



Windsor-Essex Catholic District School Board

1325 California Avenue, Windsor, Ontario N9B 3Y6
Telephone: (519) 253-2481
Joseph Berthiaume, Director of Education

Fax: (519) 253-0620
John Macri, Board Chairperson

REGULAR BOARD MEETING Tuesday, January 30, 2007 at 7:00 p.m. Windsor Essex Catholic Education Centre John Paul II Boardroom

A G E N D A

I In-Camera Meeting – 6:00 p.m.

II Regular Meeting of the Board - 7:00 p.m.

Page #

1. Call To Order

2. Opening Prayer

3. Recording of Attendance

4. Approval of Agenda

5. Questions Pertaining to Agenda

6. Disclosure of Interest - Pursuant to the Municipal Conflict of Interest Act.

7. Presentations

a. Supporting Learning Through Technology (L. Staudt)

8. Delegations

a. Delegation Regarding Items Not on the Agenda

3:11.1 Any person(s) wishing to make a formal presentation to the Board shall make their intent known, in writing, to the Secretary at least one week prior to the regular meeting. They shall briefly explain in their petition the nature of their business. Discussion shall be limited to the petition and shall be not longer than ten (10) minutes. The time limit can be waived by the consent of the majority of the Board.

b. Delegations Regarding Items On the Agenda

3:11.2 Any person(s) wishing to appear before the Board and speak on an item appearing on the agenda of the Board Meeting has until NOON of the day of the Board meeting to make a request to the Secretary. They shall explain briefly the nature of their business. The discussion shall be limited to the item on the agenda and shall be no longer than ten (10) minutes.

9. Action Items
 - a. Approval of Minutes
 - i) Minutes of In-Camera Meeting, January 16, 2007
 - ii) Minutes of Regular Meeting, January 16, 2007 1 - 8
 - b. Items From In-Camera Meeting of January 30, 2007

10. Communications
 - a. External (Associations, OCSTA, Ministry)
 - b. Internal (Reports from Administration)
 - i) Report: Administrative Staff Report (M. Seguin) 9 – 10
 - ii) Report: Trustee Attendance – July to December 2006 (J. Berthiaume) 11
 - iii) Report: Annual Play Structure, Surfacing and Playfield Repair Program for 2006 (M. Iatonna) 12 - 13

11. Unfinished Business

12. New Business
 - a. Field Trips:
 - i) Notre Dame Catholic Elementary School – Mt. Brighton (M. Seguin) 14 – 15
 - ii) Queen of Peace Catholic Elementary School – Cedar Point (M. Seguin) 16 – 18
 - b. Report: School Boundary and Consolidation Review – Watson & Associates (P. Marchini) 19 – 30
 - c. Report: Board Policy H:12 Retirement of Employees (M. Seguin) 31 – 34
 - d. Report: Board Resolutions for Temporary Borrowing (P. Marchini) 35 – 38
 - e. Report: Board Meeting Schedule for March 2007 (J. Berthiaume) 39 - 40

13. Committee Reports
 - a. Report: High School Council - November 9, 2006 Meeting (L. Staudt) 41 – 46
 - b. Report: By-Law Review Committee – By-Law Amendments (J. Berthiaume) 47 - 79

14. Notice of Motion

15. Remarks and Announcements
 - a. Chairperson
 - b. Director of Education
 - c. Board Chaplain

16. Remarks/Questions by Trustees

17. Pending Items
 - a. Deferred from June 27, 2005: Board Policy Review Committee – Board Policy Revisions: *A:12 Code of Ethics / Conflict of Interest (Amended Policy)*
 - b. Deferred Motion from October 24, 2006 to February 27, 2007: *“Moved by Trustee Porcellini and seconded by Trustee DiMenna that the Board, in adherence with Policy A:21 Child Care, require all daycare service providers housed in Board schools to be not-for-profit, and further, that the Board encourage those daycare service providers that are currently for profit and housed in our system, to complete the conversion process prior to March 31, 2007, after which all contracts for the provision of daycare services by any for*

profit providers will be terminated and subject to tender, for award and installation by July 1, 2007.“

18. Continuation of In-Camera, if required.
19. Future Board Meetings: (unless stated otherwise all meetings will be held at the Windsor Essex Catholic Education Centre - 1325 California Avenue, Windsor)
 - Tuesday, February 13, 2007
 - Tuesday, February 27, 2007
 - Tuesday, March 13, 2007 (tentative due to March Break)
 - Tuesday, March 27, 2007
 - Tuesday, April 10, 2007
 - Tuesday, April 24, 2007
 - Tuesday, May 8, 2007
 - Tuesday, May 22, 2007
 - Tuesday, June 12, 2007
 - Monday, June 25, 2007
20. Closing Prayer
21. Adjournment

John Macri
Board Chairperson

Joseph Berthiaume
Director of Education & Secretary-Treasurer



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John Macri, Board Chairperson

REGULAR BOARD MEETING Tuesday, January 16, 2007 at 7:00 p.m. Windsor Essex Catholic Education Centre John Paul II Boardroom

MINUTES

PRESENT

Trustees:

J. Courtney, Vice-Chair	P. Keane
M. DiMenna	J. Macri, Chair
B. Holland	S. Porcellini
C. Janisse	L. Soulliere
Rev. L. Brunet, Board Chaplain	
L. Willson, Student Trustee	

Regrets:

F. Alexander

Administration:

J. Berthiaume (Resource)	R. Limarzi
M. Iatonna	P. Littlejohns
P. Marchini	P. Picard
M. Seguin	K. Gignac
C. Geml	

Recorder:

D. Steffens

1. Call To Order – Chair Macri called the meeting to order at 7:15 p.m.
2. Opening Prayer – Fr. Brunet opened the meeting with a prayer.
3. Recording of Attendance – Trustee Alexander sent regrets.
4. Approval of Agenda

Amendments:

- Chair Macri noted that a revised board report for item 12d *Aramark Canada Contract* is at trustee places and was previously emailed to trustees.
- ADDITION: 8b(i) Delegations Regarding Items On the Agenda: Holy Names High School Neighbourhood Delegation to speak to agenda item 12b School Boundary and Consolidation Review – Watson & Associates
- ADDITION: 12e WALK ON Report: Appointments to Special Education Advisory Committee (SEAC) (*report is at trustee places and previously emailed to trustees*)

Moved by Trustee DiMenna and seconded by Trustee Soulliere that the January 16, 2007 Regular Board meeting agenda be approved as amended. Carried.

5. Questions Pertaining to Agenda – None.
6. Disclosure of Interest - Pursuant to the Municipal Conflict of Interest Act. – None.
7. Presentations – None.
8. Delegations
 - a. Delegation Regarding Items Not on the Agenda – None.
 - b. Delegations Regarding Items On the Agenda
 - i. Holy Names High School Neighbourhood Delegation – Mr. Chuck Peterson spoke on behalf of the Holy Names High School Neighbourhood Delegation regarding agenda item 12b School Boundary and Consolidation Review – Watson & Associates. The delegation, consisting of concerned rate payers in the area of the school, brought forward concerns regarding the location of a four-classroom portable that was placed on the property to accommodate student enrolment. The delegation petitioned the board to immediately conduct a boundary study of the board’s secondary schools, to assess student accommodation needs and to investigate permanent solutions for student accommodation at Holy Names Catholic High School.
9. Action Items
 - a. Approval of Minutes
 - i) Minutes of Committee of the Whole Board In-Camera Meeting, December 12, 2006
Moved by Trustee Janisse and seconded by Trustee Holland that the minutes of the Committee of the Whole Board In-Camera meeting of December 12, 2006 be adopted as corrected. Carried.
 - ii) Minutes of Regular Meeting, December 12, 2006
Moved by Trustee Janisse and seconded by Trustee Keane that the minutes of the Regular Board meeting of December 12, 2006 be adopted as distributed. Carried.
 - b. Items From In-Camera Meeting of January 16, 2007

Vice Chair Courtney reported that the Windsor-Essex Catholic District School Board convened a closed Committee of the Whole Board meeting on January 16, 2007 pursuant to the Education Act - Section 207, consider specific personnel, real property issues and other matters permitted or required to be kept private and confidential under the Freedom of Information and Protection of Privacy Act.

Moved by Trustee Courtney and seconded by Trustee Soulliere that the recommendations and directions of the Committee of the Whole Board at its In-Camera meeting of January 16, 2007 be approved. Carried.

Vice-Chair Courtney made the following announcements:

- The execution of a personal services contract between the Board and Superintendent of Education Cathy Geml
- The appointment of **Sharon O'Hagan-Wong** to the position of Acting Supervisor, Learning Support pending the review of the Senior Administrative structure
- The appointment of **Randy Sasso** to the position of Acting Supervisor, Faith Development and Child Care pending the review of the Senior Administrative structure
- The appointment of **Jim Nehmetallah** to the position of Department Head Technological Studies at St. Anne Catholic High School
- The following elementary school administration transfers and placements:
 - **Louise St. Pierre:** from vice principal at Holy Name Elementary to Acting Principal at St. John the Evangelist Elementary
 - **Brian Marenchin:** from teacher at Immaculate Conception Elementary to Acting Administrator at Immaculate Conception Elementary
 - **Camela Casalena:** from teacher at L. A. Desmarais Elementary to Vice Principal at Holy Name Elementary
 - **Dan Laporte:** from Vice Principal Immaculate Conception Elementary to Acting Principal at St. Francis Elementary
 - **Gary Frigon:** from Principal at St. Francis Elementary to Principal at L. A. Desmarais Elementary
 - **Louie Urso:** from Principal at L. A. Desmarais Elementary to Principal at St. John the Baptist Elementary

10. Communications

a. External (Associations, OCSTA, Ministry)

- i) Letter to the Minister of Education from Superior-Greenstone District School Board dated December 5, 2006 re Regulation 357/06 Honoraria for Board Members

A letter supporting the Superior-Greenstone District School Board's petition and encouraging the ministry to revisit the funding formula for trustee honorarium will be sent to the Minister of Education.

Moved by Trustee Soulliere and seconded by Trustee Janisse that the Letter to the Minister of Education from Superior-Greenstone District School Board dated December 5, 2006 re Regulation 357/06 Honoraria for Board Members be received as information. Carried.

b. Internal (Reports from Administration)

- i) Report: Administrative Staff Report
Moved by Trustee DiMenna and seconded by Trustee Holland that the Board receive the *Administrative Staff Report* on hiring, retirement and resignation of staff dated January 16, 2007 for information. Carried.

- ii) Report: Year-End Financial Statements for the Year Ended August 31, 2006

Trustee Soulliere reported that the Audit Committee reviewed the draft audited statements with the external auditors on December 1, 2006 and provided a brief summary of the discussion.

Moved by Trustee Soulliere and seconded by Trustee DiMenna that the Board receive the year-end financial statements for the fiscal year ended August 31, 2006 as information. Carried.

- iii) Report: Report on Trustee Expenses 2005 - 2006

Moved by Trustee Keane and seconded by Trustee Janisse that the Board receive the Report of Trustee Expenses 2005-2006 as information. Carried.

- iv) Report: 2007 Budget Report

Moved by Trustee Janisse and seconded by Trustee Soulliere that the Board receive the 2007 Budget Report as information. Carried.

- v) Report: Legal Services – October 2006

Director Berthiaume indicated that information involving the current legal services agreement with Shibley Righton LPP will be provided to trustees.

Moved by Trustee Janisse and seconded by Trustee Holland that the report *Legal Services – October 2006* be received as information. Carried.

11. Unfinished Business

- a. Deferred Motion from October 24, 2006: Trustee Porcellini: *“Moved by Trustee Porcellini and seconded by Trustee DiMenna that the Board establish a series of oversight committees, chaired by trustees, not limited to budget, capital, etc., to report regularly to the Board in public session.”*

Trustee Porcellini indicated that the purpose of this notice of motion was to generate debate on the direction we see the board going with respect to the board governance model versus more involvement in the management and oversight of the operations of the. Trustee Porcellini withdrew the motion and indicated she will bring forward a reworded notice at a future date.

12. New Business

- a. Field Trips:

- i) St. Gabriel Catholic Elementary School - Chicago

Moved by Trustee Janisse and seconded by Trustee Keane that the Board approve St. Gabriel Catholic Elementary School’s field trip to Chicago, Illinois for June 6 - 7, 2007. Carried.

- ii) Catholic Central High School – Quebec City
Moved by Trustee DiMenna and seconded by Trustee Janisse that the Board approved the field trip for Catholic Central High School to Quebec City, from April 26 to 29, 2007. Carried.

- b. Report: School Boundary and Consolidation Review – Watson & Associates

Senior Financial Analyst Marchini reported that Ministry memorandum 2006:B12 Pupil Accommodation Review Guidelines provides that boards are requested to pass a resolution approving an accommodation review policy by March 31, 2007 or prior to the announcement of an accommodation review whichever is earlier. Watson and Associates have provided input to the Ministry of Education in the drafting of Pupil Accommodation Review Guidelines and their input in the forming of a policy for the board would be very beneficial. It would be prudent that in conjunction with the drafting of a new accommodation policy that the board undertake an independent review of existing school boundaries. Since the board has not reviewed its school boundaries from the time of amalgamation, it is recommended that Watson and Associates assist the board in a comprehensive boundary study. Senior Financial Analyst Marchini reported that a brief outlining the scope, timelines and cost of the review had been received today. A report will be brought to the January 30 board meeting for further consideration of the Board.

Moved by Trustee Holland and seconded by Trustee Soulliere that the Board appoint Watson and Associates to review and provide comment on a board “draft” Accommodation Review Policy to be submitted to the Ministry of Education by March 31, 2007;

and, that the Board direct administration to approach Watson and Associates to undertake a comprehensive review of school boundaries and bring a report outlining the scope and cost to the Board for final approval to proceed. Carried.

- c. Report: Ontario Association of Parents in Catholic Education (OAPCE) Annual Membership Fees

Moved by Trustee Holland and seconded by Trustee Courtney that the Board approve payment of the Ontario Association of Parents in Catholic Education (OAPCE) 2007 annual membership fees for 41 elementary school councils and 8 secondary school councils in the amount of \$60.00 per school. Carried.

- d. Report: Aramark Canada Contract (*A revised report was distributed.*)

Senior Financial Analyst Marchini reported that the current Aramark term of agreement for the provision of food services at secondary schools within the Board dated June 23, 2003 and expired in 2006. The agreement included a clause that if both parties agreed the contract could be extended for an additional two-year period. The board has received an average of \$300,000 annually from Aramark of which \$50,000 is retained centrally by the board for repairs and maintenance of board owned food service equipment. The balance of the commissions is returned to the schools on a quarterly basis.

Moved by Trustee Holland and seconded by Trustee DiMenna that the Board approve the attached letter of agreement between the Windsor-Essex Catholic District School board and Aramark Canada Ltd (Aramark) extending the contract dated June 25, 2003 to June 30, 2008.

Discussion ensued regarding the proposed length of extension, the timing for re-tendering the service and the need for additional information on the current contract provisions. Administration will provide a report detailing the current provisions of the agreement with Aramark, feedback on the services that are currently provided, including input from the student senate, how the services addresses healthy food choices and the feasibility of the board's own food services classes providing the service.

Trustee Porcellini moved that the letter of agreement between the Windsor-Essex Catholic District School board and Aramark Canada Ltd (Aramark) extending the contract dated June 25, 2003 to June 30, 2008 be deferred to the end of May pending pending a detailed report from administration. There was no seconder.

Amended Motion:

Moved by Trustee Soulliere and seconded by Trustee Janisse that the Board approve the attached letter of agreement between the Windsor-Essex Catholic District School board and Aramark Canada Ltd (Aramark) extending the contract dated June 25, 2003 to June 30, 2007 and that administration provide a detailed report to the Board in March with recommendations for options for September 2007. Carried.

- e. WALK-ON Report: Appointments to Special Education Advisory Committee
Moved by Trustee Soulliere and seconded by Trustee Holland that the Board approve the following members and alternate members to the Special Education Advisory Committee (SEAC) for the four year term, December 1, 2006 to November 30, 2010:

ASSOCIATION	MEMBER	ALTERNATE
Down Syndrome Parent Association	Paula Nantais-Murphy	Michelle Mastellotto
Learning Disabilities Association	Bev Clarke	
High School Council	Claudio Del Duca	Michelle Del Duca
Maryvale Adolescence & Family Svs.	Tom Aymar	

Carried.

13. Committee Reports

- a. Report: Elementary School Council Meeting Notes of November 21, 2006
Moved by Trustee Porcellini and seconded by Trustee Janisse that the Board receive the notes from the Elementary School Council dated November 21, 2006, as information. Carried.
- b. Report: Audit Committee Report – Notes from the Meetings of December 1 and December 12, 2006
Moved by Trustee Holland and seconded by Trustee DiMenna that the Board receive the notes from the Audit Committee dated December 1 and December 12, 2006 as information. Carried.

