



*The Niagara Catholic District School Board through  
the charisms of faith, social justice, support and leadership,  
nurtures an enriching Catholic learning community for all  
to reach their full potential and become living witnesses of Christ.*

*AGENDA AND MATERIAL*

## **BOARD MEETING**

**TUESDAY, MARCH 26, 2019  
7:00 P.M.**

*FATHER KENNETH BURNS, C.S.C. BOARD ROOM  
CATHOLIC EDUCATION CENTRE, WELLAND, ONTARIO*



**SEEDS OF FAITH**  
MASS · MERCY · MISSION  
2018-2021

### **A. ROUTINE MATTERS**

1. Opening Prayers – Trustee Sicoli -
2. Roll Call -
3. Approval of the Agenda -
4. Declaration of Conflict of Interest -
5. Minutes of the Board Meeting of February 26, 2019 A5
6. Consent Agenda Items
  - 6.1 Unapproved Minutes of the Committee of the Whole Meeting of March 5, 2019 and Consideration of Recommendations A6.1
    - 6.1.1 Progressive Student Discipline – Safe Schools Policy (302.6.9) A6.1.1
    - 6.1.2 Death Benefit Policy (201.5) A6.1.2
    - 6.1.3 Deferred Salary Plan (X/Y) Policy (201.10) A6.1.3
    - 6.1.4 Employee Leaves of Absence Policy (201.1) A6.1.4
  - 6.2 Approved Minutes of the Niagara Catholic Parent Involvement Committee (NCPIC) Meeting of January 10, 2019 A6.2
  - 6.3 Niagara Catholic Education Award of Distinction 2019 A6.3
  - 6.4 In-Camera Agenda Items F1, F2, F4, F5, F6 & F7 -

### **B. DELEGATIONS/PRESENTATIONS**

### **C. COMMITTEE AND STAFF REPORTS**

1. Financial Reports as at February 28, 2019 C1

### **D. TRUSTEE ITEMS, OPEN QUESTION PERIOD & OTHER BUSINESS**

1. Correspondence -
2. Report on Trustee Conferences Attended -
3. General Discussion to Plan for Future Action -
4. Trustee Information
  - 4.1 Spotlight on Niagara Catholic – March 5, 2019 D4.1
  - 4.2 Calendar of Events – April 2019 D4.2
  - 4.3 OCSTA Memorandum – Navigating the Municipal Conflict of Interest Act: A Manual for Catholic School Board Trustees D4.3

4.4	OCSTA Memorandum – Ministry of Education Announcement – March 15, 2019	D4.4
4.5	Ministry of Education Memorandum – Next Phase of Consultations on Hiring Practices and Class Sizes	D4.5
4.6	OCSTA Letter to The Minister of Education	D4.6
4.7	OCSTA 2019 AGM & Conference Resolutions Package	D4.7

5. Open Question Period

*(The purpose of the Open Question Period is to allow members of the Catholic school supporting public to ask about items on that night's public agenda or any previous agendas, and the Board to answer and react.)*

**E. NOTICES OF MOTION**

Deferred from February 26, 2019

- |    |   |    |
|----|---|----|
| 1. | Board Involvement in Appointment and of Personnel to Leadership Positions | E1 |
| 2. | Building on Today Survey  | E2 |

April 23, 2019

- |    |                               |    |
|----|-------------------------------|----|
| 3. | Accountability & Transparency | E3 |
|----|-------------------------------|----|

**F. BUSINESS IN CAMERA**

**G. REPORT ON IN CAMERA SESSION**

**H. FUTURE MEETINGS AND EVENTS**

**I. MOMENT OF SILENT REFLECTION FOR LIFE**

**J. ADJOURNMENT**

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TITLE: MINUTES OF THE BOARD MEETING OF  
FEBRUARY 26, 2019**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board approve the Minutes of the Board Meeting of February 26, 2019, as presented.



## MINUTES OF THE BOARD MEETING

**TUESDAY, FEBRUARY 26, 2019**

Minutes of the Meeting of the Niagara Catholic District School Board, held on Tuesday, February 26, 2019, in the Father Kenneth Burns c.s.c. Board Room, at the Catholic Education Centre, 427 Rice Road, Welland.

The meeting was called to order at 7:00 p.m. by Chair Fera.

### A. ROUTINE MATTERS

1. Opening Prayer

Opening Prayers were led by Trustee Prince

2. Roll Call

Chair Fera noted that Trustees Burtnik, Huibers and Turner joined electronically.

Trustee	Present	Present Electronically	Absent	Excused
Rhianon Burkholder	✓			
Kathy Burtnik		✓		
Frank Fera	✓			
Larry Huibers		✓		
Daniel Moody	✓			
Leanne Prince	✓			
Dino Sicoli	✓			
Paul Turner		✓		
<b>Student Trustees</b>				
Jade Bilodeau	✓			
Madison McKinney	✓			

The following staff were in attendance:

**John Crocco**, Director of Education; **Yolanda Baldasaro**, **Ted Farrell**, **Lee Ann Forsyth-Sells**, Superintendents of Education; **Giancarlo Vetrone**, Superintendent of Business & Financial Services; **Scott Whitwell**, Controller of Facilities Services; **Anna Pisano**, Recording Secretary/Administrative Assistant, Corporate Services & Communications

**3. Approval of the Agenda**

Moved by Trustee Moody  
Seconded by Trustee Sicoli

**THAT** the Niagara Catholic District School Board defer Item E1 to March 26, 2019 Board Meeting.

**CARRIED**

Moved by Trustee Turner  
Seconded by Trustee Huibers

**THAT** the Niagara Catholic District School Board defer Item E2 to March 26, 2019 Board Meeting.

**CARRIED**

Moved by Trustee Burkholder  
Seconded by Trustee Moody

**THAT** the Niagara Catholic District School Board approve the Agenda of the Board Meeting of February 26, 2019, as amended.

**CARRIED**

**4. Declaration of Conflict of Interest**

Disclosures of Interest were declared by Trustees Fera, Huibers and Moody with Item F8 of the In Camera Agenda. These trustees have family members who are employees of the Board. They left the meeting during discussion of this item.

**5. Approval of Minutes of the Board Meeting**

**5.1 January 29, 2019**

Moved by Trustee Sicoli  
Seconded by Trustee Moody

**THAT** the Niagara Catholic District School Board approve the Minutes of the Board Meeting of January 29, 2019, as presented.

**CARRIED**

**5.2 February 19, 2019**

Moved by Trustee Sicoli  
Seconded by Trustee Moody

**THAT** the Niagara Catholic District School Board approve the Minutes of the Board Meeting of February 19, 2019, as presented.

**CARRIED**

**6. Consent Agenda Items**

**6.1 Unapproved Minutes of the Committee of the Whole Meeting of February 12, 2019 and Consideration of Recommendations**

**THAT** the Niagara Catholic District School Board receive the unapproved Minutes of the Committee of the Whole of February 12, 2019, as presented.

**6.1.1 Transportation and School Operations for Inclement Weather Policy (500.1)**

**THAT** the Niagara Catholic District School Board approve the Transportation and School Operations for Inclement Weather Policy (500.1), as presented.

**6.1.2 Employee Attendance During Inclement Weather and Workplace Closure Policy (201.9)**

**THAT** the Niagara Catholic District School Board approve the Employee Attendance During Inclement Weather and Workplace Closure Policy (201.9), as presented.

**6.1.3 Student Senate – Secondary Policy (100.6.1)**

**THAT** the Niagara Catholic District School Board approve the Student Senate – Secondary Policy (100.6.1), as presented.

**6.1.4 Student Senate – Elementary Policy (100.6.2)**

**THAT** the Niagara Catholic District School Board approve the Student Senate – Elementary Policy (100.6.2), as presented.

