



MINUTES OF THE POLICY COMMITTEE MEETING

TUESDAY, MAY 28, 2019

Minutes of the Policy Committee Meeting held on Tuesday, April 23, 2019 at 4:00 p.m. in the Holy Cross Community Room, at the Catholic Education Centre, 427 Rice Road, Welland.

The meeting was called to order at 4:00 p.m. by Policy Committee Chair Huibers.

1. Opening Prayer

The meeting was opened with a prayer by Trustee Turner.

2. Attendance

Committee Members	Present	Present Electronically	Absent	Excused
Larry Huibers (Committee Chair)	✓			
Frank Fera	✓			
Leanne Prince	✓			

Trustees:

Rhianon Burkholder
Kathy Burtnik
Daniel Moody
Dino Sicoli
Paul Turner

Student Trustees:

Jade Bilodeau
Madison McKinney

Staff:

John Crocco, Director of Education
Lee Ann Forsyth-Sells, Superintendent of Education
Frank Iannantuono, Superintendent of Education/Human Resources
Giancarlo Vetrone, Superintendent of Business & Finance
Kathy Levinski, Administrator of Facilities Services

Anna Pisano, Administrative Assistant, Corporate Services & Communications Department
/Recording Secretary

3. Approval of Agenda

Moved by Trustee Prince

THAT the May 28, 2019 Policy Committee Agenda be approved, as presented.

APPROVED

4. Declaration of Conflict of Interest

No Disclosures of Interest were declared with any items on the agenda. Trustee Huibers indicated he was not declaring a Conflict of Interest as his wife does not have the required qualifications required for the position of Principal or Vice-Principal.

5. Minutes of the Policy Committee Meeting of April 23, 2019

Moved by Trustee Prince

THAT the Policy Committee approve the minutes of the Policy Committee Meeting of April 23, 2019, as presented.

APPROVED

6. Policies

ACTION REQUIRED

POLICIES - FOR RECOMMENDATION TO JUNE 11, 2019 COMMITTEE OF THE WHOLE MEETING

6.1 Community Use of Facilities Policy (800.2)

Kathy Levinski, Administrator of Facilities Services presented feedback received from the vetting process and highlighted recommended amendments to the Community Use of Facilities Policy (800.2) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

POLICY STATEMENT

- No amendment

ADMINISTRATIVE PROCEDURES

- Page 2, bullet 3 add “*” to secondary facilities, and “**The Controller of Facilities Services or designate will consider requests for permits outside the time indicated for approval. Any additional costs for caretaking, if required, will be charged to the permit holder at full cost recovery*”.

Moved by Trustee Prince

THAT the Policy Committee recommend to the June 11, 2019 Committee of the Whole Meeting to approve the revisions to the Community Use of Facilities Policy (800.2), as presented.

APPROVED

6.2 Bullying Prevention and Intervention Policy (302.6.8)

Lee Ann Forsyth-Sells, Superintendent of Education presented feedback received from the vetting process and highlighted recommended amendments to the Safe Schools Policy (302.6).8 following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

POLICY STATEMENT

- No amendment

ADMINISTRATIVE PROCEDURES

- No amendment

Moved by Trustee Fera

THAT the Policy Committee recommend to the June 11, 2019 Committee of the Whole Meeting to approve the revisions to the Bullying Prevention and Intervention Policy (302.6.8), as presented.

APPROVED

POLICIES - PRIOR TO VETTING

6.3 Catholic Leadership: Principal and Vice-Principal Selection Policy (202.2)

Trustee Fera distributed a prepared statement for the consideration of the Policy Committee.

Chair Huibers requested that time be provided to read the statement provided and to defer the Catholic Leadership: Principal and Vice-Principal Selection Policy to the next meeting of the Policy Committee.

Following discussion, the Policy Committee requested that the Catholic Leadership: Principal and Vice-Principal Selection Policy (202.2), be deferred to a special one item Policy Committee Meeting prior to the June 11, 2019 Committee of the Whole Meeting.

A copy of Trustee Fera's statement was requested to be included in the minutes as Appendix A

6.4 Employee Meals and Hospitality Policy (201.14)

Giancarlo Vetrone, Superintendent of Business & Financial Services, presented the Employee Meals and Hospitality Policy (201.14).

The Policy Committee suggested the following amendments:

POLICY STATEMENT

- Keep the word “*Employee*” in the title of the Statement of Policy

ADMINISTRATIVE PROCEDURES

- Keep the word “*Employee*” in the title of the Administrative Procedures
- Page 2, bullet 4 – replace “*Microsoft Dynamics NAV*” with “*financial software*”

The Policy Committee requested that the Employee Meals and Hospitality Policy (201.14), be vetted from May 28, 2019 to October 4, 2019 with a recommended deadline for presentation to the Policy Committee in October 2019, for consideration to the Committee of the Whole and Board in November 2019.

6.5 Employee Conferences, Workshops and Meetings Policy (201.15)

Superintendent Vetrone, presented the Employee Conferences, Workshops and Meetings Policy (201.15).