14. Notice of Motion – None.

15. Remarks and Announcements

- a. Chairperson Macri noted that the 2007 Trustee Committee appointments are at trustee places.
- b. Director of Education Berthiaume reminded trustees of the system wide professional development day tomorrow and commented on his opportunity to attend the Ontario Catholic Schools Trustees' Association (OCSTA) New Trustee Seminar last week.
- c. Board Chaplain Fr. Brunet left the meeting at 8:10 p.m.

16. Remarks/Questions by Trustees

- Trustee Keane commended administration and those responsible for the JK/SK registration and grade 8 information nights communications. Trustee Keane also congratulated the staff and students from Catholic Central High School on the excellent quality of the school newspaper that was recently distributed.
- Trustee DiMenna also congratulated the staff and students of Catholic Central High School on the excellent quality of the school newspaper.
- Trustee Courtney commented that she recently attended the “Africa in Us” presentation held at St. Thomas Villanova of Villanova Catholic High School and congratulated all the staff and students involved in the outstanding production.

17. Pending Items

- a. Deferred from June 27, 2005: Board Policy Review Committee – Board Policy Revisions: *A:12 Code of Ethics / Conflict of Interest (Amended Policy)*
- b. Deferred Motion from October 24, 2006 to February 27, 2007: *“Moved by Trustee Porcellini and seconded by Trustee DiMenna that the Board, in adherence with Policy A:21 Child Care, require all daycare service providers housed in Board schools to be not-for-profit, and further, that the Board encourage those daycare service providers that are currently for profit and housed in our system, to complete the conversion process prior to March 31, 2007, after which all contracts for the provision of daycare services by any for profit providers will be terminated and subject to tender, for award and installation by July 1, 2007.”*

18. Continuation of In-Camera - Not required.

19. Future Board Meetings: (unless stated otherwise all meetings will be held at the Windsor Essex Catholic Education Centre - 1325 California Avenue, Windsor)

- Tuesday, January 30, 2007
- Tuesday, February 13, 2007
- Tuesday, February 27, 2007
- Tuesday, March 13, 2007 (tentative due to March Break)
- Tuesday, March 27, 2007

- Tuesday, April 10, 2007
- Tuesday, April 24, 2007
- Tuesday, May 8, 2007
- Tuesday, May 22, 2007
- Tuesday, June 12, 2007
- Monday, June 25, 2007

20. Closing Prayer – The meeting with a prayer.

21. Adjournment - There being no further business, the Regular Board Meeting of January 16, 2007 adjourned at 8:30 p.m.

Not approved.

John Macri
Board Chairperson

Joseph Berthiaume
Director of Education & Secretary-Treasurer



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Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
M. Seguin, Superintendent of Human Resources
P. Littlejohns, Manager of Human Resources
P. Picard, Supervisor of Human Resources, Academic

SUBJECT: ADMINISTRATIVE STAFF REPORT

RECOMMENDATION:

That the Board receive the *Administrative Staff Report* on hiring, retirement and resignation of staff dated January 30, 2007 for information.

BACKGROUND:

FINANCIAL:

COMMENTS:

TIMELINES:

APPENDICES:

- Administrative Staff Report dated January 30, 2007

January 30, 2007

**Windsor-Essex Catholic District School Board
Administrative Staff Report**

	Employee Name	Position	Location	Date
HIRING:	James Bezaire	Part-time Custodian	Supply	January 26, 2007 Changed to Feb. 2/07
	Michael Meloche	Part-time Custodian	Supply	January 26, 2007 Changed to Feb. 2/07
RESIGNATION:	Cheryl Patrick	Occasional Teacher	Supply	January 12, 2007
	Shirley Renaud	Occasional Teacher	Supply	December 22, 2006
	Linda Thrasher	Occasional Teacher	Supply	December 20, 2006
RETIREMENT:	Vivien Ray-Mailloux	Secondary Teacher	St. Michael's	January 31, 2007
	Mary Vespa	Elementary Teacher	St. Bernard Amherstburg	January 31, 2007
	Mariann Wilson	Consultant	Catholic Education Centre	January 31, 2007

OTHER:

Teacher Retirements - Upcoming *Have given notice; have yet to retire	Elementary: 3	Secondary: 2	Total: 5
Teacher Retirements - Year to Date ** Have retired as of this date	Elementary: 3	Secondary: 1	Total: 4
Teacher Resignations - Upcoming	Elementary: 0	Secondary: 0	Total: 0
Teacher Resignations - Year to Date	Elementary: 1	Secondary: 0	Total: 1



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Telephone: (519) 253-2481 Fax: (519) 253-8397

Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education

SUBJECT: **TRUSTEE ATTENDANCE – JULY TO DECEMBER 2006**

RECOMMENDATION:

That the Board receive the report *Trustee Attendance – July to December 2006* as information.

BACKGROUND:

At the Regular Board Meeting of December 16, 2003, the following motion was passed:

“That, the Board establish a policy providing that Trustee attendance be publicly recorded twice yearly.”

COMMENTS:

Eight regularly scheduled meetings of the Board were scheduled during the period of July to December 2006. The Organizational Meeting was attended by all elected trustees. The following chart summarizes Trustee attendance during the current reporting period.

Trustee	Meetings Attended
Fred Alexander	7
Joan Courtney	7
Mary DiMenna	8
Barbara Holland	8
Chris Janisse	8
Patrick Keane	8
John Macri	7
Shannon Porcellini	8
Lisa Soulliere	8

Student Trustee	Meetings Attended
Luke Willson	8



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Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

Meeting Date:
January 30, 2007

BOARD REPORT

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Mario Iatonna, Superintendent, Facility Services
Wilfred Wong, Manager, Operations & Maintenance Services

SUBJECT: ANNUAL PLAY STRUCTURE, SURFACING, AND PLAYFIELD REPAIR PROGRAM FOR 2006 BASED ON THE REPORT ISSUED BY PLAYCHEK DATED OCTOBER 2005 - FINAL REPORT

RECOMMENDATION:

That the Board receive the Annual Play Structure, Surfacing, and Playfield and Repair Program Report for 2006 as information.

BACKGROUND:

Ontario School Board Insurance Exchange (OSBIE), the Board's Insurance Carrier, recommends the use of the Canadian Standards Association (C.S.A.), "Children's Playspaces and Equipment" standard as a best practice for inspection and maintenance of playground equipment.

It is the Board's responsibility to inspect and maintain playground equipment following the C.S.A. Standard.

The Board retained the services of Playchek Inc. to undertake the 2005-2006 Annual Play Structure, Surfacing and Playfield Inspections.

Daycare Centers, under the terms of the lease agreement and licensing agents (Ministry of Social Services), are responsible for the inspections and corrective actions of all Daycare purchased playground equipment on Windsor-Essex Catholic District School Board property.

FINANCIAL:

Funding for repairs was approved to be charged to the 2005-2006 Capital Renewal Budget. (reference Board hand-out October 25, 2005)

COMMENTS:

The Scope of the Work to complete the repairs was divided into components as follows: Original Equipment Manufacturers (OEM) Play-structures, Non-OEM Play-structures, Play-Surfaces and Playfield items.

OEM Play-structures

This component was tendered and awarded to OEM Contractors in January 2006. (reference Board Report dated Feb 14, 2006) Work was completed by June 2006 with the exception of Langlois, where repairs are currently in process.

Non-OEM Play-structures

This component was quoted and awarded to Non-OEM Contractors in March 2006. Work was completed by the fall of 2006.

PlaysurfacesPeastone

To address the pea-stone surfacing repairs, a new approach was brought forward. Board approved to test Christ the King and LA DesMarais for power washing and roto-tilling. (reference Board Report dated Feb 14, 2006) Upon completion of this approach, the surface was re-tested and the sites had passed the criteria for the "drop-ball" test. Further, it was determined that there would be considerable savings by using this methodology. (power washing and roto-tilling vs. removal and replacement) This approach was extended to the balance of the sites with pea-stone surfaces, which were identified as non-conforming from the Playchek Reports. Work was completed by the summer of 2006.

Woodchip Surfaces

Where contained in the report, additional top-up of the woodchips was introduced. Work was completed in the summer of 2006.

PlayField Items

Through a combination of internal resources and external Contractors, the Non-Conforming issues identified in the Report were resolved by the fall of 2006.

TIMELINES:

APPENDICES: None.



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John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Michael Seguin, Superintendent of Education

SUBJECT: **NOTRE DAME CATHOLIC ELEMENTARY SCHOOL**
- Mount Brighton - February 8, 2007

RECOMMENDATION:

That the Board approve Notre Dame Catholic Elementary School's field trip to Mount Brighton, February 8th, 2007.

BACKGROUND:

This trip is in relation to the students' program/courses.

FINANCIAL: None.

COMMENTS:

This field trip request is in compliance with the Field Trip Policy (SC:04). All procedures with regard to the policy have been followed.

TIMELINES:

APPENDICES:

- Request for Approval of Field Trip – SC:04 Form A



Request for Approval of Field Trip

School	Notre Dame		Date of Trip	02/08/07	
Destination	Mount Brighton, Michigan		Mode of Transportation	Bus	
School Departure Time	8 am	School Arrival Time	6 pm	Name of Carrier	Laidlaw
# of Male Students	57	Grade of Students	7,8	Number of Supervisors	Female 3 Male 3
# of Female Students	53	Personal Cost Per Student	\$45.00	Travel Company Involved	NA
Total Cost Per Student	\$45.00				

EDUCATIONAL RATIONALE

Name of Teacher Jamie Bumbacco

Purpose of Trip Physical Education (skiing, snowboarding lesson and practice of this new skill)

Relationship to Students' Program/Course Extension of phys. ed. curric.

Pre-Trip Preparation(s) by Students Ski/Snowboard safety video and lesson

Follow-Up Activities Planned Journal

If Activity is Occuring over a Weekend Indicate Plans for Students to Attend a Eucharistic Celebration NA

Date Submitted	01/08/2007	Name of Teacher	Jamie Bumbacco
Approval Date	01/08/2007	Name of Principal	Jamie Bumbacco
Approval Date	01/31/2007	Name of Superintendent	Michael Seguin
Approval Date		Board of Trustees Approval (per Superintendent)	

For Same Day Local/Regional Trip, submit request to Principal 2 weeks prior to trip.
For Multiple Days Local/Regional Trips, submit request to Superintendent 4 weeks prior to trips.
For Special Trips, submit request to Superintendent for Board approval 8 weeks prior to trip.

Send signed form to School Superintendent, school should retain a copy, Superintendent will return copy upon approval of trip.

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, 1989, information in forms and documents pertaining to a student registered/enrolled within the Windsor-Essex Catholic District School Board is collected under the legal authority of the Education Act and its Regulations and the Ontario Student Record Guideline, 1980.



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BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Michael Seguin, Superintendent of Education

SUBJECT: **QUEEN OF PEACE ELEMENTARY SCHOOL**
- Cedar Point, Ohio - June 14, 2007

RECOMMENDATION:

That the Board approve the Queen of Peace Elementary School – Cedar Point, Ohio field trip for June 14, 2007.

BACKGROUND:

This trip is in relation to the students' program/courses.

FINANCIAL: None.

COMMENTS:

This field trip request is in compliance with the Field Trip Policy (SC:04). All procedures with regard to the policy have been followed.

TIMELINES:

APPENDICES:

- Request for Approval of Field Trip – SC:04 Form A
- Letter to Superintendent Seguin dated January 23, 2007



Request for Approval of Field Trip

School	Queen Of Peace		Date of Trip	06/14/2007	
Destination	Cedar Point 1 Cedar Point Dr. Sandusky, OH 44870		Mode of Transportation	Motor Coach	
School Departure Time	6:00 AM	School Arrival Time	11:30 PM		
# of Male Students	31	Grade of Students	8		
# of Female Students	39	Name of Carrier	Badder Bus Lines		
Total Cost Per Student	\$95.00	Personal Cost Per Student	\$25.00	Number of Supervisors	Female 3 Male 3
		Travel Company Involved	none		

EDUCATIONAL RATIONALE

Name of Teacher Mr. J. Chambers, Mrs. M. Taouil, Mrs. G. Hutchison

Purpose of Trip End of the year/graduation field trip.

Relationship to Students' Program/Course N/A

Pre-Trip Preparation(s) by Students N/A

Follow-Up Activities Planned N/A

If Activity is Occuring over a Weekend Indicate Plans for Students to Attend a Eucharistic Celebration

Date Submitted	01/08/2007	Name of Teacher	J. Chambers, M. Taouil, G. Hutchison
Approval Date	01/08/2007	Name of Principal	N. George
Approval Date	01/31/2007	Name of Superintendent	Michael Seguin
Approval Date		Board of Trustees Approval (per Superintendent)	

For Same Day Local/Regional Trip, submit request to Principal 2 weeks prior to trip.
For Multiple Days Local/Regional Trips, submit request to Superintendent 4 weeks prior to trips.
For Special Trips, submit request to Superintendent for Board approval 8 weeks prior to trip.

Send signed form to School Superintendent, school should retain a copy, Superintendent will return copy upon approval of trip.

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, 1989, information in forms and documents pertaining to a student registered/enrolled within the Windsor-Essex Catholic District School Board is collected under the legal authority of the Education Act and its Regulations and the Ontario Student Record Guideline, 1980.



Windsor Essex Catholic District School Board
Queen of Peace Catholic School

57 Nicholas Street
Phone: 519-326-9023

Leamington, Ontario N8H 4B8
Fax: 519-326-6066

Principal: N. George

Vice Principal: C. Bull

Secretary: K. Vanderbeek
L. Carder

Tuesday, January 23, 2007

Mr. Mike Seguin
Superintendent of Education
Windsor Essex Catholic District School Board

Dear Mr. Seguin:

I am writing to request permission for a field trip for our Grade 8 students to Sandusky, Ohio on Thursday, June 14, 2007.

The purpose of the trip will be to spend the day at Cedar Point Park. Our Grade 8 students have been effective leaders within our school. They have participated in many activities, have assisted in many areas of the school, and have supervised recreational activities for our younger students, namely our House Leagues program. Our grade 8's also participate actively and enthusiastically in the Spirit Club. Furthermore, they are working diligently at improving their literacy skills through various activities within the school, (Reading Buddies, Book Boasts, etc). They look forward to enjoying a day of fun and excitement with their friends as they celebrate the end of their Grade 8 year, and the end of their elementary experience as a Royal, at Queen of Peace School.

The cost of the trip per student is \$95.00 (Canadian). However, due to the generosity and consistent support of the Grade 8 parents, and their wonderful hot lunch program the actual cost to students will be \$25.00.

I assure you that the students will be well prepared in advance of this trip and all steps will be taken to ensure a fun but safe day.

I thank you in advance for your consideration of this matter.

Sincerely,

N. George
Principal



Windsor-Essex Catholic District School Board

1325 California Avenue, Windsor, Ontario N9B 3Y6
Telephone: (519) 253-2481 Fax: (519) 253-0620

Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**
PRESENTED FOR: Information Approval
PRESENTED BY: Senior Administration
SUBMITTED BY: Joseph Berthiaume, Director of Education
Peter S. Marchini, Senior Financial Analyst
SUBJECT: **SCHOOL BOUNDARY AND CONSOLIDATION REVIEW –
WATSON AND ASSOCIATES**

RECOMMENDATION:

That the board approve Watson and Associates proposal in the amount \$4,130, to assist the board in drafting an Accommodation Review Policy.

That the board approve Watson and Associates proposal in the amount of \$51,410 - \$53,560, to assist the board with an accommodation/boundary review consistent with the Ministry of Educations current policies.

BACKGROUND:

The attached appendices provide information io the objectives, costing and timelines, for the two reviews the board has requested from Watson and Associates.

The outcome of these reviews would be:

- (i) A draft Accommodation review policy for board approval and submission to the Ministry of Education by March 31st, 2007.
- (ii) A comprehensive Long Term Capital Plan that incorporates student program needs, capital resources, and accommodation options considering current and long-term enrolment projections.

FINANCIAL:

The cost of the review \$55,000 - \$58,000 would be charged to Board Administration Misc. Account.

COMMENTS:

TIMELINES:

See attached proposal dated January 16, 2007

APPENDICES:

- Correspondence from Watson and Associates dated January 16, 2007
- Email from Jack Ammendolia, Watson & Associates dated January 22, 2007

January 16, 2007

Mr. Peter Marchini
Superintendent of Business Operations Services
Windsor Essex Catholic District School Board
1325 California Avenue
Windsor, Ontario
N9B 3Y6

Dear Mr. Marchini:

Re: Accommodation Review / School Closure Policy

We are writing in follow-up to your recent request, wherein you asked that we provide the Board with a proposal outlining a general work program and associated budgetary requirement to undertake an accommodation review consistent with the Ministry of Education's current policies. The proposal provided herein is an update of the proposal submitted to your Board in February 2006, utilizing current 2007 billing rates

The Ministry of Education announced changes to the capital funding initiatives under the Student Focused Funding Model on February 17, 2005.¹ This document formed the basis for changes in policies and new Ministry initiatives for K-12 education in the Province. The Ministry has also produced a web-based capital planning tool that would assist the government in identifying long term unmet capital needs for each Board. Each Board in the province is required to complete a long term accommodation strategy so that they can meet the requirements outlined in the online capital planning tool.