**6.1.5 Supporting Children and Students with Prevalent Medical Conditions Policy**

**THAT** the Niagara Catholic District School Board approve the Supporting Children and Students with Prevalent Medical Conditions Policy, as presented.

**6.1.6 Student Transportation Policy (500.2)**

**THAT** the Niagara Catholic District School Board approve the Student Transportation Policy (500.2), as presented.

**6.1.7 Fundraising Policy (301.4)**

**THAT** the Niagara Catholic District School Board approve the Fundraising Policy (301.4), as presented.

**6.1.8 Prior Learning Assessment and Recognition (PLAR) Policy (400.4)**

**THAT** the Niagara Catholic District School Board approve the Prior Learning Assessment and Recognition (PLAR) Policy (400.4), as presented.

**6.1.9 Elementary and Secondary School Year Calendars 2019-2020**

**THAT** the Niagara Catholic District School Board approve the Elementary and Secondary School Year Calendars for the 2019-2020 school year, as presented.

**6.2 Extended Overnight Field Trip, Excursion and Exchange**

Presented for information.

**6.3 In-Camera Items F1, F2, F4, F5, F6 & F7**

Moved by Trustee Burkholder

Seconded by Trustee Prince

**THAT** the Niagara Catholic District School Board adopt the consent agenda items.

**CARRIED**

**B. DELEGATIONS/PRESENTATIONS**

**C. COMMITTEE AND STAFF REPORTS**

**1. Financial Report as at January 31, 2019**

Giancarlo Vetrone, Superintendent of Business & Financial Services presented the Financial Report for information.

**D. TRUSTEE ITEMS, OPEN QUESTION PERIOD & OTHER BUSINESS**

**1. Correspondence**

Nil

**2. Report on Trustee Conferences Attended**

Nil Report

**3. General Discussion to Plan for Future Action**

- Continued focus on achieving all of 2018-2019 System Priorities.
- Consultation process is underway for the 2019-2020 System Priorities and Budget with a draft to be presented at the May Committee of the Whole meeting for consideration.
- Staff is working on a draft Joint-Use School Agreement for Wainfleet with the District School Board of Niagara. Once the draft agreement is completed it will be brought to the Board for review and consideration for approval.

**4. Trustee Information**

**4.1 Spotlight on Niagara Catholic – February 19, 2019**

Director Crocco highlighted the February 19, 2019 Spotlight on Niagara Catholic.

**4.2 Calendar of Events – March 2019**

Director Crocco reviewed the Calendar of Events – March 2019 for Trustees information and noted that the Committee of the Whole Meeting for March will be March 5, 2019 as previously approved.

Director Crocco reminded Trustees wishing to attend the Niagara Foundation for Catholic Education's Annual Benefit Gala on March 30, 2019 to contact Sherry Morena for tickets.

#### **4.3 Speak Out – March 5, 2019**

Director Crocco extended an invitation to Trustees to the March 5, 2019 Speak Out taking place at 5:45 prior to the March 5, 2019 Committee of the Whole meeting.

#### **4.4 16<sup>th</sup> Annual Technological Skills Competition – March 7, 2019**

Director Crocco presented the invitation to the 16<sup>th</sup> Annual Technological Skills Competition being held on March 7, 2019.

#### **5. Open Question Period**

None Submitted

### **E. NOTICES OF MOTION**

Deferred to March 26, 2019

1. Board Involvement in Appointment and of Personnel to Leadership Positions
2. Building on Today Survey

### **F. BUSINESS IN CAMERA**

Moved by Trustee Prince

Seconded by Trustee Moody

**THAT** the Niagara Catholic District School Board move into the In Camera Session.

**CARRIED**

The Niagara Catholic District School Board moved into the In Camera Session of the Board Meeting at 7:22 p.m. and reconvened at 8:23 p.m.

### **G. REPORT ON THE IN-CAMERA SESSION**

Moved by Trustee Prince

Seconded by Trustee Moody

**THAT** the Niagara Catholic District School Board report the motions from the In Camera Session of the Board Meeting of February 26, 2019.

**CARRIED**

### **SECTION A: STUDENT TRUSTEES PRESENT**

Moved by Trustee Burkholder

Seconded by Trustee Prince

**THAT** the Niagara Catholic District School Board approve the Minutes of the In Camera Session of the Board Meeting - SECTION A: Student Trustees Present of January 29, 2019, as presented.

**CARRIED (Item F1)**

Moved by Trustee Burkholder

Seconded by Trustee Prince

**THAT** the Niagara Catholic District School Board receive the unapproved Minutes of the In Camera Session of the Committee of the Whole Meeting - SECTION A: Student Trustees Present of February 19, 2019, as presented.

**CARRIED (Item F2)**

## **SECTION B: STUDENT TRUSTEES EXCLUDED**

Moved by Trustee Burkholder

Seconded by Trustee Prince

**THAT** the Niagara Catholic District School Board approve the Minutes of the In Camera Session of the Board Meeting - SECTION B: Student Trustees Excluded of January 29, 2019, as presented.

**CARRIED (Item F4)**

Moved by Trustee Burkholder

Seconded by Trustee Prince

**THAT** the Niagara Catholic District School Board receive the unapproved Minutes of the In Camera Session of the Committee of the Whole Meeting - SECTION B: Student Trustees Excluded of February 19, 2019, as presented.

**CARRIED (Item F5)**

## **H. FUTURE MEETINGS AND EVENTS**

## **I. MOMENT OF SILENT REFLECTION FOR LIFE**

## **J. ADJOURNMENT**

Moved by Trustee Prince

Seconded by Trustee Burkholder

**THAT** the February 26, 2019 meeting of the Niagara Catholic District School Board be adjourned.

**CARRIED**

This meeting was adjourned at 8:24 p.m.

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Minutes of the Meeting of the Niagara Catholic District School Board held on **February 26, 2019**.

Approved on **March 26, 2019**.

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Frank Fera  
Chair of the Board

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John Crocco  
Director of Education/Secretary -Treasurer

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: UNAPPROVED MINUTES OF THE COMMITTEE OF THE  
WHOLE MEETING OF MARCH 5, 2019**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board receive the unapproved Minutes of the Committee of the Whole Meeting of March 5, 2019, as presented.

The following recommendation is being presented for the Board's consideration from the Committee of the Whole Meeting of March 5, 2019:

**6.1.1 *Progressive Student Discipline – Safe Schools Policy (302.6.9)***

**THAT** the Niagara Catholic District School Board approve the Progressive Student Discipline – Safe Schools Policy (302.6.9), as presented.

**6.1.2 *Death Benefit Policy (201.5)***

**THAT** the Niagara Catholic District School Board approve the Death Benefit Policy (201.5), as presented.

**6.1.3 *Deferred Salary Plan (X/Y) Policy (201.10)***

**THAT** the Niagara Catholic District School Board approve the Deferred Salary Plan (X/Y) Policy (201.10), as presented.

**6.1.4 *Employee Leaves of Absence Policy (201.1)***

**THAT** the Niagara Catholic District School Board approve the Employee Leaves of Absence Policy (201.1), as presented.



## MINUTES OF THE COMMITTEE OF THE WHOLE MEETING

### TUESDAY, MARCH 5, 2019

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Minutes of the Meeting of the Committee of the Whole of the Niagara Catholic District School Board, held on Tuesday, March 5, 2019 in the Father Kenneth Burns c.s.c. Board Room, at the Catholic Education Centre, 427 Rice Road, Welland.

The meeting was called to order at 7:10 p.m. by Vice-Chair Sicoli.

#### A. ROUTINE MATTERS

1. Opening Prayer

Opening Prayer was led by Trustee Prince

2. Roll Call

Vice-Chair Sicoli noted that all Trustees and Student Trustees were in attendance.