The Policy Committee suggested the following amendments:

POLICY STATEMENT

- No amendments

ADMINISTRATIVE PROCEDURES

- No amendments

The Policy Committee requested that the Employee Conferences, Workshops and Meetings Policy (201.15), be vetted from May 28, 2019 to October 4, 2019 with a recommended deadline for presentation to the Policy Committee in October 2019, for consideration to the Committee of the Whole and Board in November 2019.

6.6 Opening or Closing Exercises – Safe Schools Policy (302.6.1)

Lee Ann Forsyth-Sells, Superintendent of Education, presented the Opening or Closing Exercises – Safe Schools Policy (302.6.1).

The Policy Committee suggested the following amendments:

POLICY STATEMENT

- Page 1, second paragraph – replace “*will*” with “*must*”

ADMINISTRATIVE PROCEDURES

- Under Exemptions – add “*In accordance with the Education Act*”

The Policy Committee requested that the Opening or Closing Exercises – Safe Schools Policy (302.6.1), be vetted from May 28, 2019 to October 4, 2019 with a recommended deadline for presentation to the Policy Committee in October 2019, for consideration to the Committee of the Whole and Board in November 2019.

6.7 Acceleration Retention Policy (400.5)

Superintendent Forsyth-Sells, presented the Acceleration Retention Policy (400.5).

The Policy Committee suggested the following amendments:

POLICY STATEMENT

- Add a statement that captures the inclusive model.

ADMINISTRATIVE PROCEDURES

- No amendments

The Policy Committee requested that the Acceleration Retention Policy (400.5), be vetted from May 28, 2019 to October 4, 2019 with a recommended deadline for presentation to the Policy Committee in October 2019, for consideration to the Committee of the Whole and Board in November 2019.

INFORMATION

6.8 Policies Currently Being Vetted to September 9, 2019

- Emergency Instructors Policy (NEW)
- Catholic Leadership: Supervisory Officer & Controller of Facilities Selection Policy (NEW)

6.9 Policy and Guideline Review 2018-2019 Schedule

Director Crocco presented the Policy and Guideline Review 2018-2019 Schedule.

7. Date of Next Meeting

June 11, 2019 – 5:30 p.m. Start time.

8. Adjournment

The meeting adjourned at 5:32 p.m.

Please allow me to express a few thoughts prior to this policy meeting.

I have heard many ambiguous and, I believe, incorrect statements of late regarding the recent approved motion by the Board. I am certain that some individuals may find the trustee involvement in the interview process, along with the decisions to be made at the Board table regarding the hiring and promotion of staff, different in their personal experience, however, I would like to point out that this process is well established within other Catholic Boards in Ontario, not to say that it used to be the recommended practice within NCDSB.

The trustees supportive of this motion, believe that the employer (The Board) needs to resume playing an appropriate role in the hiring / promotion / staffing of "their" staff. I will place this in legal context later in my comments.

I would however, like to assure all, that we do not want to ever presume that we have all the detailed skills and background required to do a specific job even if some of us have been principals, teachers, police officers, parents and now Trustees. We do believe, that a team approach gives the best results in decision making. Policy 202.2 which describes the selection committee for Principal / Vice- Principal presently identifies the committee to consist of a maximum of 2 Superintendents of Education, a chair of the Committee: Superintendent of Human Resources, 2 principals, and one vice-principal. (Section 7 of policy 202.2)

Surely one additional individual, representing the employer, would not upset the balance required to make a fair and just recommendation regarding the identification of future administrators. Indeed the committee now moves to 6 individuals whereas the policy currently identifies 5 for the interview team. An additional member of the team, should not nor will they upset the delicate balance required to make a non-partisan recommendation.

Therefore I am convinced that as a Board we do/should bring a dimension that is needed in making the hiring and promotion process more transparent, better and fairer.

At this time, more than ever, we need to clarify and enhance the Board's role in these processes.

During recent years, it may be news to some, a number of people (including staff in leadership positions) from time to time, have been surprised and disappointed in the fact that we trustees (the Board) seem to have abdicated the role that they once had in monitoring and giving input during the hiring and promotion process and / or the final decisions pertaining to those important issues.

This need for reengaging does not mean that we do not value staff responsibility (at all levels of administration). As an enlightened "owner (Board) representing the rate payers (the real owners) we need to be engaged, accountable and hold staff in leadership positions accountable, just as we are held accountable every ~~three~~ ⁴ years at election time. We believe that our "just-measured" involvement will go a long way in reestablishing trust and collegiality with all stakeholders across the NCDSB. We are also sincerely hoping that by this change in involvement, as well as a few others that we are currently discussing, if approved by the majority of trustees (Board decision), will go a long way in moving forward in reestablishing a positive relationship with all employee groups. (Please keep in mind that when staff uses the term "board" they should differentiate that term from "senior administration")

One issue that is being debated concerns the definition of “**day to day administration**”. Surely you will agree that principals, superintendents and the Director, play key roles in defining and acting on “day to day administration”. No Board of trustees would ever want to tell you how to “day to day administer your school” except in concert with the Ed. Act and its Regulations and through well-reasoned (Board approved) policies and administrative guidelines reflecting faithfully the intent of those policies.