The capital planning process outlined herein would enable the Windsor Essex Catholic District School Board (WECDSB) to prepare a long term accommodation strategy suitable for public consultation; a strategy that is program directed and has the potential to improve the student learning environment. As part of undertaking the Board's long term accommodation strategy, we propose to incorporate information respecting:

- an assessment of program-directed capital needs;
- an assessment of capital needs on a distinctive planning area basis;
- an analysis of the impact of the primary classroom reduction, including a determination of the change in the On-the-Ground capacity for each school facility, and an assessment of the number of permanent and temporary classrooms required to accommodate the reduced classroom loading during the 2004/05 to 2007/08 period, based on projected enrolment by grade in 2007/08;

¹ Good Places to Learn – Excellence for All, Ministry of Education, February 17, 2005.

- a review of programs and program space throughout the Board's jurisdiction, including community use of schools;
- providing by school, by grade enrolment projections, consistent with the recommended long term accommodation strategy (optional).

Watson & Associates Economists Ltd. is uniquely qualified to undertake this assignment as the firm has completed more than forty similar assignments dealing with accommodation strategies throughout Ontario, since the inception of the Student Focused Funding model in 1998. The firm works extensively with the Ministry of Education and is thoroughly familiar with all aspects of the Provincial capital funding model. In addition, we have had numerous opportunities to meet with Ministry staff and discuss the format/approach to long term capital strategies and improved student learning environments.

Watson & Associates has also worked with the Board on a recent sub area review (2006) and has completed numerous studies in the City of Windsor and the County of Essex.

Purpose:

The main objectives of this project are to:

- prepare detailed 15 year enrolment projections by school and by grade **or** undertake a peer review of Board-prepared by school, by grade enrolment projections;
- disaggregate the Board's jurisdiction into appropriate planning districts for the purposes of assessing capital planning strategies;
- provide the Board with an accommodation strategy, one that is program-directed and consistent with Provincial policy initiatives;
- undertake a financial assessment of implementation of the Province's primary classroom reduction initiatives for 2007/08;
- assess the ability of the Board to enhance the educational credentials of its students through program enhancements and program space upgrades;
- provide the Board with a long term financing assessment related to capital needs of the Board.

Background:

From the Ministry of Education's perspective, the primary tenets of a Long Term Capital Plan are:

- student program needs to drive facilities planning;
- the Capital Plan must demonstrate efficient and effective use of the Board's capital resources;
- the Capital Plan needs to assess the ability of the Board's existing facilities inventory to provide a quality learning environment to meet both current and future enrolment demands;

- to identify the accommodation options available to the Board including, but not limited to, the construction of additional pupil places, the replacement of existing spaces, facility enhancement (of condition and/or size of facility), the rationalization of space through one or more of the following means:
 - boundary adjustments;
 - modifications to program structure, offering or delivery;
 - relocation of facilities;
 - inter-board transfers;
 - joint use developments;
 - consolidation of surplus space and the enhancement of receiving schools;
- to ensure that the proposed accommodation strategy improves the Board's ability to fund the long term renewal of assets and deal with health and safety issues as a renewal priority, and to do so within the context of the facility condition assessment program initiated by the Ministry and the policy recommendations to be made as a result.

Study Approach:

The Capital Plan is designed to assess total facility needs, both construction and renewal requirements, as well as looking at program upgrades, schools as community hubs and the possibility of joint ventures with co-terminous school boards and other key municipal stakeholders.

The overall approach to the Long Term Capital Plan must consider a broad range of solutions and incorporate flexibility in order to achieve consensus among the wide range of stakeholders (including school councils, trustees, principals, administrative staff, local municipalities, the development community and the Province).

Table 1 outlines the proposed process and timing to be used to provide the Board with a Long Term Capital Plan. It should be noted that Table 1 deals only with the process required to consult with Board staff and to update school facilities information, assess the impact of the primary classroom reduction and provide long term accommodation plan recommendations, and provides a basis for Ministry review of the Board proposal and follow-up consultation with key stakeholders. The work program does not include any follow-up public consultation with respect to the proposed Plan.

It should also be noted that our experience in long term plan preparation suggests that meeting the Ministry's requirement to undertake a "program-driven" capital planning process involves an extensive analytical process and typically takes approximately 16-20 weeks.

As a first step we would propose to utilize the Board-prepared enrolment projections and to peer review these projections by cross checking them to independent age specific cohort analyses undertaken by this firm. Should the cross check determine that the Board-prepared projections are defensible and suitable for capital planning purposes, we will simply proceed to assess the Board's capital expenditure needs. If not, however, we would propose to undertake firm prepared enrolment projections. Table 1 outlines the timing schedule assuming both Board-prepared projections and Firm-prepared projections. It should be noted that by the proposed project start date, Board-prepared projections will be close to two years old and not necessarily be utilizing the most current demographic and development information available.

TABLE 1
WINDSOR ESSEX CATHOLIC DISTRICT SCHOOL BOARD
ACCOMMODATION REVIEW
OVERVIEW OF PROPOSED STUDY PROCESS AND KEY TIMELINES

	Timing (w/ projections)	Timing (w/out projections)
1. Meeting with Board officials to discuss work plan, Board-prepared enrolment projections, potential program initiatives and facility inventory etc. (1 meeting)	Early April 2007	Early April 2007
2. Board to submit requested information to consultants	Mid April	Mid April
3. <i>Consultant to complete "draft" enrolment projections (1 meeting)</i>	Early to Mid May	N/A
4. <i>Consultant to finalize enrolment projections</i>	Mid to End May	N/A
5. Consultants to undertake assessment of capital, program and facility renewal needs (2 meetings)	Mid May to Mid June	Mid April to Mid May
6. Consultants to meet with Board staff to review 'draft' capital plan recommendations (1 meeting)	End June	End May
7. Finalize proposed accommodation strategy	Mid July	Early to Mid June
8. Consultants to undertake financial assessment of Accommodation Plan (new pupil place and facility renewal) and meet with Board staff to discuss (1 meeting)	End July	End June
9. Consultants to submit final accommodation strategy report to Board	Mid August	Mid July
10. Presentation of accommodation strategy to Board	Early September	End July

During the study process, there would be consultation with board planning, facilities management, finance and other service administration staff as well as academic advisors, as required. A total of between 5-6 meetings throughout the study process have been assumed as well as one presentation. Additional meeting requirements beyond those outlined in Table 1 would be billed at the firm's 2007 consulting rates as outlined below:

Associate Director, Cynthia Clarke	\$220 per hour
Manager, Nancy Andrew	\$170 per hour
Senior Consultant, Jack Ammendolia	\$160 per hour
Senior Consultant, Christine Thompson	\$130 per hour
Consultant, Cassey Dunstall	\$105 per hour

Information Requirements:

Schedule 1 sets out the information required of the Board to undertake a 15 year capital plan on the Board's behalf.

OTHER MATTERS

Consultant Responsibilities:

The consultant will be responsible for the following:

- preparation and attendance at 5-6 meetings with Board staff to discuss elements of accommodation strategies and study findings;
- completion of a report - an overview of the Long Term Capital Plan Strategy and associated recommendations.

Board Responsibilities:

- providing all information in a timely manner;
- attendance at each of the Board staff meetings set out above;
- distributing the background report, as desired.

Staffing:

Cynthia Clarke, Associate Director and Jack Ammendolia, Senior Consultant with the firm, would be responsible for managing and directing the study. Christine Thompson and Cassey Dunstall would be responsible for demographic analysis and modeling, as well as providing data management, research and support capabilities. Nancy Andrew, Manager, would assist with the development of the financial assessment of the Board's capital expenditure needs.

Budget:

The projected budgetary requirement to complete the Long Term Capital Plan is as follows:

Budgetary Requirements for the Windsor Essex Catholic District School Board		Long Term Capital Plan Component
	1. Start Up Meeting, Program-related Capital Initiatives Review (PCS, Emerging Employment Markets and Board Initiated Programs), Projection Review (1 meeting)	\$4,000-\$4,400
2. Impact re Primary Class Size (PCS) on OTG Capacity	\$2,700-\$2,800	
3. Assessment of Capital and Program-related Needs (1 meeting)	\$14,000-\$14,700	
4. Facility Renewal Needs, Program Upgrades, Finalize Strategy (2 meetings)	\$7,550-\$7,900	
5. Capital Expenditure Costing and Assessment of Potential Revenue Sources (1 meeting)	\$3,600-\$3,800	
6. Draft Report and Summary Analysis	\$9,700-\$9,900	
7. Report Presentation to Board	\$4,100-\$4,300	
Sub-Total	\$45,650-\$47,800	
Disbursements	\$5,760	
Total (excluding GST)	\$51,410-\$53,560	
<i>Enrolment Projections – Optional (1 meeting)</i>	<i>\$11,000 - \$11,500</i>	

The budget range includes ten copies of the Capital Plan report (including one camera-ready copy). It is important to note that the foregoing budget estimate assumes one iteration only of the Board's long term accommodation strategy.

The firm's policy is to bill monthly for work completed during the previous month, with payment net thirty days. Disbursements are billed at cost.

The estimated budget range set out above is based on normalized time requirements to complete the study process. However, if additional tasks are assigned, or meetings required, a re-examination of the budget may be necessary. We would alert the Board as soon as possible if this occurred. If the Board envisages a different consulting role or budgetary parameters than that set out above, we would be pleased to discuss it.

We appreciate having had the opportunity to discuss with you the possibility of working with the Board on this key assignment. We trust that the foregoing proposal meets your immediate requirements, but would be pleased to provide additional information, if required.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Cynthia Clarke
Associate Director

SCHEDULE 1
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD
INFORMATION REQUIRED TO UNDERTAKE
LONG TERM ACCOMMODATION PLAN

Enrolment Information

1. Current program offerings (e.g. JK-8, OAC) of existing school facilities, preferably a directory of schools indicating programs offered and location of schools.
2. Historical average daily enrolment (ADE) by school and by grade for the 2000/01, 2001/02, 2002/03, 2003/04, 2004/2005 and 2005/06 school years;
3. Historical average daily enrolment (ADE) by school and by grade for the 2000/01, 2001/02, 2002/03, 2003/04, 2004/2005 and 2005/06 school years of the co-terminus Board(s);
4. Schedule 13 of the Board's Financial Statements for each year of the new funding model, as well as an explanation of the difference between total historical ADE and the Schedule 13 ADE's, where applicable.
5. By school, by grade projected enrolments (Average Daily Enrolment) for the 2006/07 to 2015/16 period, consistent with projections submitted to the Ministry of Education's web-based planning tool or 2006/07 projected estimates by grade and by school
6. Confirmation that the existing school attendance area boundary maps on the Board's web-site are current.
7. A table of the feeder school alignments (e.g. Grades 8 to 9, Grades 5 to 6, etc.) and retention rates.
8. A copy of the Board's current transportation policy and regulations.
9. Percentage of pupils who walk to school, the percentage of pupils who are transported (either by school bus, local bus or other means) and the number of pupils residing outside the attendance boundary by school.
10. Number and location of pupils being accommodated outside their home area (i.e. in holding spaces) by grade.
11. Any reports to Board on proposed changes in programming, which would impact on accommodation.

Property Inventory Information

1. Listing of all Board-owned or leased facilities (including administrative and warehouse facilities), indicating use.
2. A list of GNPP (Grants for New Pupil Place) and OTG (On the Ground) capacities for each school facility, consistent with the SFIS information.
3. Functional capacity of each school if different from OTG capacity due to program or facility constraints.
4. A list of the number of portables, portapaks and relocatable modules (RCM) at each school facility.
5. Information respecting the age and condition of portable, portapak or RCM.
6. Details respecting the size of each school facility, year constructed, and # of square feet, year of additions, and # of square feet added, and site size.
7. Identification (and details) of any school facilities, vacant land parcels, etc., which are not under Board ownership.
8. Copies of site plans and floor plans for each school facility.
9. Background information on the timing of any school closures and/or dispositions of schools approved by the Board under the current Provincial funding model.

Facility Renewal Information

The following cost estimates are required **for each school facility** in order to properly assess relative capital priorities for facility renewal and to measure long term facility renewal and to measure long term facility renewal expenditure needs against potential grant revenue sources:

1. Facilities condition assessment for each facility, including separate identification of health and safety needs.
2. Facilities condition index for each facility.
3. Short-term forecast of renewal expenditure needs (Board prepared).
4. Long-term renewal expenditure needs (RECAP or other) (25 years preferred).
5. Facility replacement value for each facility.
6. Costs to upgrade programs and facilities.

Financial Information

1. Board's 2001/02, 2002/03, 2003/04, 2004/05 and 2005/06 Financial Statements, Section 1, Section 11.
2. Information on capital expenditure plans approved/undertaken by the Board under the new funding model including cost and number of pupil places added or removed
3. Annual capital leasehold costs, if any.
4. Details respecting outstanding capital debt and annual debenture payment requirements, as well as a list of the capital projects to which this debt is applied.

Watson & Associates Economists Ltd.



Good Morning Peter,

As we discussed last week, please accept this email as our firm's proposal for providing the Board with advice regarding the School Accommodation Review Policy. As per our discussion we would see this assignment being conducted through the use of a workshop/meeting. Cynthia Clarke, the firm's Associate Director would lead a one day workshop with the Board's senior administration. The workshop will outline the Ministry's current accommodation guidelines and interpretation thereof and the impact on School Board accommodation policies. Other important issues that will be covered include the new school closure guidelines and associated school valuation tool.

The foregoing budget is based on a one day meeting at the Board's offices including relevant meeting/workshop preparation time. If additional time or meetings are required to complete the assignment they will be billed at the firm's 2007 rates.

One Day Workshop	- \$3,680
Disbursements	- \$ 450
Total	- \$4,130

Timing for this assignment will need to be discussed to arrange an available day for all participating parties.

I hope this fulfils what you were looking for. If you require additional information please do not hesitate to contact me. I am out of the office today (Monday) but will be checking emails and will be returning to the office tomorrow.

Sincerely,

Jack Ammendolia
Senior Consultant
Watson & Associates Economists Ltd.



Windsor-Essex Catholic District School Board

1325 California Avenue, Windsor, Ontario N9B 3Y6
Telephone (519) 253-2481 Fax: (519) 253-0620

Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Michael Seguin, Superintendent of Education
Colleen Norris, Coordinator of Policy Development.

SUBJECT: **POLICY H: 12 RETIREMENT OF EMPLOYEES**

RECOMMENDATION:

That the Board revoke Policy H: 12 Retirement of Employees.

BACKGROUND:

Pursuant to s. 5 (1) of the Ontario Human Rights Code every person has a right to equal treatment with respect to employment without discrimination because of age.

Prior to December 12, 2006 age was defined for the purposes of s. 5 (1) as meaning an age that was eighteen years or more and less than sixty-five years.

Board Policy H: 12 Retirement of Employees was approved on January 11, 2000 and was then in conformance with the existing Ontario Human Rights Code.

Under the Ending Mandatory Retirement Statute Law Amendment Act, 2005, which took effect December 12, 2006, age is defined as meaning "an age that is 18 years or more". Under the existing Ontario Human Rights Code individuals over 65 years old are now allowed equal treatment with respect to employment without discrimination because of age.

Board Policy H: 12 no longer complies with existing legislation.

FINANCIAL: N/A

TIMELINES: Revocation to be effective immediately

APPENDICES:

- Policy H: 12 Retirement of Employees
- Ontario Human Rights Code, R.S.O. 1990, c.H.19, s.10 (1) as amended by S.O., 2005, c.29, s.1 (1).
- Ontario Human Rights Code, R.S.O. 1990, c.H.19, s.5 (1)



H:12

Windsor-Essex Catholic District School Board

Section: **Human Resources**

Policy: **Retirement of Employees**

POLICY

The Windsor-Essex Catholic District School Board shall expect its employees to retire at the age of sixty-five (65). Postponement of retirement beyond the age of sixty-five (65) shall require the approval of the Board.