Trustee	Present	Present Electronically	Absent	Excused
Rhianon Burkholder	✓			
Kathy Burtnik	✓			
Frank Fera	✓			
Larry Huibers	✓			
Daniel Moody	✓			
Leanne Prince	✓			
Dino Sicoli	✓			
Paul Turner	✓			
<b>Student Trustees</b>				
Jade Bilodeau	✓			
Madison McKinney	✓			

The following staff were in attendance:

**John Crocco**, Director of Education; **Yolanda Baldasaro**, **Ted Farrell**, **Lee Ann Forsyth-Sells**, **Frank Iannantuono**, **Pat Rocca**, Superintendents of Education; **Giancarlo Vetrone**, Superintendent of Business & Financial Services; **Scott Whitwell**, Controller of Facilities Services; **Anna Pisano**, Recording Secretary/Administrative Assistant, Corporate Services & Communications

**3. Approval of the Agenda**

Moved by Trustee Burtnik

**THAT** the Committee of the Whole approve the Agenda of the Committee of the Whole Meeting of March 5, 2019, as presented.

**CARRIED**

**4. Declaration of Conflict of Interest**

No Declaration of Conflict of Interest was declared with any items on the Agenda.

**5. Approval of Minutes of the Committee of the Whole Meeting of February 19, 2019**

Moved by Trustee Burkholder

**THAT** the Committee of the Whole approve the Minutes of the Committee of the Whole Meeting of February 19, 2019, as presented.

**CARRIED**

**6. Consent Agenda Items**

Trustee Sicoli requested Item 6.3 be held. This item was moved to Committee and Staff Reports Section C5 of the agenda.

**6.1 Unapproved Minutes of the Policy Committee Meeting of February 26, 2019**

**THAT** the Committee of the Whole receive the Unapproved Minutes of the Policy Committee Meeting of February 26, 2019, as presented.

**6.2 Approval of Policies**

**6.2.1 Progressive Student Discipline – Safe Schools Policy (302.6.9)**

**THAT** the Policy Committee recommend to the Committee of the Whole approval of the Progressive Student Discipline – Safe Schools Policy (302.6.9), as presented.

**6.2.2 Death Benefit Policy (201.5)**

**THAT** the Policy Committee recommend to the Committee of the Whole approval of the Death Benefit Policy (201.5), as presented.

**6.2.3 Deferred Salary Plan (X/Y) Policy (201.10)**

**THAT** the Policy Committee recommend to the Committee of the Whole approval of the Deferred Salary Plan (X/Y) Policy (201.10), as presented.

**6.2.4 Employee Leaves of Absence Policy (201.1)**

**THAT** the Policy Committee recommend to the Committee of the Whole approval of the Employee Leaves of Absence Policy (201.1), as presented.

**6.3 Staff Development Department Professional Development Opportunities**

Moved to section C5

**6.4 Capital Projects Update**

Presented for information.

**6.5 In Camera Items F1 and F3**

Moved by Trustee Huibers

**THAT** the Committee of the Whole adopt consent agenda items.

**CARRIED**

**B. PRESENTATIONS**

**1. Speak Out 2019 Showcase Finalists**

Yolanda Baldasaro, Superintendent of Education, presented background information on Speak Out! 2019 Showcase and welcomed Speak Out Committee Co-Chairs, Lisa Incaviglia Principal at St. Joseph Catholic Elementary School, Grimsby and Christine Battagli Consultant for Research, Assessment, Evaluation and Reporting.

Lisa and Christine introduced the speakers who presented their award winning speeches to the Committee of the Whole.

Team 1: Ciara Wood, Our Lady of Fatima Catholic Elementary School, Grimsby  
Topic: *Aung San Suu Kyi*

Team 2: Zia Amlani, Mary Ward Catholic Elementary School  
Topic: *Why We Shouldn't Waste Time on Complaining*

Team 3: Allyson Coholan, St. Philomena Catholic Elementary School  
Topic: *Poverty in Canada*

Vice-Chair Sicoli and Trustee Moody congratulated the students on their award winning speeches. Vice-Chair Sicoli, along with Chair Fera and Director Crocco presented the students with Niagara Catholic "Excellence in Academics" Pins.

**C. COMMITTEE AND STAFF REPORTS**

**1. Committee of the Whole System Priorities and Budget 2018-2019 Update**

Director Crocco and members of Senior Administrative Council presented Committee of the Whole System Priorities and Budget 2018-2019 Update.

Director Crocco answered questions of Trustees.

**2. Niagara Catholic Mental Health and Addictions**

Lee Ann Forsyth-Sells, Superintendent of Education presented background information on the Niagara Catholic Mental Health Supports and introduced Andrea Bozza, Mental Health Lead.

Ms. Bozza presented the Niagara Catholic Mental Health and Addictions report for Trustee information.

Ms. Bozza answered questions of Trustees.

**3. Accountability Financial Report 2018-2019**

Giancarlo Vetrone, Superintendent of Business & Financial Services presented the Accountability Financial Report 2018-2019

**4. Monthly Updates**

**4.1 Student Trustees' Update**

Jade Bilodeau and Madison McKinney, Student Trustees, presented a brief verbal update on the current activities of the Student Senate.

**4.2 Senior Staff Good News Update**

Senior Staff highlights included:

**Superintendent Rocca**

- Kimberly Saunders, a Grade 6 student of St. Gabriel Lalemant Catholic Elementary School won first prize for her poem on why she likes her inclusive classroom for Community Living Ontario's "Together We're Better" contest.
- Niagara Catholic schools will receive a donation of 1,500 playground balls from Mark's Work Warehouse through the Canadian Tire Jump Start Foundation.

**Trustee Moody**

- Appreciation was extended to Director Crocco and Superintendent Iannantuono on the immediate attention regarding a concern received from a parent.

**5. Consent Agenda Item A6.3 – Staff Development Department Professional Development Opportunities**

Superintendent Iannantuono and Controller Whitwell answered questions of Trustees.

Moved by Trustee Burtnik

**THAT** the Niagara Catholic District School Board extend the Committee of the Whole meeting.

**CARRIED**

**D. INFORMATION**

**1. Trustee Information**

**1.1 Spotlight on Niagara Catholic – February 26, 2019**

Director Crocco highlighted the Spotlight on Niagara Catholic – February 26, 2019 issue.

**1.2 Calendar of Events – March 2019**

Director Crocco presented the March 2019 Calendar of Events for Trustees information.

**1.3 March Break – March 11-15, 2019**

Director Crocco reminded Trustees that the week of March 11-15, 2019 is March Break and that the Catholic Education Centre will follow summer hours and will be open Monday to Thursday from 8:30 a.m. to 4:00 p.m. and closed on Friday March 15, 2019.

**E. OTHER BUSINESS**

**1. General Discussion to Plan for Future Action**

- 1.1 The Board continues to implement this year's System Priorities.
- 1.2 Consultation continues towards the designing of the System Priorities for the 2019-2020 school year.
- 1.3 An update will be provided in early April on the draft Joint-Use School Agreement with the District School board of Niagara.

**F. BUSINESS IN CAMERA**

Moved by Trustee Prince

**THAT** the Committee of the Whole move into the In Camera Session.

**CARRIED**

The Committee of the Whole moved into the In Camera Session of the Committee of the Whole Meeting at 9:35 p.m. and reconvened at 10:09 p.m.

**G. REPORT ON THE IN-CAMERA SESSION**

Moved by Trustee Burkholder

**THAT** the Committee of the Whole report the motions from the In Camera Session of the Committee of the Whole Meeting of March 5, 2019.

**CARRIED**

**SECTION A: STUDENT TRUSTEES INCLUDED**

Moved by Trustee Huibers

**THAT** the Committee of the Whole approve the Minutes of the Committee of the Whole Meeting - In Camera Session (Section A: Student Trustees Included) held on February 19, 2019, as presented.

