binder of minutes for staff and community members to review.
- Recommending approval of the Education Unit budgets.
- Reporting annually on the Education Committee's goals and objectives.
- Following Chief and Council approved policies and procedures.
- Publishing major decisions in quarterly reports to community members.
- Accountability in terms of community participation and consultation will be achieved through surveys, focus groups; community needs assessments, and client satisfaction surveys.

## Confidentiality

The discussion of the Education Committee meeting may at times be considered confidential. Members of the Committee will be expected to abide by the policy and procedures on confidentiality contained in section C-3.10 of the Personnel Policy and Procedures Manual (see Appendix B and to sign the Confidentiality Agreement (see Appendix C) upon becoming a member. Confidentiality may be reviewed in terms of

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information that should never be shared, and at other times, information that should be kept confidential for a period of time until it is ready for release. It will be the responsibility of each committee member to ask for clarification from the chairperson when they are uncertain.

## **Education Committee's Performance Evaluation**

The performance of the Education Committee shall be evaluated on an annual basis by the **Standing Committee of Chief and Council**. The Director of Education shall assume the role of coordinator. The Education Committee shall collectively develop the evaluation tools and each share a role in tracking the data required to evaluate the results. As an example, data gathered may include a list of agenda items and decisions made, financial statements that show the committee operating within budget, and the number of meetings held and attended. The major source of the evaluation will be based on the Education Committee's goals and objectives and outcome measurements identified at the beginning of each fiscal year.

A report of the evaluation, consisting of results, success factors, recommendations, and an improvement plan will be provided to the Standing Committee for information purposes or approval if major changes are to be made to the functions of the Education Committee.

## **Review of Terms of Reference**

The Education Committee's Terms of Reference shall be reviewed annually by the members in a special meeting called for this purpose. The Chairperson shall be responsible for ensuring that this review occurs. If amendments or additions are seen as necessary, the Education Committee shall recommend these changes to the Standing Committee, in writing, for approval before they come into effect.

Terms of Reference approved on the 22<sup>nd</sup> day of November, 2006 by the Sagamok Anishnawbek Chief & Council.

RESOLUTION NUMBER: \_\_\_\_\_

# Appendices

<b>Section:</b> Terms and Rules of Employment	<b>Policy Number:</b> C-3.8
<b>Sub-section:</b> Standards of Conduct	<b>Effective Date:</b> 01/04/2012

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**Subject:** Conflict of Interest

**Revision Date:** 00/00/00

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## Appendix A

### Conflict of Interest

#### ***Purpose:***

To prevent employees from engaging in activities that conflict with Sagamok Anishnawbek's best interests.

#### ***Policy:***

##### **1. General**

- (1) In some situations, your personal or business activities and interests may be in conflict with those of Sagamok Anishnawbek. In order to prevent such disruptions to Sagamok Anishnawbek's best interests, you must abide by our conflict of interest guidelines.
- (2) It is your responsibility to identify and report any possible or actual conflict of interest, regardless of whether or not you benefit from it.
- (3) Any exceptions to this policy are at the discretion of Sagamok Anishnawbek and must be in writing and approved in advance.

##### **2. Outside Employment, Business and Volunteer Activities**

- (1) You may not engage in outside employment, directorships, business or volunteer activities that:
  - cause an actual or apparent conflict of interest
  - are performed in such a way as to appear to be an official act of or to represent Sagamok Anishnawbek
  - unduly interfere with your ability to exercise independent judgment or perform the duties of your job
- (2) You may not conduct activities that are not work-related during working hours including looking for a new job.
- (3) You may not use Sagamok Anishnawbek equipment or facilities for activities that are not work-related unless you get approval in advance.

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- (4) We encourage you to engage in community or civic activities that do not create a conflict of interest.

### 3. Entertainment and Gifts

- (1) You may not accept gifts, entertainment or services from customers or suppliers, other than the customary exchange of gifts, such as Christmas gifts, that are of nominal value (less than \$100).
- (2) If you receive a gift that is of more than nominal value or you are uncomfortable with a gift you have been offered or given, please speak to your Supervisor.