PROCEDURES

1. Retirement for all personnel shall be at the end of the school year in which the age of 65 is attained unless otherwise specified in a collective agreement, i.e. at the end of the month in which the age of 65 is attained.
2. Upon written application by the employee to the Board, an extension may be granted by the Board beyond the retirement age for a period of up to one (1) year. The application shall be submitted through the Director of Education at least three (3) months in advance of retirement age.
3. Subsequent applications may also be considered.
4. Retirement prior to age sixty-five (65) is not precluded by this policy.
5. The Board accepts that, from time to time, administration may employ individuals over the age of sixty-five (65) for specific and temporary short term work and these exceptions will come to the Board for information.

Amended by the Board: January 29, 2002

Approved by the Board: January 11, 2000

Related Policy:

Related Board Committee:

Policy Review Date: 2005

Human Rights Code
R.S.O. 1990, CHAPTER H.19

Definitions re: Parts I and II

10. (1) In Part I and in this Part,

“age” means an age that is eighteen years or more, except in subsection 5 (1) where “age” means an age that is eighteen years or more and less than sixty-five years; (“âge”)

Note: Effective December 12, 2006, the definition of “age” is repealed by the Statutes of Ontario, 2005, chapter 29, subsection 1 (1) and the following substituted:

“age” means an age that is 18 years or more; (“âge”)

See: 2005, c. 29, ss. 1 (1), 8 (1).

Employment

5. (1) Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability. R.S.O. 1990, c. H.19, s. 5 (1); 1999, c. 6, s. 28 (5); 2001, c. 32, s. 27 (1); 2005, c. 5, s. 32 (5).



Windsor-Essex Catholic District School Board

1325 California Avenue, Windsor, Ontario N9B 3Y6
Telephone: (519) 253-2481 Fax: (519) 253-0620

Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Peter S. Marchini, Senior Financial Analyst
Ken Gignac, Controller of Finance

SUBJECT: BOARD RESOLUTION FOR TEMPORARY BORROWING

RECOMMENDATION:

That the Board approve the Board Resolution for Temporary Borrowing (deemed to be read three times) authorizing the Board to borrow up to \$55,000,000 to meet, until current revenues are collected, the current expenditures of the board for 2007;

and, that the Board approve the attached Resolution 2007:01 (deemed to be read three times) authorizing the Board to borrow \$38,000,000 to bridge finance the permanent improvements as detailed in Schedule A to Resolution 2007:01

BACKGROUND:

Each year the Board is required to pass a Resolution for Temporary Borrowing for an amount sufficient to meet the current expenditures until revenues are collected from the Province and the municipalities. This resolution represents the Board's overall borrowing authority for both operating and capital expenditures. Actual loans are made on a daily basis in order to meet our **operating expenses** that include our payrolls and payments to our suppliers for goods and services. We usually experience our maximum overdraft immediately prior to the receipt of the municipal levies, which are paid each quarter. It is estimated that we will need to borrow \$17,000,000 on our operating line of credit at these peak times.

Bridge loans are arranged on a much less frequent basis and are required to cover **capital expenditures** that will eventually be financed through a debenture issue. The Board has, in the past, approved bylaws authorizing bridge financing for a variety of construction projects that have not been permanently financed. Schedule A to Resolution #2007:01 lists in detail the projects that have not yet been financed. Until a debenture is issued, we will need to arrange bridge financing for these expenditures. A separate resolution is required for capital borrowing and is included in the second recommendation.

APPENDICES: Resolution for Temporary Borrowing
Resolution 2007:01 and Schedule A to Resolution 2007:01

**Resolution for Temporary Borrowing by
Boards of Public, Separate, Secondary Schools
and Boards of Education (Ontario)**

RESOLUTION duly passed by the Windsor-Essex Catholic District School Board at the meeting duly called on the 30th day of January 2007.

ON MOTION it was resolved as follows:

WHEREAS the Windsor-Essex Catholic District School Board (hereinafter called the "Board") considers it necessary to borrow the amount of up to \$55,000,000 to meet, until current revenues are collected, the current expenditures of the Board for 2007.

AND WHEREAS the total amount borrowed pursuant to this resolution together with the total of any similar borrowing is not to exceed the uncollected balance of estimated revenues of the Board.

1. The Chairperson, Vice-Chairperson or Secretary of the Board and the Treasurer of the Board are hereby authorized to borrow from time-to-time by way of Promissory Note a sum or sums not exceeding the aggregate \$55,000,000 to meet the current expenditures of the Board until the current revenues have been received and to give on behalf of the Board a Promissory note or notes under the corporate seal of the Board signed by the Chairperson or Vice-Chairperson of the Board and the Treasurer for the monies borrowed hereunder;

Provided, However:

That the interest and any other charges connected therewith do not exceed the interest that would be payable at the prime lending rate on the date of borrowing of banks listed in schedule 1 to the Bank Act.

2. The Treasurer of the Board is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all monies compromising the current revenues of the Board hereafter received.
3. The Treasurer is hereby authorized and directed to deliver to the bank from time-to-time upon request a statement showing the total amount of unpaid previous borrowings of the Board for current expenditures together with debt charges, if any, and also the uncollected balance of the estimated revenues for the current year or, where the estimated have not been adopted, the estimated revenues of the previous year less any current revenues already collected.

I CERTIFY that the foregoing is true copy of a resolution passed at a meeting of the Board duly called and held as aforesaid, which resolution remains in full force and effect un-amended on the date hereof.

AS WITNESS, the Corporate Seal of this Board this _____ day of _____ 2007.

Director of Education, J. Berthiaume

Witness

Senior Financial Analyst, P. S. Marchini

Witness

WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD

RESOLUTION 2007:01

A Resolution authorizing the Windsor-Essex Catholic District School Board (the “Board”) to borrow money pursuant to the provisions of section 247 of the Education Act (the “Act”) for the raising of funds to finance certain permanent improvements as more particularly described in this By-Law.

WHEREAS:

- A. The Board has authorized the permanent improvements as detailed in Schedule “A” attached to this Resolution;
- B. The Board wishes to apply to the Canadian Imperial Bank of Commerce (“CIBC”) for a capital loan for the purpose of financing the permanent improvements;
- C. The total cost of the project is within the Board’s Debt and Financial Obligation Limit as established by the Ministry of Education and Training.

THEREFORE, BE IT RESOLVED as follows:

1. The Director and the Treasurer of the Board are authorized on behalf of the Board to borrow \$38,000,000 for permanent improvements in accordance with the Act, plus interest at a rate to be agreed upon from time to time with CIBC.
2. The Director and the Treasurer are authorized for and on behalf of the Board to execute and deliver all such other documents and to do such other acts and things as may be necessary to give full effect to the Resolution.

We hereby certify that the foregoing is a true and complete copy of a Resolution of the Windsor-Essex Catholic District School Board in the Province of Ontario, duly passed at a meeting of the Board and that this Resolution is in full force and effect.

Dated this 30th day of January, 2007.

Chair

Secretary

**Windsor-Essex Catholic District School Board
Capital Expenditures for Permant Improvements
SCHEDULE A TO BYLAW NUMBER 2007:01**

	1	2	3	4	5
Item No	Description of Project	Date of Passing of Board Motions/Resolutions (Motion/Resolution Number)	Debentures Authorized by Board	Debentures Previously Issued	Debentures to be Issued
1	Our Lady of Mt. Carmel	June 26, 2006	\$ 1,109,815.00	-	\$ 1,109,815.00
2	St. Joseph Secondary	April 26, 2005 May 24, 2005 June 27, 2005	\$ 38,000,000.00	\$ 21,270,004.00	\$ 16,729,996.00
3	St. Anne	September 9, 2003 June 27, 2005	\$ 40,000,000.00	\$ 20,025,579.00	\$ 19,974,421.00
4	St. Michael - Rhodes	May 23, 2006	\$ 670,900.00	-	\$ 670,900.00
	TOTAL		\$ 79,780,715.00	\$ 41,295,583.00	\$ 38,485,132.00



Windsor-Essex Catholic District School Board

1325 California Avenue, Windsor, Ontario N9B 3Y6

Telephone: (519) 253-2481 Fax: (519) 253-0620

Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**
PRESENTED FOR: Information Approval
PRESENTED BY: Senior Administration
SUBMITTED BY: Joseph Berthiaume, Director of Education
SUBJECT: **BOARD MEETING SCHEDULE – MARCH 2007**

RECOMMENDATION:

That the Board cancel the Regularly Scheduled Board meeting of March 13, 2007 due to the March Break.

BACKGROUND:

In accordance with Board By-Laws, Regular Meetings of the Board shall be held on the second and fourth Tuesday in each month unless otherwise ordered by special motion.

FINANCIAL:

COMMENTS:

This year, the regularly scheduled Board meeting in March falls during the March Break. At this time, it is recommended the Board cancel this meeting and leave the March 27 meeting as scheduled. An additional meeting can be scheduled during this time period if required.

TIMELINES:

APPENDICES:

- Proposed 2006 – 2007 Revised Board Meeting Schedule



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DRAFT

REGULARLY SCHEDULED BOARD MEETINGS

2006 – 2007 School Year

Revised as of: January 30, 2007

Tuesday, August 29, 2006
Tuesday, September 12, 2006
Tuesday, September 26, 2006
Tuesday, October 10, 2006
Tuesday, October 24, 2006
Tuesday, November 14, 2006
Tuesday, November 28, 2006
Tuesday, December 5, 2006 (Organizational Meeting – 7:30 p.m.)
Tuesday, December 12, 2006
Tuesday, January 16, 2007
Tuesday, January 30, 2007
Tuesday, February 13, 2007
Tuesday, February 27, 2007
~~Tuesday, March 13, 2007 (Cancelled – March Break)~~
Tuesday, March 27, 2007
Tuesday, April 10, 2007
Tuesday, April 24, 2007
Tuesday, May 8, 2007
Tuesday, May 22, 2007
Tuesday, June 12, 2007
Monday, June 25, 2007

Unless indicated otherwise, all Regularly Scheduled meetings will be held in the John Paul II Board room at the Windsor Essex Catholic Education Centre
1325 California Avenue, Windsor, Ontario.

Closed Session: 6:00 p.m.

Public Session: 7:00 p.m.



Windsor-Essex Catholic District School Board

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Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2006

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Linda Staudt, Superintendent of Education

SUBJECT: HIGH SCHOOL COUNCIL – NOVEMBER 9, 2006 MEETING

RECOMMENDATION:

That the Board receive the minutes of the High School Council dated November 9, 2006, as information.

BACKGROUND:

All minutes of the High School Council are to be received by the Board.

FINANCIAL: None.

COMMENTS:

It was decided, by general consensus, that following meetings, the recording secretary would prepare a report and forward it to the Chair. If they agreed with the information contained in the report, it would be forwarded to the Board as information and the Council at their next meeting would approve the minutes.

Because of the length of time between meetings, there may be information contained in the report that would be received by Trustees after the fact, however, minutes are not posted to the board's website until they are formally approved by the High School Council.

TIMELINES:

APPENDICES:

- Report of November 9, 2006 meeting is attached.

LS/cdp



WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD

HIGH SCHOOL COUNCIL MEETING

November 9, 2006

~ Assumption Catholic High School ~

7:00 p.m.

REPORT

PRESENT

Parent Representatives

Assumption

F. J. Brennan

Catholic Central

Holy Names

St. Anne's

St. Joseph's

Trustees

Board Representative

Assumption Principal/VP

Recording Secretary

Barb Graham and Sam Boglitch

Robin Marentette

Janice Bennett,

Daniela Pastorius

Joe Bachmeier

Janice Phillips and Paula Pjunno

Pat Keane

Rosemary Limarzi, Communications Coordinator

MaryMargaret Parent

Celeste DiPonio

REGRETS

Cardinal Carter

St. Anne High School

St. Thomas of Villanova

Student Trustee

Trustee

SEAC Rep

Liz Matte

Pat Machina

Representative to be appointed

Luke Willson

Shannon Porcellini

Claudio DelDuca

1. Call to Order and Opening Prayer

Joe Bachmeier opened with prayer. He thanked Barb Graham, Chair of Assumption and Sam Boglitch of Assumption for their hospitality.

2. Introduction of Members and Roll Call

Joe Bachmeier, Chairperson had everyone introduce themselves.

3. Approval of Agenda/Amendments to Agenda

Moved by: Paula Pjunno

Seconded by: Robin Marentette

THAT the agenda be approved. All in favour. CARRIED.

The committee asked to add to the agenda Rosemary Limarzi, Communications Coordinator for the WECDSB and Mary Margaret Parent, Principal to speak on the IB programme (International Baccalaureate).

4. Approval of Minutes – October 12, 2006

Moved by: Janice Phillips

Seconded by: Janice Bennett

Add Janice Phillips to the attendance as she was omitted.

THAT the minutes of the October 12, 2006 meeting be approved. All in favour. CARRIED.

5. Presentation

Rosemary Limarzi indicated that she was hired by the WECDSB this past May 2006. As part of her entry program, she is to meet with stakeholders and her role and goal is to foster catholicity in our system and community and improve internal and external communication. Her main goal is that the good things happening in all of our schools are reported. She will also work closely with the media and crisis management. She offered her assistance and encouraged the committee to reach her if needed.

Mary Margaret Parent, the Principal of Assumption welcomed everyone to Assumption. She acknowledged both Barb Graham and Sam Boglitch. She spoke of the unique IB programme at their school. She noted that presentations were made to elementary students in grade 8. She noted that this was the first official year as an IB school and stated that it has taken six to seven years to get to this point. The very first IB group is now in grade 11. She noted that the International Baccalaureate headquarters is in Whales, NA in New York. It is a 2-year program, with specific areas of study that fit into the regular Ontario Diploma and meeting the IB requirements. They will not have as many options. In addition, these students will have to produce a piece of original research 1000 word essay that will be due beginning of grade 12 and 150 community hours related in specific areas. She noted their excitement to receive official recognition as an international school. She noted that this excitement is for both the board and school and indicated that the program is available to all students in the system. She also noted that they are receiving students from all over the county. The program started out with 40 students in grade 9 and now between 25 and 30 that have continued in grade 11.

The following are answers to questions posed:

- 1) Standards are set internationally and graded on scale.
- 2) Students who may be interested in going to school abroad they will have a diploma that will be recognized worldwide. Students, who are successful but have certificates in different subjects, will see that they have met a certain standard of academic excellence. Lots of times, these students have a little bit of an edge with this program. We will have first group graduating. Also 2 exams in grade 11 and 5 in grade 12.
- 3) Initially teachers were selected on a volunteer basis and now they interview. All teachers have to go through a training session offered by the IB Program and this training is ongoing.

6. Business Arising from the Minutes

- 1) **Joe Bachmeier** indicated that at last meeting still looking at Insurance business. He recapped that as far as we know, there appears to be sufficient coverage. The woman that presented in June, Maire Bracken indicated we needed more. Linda Staudt indicated that she would go back to Ken Gignac, the board's Controller of Finance, but our view last time, was that there was sufficient coverage. Will check will respect to:
 - Volunteers being covered through the board's liability insurance
 - Liability coverage with respect to school councils preparing meals for staff for various school events with respect to food poisoning etc.
- 2) **Joe Bachmeier** asked when we would communicate our findings with the elementary school councils as St. Gregory is waiting to hear.

ACTION ITEM: Linda Staudt indicated that she would check on this with Ken Gignac as well as the liability surrounding Pasta night. Linda Staudt noted that the pasta night is sanctioned by the board, through the schools fundraising proposals, which are submitted to the Superintendent of Schools.

3) **Board Liability Coverage vs OAPCE Liability Insurance**

- Joe Bachmeier reviewed the issue indicating that the board's position is that the OAPCE Insurance is redundant vs OAPCE promoting it.

4) **Joe Bachmeier** asked if feeder schools could be involved with our meetings and involved in information. If all our councils are in favour and take it back to our own councils to see what the feeling is.

Moved by: Joe Bachmeier

Seconded by: Paula Piunno

That the **host school** invite their **feeder schools** to send a rep to their meeting.

All in favour. CARRIED.

7. Superintendent's Report – Linda Staudt

a) **December 1 – PD Day – Director's Day**

- Faith Based Day for all employees. The Guest Speaker is Father Tony Ricard from New Orleans. He spoke to various groups last year and was very powerful and it was decided to bring him back to speak to all our employees.

b) **The board has hired a new board psychologist from Toronto with exceptional qualifications.**

c) **Supporting the Transition from Grade Eight to Nine.** We are putting a lot of emphasis on making sure that students in our elementary schools become familiar with the programming in our high schools. Many meetings are taking place with staff to support a smooth transition from elementary to secondary.

d) **Summer Tech Camp.** Last summer this was offered to our Grade 8 students entering Grade 9. Students had the opportunity to work in the Technical Area, were able to get to know the teachers and also meet new students from other schools.

e) **OSS (Ontario Secondary Schools).** Revisions are taking place to the OSS document and ways in which schools can support a variety of learners. The Ministry is making the diploma more accessible to the various different learners and students that are going in a variety of pathways.