**CARRIED (Item F1)**

**SECTION B: STUDENT TRUSTEES EXCLUDED**

Moved by Trustee Huibers

**THAT** the Committee of the Whole approve the Minutes of the Committee of the Whole Meeting - In Camera Session (Section B: Student Trustees Excluded) held on February 19, 2019, as presented.

**CARRIED (Item F3)**

## **H. ADJOURNMENT**

Moved by Trustee Moody

**THAT** the March 5, 2019 Committee of the Whole Meeting be adjourned.

**CARRIED**

This meeting was adjourned at 10:10 p.m.

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Minutes of the Committee of the Whole Meeting of the Niagara Catholic District School Board held on **March 5, 2019.**

Approved on **April 9, 2019.**

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Dino Sicoli  
Vice-Chair of the Board

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John Crocco  
Director of Education/Secretary -Treasurer

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: PROGRESSIVE STUDENT DISCIPLINE – SAFE SCHOOLS  
POLICY (302.6.9)**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board approve the Progressive Student Discipline – Safe Schools Policy (302.6.9), as presented.

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Prepared by: Lee Ann Forsyth-Sells, Superintendent of Education

Presented by: Policy Committee

Recommended by: Committee of the Whole

Date: March 26, 2019



Niagara Catholic District School Board

## **PROGRESSIVE STUDENT DISCIPLINE POLICY**

### STATEMENT OF POLICY

300 – Schools/Students

Policy No 302.6.9

Adopted Date: February 1, 2008

Latest Reviewed/Revised Date: December 20, 2016

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the Board is committed to promoting and supporting appropriate student behaviour that contributes to a positive school climate, and sustaining a safe, inclusive, and accepting learning and teaching environment for all students to reach their full potential and become living witnesses of Christ.

The Niagara Catholic District School Board acknowledges that progressive discipline is a whole-school approach which involves all members of the school community, and that all staff must address inappropriate student behaviour. This approach implements a continuum of prevention programs, early and ongoing interventions, supports, consequences, reporting of serious student incidents, and responding to inappropriate behaviour, including bullying.

Responses by staff, Board and school administrators to behaviours that are contrary to the Board's Code of Conduct must be developmentally appropriate including the consideration of information in a student's Individual Education Plan (IEP), and mitigating and other factors to build upon strategies that build skills for healthy relationships, promoting and fostering learning opportunities, and positive behaviours.

At times when a student may act inappropriately or impede the rights of others, in some circumstances a suspension or an expulsion must be considered for such behaviour.

Each school of the Niagara Catholic District School Board, in consultation with the Catholic School Council, staff, students, parents/guardians will develop a local Code of Conduct and shall implement school-wide progressive discipline procedures consistent with current legislation and Board policies.

The Director will issue Administrative Procedures for the implementation of this policy.

#### **References**

- [Accessibility for Ontarians with Disabilities Act 2005](#)
- [Education Act and Regulations](#)
- [Municipal Freedom of Information and Protection of Privacy Act](#)
- [Ontario Human Rights Code](#)
- [Policy/Program Memorandum 120: Reporting Violent Incidents to the Ministry of Education](#)
- [Policy/Program Memorandum 124: The Provincial Code of Conduct and School Board Codes of Conduct-Issued October 17, 2018](#)
- [Policy/Program Memorandum 144: Bullying Prevention and Intervention-Issued October 17, 2018](#)
- [Policy/Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour –Issued October 17, 2018](#)
- [Regulation 472/07: Behaviour, Discipline and Safety of Pupils](#)
- [Child, Youth and Family Services Act 2017](#)
- [Smoke-Free Ontario Act 2017](#)

***Niagara Catholic District School Board Policies/Procedures/Documents***

- ***Access to Board Premises Policy (302.6.3)***
- ***Accessibility Standards Policy (800.8)***
- ***Bullying Prevention and Intervention Policy (302.6.8)***
- ***Catholic School Councils Policy (800.1)***
- ***Code of Conduct Policy (302.6.2)***
- ***Complaint Resolution Policy (800.3)***
- ***Dress Code-Secondary Uniform Policy-Safe Schools (302.6.6)***
- ***Electronic Communications System Policy (Students) (301.5)***
- ***Elementary Standardized Dress Code Policy-Safe Schools (302.6.10)***
- ***Equity and Inclusive Education Policy (100.10)***
- ***Ontario Student Record Policy (301.7)***
- ***Privacy Policy (600.6)***
- ***Records and Information Management Policy (600.2)***
- ***Safe Physical Intervention with Students Policy (301.8)***
- ***Safe Schools Policy (302.6)***
- ***Student Expulsion Policy (302.6.5)***
- ***Student Suspension Policy (302.6.4)***
- ***Student Transportation Policy (500.2)***
- ***Pope Francis Centre Alternative Learning Manual: Niagara Catholic Fresh Start Program***
- ***Protocol between Niagara Catholic District School Board and Family and Children's Services Niagara***
- ***Protocol Between the Niagara Regional Police Service and the Niagara Catholic District School Board***



Niagara Catholic District School Board  
**PROGRESSIVE STUDENT DISCIPLINE**  
ADMINISTRATIVE PROCEDURES

300 – Schools/Students

Policy No 302.6.9

Adopted Date: February 1, 2008

Latest Reviewed/Revised Date: December 20, 2016

Administrators, staff, and members of the school community play an important role in supporting and contributing to a positive learning and teaching environment and by reporting and responding to student behaviours. A positive school climate exists when all staff, students, parents/guardians and members of the school community feel safe, included and accepted. Programs, supports, and services that focus on the building of healthy relationships, a safe, inclusive and accepting learning environment, faith and character development, and positive peer relations provide the foundation for an effective continuum of strategies within a school and at school-related activities or events. As part of the monitoring and evaluation process, voluntary and anonymous school climate surveys for students, staff, and parents/guardians will be conducted at least once every two years.

Board employees who work directly with students, including administrators, teachers, and other school staff must respond to any student behaviour that is likely to have a negative impact on the school climate. Such behaviour includes serious student incidents and all inappropriate and disrespectful behaviour at any time at school, and at any school-related event if, in the employee's opinion it is safe to respond to it, in accordance with subsection 300.4 of Part XIII of the Education Act and Ontario Regulation 472/07. Such inappropriate behaviour may involve bullying, swearing, homophobic or racial slurs, sexist comments or jokes, graffiti, or vandalism.

Board employees are not required to respond to incidents when, in their opinion, responding would cause immediate physical harm to themselves or to a student or other person. However, serious student incidents must be reported to the Principal/Designate and confirmed in writing using the Safe and Accepting Schools Incident Reporting Form-Part I. For incidents, where suspension or expulsion would not be considered but Board employees feel it is not safe to respond, they will be expected to inform the Principal/Designate as soon as possible.

An appropriate response by staff to an incident may include, but is not limited to:

- Asking a student to stop the inappropriate behaviour;
- Naming the type of behaviour and explaining why it is inappropriate and/or disrespectful;
- Asking the student to correct the behaviour (e.g., to apologize for a hurtful comment); and
- Responding for the safety of the student and others.

## PROMOTING AND SUPPORTING POSITIVE STUDENT BEHAVIOUR

Activities, practices and strategies that focus on the building of healthy relationships, a safe, inclusive, and accepting learning and teaching environment, and positive peer relations provide the foundation for a positive school climate.