We have heard that there are some who contend that our policy may be contrary to the concept of “day to day administration”. The individuals cite the Education Act and various other documents, however, they seldom provide you with sections of the Act and the specific references where the act reads differently.

To those who do not provide specific references allow me to provide you with the following: a document released by the Ministry of Education, December 2011 governing senior leadership within a school board writes

“Boards are responsible for the recruitment and selection of Supervisory Officers.”

Section 169.1 of the Education Act under “Duties and Powers of the Board” holds that the Board of Trustees are responsible for

(b) “ensure effective stewardship of board’s resources “(both financial and Human resources) and

Under the duties of a board. section 12

“appoint a principal and an adequate number of teachers for each school of the Board”

While some boards across the Province may have chosen to delegate this responsibility to senior staff, it is clear that the duty, truly belongs to the board. I would now suggest that we recapture our educational duty and assume our legally stated responsibility.

It would therefore follow, that we do not believe, as some may contend, that items such as the hiring of a superintendent, principal, vice-principal and other senior positions fall within the category of “day to day administration.” What makes this even more outrageous are the many claims made that this practice now violates the Education Act and the accompanying Regulations and various other documents. A claim that has not been substantiated within these same references.

Surely, fair minded people will agree that many levels of staff must play an appropriate role in the appointing persons to positions that they might hold until retirement. All, supporting trustees of the proposed changes, want is a clarified and appropriate role as opposed to being simply told (arrogantly at times) that “trustees have no role” in these processes.

Enlightened school districts have practices where teachers, as an example have an appropriate involvement in the hiring of principals and vice-principals. Exactly as you say, who better than them can give input as to what characteristics are needed for success?

Furthermore, allow us to hold the following view on the issue of transfer of principals and vice-principals. Trustees, who live in the community and receive many calls praising staff or, at times, complaining about school leaders, are in a good position to give senior staff input, along with the Catholic School Council, as to what might be a good fit for an individual in a particular school. The Board’s final approval is more readily and gladly given when the Director presents all the facts after

having gone through proper consultations (including local Trustees and the Board). We all should strive for successful decision making in order to better serve students, parents and staff.

Our objective is to make things better and be respectful of all the stakeholder groups that we serve while fulfilling our role as duly elected Trustees of the Board.

Be assured that we abhor arrogance in thinking that all answers to the various problems, rest with an individual or a selected few. Good processes, we believe, include a variety of reasonably represented, clear thinking and open-minded stakeholders.

Supporting documents regarding the role of Trustees.

According to the Policy "**Establish and cyclical Review of Policies Policy**" 100.5

1. "The Director of Education, a Chief Executive Officer, is accountable to the Board for the implementation of Board approved Policy and shall issue administrative procedures to implement each policy." -

In short this statement captures the frequently misunderstood concept of "day to day administration". It should be noted that when the Board has approved a policy that policy can only be altered by the Board. There are no provisions within our By-Laws which empower a committee to alter the Policy proper. It is the duty of the Director along with staff to develop the Administrative Procedures, as noted above to the policy.

It is these same procedures which are to be discussed at the Policy committee and ultimately approved at the Board level. Thus the vetting process is an opportunity for stakeholders to provide feedback to the Administrative Procedures and not the approved motion of the Board.

Furthermore, since our By-Laws are silent on the rare issue of quorum other than the fact that if quorum is not achieved within 30 minutes of the meeting, the meeting legally must be adjourned.

In the absence of the issue that took place at the previous Policy committee where 2 of the members were either willing or compelled to declare a conflict the Municipal Conflict of Interest Act would apply where...

"(7)(1) Where the number of members who ... are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, **provided such number is not less than two.**"

2. Policy 202.1 Assignment of Principals and Vice Principals

(9)" Appointments, assignments and / or reassignments of Principals and / or Vice Principals will be made by the Director of Education with consideration given to the current Principal Profile as completed and submitted by the Catholic School Council. Appointments and assignments will be **reported** to the Board."

I would submit to you that the Education Act (169.1 section 12)... Holds that a board shall appoint a principal..."

Good Governance – 2014 A Guide for Trustees , School Boards, Directors of Education and Communities'(page 7) states that it is the school board's responsibilities to... 'Making provision for resources and for the hiring of teachers, and other staff.' Thus if the provision made by this board is to be involved in the hiring of Principals and vice Principals then it too is in compliance with the document.

The Road Ahead – II... A Report on the Role of the School Boards and Trustees 1997

Writes... The school Board level... "As employers, boards are responsible for employing adequate teaching and support staff to meet the needs of their students.

Recommendation 2- That school boards continue to fulfil their traditional responsibilities, which include but are not limited to: employing and compensating staff

Board Accountability

"As the elected governing body of a school board, the board of trustees is accountable for everything the board does" It is responsible for establishing policy direction and ensuring that its policies are implemented.

Education Act (sections 170 and 171) outlines the duties and powers of the boards, among which are the following--- appointing supervisory officers, principals and teachers.