In conclusion, Linda asked for two volunteers to sit on a board committee – plan in place to invite those parents that would not normally come out – two parents from this group to decide what that might look like. Looking for two secondary and two elementary representatives and indicated that it would only be a couple of meetings. *Robin Marentette and Daniela Pastorius offered to volunteer on the committee.*

8. Student Senate Report – Luke Willson

Luke Willson was unable to attend and Linda Staudt reported on his behalf. She credited Luke on the fine work done when the student senate hosted the Faith Development day with the two bishops. She marvelled at how powerful the mass was - the music ministers and students singing to the hymns, etc. The Bishops were impressed with the types of issues students were discussing. The Bishop would like this replicated.

9. SEAC Report – Claudio DelDuca

- Absent – no report.

10. Policy Review – Joe Bachmeier

- No report
- Table to next meeting.

11. New Chairperson's Report/Comment

Discussion ensued as to the voting papers everyone gets and if a synervice message should be sent for all to check their support on their taxes. It was decided that it was not logistically possible to get the message out in time.

Joe Bachmeier asked the councils if they wished Heather Wilson from the Health Unit to attend our meetings on a regular basis. It was decided that if a new initiative or campaign was in the works that she could be invited to be put on the agenda.

12. OAPCE Report

No report at this time.

13. New Business/Other

Janice Bennett – Catholic Central

– she noted the Harvest Ball that will be taking place at Caboto; the school musical "Blood Brothers" was the first two weekends in December; their Christmas Concert was on December 14; and on December 22 the teachers and school administration and school council will feed a Christmas dinner for the entire student body. She also noted that they are planning a bursary gala and a silent auction to raise funds to help needy students attend college and university.

Barb Graham – Assumption

– she noted that their students will be hosting a multicultural Christmas luncheon. The students bring in all of the food.

Daniella Pastorius – Holy Names High School

They have wrapped up their raffle at end of November – all cash prizes, 5000, 10000 – 20 prizes to be given.

Robin Marentette – F. J. Brennan

– brought in 32000, but 20,000 profit in their Raffle
– Cross county tream did well, 7th overall. Their next event is a huge trip to Thunderbay.

Joe Bachmeier – St. Anne High School

– Selling lottery tickets again and will bring some tickets to sell at the next meeting in January. They are raffling off a car again, a G6.

Junior girls basketball team did very well and will be entering the playoffs undefeated

Pat Keane – Trustee

– He thanked the organizers of the Commissioning Ceremony on October 19. His recommendation to administration and that of his fellow board members is to continue this as a yearly event. It was a very spiritual and first class event.

14. Next Meeting

December – **No meeting**
January 11 – Catholic Central – **host** – Janice Bennett
February 8 – F. J. Brennan – **host** – Robin Marentette
March – **No meeting**
April 5 – St. Anne – **host** – Pat Machinia
May 10 – Holy Names High School – **host** – Daniela Pastorius

June – St. Thomas of Villanova

15. Closing Prayer and Adjournment

Meeting adjourned 8:15 p.m.
Moved by: Joe Bachmeier
Seconded by: Robin Marentette
All in favour. CARRIED



Windsor-Essex Catholic District School Board

1325 California Avenue, Windsor, Ontario N9B 3Y6
Telephone: (519) 253-2481 Fax: (519) 253-8397

Joseph Berthiaume, Director of Education

John Macri, Board Chairperson

BOARD REPORT

Meeting Date:
January 30, 2007

Public **In-Camera**
PRESENTED FOR: Information Approval
PRESENTED BY: Senior Administration
SUBMITTED BY: Joseph Berthiaume, Director of Education
Board By-Law Review Committee – Trustees Macri, Courtney and Alexander
SUBJECT: **BY-LAW REVIEW COMMITTEE REPORT
– BOARD BY-LAW AMENDMENTS**

RECOMMENDATION:

That the Board adopt the proposed amendments to the Board By-Laws.

BACKGROUND:

The current Board By-laws include a provision for a committee consisting of the chair, vice-chair and immediate past chair to review the by-laws in order to ensure reflection of current practices and compliance with various provincial and federal legislation requirements that affect school boards.

FINANCIAL: n/a

COMMENTS:

On October 11, 2006, the By-law Review Committee, consisting of trustees Macri, Courtney and Alexander, along with Joseph Berthiaume, director of education and legal council Brian Nolan, met to review the by-laws last approved by the Board on March 9, 2004. The proposed amendments have been incorporated into the attached by-laws with the changes highlighted for ease of reference. A chart summarizing the proposed amendments is also attached. In accordance with the motion from March 9, 2004, the articles within the by-laws have been be reformatted into a streamlined numbering system.

TIMELINES:

APPENDICES:

- Attachment 1: Summary of Proposed Board By-Law Amendments
- Attachment 2: Draft By-Laws (dated January 30, 2007)

SECTION 1:00 INTERPRETATION/DEFINITIONS			
General Comments: This section has been renumbered so that the items appear alphabetically.			
1:09	PREVIOUS: "MEMBER" means a person elected or acclaimed to the office of trustee of the BOARD pursuant to the provisions of the Municipal Elections Act;	PROPOSED: "MEMBER" means a person elected or acclaimed or appointed to the office of trustee of the BOARD pursuant to the provisions of the Municipal Elections Act and/or the Education Act;	RATIONALE: compliance with legislation
1:13	NEW	PROPOSED: "STUDENT TRUSTEE" means a person elected as a Student Trustee in accordance with the Education Act;	RATIONALE: previously not included and complies with the new legislation pertaining to student trustees
1:15	PREVIOUS: "TRUSTEE" means a person elected or acclaimed as a MEMBER of the BOARD;	PROPOSED: "TRUSTEE" means a person elected or acclaimed or appointed as a MEMBER of the BOARD;	RATIONALE: compliance with legislation
SECTION 2:00 ORGANIZATION MEETING			
General Comments: n/a			
2:07	PREVIOUS: Every TRUSTEE shall be considered as eligible for nomination for the position of CHAIR and VICE-CHAIR. <i>TRUSTEES who wish to stand for election to this Office will rise and declare their candidacy.</i> Each candidate for office will have an opportunity to address the TRUSTEES for up to three minutes. A blank ballot shall be distributed to each TRUSTEE and the TRUSTEE will mark the ballot for one candidate.	PROPOSED: Every TRUSTEE shall be considered as eligible for nomination for the position of CHAIR and VICE-CHAIR. TRUSTEES who are physically present who wish to stand for election to this office shall rise and declare their candidacy TRUSTEES who are in attendance by electronic means who wish to stand for election shall declare their candidacy through the electronic medium by which they are in attendance. Each candidate for office will have an opportunity to address the TRUSTEES for up to three minutes. A blank ballot shall be distributed to each TRUSTEE physically present and the TRUSTEE will mark the ballot for one candidate. The procedures set out in Section 3.12 shall be followed for TRUSTEES in attendance by electronic means.	RATIONALE: compliance with legislation as it pertains to the right to participate in meetings electronically

SECTION 3:00 MEETINGS			
General Comments: n/a			
3:01	<p>PREVIOUS: MEETINGS of the Board may be Regular, Special, or Emergency. No MEETING shall continue in session past 11:00 p.m. A MEETING may be extended beyond the limits otherwise provided upon majority consent of TRUSTEES who are present and eligible to vote. The appropriate motion will be, <i>“I move that the Board/Committee continue past 11:00 p.m.”</i></p>	<p>PROPOSED: MEETINGS of the Board may be Regular, Special, or Emergency. No MEETING shall continue in session past 11:00 p.m., except that a MEETING may be extended beyond the limits otherwise provided upon majority consent of TRUSTEES who are present and eligible to vote. The appropriate motion will be, <i>“I move that the Board/Committee continue past 11:00 p.m.”</i></p>	<p>RATIONALE: wording revision</p>
3:09	<p>PREVIOUS: Delegations Regarding Items On the Agenda: Any person(s) wishing to appear before the BOARD and speak on an item appearing on the agenda of the Board Meeting has until noon of the day of the Board Meeting to make a request to the SECRETARY. They shall explain briefly the nature of their business. The discussion shall be limited to the item on the agenda and shall be no longer than ten (10) minutes.</p>	<p>PROPOSED: Delegations Regarding Items On the Agenda: Any person(s) wishing to appear before the BOARD and speak to an item appearing on the agenda of the Board Meeting has until noon of the day before the day of the Board Meeting to make a request to the SECRETARY. They shall explain briefly the nature of their business. The discussion shall be limited to the item on the agenda and shall be no longer than ten (10) minutes.</p> <p>The Board may, by resolution, waive the time lines required of delegations, and by resolution extend the time limits for presentation by a delegation. If the delegation is with respect to an in-camera matter, the Board’s decision shall be by consensus.</p> <p>The Board, may, in its absolute discretion limit the number of delegations, presenters or questioners as it sees fit. The Board, by resolution, shall determine if it wishes to hear the delegation, presentation or question.</p>	<p>RATIONALE:</p> <p>The change is to provide more adequate time to the board of matters which are coming before the trustees. It also gives more time for staff to prepare. Some board’s require a weeks notice.</p> <p>This is a common provision in school board by-laws. It allows the trustees flexibility in controlling its process. The reference to consensus is because the Board does not pass resolutions in camera.</p> <p>This is a common provision in school board by-laws. Again, it goes to the Board’s right to control its process.</p>

SUMMARY OF PROPOSED BOARD BY-LAW AMENDMENTS

3:10	NEW	<p>PROPOSED: A STUDENT TRUSTEE shall have all the rights, but only the rights with respect to attendance at and participation in meetings of the Board or Committees of the Board as are mandated by the Education Act or the regulations, as amended from time to time.</p>	<p>RATIONALE: compliance with legislation</p>
3:11	<p>PREVIOUS: A TRUSTEE and/or pupil representative who requests to participate in a meeting of the BOARD or a COMMITTEE of the BOARD by electronic means and participates by such means in accordance with BOARD policy for the use of electronic means shall be deemed to be present at the meeting and shall be counted as part of the quorum and shall be entitled to vote on any matter on which he/she is eligible to vote.</p>	<p>PROPOSED: A TRUSTEE and/or STUDENT TRUSTEE who requests to participate in a meeting of the BOARD or a COMMITTEE of the BOARD by electronic means and participates by such means in accordance with BOARD policy for the use of electronic means shall be deemed to be present at the meeting and shall be counted as part of the quorum and shall be entitled to vote on any matter on which he/she is eligible to vote.</p>	<p>RATIONALE: compliance with legislation</p>
3:12	NEW	<p>PROPOSED: In cases where a vote is to be conducted by secret ballot in accordance with the Board's by-laws, or the requirements of the Education Act or for any other reason, a TRUSTEE and/or a STUDENT TRUSTEE who is eligible to vote on the matter, who is present at the meeting by electronic means and who chooses to vote, may at the time votes are being cast, cast his or her vote by means of a private telephone conversation with the scrutineer(s) who shall mark the vote on a paper ballot in the same form and manner as though the ballot had been marked in person by the voter, and the ballot shall then be included with the other ballots to be counted. The ballots cast electronically in this manner are subject to the same obligations of confidentiality on the part of</p>	<p>RATIONALE: compliance with legislation as it pertains to the right to participate in meetings electronically</p>

SUMMARY OF PROPOSED BOARD BY-LAW AMENDMENTS

		the scrutineer(s) as those cast by voters physically present at the meeting.	
SECTION 4:00 COMMITTEES			
General Comments: n/a			
4:13	PREVIOUS: Notwithstanding anything else contained in the By-Laws, the BOARD: shall resolve into IN-CAMERA to consider any report of any other COMMITTEE with respect to matter considered at a meeting of the latter from which the public was properly excluded; and	PROPOSED: Notwithstanding anything else contained in the By-Laws, the BOARD: shall resolve into IN-CAMERA to consider any report of any other COMMITTEE with respect to a matter or matters considered at a meeting of the latter from which the public was properly excluded; and	RATIONALE: wording revision for clarity
4:14	PREVIOUS: litigation affecting the BOARD; or	PROPOSED: litigation or potential litigation affecting the BOARD; or	RATIONALE: wording revision for clarity
4:15	PREVIOUS: Recommendations made in a meeting of the Committee of the Whole BOARD that is closed to the public and require a BOARD resolution to be acted upon,	PROPOSED: Recommendations made in a meeting of the Committee of the Whole BOARD that is closed to the public which require a BOARD resolution to be acted upon,	RATIONALE: wording revision
4:16	PREVIOUS: The DIRECTOR and the Supervisory Officers shall attend IN-CAMERA meetings, except that the BOARD may admit other persons to IN-CAMERA.	PROPOSED: The DIRECTOR and the Supervisory Officers shall attend IN-CAMERA meetings. The BOARD may admit other persons to IN-CAMERA meetings.	RATIONALE: wording revision for clarity
4:17	PREVIOUS: MEMBERS will abide by existing legislation, the by-laws, policies and procedures established for the BOARD, and declaration of office. MEMBERS will honour confidentiality of matters discussed at IN-CAMERA sessions of meetings; honour confidentiality regarding correspondence, reports and other information placed in confidence with members; and, maintain their fiduciary obligations.	PROPOSED: MEMBERS will abide by existing legislation, the by-laws, policies and procedures established for the BOARD, and their declaration of office. MEMBERS will honour confidentiality of matters discussed at IN-CAMERA sessions of meetings; honour confidentiality regarding correspondence, reports and other information placed in confidence with members, and maintain their fiduciary obligations.	RATIONALE: wording revision for clarity - correction of punctuation

<p>4:18</p>	<p>PREVIOUS: The CHAIR has the authority to invoke consequences (a) and (b) below. Consequences (c) and (d) and (e) require BOARD resolution.</p> <p>The consequences invoked will depend on the seriousness of the conduct or breach. Where the alleged breach of conduct has been committed by the CHAIR, the BOARD shall empower the VICE-CHAIR by motion to perform the above responsibilities of the CHAIR. Consequences may include:</p> <ul style="list-style-type: none"> (a) a verbal warning; (b) a letter outlining the breach or concern; (c) exclusion of a member from a meeting or meetings of the Committee of the Whole Board IN-CAMERA and the withholding from the member of any materials or information pertaining to the IN-CAMERA matter or matters; (d) a recommendation for public censure of the member; (e) in respect to a member’s failure to comply with the duty of confidentiality or fiduciary duty as stated in Section 4:16 <i>In-Camera Confidentiality, Code Of Conduct And Fiduciary Obligations</i>, the following may be pursued by the BOARD: <ul style="list-style-type: none"> i. The Board may seek an injunction against a member who fails or refuses to maintain confidentiality or acts in a manner inconsistent with the 	<p>PROPOSED: The CHAIR has the authority to invoke consequences (a) and (b) below. Consequences (c) and (d) require BOARD resolution.</p> <p>The consequences invoked will depend on the seriousness of the conduct or breach. Where the alleged breach of conduct has been committed by the CHAIR, the BOARD shall empower the VICE-CHAIR by motion to perform the above responsibilities of the CHAIR. Consequences may include:</p> <ul style="list-style-type: none"> (a) a verbal warning; (b) a letter outlining the breach or concern; (c) a recommendation for public censure of the member; (d) in respect to a member’s failure to comply with the duty of confidentiality or fiduciary duty as stated in Section 4:16 <i>In-Camera Confidentiality, Code Of Conduct And Fiduciary Obligations</i>, the BOARD may seek any remedy permitted under the Act, regulations, or at common law for such breach, including damages. 	<p>RATIONALE: The previous language includes remedies which were ultra vires or beyond the Board’s powers. This was confirmed by a review by the legal department of the Ministry of Education.</p>
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SUMMARY OF PROPOSED BOARD BY-LAW AMENDMENTS

	<p>member’s fiduciary obligation to the Board. The terms of such injunction may prescribe that the member be excluded from confidential meetings, be refused access to confidential reports, and/or be required to undertake in writing to observe the duty to maintain confidentiality in future before being allowed back into such meetings, or such other sanction as a Court may grant.</p> <p>ii. An action for damages may be brought against any member who fails to maintain confidentiality or fiduciary responsibility and the Board will not compensate the member for legal costs incurred in defending such an action (unless directed by the Court.)</p>		
<p>SECTION 10:00 VOTING</p>			
<p>General Comments: n/a</p>			
<p>10:07</p>	<p>PREVIOUS: The CHAIR, unless an interest as required by the Municipal Conflict of Interest Act has been declared, may vote on all questions which as a TRUSTEE, he or she is entitled to vote. When the votes of the other TRUSTEES have been counted and, if the CHAIR has not already voted, the CHAIR may vote if by so doing he/she may create a tie or break a tie (not both).</p>	<p>PROPOSED: The CHAIR, unless an interest as required by the Municipal Conflict of Interest Act has been declared, may vote on all questions which as a TRUSTEE, he or she is entitled to vote at any time.</p>	<p>RATIONALE: reworded to provide clarity</p>
<p>SECTION 15:00 AMENDMENTS TO BY-LAWS</p>			
<p>General Comments: n/a</p>			
<p>15:03</p>	<p>PREVIOUS: renumbered from Section 18.0 – A By-Law Review Committee consisting of the Chair, Vice-Chair and immediate Past Chair shall review the By-Laws on an annual basis.</p>	<p>PROPOSED: A By-Law Review Committee consisting of the Chair, Vice-Chair and immediate Past Chair shall review the By-Laws every two years or as required.</p>	<p>RATIONALE: renumbered because it fits in this section - every two years or as required is sufficient</p>

SECTION 16:00 INDEMINITY BY-LAW: MUNICIPAL CONFLICT OF INTEREST ACT			
General Comments: n/a			
16:01	PREVIOUS: The Board, may, pursuant to Section 252 of the Municipal Act, R.S.O. 1990, Chapter M-45, indemnify members or officers...	PROPOSED: The Board may indemnify members or officers...	RATIONALE: First, the Municipal Act, R.S.O., 1990 was replaced by the Municipal Act, 2002. Second, the new Municipal Act does not include a district school board as a “local board” and does not govern school boards. The governing statute is the Education Act (“the Act”).