Preventative practices include, but are not limited to:

- Bullying Prevention and Intervention initiatives, programs and supports
- Citizenship development
- Faith and character education
- Mentorship programs
- Promoting healthy student relationships and lifestyles
- Student leadership
- Student success strategies

## BEHAVIOUR SUPPORT PRACTICES

Behaviour management practices include, but are not limited to:

- Behaviour Support Plans and Safety Plans
- Class placement
- Conflict resolution/Dispute resolution
- Individual, peer and group counselling
- Mentorship programs
- Positive encouragement and reinforcement
- Program modifications or accommodations
- Promotion of healthy student relationships and lifestyles
- School, Board and community support programs
- Sensitivity programs
- Student success strategies

## EARLY AND ONGOING INTERVENTION STRATEGIES

Early interventions are opportunities for students to self-assess and self-regulate with support from both the school and home. An early intervention strategy may include, but is not limited to:

- Contact and ongoing communication with the student's parents/guardians
- Verbal reminders
- Review of expectations
- Written work assignment with a learning component that requires reflection
- Volunteer service to the school community
- Peer mentoring
- Referral to counselling
- Conflict mediation and resolution and/or consultation

An ongoing intervention strategy may include, but is not limited to:

- Meeting with the student's parents/guardians
- Requiring the student to perform volunteer service in the school community
- Conflict mediation
- Peer mentoring
- Sensitivity program
- Safety plans/behaviour support plans/planned safe physical intervention
- A referral to counselling

## PROGRESSIVE DISCIPLINE STRATEGIES FOR ADDRESSING INAPPROPRIATE BEHAVIOUR

Appropriate actions must address behaviours that are contrary to provincial, Board and School Codes of Conduct which include, but are not limited to: inappropriate sexual behaviour, gender-based violence, homophobia, and harassment on the basis of sex, gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, disability and/or any other immutable characteristic or ground protected by the Ontario Human Rights Code.

The Board authorizes Principals/Designates to impose appropriate consequences. Mitigating and other factors, including expectations documented in a student's Individual Education Plan (IEP) must be considered in the determination of interventions, supports and consequences in order to reinforce positive behaviours and help students make good choices.

The Principal/Designate and staff will also consider the following to address inappropriate behaviour:

- the particular student and circumstances;
- the nature and severity of the behaviour; and
- the impact on the school climate, including the impact on students or other individuals in the community.

### **Mitigating and Other Factors**

The Principal/Designate, in determining consequences shall consider the following mitigating factors:

1. whether the student has the ability to control the behaviour;
2. whether the student has the ability to understand the foreseeable consequences of the behaviour; and
3. whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

The Principal/Designate, in determining consequences shall also consider the following other factors:

1. the student's academic, discipline and personal history;
2. whether a progressive discipline approach has been used with the student; whether the activity for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, religion, disability, gender or sexual orientation or harassment for any other reason;
3. how the discipline would affect the student's ongoing education;
4. the age of the student;
5. where the student has an Individual Education Plan (IEP) or disability related needs,
  - i. whether the behaviour was a manifestation of a disability identified in the student's Individual Education Plan;
  - ii. whether appropriate individualized accommodation has been provided; and
  - iii. whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct; and
6. other matters as the Principal/Designate considers appropriate.

## **CONSEQUENCES**

Consequences may include, but are not limited to:

- Meeting with the student's parents/guardians, the student and the Principal/Designate
- Referral to a community agency for anger management, mental health support or substance abuse counselling
- Detentions
- Withdrawal of privileges
- Withdrawal from class
- Restitution for damages
- Restorative practices
- Alternative Placement
- Suspension
- Expulsion
- Exclusion

## **DISCLOSURE OF STUDENTS' PERSONAL INFORMATION**

Board employees, including occasional and itinerant employees, who work directly with students, may need to know about a particular student's behaviour(s) that poses a potential risk of physical harm to school staff or students, as documented as part of progressive discipline in the Ontario Student Record (OSR).

Prior to disclosure, Principals/Designates are to inform staff that they must treat any information disclosed about a student or incident as confidential.

Principals/Designates are only permitted to share information documented in the OSR with Board employees who do not have access to OSR, if disclosure is necessary, so that employees can carry out their duties, including their duty to respond to inappropriate and disrespectful student behaviour. Principals/Designates may share only the necessary information pertaining to behaviour that may present risk of physical harm.

## **SUPPORTS FOR STUDENTS**

The Board provides supports for all students who are affected by serious student incidents and all inappropriate behaviour, and for those who engage in these types of incidents, to assist them in developing healthy relationships, making good choices that support continuing their learning, and achieving success. Board employees, through Board programs and resource personnel, or through community-based service providers, including social service agencies and mental health service providers may provide these supports.

The Board shall ensure that Principals support students who have been harmed or students who have engaged in serious student incidents by developing specific plans to protect students who have been harmed. If parents/guardians are not satisfied with the supports provided, Principals will refer parents/guardians to the Board's Complaint Resolution Policy No. 800.3.

## **SCHOOL TRANSFERS RELATED TO SCHOOL SAFETY**

In cases where students are being transferred to another school in order to preserve school safety, a "transfer meeting" will be coordinated between the school from which the student is being transferred and the receiving school. The purpose of the transfer meeting is to put in place a transition strategy to identify any additional supports and resources that the student may require.

The meeting must include the teachers and other school staff that will have regular direct contact with the student. The student that is being moved and their parents/guardians should also be invited and reasonably accommodated to participate in the transfer meeting. The transfer meeting must occur prior to the day, or on the day, the student is transferred before the student attends any classes.

The receiving school must also be in possession of the student's Ontario Student Record (OSR) prior to the transfer meeting, and the OSR must be available at the meeting. The Principal must inform all staff in attendance that they must treat any information about the student and the incident disclosed at the meeting as confidential.

## **NOTIFYING PARENTS/GUARDIANS**

Principals are required to notify parents/guardians of a student who has been harmed as a result of a serious student incident promptly. When notifying parents/guardians of these incidents, a Principal must invite parents/guardians to have a discussion with them about the supports that will be provided for their student.

Principals shall disclose the following information:

- the nature of the activity that resulted in harm to the student,
- the nature of the harm to the student,
- the steps taken to protect the student's safety, including the nature of any disciplinary measures taken in responses to the activity, and
- the supports that will be provided for the student in response to the harm that resulted from the activity.

Principals are required to notify the parents/guardians of students who have engaged in serious student incidents and shall disclose the following information:

- the nature of the activity that resulted in harm to the student,
- the nature of the harm to the student,

- the nature of any disciplinary measures taken in responses to the activity, and
- the supports that will be provided for the students in response to the harm that resulted from the activity.

The Principal shall not notify the parents/guardians of a student, if, in the opinion of the Principal, doing so would put the student at risk of harm from the parents/guardians of the student, such that notification is not in the best interests of the student. The Principal will document the rationale for this decision, and notify both the teacher who reported the incident and the appropriate Family of Schools' Superintendent.

## **REPORTING AND RESPONDING TO INCIDENTS-APPENDIX A**

All Board employees, student transportation and third parties who are under contract or agreement with the Board are required to report and/or respond to any student behaviour, on school property or during a school-related activity or event that is likely to have a negative impact on school climate. (Appendix A-Keeping Our Kids Safe at School: Reporting and Responding to Incidents).

In certain situations, members of the College of Psychologists of Ontario or the Ontario College of Social Workers and Social Service Workers who engaged in a clinical relationship with a student shall report incidents of behaviour for which suspension/expulsion must be considered to the Principal as soon as it is, in their professional opinion, reasonably possible to do so without having a negative impact on the nature of the clinical relationship, in accordance with section 300.2 of Part XIII of the Education Act. They shall also report, in a manner that is consistent with the code of ethics and the standards of practice of their respective professions matters that could result in the student doing physical, emotional, or psychological harm to themselves or to others.

## **REPORTING SERIOUS STUDENT INCIDENTS TO THE PRINCIPAL**

The purpose of reporting serious student incidents is to ensure that the Principal/Designate is aware of any activities taking place in the school for which suspension/expulsion must be considered and to help ensure a positive school climate.