### 4. Public Appearances

- (1) You may not make any public appearances or publish any documents in which you appear to be representing Sagamok Anishnawabek, without prior approval from your Supervisor.
- (2) You may not use Sagamok Anishnawbek letterhead for personal correspondence.

### 5. Business Dealings with Relatives

- (1) You may not enter into business dealings on Sagamok Anishnawbek's behalf with your relatives or their businesses.

<b>Section:</b> Terms and Rules of Employment	<b>Policy Number:</b> C-3.10
<b>Sub-section:</b> Standards of Conduct	<b>Effective Date:</b> 01/04/2012
<b>Subject:</b> Confidentiality	<b>Revision Date:</b> 00/00/00

**Appendix B**

**Confidentiality**

***Purpose:***

To outline the circumstances under which employees must maintain information on a confidential basis.

***Policy:***

1. In the course of your employment with Sagamok Anishnawbek, you may receive confidential or sensitive information about Sagamok Anishnawbek, its staff and clients. It is critical that you keep this information in the strictest confidence. Accordingly, you may not:
  - (a) disclose at any time, during or after your employment with Sagamok Anishnawbek, confidential information about Sagamok Anishnawbek, its staff and clients, to any unauthorized person not employed by or associated with Sagamok Anishnawbek; or
  - (b) make improper use, directly or indirectly, of such confidential information

If in doubt, seek clarification.

2. Within one week after your employment terminates, you must return all of our materials and property. You may not keep, copy or use any confidential information or property that belongs to us.
3. Please be mindful that your duty to maintain confidentiality extends to any comments you may make on any social networking site. Please refer to Sagamok Anishnawbek's policy on Social Networking and Blogging.

 <b>Sagamok</b>	Form Title: Confidentiality Agreement Form #: 019 Date Approve: 04/03/07 Previous Date Reviewed: 00/00/00 Previous Date Approved: 00/00/00
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**Appendix C**

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## **CONFIDENTIALITY AGREEMENT**

As an employee with privileges at Sagamok Anishnawbek you may have access to confidential information. The purpose of this agreement is to help you understand your duty regarding confidential information. Confidential information includes information pertaining to program delivery, personnel, financial, and other information internal to Sagamok Anishnawbek. You may learn of or have access to some or all of this confidential information through your employment activities. Confidential information is valuable and sensitive and is protected by law and by strict policies governed by Sagamok Anishnawbek.

As an employee you are required to conduct yourself in strict compliance to all laws and policies governing confidential information. The principal obligations in this area are explained below. You are required to read and to abide by these duties. The violation of any of these duties will subject you to discipline which might include, but is not limited to, termination of employment and to legal liability.

As an employee I understand that I may have access to confidential information which may include, but is not limited to, information relating to:

- Clients/Patients (such as files, records, medical reports, conversations)
- Employees (such as salaries, performance evaluations, employment records, disciplinary actions)
- Financial (such as finance statements, budgets, garnishees)
- Sagamok information (such statistical records, internal reports, memos, contracts)

As a condition of my employment I promise that:

- 1) I will use confidential information only as needed to perform my legitimate duties as an employee. This means that: I will only access confidential information for which I need to know; I will not in any divulge, copy, release, sell, loan, review, alter, or destroy any confidential information except as properly authorized; and I will not misuse confidential information or carelessly care for confidential information.
- 2) I will safeguard and will not disclose any access codes that allows me to access confidential information.
- 3) I will report activities by any individual that I suspect has compromised the confidentiality of Sagamok Anishnawbek. Reports made in good faith about suspect activities will be held in confidence to the extent permitted by law, including the name of the individual reporting the activities.

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- 4) I understand that my privileges are subject to periodic review, revision and appropriate, renewal.
- 5) I understand that my obligations under this oath continue after termination of my employment.
- 6) I will be responsible for any misuse or wrongful disclosure of confidential information and for my failure to safeguard access to confidential information. I understand that my failure to comply with this agreement may also result in my loss of employment at Sagamok Anishnawbek.
- 7) Finally, I understand that if I am terminated due to breach of confidentiality, this information may be relayed to my future employers

Signature: Signed at Sagamok Anishnawbek on the    day of                    , 20\_\_

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Witness