*Windsor-Essex Catholic
District School Board*

BOARD BY-LAWS

*Respecting the Operational
Procedures of the Board*

draft
draft

DRAFT: Dated January 30, 2007

“Learning together in faith and service”

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Draft:	January 30, 2007
Amended:	March 9, 2004
Amended:	September 25, 2001
Amended:	June 22, 1999
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Approved by Board:	August 25, 1998

SECTION 1:00 INTERPRETATION/DEFINITIONS

For this By-law and all other By-laws unless the context otherwise requires:

- 1:01 the singular includes the plural;
- 1:02 “ACT” means the Education Act, Revised Statutes of Ontario 1990, as amended;
- 1:03 “BOARD” means the Windsor-Essex Catholic District School Board;
- 1:04 “CHAIR” means the Chair of the BOARD;
- 1:05 “COMMITTEE” includes any Committee or Subcommittee established by the BOARD;
- 1:06 “DIRECTOR” means the supervisory officer appointed within the ACT to fulfill the responsibility of Chief Executive Officer and Secretary to the Board;
- 1:07 “MAJORITY” means more than 50%;
- 1:08 “MEETING” includes a meeting of the BOARD, and of COMMITTEES;
- 1:09 “MEMBER” means a person elected or acclaimed or appointed to the office of trustee of the BOARD pursuant to the provisions of the Municipal Elections Act and/or the Education Act;
- 1:10 “PRESIDING OFFICER” means the person chairing a meeting of the Board or a committee meeting of the Board, or a person defined in By-law 2:03 Presiding Officer at Organizational Meeting.
- 1:11 “SECRETARY” means the person appointed within the ACT to fulfill the responsibility of Secretary to the BOARD;
- 1:12 “SPECIAL COMMITTEE” is a committee that is established by resolution of the BOARD for a specific purpose, case, or situation;
- 1:13 “STUDENT TRUSTEE” means a person elected as a Student Trustee in accordance with the Education Act;
- 1:14 “TREASURER” means the person appointed within the ACT to fulfill the responsibility of Treasurer to the Board;
- 1:15 “TRUSTEE” means a person elected or acclaimed or appointed as a MEMBER of the BOARD;
- 1:16 “VICE-CHAIR” means the Vice-Chair of the BOARD;
- 1:17 “VACANCY” in the position of Chairperson or Vice-Chairperson occurs if the incumbent has his/her resignation from the position, or as a trustee, accepted by a majority of Trustees present at a meeting at which the resignation is presented, or if the incumbent becomes disqualified as a Trustee, dies, or is found to be incapable pursuant to a Certificate of Incapacity or Court Order;
- 1:18 “YEAR” means, unless qualified by the word “calendar”, the period commencing on the first day of December, and ending on the last day of November next following.

SECTION 2:00 ORGANIZATIONAL MEETING

2:01

DATE

Subject to any statutory requirement, the BOARD shall, at or before the last regular meeting in November in each calendar year, fix a day and time for an Organizational Meeting of the BOARD for the following YEAR.

2:02

**PROVINCIAL
ELECTION
YEAR**

The Organizational Meeting to be held in the calendar year in which all TRUSTEES are elected at the regular election or acclaimed under the Municipal Elections Act shall be held not later than the 8th day of December.

2:03

**PRESIDING
OFFICER**

The PRESIDING OFFICER at the Organizational Meeting shall be the Chief Executive Officer of the BOARD until the first of the following persons who is present is elected. The CHAIR upon election to office, if present. In the absence of the CHAIR, the VICE-CHAIR upon election to office, if present. In the absence of the CHAIR and the VICE-CHAIR, a TRUSTEE present whom the TRUSTEES present shall have elected. In the absence of the Chief Executive Officer, a Senior Officer appointed by the TRUSTEES present.

2:04

**PRELIMINARY
PROCEEDINGS**

The PRESIDING OFFICER shall open the meeting with a prayer and read any apologies. In a year in which TRUSTEES are elected, the PRESIDING OFFICER shall read the returns of any elections, attest that each TRUSTEE has taken a Declaration of Office and Oath of Allegiance, call the Roll; and declare the Board legally constituted.

2:05

**ELECTION OF
CHAIR**

The PRESIDING OFFICER shall then proceed with the election of the CHAIR.

2:06

**ELECTION OF
VICE-CHAIR**

The PRESIDING OFFICER shall then proceed with the election of the VICE-CHAIR.

2:07

**PROCEDURES
FOR
ELECTION**

The PRESIDING OFFICER shall appoint two scrutineers approved by the Trustees.

Every TRUSTEE shall be considered as eligible for nomination for the position of CHAIR and VICE-CHAIR. TRUSTEES who are physically present who wish to stand for election to this office shall rise and declare their candidacy. TRUSTEES who are in attendance by electronic means who wish to stand for election shall declare their candidacy through the electronic medium by which they are in attendance. Each candidate for office will have an opportunity to address the TRUSTEES for up to three minutes.

A blank ballot shall be distributed to each TRUSTEE physically present and the TRUSTEE will mark the ballot for one candidate. The procedures set out in Section 3.12 shall be followed for TRUSTEES in attendance by electronic means.

The CHAIR, in order to be elected, must receive the vote of the majority of TRUSTEES casting a vote. The candidate(s) receiving the least number of votes on any ballot shall be dropped from succeeding ballots unless this action causes only one

name to remain on the ballot. In such a case, one of the candidates receiving the least number of votes in the tie shall be eliminated by lot.

The scrutineers count the ballots and inform the PRESIDING OFFICER of the results. The PRESIDING OFFICER lists the TRUSTEES and the number of votes received until the CHAIR is elected. In the final ballot, where the CHAIR is elected, the Chief Executive Officer announces the name of the CHAIR. However, in the event of an equality of votes on the last ballot, the candidates shall draw lots to fill the position.

A motion to destroy the ballots shall then be put to the assembly.

2:08

**PROCEDURES:
ELECTION OF
OTHER
POSITIONS** Where elections are required to fill other positions; the procedures of Section 2:07 *Procedures For Election* shall be followed with the necessary changes.

SECTION 3:00 MEETINGS

3:01

MEETINGS MEETINGS of the Board may be Regular, Special, or Emergency. No MEETING shall continue in session past 11:00 p.m., **except that a** MEETING may be extended beyond the limits otherwise provided upon majority consent of TRUSTEES who are present and eligible to vote. The appropriate motion will be, *“I move that the Board/Committee continue past 11:00 p.m.”*

3:02

**REGULAR
MEETINGS** Unless other wise ordered by special motion, Regular Meetings of the Board shall be held at the business office of the BOARD at 7:00 p.m. the evening of the second and fourth Tuesday in each month, except in the months of July and August when regular meetings shall be held at the discretion of the BOARD. If any such Tuesdays fall on a statutory, civic or school holiday, such meeting shall be held at the same hour on the next evening, being Wednesday evening.

Notice and Agenda of Regular Meetings: No formal notice of regular MEETINGS of the BOARD shall be required, but an agenda for such meetings shall be circulated to each TRUSTEE at least forty-eight (48) hours prior to each meeting.

3:03

**SPECIAL
MEETINGS** Special Meetings of the BOARD shall be held at anytime determined by resolution of the BOARD at the date and time so determined, at the call of the CHAIR, or upon the written request of four (4) or more members of the BOARD.

Notice of Special Meetings: Notice of every special meeting of the BOARD shall be given by delivery of an agenda to each TRUSTEE at least forty-eight (48) hours prior to the time of the meeting.

3:04

**EMERGENCY
MEETINGS** **Authority to Convene:** An Emergency Meeting of the BOARD may be summoned by the CHAIR or SECRETARY, and in the absence of the CHAIR and SECRETARY, by the VICE-CHAIR.

Notice of Emergency Meetings: The form and adequacy of the notice shall be the responsibility of the official calling the meeting. Wherever possible, notice must be given personally or by telephone communication to the place of residence or the place of business of each TRUSTEE. So far as possible, the purpose or purposes for which the meeting is being convened must be disclosed in the notice. The length of notice must be a minimum of three (3) hours and sufficient as to allow all TRUSTEES to travel from their place of residence or business to the meeting place. If the meeting is a public meeting, such public notice as is practicable in the circumstances shall be given.

Emergency Meeting Business Procedures: Should there be no quorum present at the time appointed in the notice, TRUSTEES present shall remain present for at least thirty (30) minutes, after which time, if there is still no quorum, the PRESIDING OFFICER may dissolve the meeting. A PRESIDING OFFICER shall be chosen by simple majority vote if the CHAIR and VICE-CHAIR are not in attendance.

By two-thirds (2/3) vote of those TRUSTEES in attendance, the meeting must be satisfied that an emergency does exist and that the means of notice given or attempted to be given to those TRUSTEES not in attendance has been reasonable given the circumstances. Communication of any short messages from TRUSTEES notified but not in attendance shall be made to TRUSTEES in attendance.

The consideration of the emergency for which the meeting was called shall be the sole item of business.

In those instances, as ruled by the CHAIR, every TRUSTEE of the BOARD may vote on a question put in a telephone poll, by conference call, facsimile transmission or e-mail transmission conducted by the SECRETARY or designate.

3:05
COMMITTEE MEETINGS

COMMITTEES, whether Special, Ad Hoc or some other type shall meet initially within two weeks after the COMMITTEE has been appointed; at the call of the SECRETARY, following consultation with the TRUSTEES of the COMMITTEE if a chair has not been appointed; at the call of the chair of the COMMITTEE; or, at times determined by resolution of the COMMITTEE. The CHAIR is an ex-officio member of all COMMITTEES.

3:06
QUORUM FOR MEETINGS OF ALL TRUSTEES

Subject to the Municipal Conflict of Interest Act, a majority of the TRUSTEES of the BOARD shall constitute a quorum for meetings of the BOARD and of a COMMITTEE of the BOARD where the COMMITTEE is composed of all TRUSTEES.

In the event of an even number of TRUSTEES, fifty percent (50%) shall constitute a quorum. The vote of the majority of this Quorum is necessary to bind the BOARD, or a COMMITTEE where a COMMITTEE is composed of all TRUSTEES.

3:07
LACK OF QUORUM

If a quorum is not present within thirty (30) minutes (or such longer time as may be agreed upon by the TRUSTEES eligible to vote then present) after the time appointed for any MEETING, the SECRETARY shall record the names of the persons present and the meeting shall stand adjourned, to be reconvened within seven days, at the call of the CHAIR.

In the event that at such reconvened meeting a quorum is not present within thirty (30) minutes (or such longer time as may be agreed upon by the TRUSTEES eligible to vote then present) after the time appointed, the SECRETARY shall record the names of the persons present, such meeting shall stand adjourned and no further meeting need to be called or held.

3:08

**QUORUM
LOST**

Whenever a quorum is no longer present at a MEETING, the provisions of Section 3:07 *Lack of Quorum* shall apply with necessary modifications.

3.09

DELEGATIONS

Delegations Regarding Items Not On the Agenda: Any person(s) wishing to make a formal presentation to the BOARD shall make their intent known, in writing, to the SECRETARY at least one week prior to the regular meeting. They shall briefly explain in their petition the nature of their business. The discussion shall be limited to the petition and shall be no longer than ten (10) minutes. The time limit can be waived by the consent of the majority of the BOARD.

Delegations Regarding Items On the Agenda: Any person(s) wishing to appear before the BOARD and speak to an item appearing on the agenda of the Board Meeting has until **noon** of the day **before the day** of the Board Meeting to make a request to the SECRETARY. They shall explain briefly the nature of their business. The discussion shall be limited to the item on the agenda and shall be no longer than ten (10) minutes.

The Board may, by resolution, waive the time lines required of delegations, and by resolution extend the time limits for presentation by a delegation. If the delegation is with respect to an in-camera matter, the Board's decision shall be by consensus.

The Board, may, in its absolute discretion limit the number of delegations, presenters or questioners as it sees fit. The Board, by resolution, shall determine if it wishes to hear the delegation, presentation or question.

Debate or motions: TRUSTEES may put questions for clarification to presenters, but no debate or motions on matters raised by a delegation shall be made at the meeting in which the presentation is made. Administration may provide brief responses of clarification to questions raised by TRUSTEES.

3.10

**STUDENT
TRUSTEES**

A STUDENT TRUSTEE shall have all the rights, but only the rights with respect to attendance at and participation in meetings of the Board or Committees of the Board as are mandated by the Education Act or the regulations, as amended from time to time.

3:11

**ELECTRONIC
MEETINGS**

A TRUSTEE and/or STUDENT TRUSTEE who requests to participate in a meeting of the BOARD or a COMMITTEE of the BOARD by electronic means and participates by such means in accordance with BOARD policy for the use of electronic means shall be deemed to be present at the meeting and shall be counted as part of the quorum and shall be entitled to vote on any matter on which he/she is eligible to vote.

3.12 In cases where a vote is to be conducted by secret ballot in accordance with the Board's by-laws, or the requirements of the Education Act or for any other reason, a TRUSTEE and/or a STUDENT TRUSTEE who is eligible to vote on the matter, who is present at the meeting by electronic means and who chooses to vote, may at the time votes are being cast, cast his or her vote by means of a private telephone conversation with the scrutineer(s) who shall mark the vote on a paper ballot in the same form and manner as though the ballot had been marked in person by the voter, and the ballot shall then be included with the other ballots to be counted. The ballots cast electronically in this manner are subject to the same obligations of confidentiality on the part of the scrutineer(s) as those cast by voters physically present at the meeting.

SECTION 4:00 COMMITTEES

4:01
COMPOSITION The CHAIR shall appoint all MEMBERS to BOARD COMMITTEES and to external Committees if TRUSTEES are to represent the BOARD. Committees shall elect their chair when and where required.

4:02
STANDING COMMITTEES The BOARD may establish Standing COMMITTEES. These are permanent COMMITTEES of the BOARD, and are composed only of BOARD MEMBERS.

4:03
SPECIAL COMMITTEES Special COMMITTEES of the BOARD may be established by resolution of the BOARD; such resolution shall define in detail the terms of reference of such COMMITTEE and structure of its composition.

Selection of Special Committee Members: The CHAIR shall determine the procedures used to select members of Special COMMITTEES.

Functions of Special Committees: Unless otherwise provided by resolution, where a Special COMMITTEE has been established, it shall report directly to the BOARD.

Dissolution of Special Committees: A Special COMMITTEE shall be dissolved upon delivery of its final report to the BOARD; at any time upon a resolution of the BOARD; and, in any event, at the end of the YEAR. Provided, however, that succeeding BOARD, when constituted, may continue or reconstitute any such Special COMMITTEE at or after the Inaugural Meeting.

4:04
RIGHT OF THE CHAIR If eligible by law to vote on a matter, the CHAIR, when present, shall have the right to vote at all COMMITTEE meetings, but not be counted in determining the Quorum.

4:05
RIGHT OF VICE-CHAIR When delegated by or in the absence of the CHAIR, the VICE-CHAIR shall have all powers of the CHAIR and if eligible by law to vote on a matter. The VICE-CHAIR, when present, shall have the right to vote at all COMMITTEE meetings, but not to be counted in determining a Quorum.

4:06

RIGHT OF TRUSTEES

All TRUSTEES shall be entitled to written notice of, to attend and to speak at all MEETINGS of all COMMITTEES composed only of TRUSTEES.

4:07

COMMITTEE PROCEDURES

Each COMMITTEE shall:

- deal only with matters that have been specifically referred to it by the BOARD;
- subject to the approval of the BOARD and subject to the other relevant provisions of the By-laws, establish procedures for the efficient operations of the COMMITTEE;
- request from the DIRECTOR reports concerning matters that have been referred to it;
- hear delegations concerning matters that have been referred to it; and
- receive and consider communications and petitions within the terms of reference of such COMMITTEE which have been referred by the BOARD.