In cases where immediate action is required, an oral report to the Principal/Designate may be made. A written report must be made when it is safe to do so. All reports must be confirmed in writing using the Safe Schools and Accepting Incident Reporting Form-Part I.

## **SAFE AND ACCEPTING SCHOOLS INCIDENT REPORTING FORM-PART I (APPENDIX B)**

An individual who becomes aware that a student may have engaged in a serious student incident shall report the matter to the Principal/Designate as soon as reasonably possible using the Safe and Accepting Schools Incident Reporting Form-Part I. Where the Principal/Designate is the sole witness to an incident, the Principal/Designate is similarly required to use the Safe and Accepting Schools Incident Reporting Form-Part I, to confirm the incident in writing.

All reports made to the Principal/Designate, including those made verbally must be confirmed in writing, using the Safe and Accepting Schools Incident Report Form-Part I, and must be submitted to the Principal/Designate in a timely manner and no later than the end of the school day. Each report will be assigned a number for filing and retrieval purposes and investigated by the Principal/Designate.

## **SAFE AND ACCEPTING SCHOOLS INCIDENT REPORTING FORM-PART II (APPENDIX B)**

The Principal must provide the person who reported the incident with written acknowledgement, using the Safe and Accepting Schools Incident Reporting Form-Part II, and must specify whether the investigation has been completed or is still in progress. The Principal/Designate will not provide information that could identify the student(s) involved on the Safe and Accepting Schools Incident Report Form-Part II.

Once the investigation is complete, the Principal/Designate:

1. must communicate the results of the investigation to the teacher who made the report.
2. will communicate the results of the investigation to the individual who made the report, who is not teacher, only if the Principal/Designate considers it appropriate.
3. must not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.

## **ONTARIO STUDENT RECORD (OSR)**

If the Principal/Designate has decided that action must be taken as a result of an incident, the Principal/Designate will file a copy of the Safe and Accepting Schools Incident Reporting Form-Part I, along with documentation (i.e., suspension/expulsion letter, police report) in the OSR of the student whose behaviour was inappropriate.

1. Where the Principal/Designate has taken action in the case of more than one student, a copy of the reporting form with documentation indicating the action taken must be filed in the OSR of each student whose behaviour was inappropriate. The names of all other students that appear on the form must be removed from the form before it is filed.
2. In the case of a student who has been harmed, no information about the incident must be placed in the OSR, unless that student's parents/guardians expressly request that it be placed in the OSR.
3. In situations where the student who has been harmed has also engaged in a serious student incident, information regarding the incident and the action taken will be placed in the student's OSR.
4. The form and documentation must be kept for a minimum of one year in the OSR.
5. In the case of a violent incident, the Principal must check the Violent Incident Box on the Safe and Accepting Schools Form-Part I. The form along with any other documentation (i.e., suspension/expulsion letter, police report) must be filed and retained in the student's OSR for:
  - one year, if the student's suspension was quashed or withdrawn and the record of suspension expunged.
  - three years, if the student was suspended for the violent incident and no further suspensions for serious violent incidents have taken place.
  - five years, if the student was expelled for the violent incident and no further suspensions for serious violent incidents have taken place.
6. For non-violent incidents, if no further action is taken by the Principal/Designate, the Principal/Designate is not required to retain the report.

## **MAINTENANCE OF THE ONTARIO STUDENT RECORD (OSR)**

The contents of the OSR should be reviewed on a regular basis by the Principal/Designate for the removal of any material that is no longer required to be retained to ensure that they remain conducive to the improvement of the instruction of the student.

## **STUDENT MANAGEMENT SYSTEM (MAPLEWOOD)**

The Principal/Designate shall document student discipline on the Board's Student Management System under the discipline tab with the following information:

- Type of infraction
- Check Violent Incident Box, if applicable
- Student Incident Details
- Consequences
- Appeal/Outcome Information, if applicable

## DELEGATION OF AUTHORITY REGARDING DISCIPLINE

Part XIII of the Education Act provides a Principal with the authority to delegate powers, duties or functions.

### **Vice-Principals**

Delegation may include all authority of the Principal except the final decision, regarding a recommendation to the Board to expel a student and the authority to suspend a student for six or more days.

### **Teachers**

The Principal's authority may only be delegated in writing to a teacher in the absence of the Principal and Vice-Principal, and must respect the terms of all applicable collective agreements.

- Teachers may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension/expulsion. The teacher must report all details of their investigation to the Principal as soon as possible.
- The teacher must report to the Principal/Vice-Principal any activities that must be considered for suspension/expulsion that are received from staff or others during the Principal's absence. A teacher may not be delegate authority regarding suspension decisions or recommendations regarding expulsion of students.
- A teacher may be delegated limited authority to contact the parents/guardians of a student who has been harmed as a result of a serious student incident and the parents/guardians of the student who has engaged in the activity. The information provided to the parents/guardians by a teacher must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm.
- The teacher must not be delegated the authority to discuss the nature of any discipline measures taken in response to the activity.
- If the teacher is not sure whether to call the parents/guardians, the teacher should contact the Principal or the appropriate Family of Schools' Superintendent for direction. The Principal/Vice-Principal will follow up with the parents/guardians as soon as possible.

## PROFESSIONAL DEVELOPMENT STRATEGIES FOR ADMINISTRATORS, TEACHERS AND OTHER SCHOOL STAFF

Creating and sustaining a safe, inclusive and accepting learning environment through appropriate interactions between all members of the school community is the responsibility of the whole school community.

The Board will provide professional development for staff to support prevention of inappropriate student behaviour and strategies for promoting positive school climate. Training may include but is not limited to, Board policy awareness, curriculum connections related to bullying prevention and intervention, social and emotional skills, critical and creative thinking skills to help students develop health relationships, responding to serious student incidents, including inappropriate sexual behaviour and duty to report under the Child, Youth and Family Services Act, 2017.

## BUILDING PARTNERSHIPS

Relationships that engage the whole school community and its partners promote a positive school environment and support the progressive discipline approach. These partnerships facilitate the delivery of prevention, intervention and response programs, the use of referral processes, and the provisions of services and support for students, their parents/guardians and families.

To facilitate the building of partnerships the Board shall:

- direct schools to work with community-based service providers, mental health agencies, or other organizations that have professional expertise in the areas of bullying, discrimination, violence, and harassment to provide appropriate support to students, parents/guardians, teachers and other school staff in addressing these issues;
- maintain an up-to-date contact list of community-based service providers that have professional expertise in these areas, making the list available to staff, parents/guardians, and students; and
- work in partnership with, and provide access to, public health units in order to support implementation of the Ontario curriculum together with mandated public health policies.

## COMMUNICATIONS STRATEGY

It is important that all members of the school community, including teachers, other school staff, students, and parents/guardians understand and support the progressive discipline approach. To support a whole-school approach the Board communicates policies and guidelines to all students, parents/guardians, staff members, volunteers, the Special Education Advisory Committee, the Indigenous Education Advisory Council, the Niagara Catholic Parent Involvement Committee and Catholic School Councils and other relevant groups as found on the Board website at [www.niagaracatholic.ca](http://www.niagaracatholic.ca).

## MONITORING AND REVIEW

The Board will continue to monitor, review, and evaluate the effectiveness of Board policies and guidelines, using indicators established, in consultation with students, parents/guardians, staff members, the Special Education Advisory Committee, the Indigenous Education Advisory Council, the Niagara Catholic Parent Involvement Committee and Catholic School Councils and community-based service providers.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: DEATH BENEFIT POLICY (201.5)**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board approve the Death Benefit Policy (201.5), as presented.