4:08

VOTING AT MEETINGS OF COMMITTEES

If eligible by law to vote on the matter, TRUSTEES may vote at MEETINGS at which they are present, as follows:

- in the case of the CHAIR and VICE-CHAIR, in accordance with what is provided in section 4:04 *Right of Chair* and section 4:05 *Right of Vice-Chair*; and
- in the case of a TRUSTEE appointed or elected to a COMMITTEE, at all meetings of such COMMITTEES.

4:09

APPOINTMENT and REMOVAL FROM COMMITTEES

The CHAIR may at any time appoint or remove any TRUSTEE from any COMMITTEE.

4:10

FILLING OF VACANCIES ON COMMITTEES

A vacancy, however caused, which reduces the number of TRUSTEES below the minimum required number of TRUSTEES, shall be filled at the earliest practicable time. In any event, not later than the second meeting after the vacancy occurs.

In the case of a vacancy on a COMMITTEE, by the CHAIR. In the case of a vacancy in the office of its CHAIR or VICE-CHAIR, by election by the TRUSTEES thereof from among their number.

4:11

REFERRAL POWER OF THE BOARD

Notwithstanding anything contained in the By-laws, the BOARD, upon the majority vote of all TRUSTEES eligible to vote on the matter, shall have the power to refer any matter to any COMMITTEE.

4:12

IN-CAMERA

For reasons permitted by law, a Standing Committee, Permanent Committee or Ad Hoc Committee of the BOARD may determine that its meeting or part of its meeting shall be closed to the public.

4:13

**IN-CAMERA
COMMITTEE
OF THE
WHOLE
BOARD**

Regularly scheduled meetings of the Committee of the Whole Board in camera shall be held prior to each regularly scheduled BOARD meeting.

Notwithstanding anything else contained in the By-Laws, the BOARD:

- shall resolve into IN-CAMERA to consider any report of any other COMMITTEE with respect to a matter or matters considered at a meeting of the latter from which the public was properly excluded; and
- may from time to time and at any time, meet IN-CAMERA or resolve into IN-CAMERA to consider any matter as permitted by the Education Act or as required or permitted by any other statute or common law privilege.

Special or Emergency meetings of the Committee of the Whole Board closed to the public may be called in the same manner and with the same notice that are applicable for Special or Emergency Meetings of the BOARD (*Sections 3:03 and 3:04*).

4:14

**IN-CAMERA
MATTERS**

The primary purpose of an IN-CAMERA meeting of a Committee of the Whole Board is to discuss private and confidential matters pursuant to the Education Act, Section 207 as amended, including legal opinions and advice on those matters. Electronic recordings of such discussions will not be kept. Recommendations of the Committee will be documented. Votes on IN-CAMERA matters shall not be recorded.

The following subject matters shall be considered in Committee of the Whole Board, IN-CAMERA

- the security of the property of the BOARD;
- the disclosure of intimate, personal or financial information in respect of a TRUSTEE of the BOARD or COMMITTEE, an employee or prospective employee of the BOARD or a pupil or his/her parent or guardian, e.g.,:
 - personal matters involving inefficiency or unsatisfactory service, discipline of individuals, termination of contracts; or personal, social or medical information about employees;
 - suspension, expulsion of individual pupils and readmission of such pupils when BOARD action is required by legislation except where Statutory Powers Procedures Act, 1971 requires a public hearing in connection with any of these matters;
 - indigent pupils;
 - a report of the Special Education Appeal Board;
- appointments, transfer or reassignment of senior administrative staff, principals, vice-principals and coordinators;
- the acquisition or disposal of a school site or other real property;
- decisions in respect of negotiations with employees of the BOARD;
- litigation or potential litigation affecting the BOARD; or

- matters permitted or required to be kept private and confidential under the Freedom of Information and Protection of Privacy Act or any other statute or regulation.

4:15

IN-CAMERA RECOMMENDATIONS

Recommendations made in a meeting of the Committee of the Whole BOARD that is closed to the public **which** require a BOARD resolution to be acted upon, shall be presented as a motion by a mover and a seconder with a vote taken in a meeting with the BOARD open to the public as follows:

“Moved that the recommendations and direction of the Committee of the Whole Board at its meeting of _____, 20__ be approved.”

4:16

ATTENDANCE AT IN-CAMERA MEETINGS

The DIRECTOR and the Supervisory Officers shall attend IN-CAMERA meetings. **The** BOARD may admit other persons to IN-CAMERA **meetings**.

The Supervisory Officers or other such persons shall withdraw at the direction of the CHAIR when special circumstances warrant.

4:17

IN-CAMERA CONFIDENTIALITY, CODE OF CONDUCT AND FIDUCIARY OBLIGATIONS

MEMBERS will exercise their power to govern only as TRUSTEES of the corporate body, not as individuals. The CHAIR shall be the official spokesperson for the BOARD.

MEMBERS will abide by existing legislation, the by-laws, policies and procedures established for the BOARD, and **their** declaration of office.

MEMBERS will honour confidentiality of matters discussed at IN-CAMERA sessions of meetings; honour confidentiality regarding correspondence, reports and other information placed in confidence with **members, and** maintain their fiduciary obligations.

4:18

BREACH OF CODE OF CONDUCT AND/OR FIDUCIARY OBLIGATIONS

The CHAIR has the authority to investigate allegations of breaches of the *In-Camera Confidentiality, Code Of Conduct And Fiduciary Obligations* and shall, where appropriate, consult with the VICE-CHAIR regarding course of action.

The CHAIR has the authority to invoke consequences (a) and (b) below. Consequences **(c) and (d) require** BOARD resolution.

The consequences invoked will depend on the seriousness of the conduct or breach. Where the alleged breach of conduct has been committed by the CHAIR, the BOARD shall empower the VICE-CHAIR by motion to perform the above responsibilities of the CHAIR.

Consequences may include:

- (a) a verbal warning;
- (b) a letter outlining the breach or concern;
- (c)** a recommendation for public censure of the member;
- (d)** in respect to a member’s failure to comply with the duty of confidentiality or fiduciary duty as stated in Section 4:16 *In-Camera*

Confidentiality, Code Of Conduct And Fiduciary Obligations, the BOARD may seek any remedy permitted under the Act, regulations, or at common law for such breach, including damages.

Notwithstanding this progressive procedure, it is the intent of the Board to provide a fair and just review of the issues, respecting the member's right to due process, including being advised of the specifics of the allegations, the right to make representation before the Board and appropriate notice.

An appeal to the Board of any consequence applied by the CHAIR may be made at the next IN-CAMERA session of the Board. Consequences confirmed or applied by the Board are not subject to appeal.

SECTION 5:00 COMMITTEE REPORTS

5:01

REPORTING AFTER EACH MEETING

After each meeting, every COMMITTEE shall report to the BOARD, either in writing or orally, at the discretion of the BOARD.

5:02

COMMITTEE REPORTS

Every COMMITTEE report shall contain the following preliminary identifying information:

- the name of the COMMITTEE or Sub-Committee;
- the date of the meeting;
- whether the meeting was a regular or a special meeting;
- the names of the TRUSTEES, staff and consultants who were present;
- the names of the COMMITTEE TRUSTEES who were not present;
- under the heading "Disclosure of Interest"
 - the name of each TRUSTEE who disclosed an interest in any matter on the Agenda of such COMMITTEE meeting;
 - an identification of the matter in which the TRUSTEE disclosed the interest; and
 - if the public was entitled to be present at the MEETING, the general nature of the interest so disclosed.

The substance of each report shall be divided into two parts, set out in the following sequence, and containing the following matters. Part 1 shall contain recommendations for action by the BOARD. Part 2 shall identify all other matters that were placed upon, and approved as part of the Agenda of the COMMITTEE, together with a brief description of the disposition made of such matters by the COMMITTEE.

SECTION 6:00 RULES OF ORDER

6:01

BOARD BY-LAWS

The rules of order to be observed at MEETINGS shall be in accordance with the BOARD's By-Laws, which are valid only insofar as they are consistent with the laws of the Province of Ontario which govern the activities of the BOARD. *Robert's Rules of Order* shall govern so far as applicable in all matters not provided for by these By-laws.

6:02

**SUSPENDING
THE RULES**

With two-third (2/3) majority vote of the members of the BOARD present and voting, any of these rules may be temporarily suspended.

6:03

**RECOGNITION
OF THE CHAIR**

Every TRUSTEE prior to speaking to any question or motion shall address the CHAIR. After being recognized by the CHAIR, the TRUSTEE may proceed. When two or more TRUSTEES speak at the same time, the CHAIR shall name the TRUSTEE who has the floor.

6:04

PROTOCOL

Every TRUSTEE shall follow the protocol as set out below.

No TRUSTEE while speaking shall be interrupted except to be called to order by a TRUSTEE for a Question of Privilege, a Point of Order, an Objection to Consideration, in which case the point of order will be decided by the CHAIR.

A TRUSTEE may require the question or motion in discussion to be read for information at any time during the debate, but not so as to interrupt a speaking TRUSTEE.

Other than the TRUSTEE proposing the question or motion, who shall be permitted to reply as the last speaker, no TRUSTEE shall speak more than once to a specific question, motion or amendment without permission of the BOARD.

No TRUSTEE shall speak longer than a quarter of an hour (15 minutes) on the same question without permission of the BOARD, except in explanation of a material part of a speech which may have been misconceived, and then not to introduce a new matter.

After the question or motion has been put by the CHAIRPERSON, no debate shall be allowed, nor shall any other motion be made until the question under discussion has been decided, and the decision of the CHAIRPERSON as to whether the question has been put, shall be conclusive.

6:05

DECORUM

The Presiding Officer may expel or exclude from any meeting any person who conducts himself/herself improperly or in a disruptive manner at a meeting.

Improper conduct shall be deemed to include, but not be limited to:

- (a) Any defamatory or demeaning comment or gesture about any person;
- (b) Any personal, disrespectful or inflammatory comment about any person;
- (c) Any refusal to accept the ruling of the CHAIRPERSON subject to the right to appeal the ruling to the entire Board.

Any exclusion or expulsion may be continued until the person expelled or excluded has withdrawn and/or apologized for his/her improper conduct.

SECTION 7:00 PRESIDING OFFICER

7:01

PRESIDING OFFICER

The CHAIR (of the BOARD or COMMITTEE, as the case may be) shall preside at all MEETINGS at which the CHAIR is present.

The VICE-CHAIR (of the BOARD or COMMITTEE, as the case may be) shall preside in the absence of the CHAIR; when the VICE-CHAIR presides, the absence of the CHAIR shall be presumed.

If at any meeting the CHAIR and VICE-CHAIR (of the BOARD or COMMITTEE, as the case may be) are absent, the TRUSTEES present may elect one of themselves to be chair for that meeting; when such TRUSTEE presides, the absence of the CHAIR and VICE-CHAIR shall be presumed.

Notwithstanding anything set out in this Article 7:00, the Presiding Officer at the *Organizational Meeting* shall be determined in accordance with what is set out in Section 2:00.

7:02

CONTINUATION IN THE CHAIR

The VICE-CHAIR (or the TRUSTEE referred to in Section 7:04) shall act as CHAIR of the meeting for the duration of the MEETING or until arrival of the CHAIR (or VICE-CHAIR, as the case requires) and the disposition of the main motion then being debated.

7:03

CHAIR OF THE BOARD IN-CAMERA

When the BOARD shall determine to go into IN-CAMERA, the VICE-CHAIR shall preside.

7:04

RIGHTS OF THE CHAIR OR PRESIDING OFFICER

The CHAIR or presiding officer may express an opinion on any main or subsidiary motion on the floor. In such case, if requested by another TRUSTEE on a point of order, the CHAIR or presiding officer shall express no further opinions of the motion on the floor unless he or she vacate the CHAIR until the disposition of the main motion.

7:05

CHAIR PRO TEM

If the CHAIR or presiding officer of a MEETING elects to vacate the Chair for any reason, the CHAIR shall call upon a TRUSTEE who is not the mover or seconder of any motion or subsidiary motion on the table (preferably, though not necessarily, a TRUSTEE who has not spoken) to fill the place of the CHAIR until the main motion is disposed of, in the following sequence:

- VICE-CHAIR; and
- another TRUSTEE present.

SECTION 8:00 AGENDA

8:01

**DELIVERY OF
AGENDA TO
TRUSTEES**

The Agenda for every MEETING with appropriate supporting material, shall be delivered to each TRUSTEE as indicated below:

- for Regular meetings of the BOARD at least forty-eight (48) hours in advance of such a meeting;
- for Special meetings of the BOARD at least forty-eight (48) hours in advance of such a meeting;
- for Emergency meetings of the BOARD the purpose of the meeting will be communicated with notice of the meeting whether done orally or in some other form.

8:02

**DELIVERY OF
AGENDA TO
NON-
TRUSTEES**

Where a COMMITTEE includes persons who are not TRUSTEES, the Agenda for every MEETING that is not closed to the public, and every meeting of the COMMITTEE of which the person is a TRUSTEE, shall be delivered to each such person at least twenty-four (24) hours in advance of such meeting.

8:03

**ITEMS ON THE
AGENDA**

Agenda of Meetings of the BOARD shall be prepared by the Secretary, the CHAIR and VICE-CHAIR. No matter shall be placed on the Agenda of a meeting of the Board unless:

- it results from the report from a Committee and relates to a matter that has been referred to it by action of the BOARD;
- it is a report from Administration;
- it is pursuant to a notice of motion made by an individual TRUSTEE under the provisions of section 8:05;
- the item has been agreed to by the CHAIR and the SECRETARY;
- it is a matter that, in the opinion of the SECRETARY, requires action by the BOARD as a matter of urgency;
- it is recommended to the BOARD by the CHAIR and carried by vote of the BOARD.

8:04

**PLACING
MATTER ON
THE
COMMITTEE
AGENDA**

No matter shall be placed on the Agenda of a meeting of a COMMITTEE unless the matter was referred by action of the BOARD to the COMMITTEE, and unless:

- it is placed on the Agenda by agreement of both the COMMITTEE CHAIR and the Administrative Liaison to the COMMITTEE;
- or it is a presentation or delegation with respect to a matter referred to the COMMITTEE by the BOARD and made with the approval of the COMMITTEE, which approval shall be determined without debate;
- or it is placed on the Agenda upon the affirmative vote of a majority of all TRUSTEES of the COMMITTEE eligible to vote on the matter.

8:05

NOTICE OF MOTION

A TRUSTEE may place a Notice of Motion, regarding any matter with respect to which the TRUSTEE has a right to vote, upon the Agenda of the next regularly scheduled MEETING. Such notice of meeting:

- shall be made during the Notice of Motions section of a regularly scheduled BOARD MEETING;
- shall be in writing;
- may be accompanied by an explanatory notice;
- shall, after its appearance on the Agenda, be taken as read unless any TRUSTEE requests that it be read in full;
- shall not be the subject of any debate or comment at the meeting at which it is introduced;
- shall take the form “*At the next regular scheduled meeting of the Board I shall move or cause to be moved that...*”

8:06

ORDER OF BUSINESS

The order of business for regular MEETINGS of the BOARD shall be as follows:

- A. Board of Trustees In-Camera, 6:00 p.m.
- B. Regular Meeting of the Board, 7:00 p.m.
 1. Call to Order
 2. Opening Prayer
 3. Recording of Attendance
 4. Approval of Agenda
 5. Questions Pertaining to Agenda
 6. Disclosure of Interest
 7. Presentations
 8. Delegations
 - a. Regarding Items NOT on the Agenda
 - b. Regarding Item ON the Agenda
 9. Action Items
 - a. Approval of Minutes
 - b. Items from In-Camera
 10. Communications
 - a. External (Associations, OCSTA, Ministry)
 - b. Internal (Reports from Administration)
 11. Unfinished Business
 12. New Business
 13. Committee Reports
 14. Notice of Motion
 15. Remarks and Announcements
 - a. Chairperson
 - b. Director of Education
 - c. Board Chaplain
 16. Remarks/Questions by Trustees
 17. Pending Items
 18. Continuation of In-Camera, if required
 19. Future Board Meetings
 20. Closing Prayer
 21. Adjournment

8:07
AGENDA FOR SPECIAL AND EMERGENCY MEETINGS OF THE BOARD / COMMITTEES The provisions of *Section 8:06* apply, with necessary variations, to special meetings of the BOARD and MEETINGS of COMMITTEES.

8:08
AGENDA FOR MEETINGS FROM WHICH THE PUBLIC IS EXCLUDED The provisions of *Section 8:06* apply, with necessary variations, to the order of business for MEETINGS of COMMITTEES that are not open to the public.