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources  
Presented by: Policy Committee  
Recommended by: Committee of the Whole  
Date: March 26, 2019



Niagara Catholic District School Board

## ***DEATH BENEFIT POLICY***

### STATEMENT OF POLICY

200 – Human Resources

Policy No 201.5

Adopted Date: January 29, 2002

Latest Reviewed/Revised Date: June 18, 2013

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board and as a board which is grounded in the value of human dignity, we are a system which responds to the needs of our Catholic community and our employees. It is the policy of the Board that upon the death of an Employee, and if the employee is eligible for retirement gratuity at the date of death, the benefit will be paid to the deceased employee's estate as a death benefit, provided that:

- the employee has previously qualified for a retirement gratuity through their collective agreement or conditions of employment with the Board;
- the employee has not previously retired from the Board, and returned to employment with the Board in either a similar or different capacity;
- the employee has not already received a retirement gratuity from the Board.

The employee benefits for the surviving spouse of the employee and/ or eligible dependents shall be based on the terms of the applicable Employee Life and Health Trust (ELHT).

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: DEFERRED SALARY PLAN (X/Y) POLICY (201.10)**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board approve the Deferred Salary Plan (X/Y) Policy (201.10), as presented.

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources  
Presented by: Policy Committee  
Recommended by: Committee of the Whole  
Date: March 26, 2019



Niagara Catholic District School Board  
***DEFERRED SALARY PLAN (X/Y) POLICY***  
STATEMENT OF POLICY

200 – Human Resources

Policy No 201.10

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: June 18, 2013

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, it is the policy of the Board to support eligible Employees to participate in a deferred salary plan to provide for a self-funded leave of absence for personal and professional development purposes.

The granting of such leaves will be at the sole discretion of the Director of Education and/or designate.

The Director of Education will issue Administrative Procedures for the implementation of this Policy.

***References***

- ***[Teachers' Pension Act](#)***



Niagara Catholic District School Board  
**DEFERRED SALARY PLAN (X/Y) POLICY**  
ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 201.10

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: June 18, 2013

## 1. ELIGIBILITY

- 1.1 For the purpose of this plan, "Employee" means anyone who is presently employed by the Niagara Catholic District School Board on a permanent full time or permanent part-time basis.
- 1.2 An Employee will be eligible according to their respective Collective Agreements and/or Terms and Conditions
- 1.3 Employees interested in participating in the "X" over "Y" Plan are advised that it is their responsibility to apprise themselves of any terms, conditions, or restrictions which may apply. For example, they should be aware of any income tax, pension plan, L.T.D. or benefit implications
- 1.4 The number of participants accepted into the plan on an annual basis shall normally not exceed 3% of eligible staff within any given year.

## 2. APPLICATIONS

- 2.1 Employees applying for this type of leave must make written application to the Superintendent of Human Resources at least six (6) months prior to the date the plan is to take effect (i.e. the date of the first salary deduction). In the case of the teachers an application must be filed no later than January 31 of the school year prior to the school year in which the Plan will commence.
- 2.2 In general, the expectation is that the "X" Over "Y" Leaves of Absences will coincide with the school year (e.g. elementary panel). At no time shall the leave of absence be less than six (6) consecutive months inclusive of July or August (e.g. one term in the elementary or one semester in the secondary panel).
- 2.3 The Board will grant leaves of absence of one (1) year to eligible employees on the basis of spreading the payment over the period of the leave.
- 2.4 An eligible employee shall not be permitted to transfer between plans.

## 3. APPROVAL PROCESS

- 3.1 The Superintendent of Human Resources may consult with the employee's immediate supervisor prior to granting approval for the leave.
- 3.2 Written acceptance or refusal of the Employee's request will be sent to the Employee within three (3) months of receipt of the application and in the case of the teachers' written acceptance

or denial of such application will be forwarded to the employee by May 1 of the school year prior to which the plan would commence.

- 3.3 If an employee decides not to return to the Board following a Financed Leave, the Board shall be notified as soon as possible of this decision and not later than April 1<sup>st</sup> of the year of the leave.
- 3.4 Approval of individual requests to participate in the Plan will be based on the terms of the Collective Agreements and /or Terms and Conditions.

#### 4. PAYMENT FORMULA

- 4.1 The Employee shall specify on the *Niagara Catholic Application Form* the percentage of salary to be deferred in each year of the leave. These amounts will be accumulated and the total amount deferred, along with any interest earned, shall be retained by the Board for payment to the Employee during the year of the leave. Interest shall accrue at the Board's consolidated rate of interest. The accrued interest shall be paid annually, as required by Revenue Canada.
- 4.2 Arrangements for continued benefits coverage are to be made between employee and applicable provincial benefit carrier

#### 5. CONDITIONS

- 5.1 Subject to the approval of the, the Superintendent of Human Resources an Employee may take the leave of absence in the specified year of the Plan. However, the salary paid during the leave is restricted to the actual Employee contributions up to the commencement of the leave plus accrued interest. All amounts held for the Employee's benefit shall be paid to the Employee no later than the end of the first taxation year that commences after the end of the deferral period.
- 5.2 The amount of salary deferred by the Employee in a given year must not exceed one-third (33 1/3%) of the salary the Employee would have received in that year.
- 5.3 The leave of absence must start within six (6) years from the start of the salary deferrals.

#### 6. TERMS

- 6.1 Should an Employee voluntarily leave the employ of the Board before any financial obligation to the Board has been discharged, any monies outstanding shall be repaid prior to the effective date of termination.
- 6.2 Following the year of the Leave, the Employee shall return to duty with the Board for a period of at least one (1) school year.
- 6.3 Upon return from the leave of absence, an Employee will be assigned a position with the Board according to the terms and conditions of employment, prevailing contracts, Board Policies and Administrative Regulations. Subject to the surplus and redundancy provisions, if any, of the prevailing collective agreements, terms and conditions and other legally binding terms of employment, Employees will be assigned to a comparable assignment, not necessarily the same location.
- 6.4 Upon return from the leave of absence, Principals, Vice Principals and Managers will retain their status, unless a change has been mutually determined. However, they may be assigned to a different location dependent upon system needs.

- 6.5 Sick leave credits will not accumulate during the period of leave.
- 6.6 The period of leave will count for seniority experience but not for salary increment.
- 6.7 Employees declared redundant or Employees who have been terminated, will be required to withdraw from the Plan and will be paid a lump sum adjustment for any monies deferred to the date of withdrawal, plus any interest earned.
- 6.8 Repayment shall be made within sixty (60) days of withdrawal from the Plan.
- In the case of Employees where it is applicable, Pension Plan deductions are to be continued as provided by the *Teachers' Pension Act*.
  - In the case of Employees not involved with the Teachers' Pension Plan, the terms and conditions of the respective pension plan shall apply.
- 6.9 Employees may withdraw from the Plan any time prior to six (6) months before the commencement of the leave. Upon withdrawal, any monies accumulated plus interest owed will be repaid to the Employee within sixty (60) days of notification of their intent to leave the Plan.
- 6.10 Should an Employee die while participating in the Plan, any monies accumulated plus interest owed at the time of death will be paid to the Employee's estate. Conversely, any monies plus interest owed to the Board at the time of death, shall be payable to the Board from the Employee's estate.
- 6.11 Employees wishing to participate in the Plan shall be required to sign forms of agreement supplied by the Board before final approval for participation will be granted.
- 6.12 Employees participating in the Plan are subject to all terms of the Board contract including the applicable surplus and redundancy clauses or other Employer-Employee applicable contracts and/or agreements.
- 6.13 Employees participating in the X over Y Plan will be covered by Long Term Disability Insurance of the Board for any claim arising during the year of leave, provided the Employee has opted to pay their share of the premiums. In the case of the teachers' premiums for Long Term Disability Insurance will be deducted as it is a condition of employment.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: EMPLOYEE LEAVES OF ABSENCE POLICY (201.1)**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board approve the Employee Leaves of Absence Policy (201.1), as presented.