8:09
VARIATION Variations in the Order of Business prescribed in 8.6, 8.7 and 8.8 shall be permitted with the consent of the majority of TRUSTEES, or MEMBERS of the COMMITTEE, as the case may be, who are present and eligible to vote, and such consent shall be ascertained without debate.

SECTION 9:00 MOTIONS

9:01
MOVED AND SECONDED Although all motions at MEETINGS must be moved before being accepted by the CHAIR, seconding of motions shall be required only at meetings of the BOARD.

9:02
WITHDRAWAL OF MOTIONS After a motion is read by the CHAIR it shall be deemed to be in possession of the BOARD. A motion may be withdrawn, with the permission of the CHAIR, for further relevant information and/or background to be included when, in the opinion of the CHAIR, this will serve to clarify the motion. But only with the permission of the BOARD as determined by a show of hands, may a motion be withdrawn.

9:03
SUBDIVISION OF QUESTION When a question under consideration contains distinct propositions the vote upon each such proposition shall be taken separately at the request of any TRUSTEE.

9:04
RECOGNITION OF MOTIONS When a question is under debate, the following motions shall be recognized in order of precedence:

MOTION	CONDITIONS
to adjourn	not debatable
suspend the rules	not debatable 2/3 majority
to lay on the table	not debatable
to postpone to a later time (defer)	
to refer	
to amend	
to postpone indefinitely	

9:05

ORDER OF PRECEDENCE

The following order of precedence may be addressed to the CHAIR and interrupt the TRUSTEE on the floor:

MOTION

questions of privilege
point of order
appeal (a decision of CHAIR)
objection to consideration

CONDITIONS

CHAIR to determine
CHAIR to rule
requires a seconder
non-debatable, 2/3 required

9:06

TO RESCIND

The BOARD may annul an action it has taken at a previous meeting by a motion to rescind the objectionable resolution, order or other proceeding; and this motion will require an affirmative vote of two-thirds (2/3) of the members present who are eligible to vote on the matter to pass. A motion to rescind any former action of the Board may be made by any member, provided that a written notice of intention to move the rescission shall have been given at a previous meeting of the Board. Once a motion to rescind has been decided in the negative, no further motion to rescind shall be entertained for the next twelve months without the unanimous consent of all trustees present and eligible to vote on the matter.

9:07

TO RECONSIDER

The BOARD may set aside a vote taken on a motion in order to re-examine its action if a motion to reconsider is made at the same meeting as the original vote. A TRUSTEE who voted with the prevailing side must present the motion to reconsider. The motion to reconsider will require an affirmative vote of the majority of the members present and eligible to vote. The reconsideration must occur at the same meeting.

9:08

RECEIPT OF REPORTS

To “receive and file” denotes that the BOARD receives a report or document without denoting agreement or disagreement.

9:09

TO ADJOURN

A motion to adjourn shall be in order except when a TRUSTEE is speaking, or a vote is taken. A motion to adjourn shall not be open to amendment or debate, but a motion to adjourn to a certain time may be amended and debated.

After a motion to adjourn has been defeated, no second motion to the same effect shall be made until after some intermediate proceedings shall have been made.

9:10

LAY ON THE TABLE

A motion to lay on the table is not debatable; and is used for the purpose of allowing the BOARD or COMMITTEE to deal with some other matter at the same meeting prior to dealing with the matter temporarily laid on the table. A matter laid on the table may be dealt with at the same meeting or at a subsequent meeting.

9:11

REFER

A motion to refer to a STANDING COMMITTEE shall take precedence over a motion to refer to a Special Committee or to Administration.

9:12

AMENDMENTS TO A MOTION

After a resolution is moved and seconded (if required), a motion to amend may be made; and a motion to amend the amendment may be made. But no further motion to amend shall be made until these have been decided.

9:13

ORDER OF QUESTIONS

All questions shall be put in the order in which they are moved, except the amendments shall be put before the main motion, the last amendment first, etc.

9:14

QUESTION TO A VOTE

After the CHAIR has decided to put the question to a vote there shall be no further debating.

9:15

RISE AND REPORT

A motion to rise, or to rise and report, shall be decided without debate.

SECTION 10:00 VOTING

10:01

VOTING

Every TRUSTEE present, excluding those that have declared an interest as required by the Municipal Conflict of Interest Act, may vote on all questions on which the TRUSTEE is entitled to vote. Although it is desirable that a TRUSTEE should record a vote in each case, the CHAIR has no power to compel a vote.

10:02

TRUSTEE MUST BE PRESENT

Only TRUSTEES present or deemed to be present at the meeting when a vote is taken shall have the right to vote.

10:03

AFFIRMATIVE VOTE REQUIRED

Except as otherwise provided in these By-laws, an affirmative vote shall require a majority of the votes of the TRUSTEES who do vote (abstentions count as a non-vote.)

10:04

MINIMUM NUMBER

Any matter, on which there are fewer than two TRUSTEES eligible to vote at a COMMITTEE meeting, shall stand referred to the BOARD.

10:05

METHODS OF VOTING

Subject to Section 10.6, every matter considered by the BOARD or a COMMITTEE shall be disposed of by a vote of all those eligible to vote on the matter, in one of the following ways (preference being given in the following sequence):

- by general (or unanimous) consent, in which the CHAIR exercising discretion, states that the motion will be adopted in the absence of objection;
- by show of hands, in which each person eligible to vote raises the person's hand in response to the requests of the CHAIR for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted;

- by recorded vote, in which each person eligible to vote stands in place in response to the requests of the CHAIR for the votes in the affirmative and in the negative, as the case may be, until the CHAIR has called the name of each person as voting, respectively, in the affirmative, or in the negative; or
- by ballot, in which each person eligible to vote shall mark on a paper provided by the SECRETARY, the person's choice from among the available alternatives, the papers being collected and counted immediately thereafter.

10:06

METHOD TO BE USED

Although the method requested by any person eligible to vote should be used to the extent practicable, the particular method of voting to be used to dispose of any matter shall be governed by the following rules:

- determination by general (or unanimous) consent shall be used only when no person eligible to vote objects or requests another method;
- a recorded vote may be used at any meeting of the BOARD upon the request of any TRUSTEE entitled to vote on the matter, provided that the request is made before the vote is called; and
- voting by ballot shall be used for, and only for, the purposes of the elections as provided in Article 2.0.

10:07

RIGHT OF THE CHAIR TO VOTE

The CHAIR, unless an interest as required by the Municipal Conflict of Interest Act has been declared, may vote on all questions which as a TRUSTEE, he or she is entitled to vote **at any time**.

10:08

VOTE LOST ON EQUALITY

Any motion on which there is an equality of votes is lost.

10:09

DECLARATION OF RESULT

The CHAIR shall declare the result of all votes.

SECTION 11:00 OFFICERS AND OFFICIALS

11:01

OFFICERS NAMED

The BOARD empowers the DIRECTOR/SECRETARY, and designated officers to be signing officers for the BOARD. When deemed advisable by the DIRECTOR, designated officers are given the authority to use plates, bearing their signature, for the purpose of signing. Officers authorized to use plates for signing include the DIRECTOR/SECRETARY and the Superintendent of Business and Treasurer. When deemed appropriate by the DIRECTOR, any Supervisory Officer employed by the BOARD may be delegated responsibility of signing on behalf of the BOARD.

11:02

**DUTIES OF
THE CHAIR**

The CHAIR, in addition to those duties assigned under provincial legislation and these By-laws shall:

- preside at all meetings of the BOARD and conduct them according to the By-laws;
- be a signing officer of the BOARD as prescribed in the By-laws;
- approve the agenda of BOARD meetings;
- may recommend to the BOARD the establishment and composition of COMMITTEES;
- call special and emergency meetings of the BOARD; and
- issue statements to the public media on behalf of the BOARD.

11:03

**DUTIES OF
THE VICE-
CHAIR**

The VICE-CHAIR, in addition to those duties assigned under provincial legislation and the By-laws, shall:

- in the absence of the CHAIR, or in the event of the inability of the CHAIR to act, assume any or all of the duties of the CHAIR, except those which are precluded by law, By-law or regulation;
- be a signing officer of the BOARD as prescribed in the By-laws; and
- in the event of the death or resignation of the CHAIR, the VICE-CHAIR shall automatically assume the position of CHAIR for the remainder of the year.

11:04

**DUTIES OF
THE
SECRETARY**

The SECRETARY, in addition to those duties assigned under the provincial legislation and the By-laws, shall:

- attend in person all meetings of the BOARD and, in person or by delegated representative, meetings of all COMMITTEES;
- prepare minutes of all MEETINGS;
- keep records as required by law and subject to the directions of the BOARD;
- conduct the official correspondence of the BOARD;
- receive and pass on to the BOARD or the relevant COMMITTEE correspondence, petitions and reports of other officials;
- prepare, in consultation with the CHAIR, the agenda of all BOARD meetings;
- designate Supervisory Officers to do the same with respect to any Committees of the BOARD;
- maintain an up-to-date Policy Manual and ensure that all Policy Manual holders receive modifications as they are approved by the Board;
- have charge of all correspondence, reports and other documents;
- promulgate all orders, policies and other directions of the BOARD and other matters in accordance with requirements of the law; and
- bring to the attention of the BOARD any matter in respect of which, in the opinion of the SECRETARY, it may be necessary or useful for the BOARD to be aware.

11:05

**DUTIES OF
THE
TREASURER**

The TREASURER, in addition to those duties assigned under provincial legislation and the By-laws, shall:

- submit to the BOARD annually a statement of estimated revenue and expenditures;
- prepare for submission to the BOARD the annual financial statements and the auditor=s report;
- report annually to the BOARD particulars of existing insurance and fidelity bonds expiring during such year with recommendations for renewal; and
- report to the BOARD from time to time and as requested by the BOARD on all financial matters.

11:06

**DUTIES OF
THE SUPER-
INTENDENT
OF BUSINESS**

The Superintendent of Business shall:

- carry out all duties assigned by the DIRECTOR OF EDUCATION/SECRETARY; and
- be a signing officer of the BOARD as prescribed in the By-laws.

11:07

**DUTIES OF
OTHER BOARD
OFFICIALS**

The officials of the BOARD and other persons employed or retained by it shall have such duties as may be assigned to them by law, contract and the By-laws of the BOARD.

SECTION 12:00 EXECUTION OF DOCUMENTS

12:01

BOARD SEAL

The Seal of the BOARD shall be in custody of the SECRETARY who shall be responsible for affixing it to such documents as may be required.

12:02

**SEAL
REGISTER**

The SECRETARY shall keep a record in a special book of the date and the particulars of each use of the seal.

12:03

**SIGNING
AUTHORITIES**

All deeds, conveyances, mortgages, bonds, debentures, agreements, documents, contracts approved by the BOARD shall be sealed with the seal of the BOARD and signed by two of the appropriate signing officers.

12:04

MINUTES

The CHAIR or other presiding TRUSTEE and the SECRETARY shall sign the minutes of all BOARD and STANDING COMMITTEE meetings.

12:05

**EXECUTION
NOT UNDER
SEAL**

Documents covering matters not required to be executed under the corporate seal of the BOARD, may be signed by the SECRETARY of the BOARD.

SECTION 13:00 BANKING

13:01

BANK SIGNING OFFICERS The signatures of any two signing officers are required when:

- making, drawing, accepting, endorsing, negotiating, lodging, depositing or transferring all or any cheques, promissory notes, drafts, acceptances, bills of exchange, order for payment of money, contracts for letters of credit and forward exchange; and
- issuing cheques, drafts or orders for payment drawn on the bank accounts of the BOARD.

13:02

ENDORSEMENT FOR DEPOSIT The Superintendent of Business, by signature or by rubber stamp endorsement, may negotiate or deposit with or transfer to the bankers for the BOARD, but for the credit only of the account of the BOARD, all or any cheques, promissory notes, drafts, acceptances, bills of exchange and order for the payment of money.

SECTION 14:00 STATUTORY COMMITTEES

14:01

APPLICATION TO STATUTORY COMMITTEES The provisions of the By-laws of the BOARD that apply to COMMITTEES shall apply with necessary modifications to STATUTORY COMMITTEES, including without limitation, the Special Education Advisory Committee of the BOARD.

14:02

MEETING TIME OF COMMITTEES COMMITTEES shall not schedule regular or special meetings on dates or at times that will conflict with dates and times of meetings of any other COMMITTEE.

SECTION 15:00 AMENDMENTS TO BY-LAWS

15:01

AMENDMENT AFTER NOTICE By-laws of the BOARD may be amended from time to time at a meeting of the BOARD (such meeting hereinafter referred to as the “later meeting”) upon the affirmative vote of two thirds (2/3) of all TRUSTEES of the BOARD present provided:

- written notice of motion proposing the amendment shall have been provided with the Agenda of the MEETING; and
- the text and a brief statement of intended purpose of the amendment shall have been included in the Agenda.

15:02

**AMENDMENT
WITHOUT
NOTICE**

At any time the By-laws may be amended without notice upon the unanimous vote of all the TRUSTEES of the BOARD entitled to vote thereon.

15:03

**BY-LAW
REVIEW**

A By-Law Review Committee consisting of the Chair, Vice-Chair and immediate Past Chair shall review the By-Laws **every two years or as required.**

SECTION 16:00 INDEMNITY BY-LAW: MUNICIPAL CONFLICT OF INTEREST ACT

16:01

**DATE
LIMITATION**

The Board may indemnify members or officers out of its operating expenses for any damages or costs awarded against such member or officer or expenses incurred by them as a result of any action or other proceeding, except a proceeding brought under the Municipal Conflict of Interest Act, arising out of acts or omissions done or made by them in their capacity as members or officers, including while acting in the performance of any statutory duty imposed by any general or special act or paying any sum required in connection with the settlement of such action or other proceeding and for assuming the cost of defending any such member in such an action or other proceeding, except this section does not apply to an act or omission that occurred prior to the 15th day of December, 1978.

16:02

**INDEMNIFY A
MEMBER**

The Board may, pursuant to Section 14 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M-50, indemnify a member or officer out of its operating funds for any costs or expenses incurred by the member or officer if the member or officer has been found not to have contravened Section 5 of that Act, as a result of a proceeding brought under it and for paying on behalf of or reimbursing the member or officer for any such costs or expenses, except that this section does not apply to any act or omission that occurred prior to the 1st day of March 1983.

16:03

INDEMNITY

Notwithstanding anything contained in this by-law, a member or officer is entitled to indemnity from the Board in respect of charges and expenses reasonably incurred by him/her in connection with the defence of:

- a. any proceedings under the Municipal Conflict of Interest Act, R.S.O. 1990 to which he/she is made a party by reason of being or having been a member, if the person seeking indemnity has been found not to have contravened Section 5 of that Act; or
- b. any other criminal, civil or administrative action or proceeding to which he/she is made a party by reason of being or having been a member or officer, if the person seeking indemnity:
 - i. was substantially successful on the merits in his/her defence of the action or proceeding;
 - ii. acted honestly and in good faith with view to the best interests of the board; and

- iii. in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, had reasonable grounds for believing that his/her conduct was lawful.

16:04

INSURANCE

The Board shall purchase and maintain insurance to protect any member or officer;

- a. who has been found not to have contravened Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990; against any costs or expenses incurred by the member or officer as a result of a proceeding brought under that Act, and for paying on behalf of or reimbursing the member or officer for any such costs or expenses; and
- b. against risks that may involve liability on the part of such member or officer for paying any damages or costs awarded against any such members or officers or expenses incurred by them as a result of any action or proceedings, except a proceeding brought under the Municipal Conflict of Interest Act, R.S.O. 1990, arising out of acts or omissions done or made by them in their capacity as members or officers, including while acting in the performance of any statutory duty imposed by any general or special Act or by paying any sum required in connection with the settlement of such an action or other proceeding and for assuming the cost of defending any such member or officer in such an action or proceeding, except where the liability relates to his/her failure to act honestly and in good faith with a view to the best interests of the Board.

16:05

BY-LAW APPLICATION

This By-Law applies to a person who is a member or officer of the Board at the time the circumstances giving rise to the proceeding occurred but who prior to the settlement or judgment in such action or other proceeding has ceased to be a member or officer.

SECTION 17:00 INADVERTENT CONTRAVENTION OF THE BY-LAWS

17:01

INADVERTENT CONTRAVENTION

In the event that the BOARD inadvertently contravenes any of the procedural requirements outlined or contained in the BOARD's Constitution, By-Laws, or Articles of Agreement, any decision of the BOARD is not liable to be impeached on the ground that the procedural requirements of the said Constitution, By-Laws, or Articles of Agreement have not been complied with, provided that any condonation by the BOARD of any contravention of the said procedural requirements must be approved by two-thirds (2/3) majority vote of the BOARD, whereupon such decision of the BOARD shall be deemed to have been made in compliance with the BOARD's Constitution, By-Laws, or Articles of Agreement.