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources  
Presented by: Policy Committee  
Recommended by: Committee of the Whole  
Date: March 26, 2019



Niagara Catholic District School Board  
**EMPLOYEE LEAVES OF ABSENCE POLICY**  
STATEMENT OF POLICY

200 – Human Resources

Policy No 201.1

Adopted Date: January 27, 1998

Latest Reviewed/Revised Date: November 26, 2013

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the Board recognizes that an employee may request a leave of absence to participate or attend to personal and/or educational obligations. The Director of Education may approve Leaves of Absence requests to an employee.

The Director of Education will issue Administrative Procedures for the implementation of this Policy.

***References***

- [\*Employment Standards Act, 2000\*](#)



Niagara Catholic District School Board  
**EMPLOYEE LEAVES OF ABSENCE POLICY**  
ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 201.1

Adopted Date: January 27, 1998

Latest Reviewed/Revised Date: November 26, 2013

Applications for Leaves of Absences shall be submitted to the immediate Supervisor for a recommendation and then to the appropriate Administrator. Leaves of Absence may be granted and approved for the following purposes;

- To take further educational studies on a full-time basis for a maximum period of one year, renewable at the discretion of the Director of Education.
- To hold public office as a Member of Parliament, Member of the Provincial Parliament, Member of Municipal Government or Mayor.
- To participate in an exchange program with the Ontario Ministry of Education or Department of National Defence *or other Board approved initiatives.*
- To serve in an administrative position to which a member of a religious community is appointed by the order.
- For personal or professional reasons which are deemed to be compelling.
- For absences not covered by a collective agreement.
- To take on duties requested by Employee Unions, Teacher Federations or Professional Organizations which officially represent employees of this Board.

### 1. Leaves of Absence with Pay

- Approved Leaves

Applications for Leaves of Absence of any duration with pay shall only be granted **by the Superintendent of Human Resources following consultation with the Director of Education,** if they are covered contractually or through Board Policies.

### 2. Leaves of Absence Without Pay

Applications for Leaves of Absences without pay shall be submitted to the immediate Supervisor for a recommendation and then to the appropriate Administrator with the following considerations;

- If the Leave is for a period of two weeks or less, approve, modify or deny such Leaves, according to the circumstances and after consultation with the appropriate Superintendent.
- if the Leave is for a period of more than two weeks, present recommendations, after consultation with the appropriate Superintendent, to the Director of Education and/or designate, who shall make the final decisions.
- Upon return from the leave of absence, an Employee will be assigned a position with the Board according to the terms and conditions of employment, prevailing contracts, Board Policies and Administrative Regulations. Subject to the surplus and redundancy provisions, if any, of the prevailing collective agreements, terms and conditions and other legally binding terms of employment, Employees will be assigned to a comparable assignment, not necessarily the same location.
- Sick leave credits will not accumulate during the period of leave.
- The period of leave will count for seniority experience but not for salary increment as per their respective Collective Agreements or Terms and Conditions.

- An application for a Leave of Absence for illness shall include a report (including recommendations) from a medical doctor. Where a Leave of Absence is approved for reasons of health, a medical certificate of good health including a statement that the employee is able to resume their duties and responsibilities shall be submitted at the time required for notifying the Director of Education or designate of intention to return to work.
  - An employee requesting a Leave of Absence for illness may be required by the Director of Education or designate to have a medical examination by a Board-appointed physician prior to the approval of the Leave of Absence and prior to the return to work.
  - The maximum period of a Leave of Absence granted to an employee to serve as a Member of Municipal Government or Mayor shall be for two full terms of office.
  - An employee holding municipal office may be granted permission to be absent from duties for a temporary period of time to attend to elected office duties for emergency reasons on the recommendation of the appropriate Superintendent and approved by the Director of Education or designate on the condition that there be no remuneration for the period of absence. The minimum reduction in pay shall be one-half day for any portion of the day that the employee is absent.
  - Arrangements are to be made with the applicable provincial benefit plan in order to maintain continued benefit coverage.
3. An information report on approved Employee Leaves of Absence shall be submitted to an In Camera Meeting of the Board on a regular basis.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TITLE: MINUTES OF THE NIAGARA CATHOLIC PARENT  
INVOLVEMENT COMMITTEE OF JANUARY 10, 2019**

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**RECOMMENDATION**

**THAT** the Niagara Catholic District School Board receive the Minutes of the Niagara Catholic Parent Involvement Committee Meeting of January 10, 2019, as presented for information.

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Prepared by: Lee Ann Forsyth-Sells, Superintendent of Education

Presented by: Lee Ann Forsyth-Sells, Superintendent of Education

Recommended by: John Crocco, Director of Education/Secretary-Treasurer

Date: March 26, 2019



**MINUTES OF THE  
NIAGARA CATHOLIC PARENT INVOLVEMENT COMMITTEE MEETING  
JANUARY 10, 2019**

Minutes of the Meeting of the Niagara Catholic Parent Involvement Committee, held on Thursday, January 10, 2019 at 7:00 p.m. in the Father Kenneth Burns csc Board Room, at the Catholic Education Centre, 427 Rice Road, Welland, ON.

Chair Daly called the meeting to order at 7:00 p.m.

**A. ROUTINE MATTERS**

**1. Opening Prayer**

Superintendent Forsyth-Sells led opening prayer, with special intentions for the passing of Kim Hedden’s mother, Marion Battersby’s father and Barb Lauzon, retired secretary from Saint Paul Catholic High School.

**2. Roll Call:**

<b>Parent Members</b>	<b>Affiliations</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>
Shonna Daly	Fort Erie/Port Colborne/Wainfleet	√		
Andrea MacKay	Grimsby/Lincoln/West Lincoln/Pelham		√	
Rebecca Williams	Grimsby/Lincoln/West Lincoln/Pelham	√		
Kim Hedden	Merriton/Thorold		√	
Heather McCluckie	Merriton/Thorold	√		
Chris Kouroushis	Niagara Falls/Niagara-on-the-Lake	√		
Rita Colling	Niagara Falls/Niagara-on-the-Lake	√		
Marilyn Fabiano	Niagara Falls/Niagara-on-the-Lake	√		
Josephine Muraca-Lettieri	Niagara Falls/Niagara-on-the-Lake		√	
Marion Battersby	St. Catharines	√		
Kate Hingston	St. Catharines	√		
Angela Lorenzo	St. Catharines		√	
Carrie Vernelli	Welland	√		
AJ McLaughlin	Welland	√		
Leone Strilec	Development and Peace	√		
Shelley Gilbert	Society of St. Vincent de Paul	√		
Anna Racine	SEAC Representative	√		
Fr. Peter Rowe	Bishop/Diocesan Representative	√		
Camille Peddle	Secondary Student Senate Representative	√		
<b>Trustees</b>				
Kathy Burtnik	Trustee		√	
Dino Sicoli	Trustee	√		

The following staff was in attendance:

Superintendent Forsyth-Sells, Kim Kuchar, Elementary Principal, Brad Johnstone, Secondary Principal, and Yvonne Anderson, Recording Secretary.

Regrets sent: Kathy Burtnik, Kim Hedden, Angela Lorenzo, Andrea MacKay, Josephine Muraca-Lettieri and Josie Rocca

**3. Approval of the Agenda**

Moved by: Rita Colling

Seconded by: Shelley Gilbert

**THAT** the Niagara Catholic Parent Involvement Committee approve the agenda of the Niagara Catholic Parent Involvement Committee Meeting of January 10, 2019 as presented.

**CARRIED**

**4. Declaration of Conflict of Interest**

No declaration of conflict of interest was declared with any item on the agenda.

**5. Approval of the Niagara Catholic Parent Involvement Committee Meeting Minutes of November 1, 2018**

Moved by: Heather McCluckie

Seconded by: Carrie Vernelli

**THAT** the Niagara Catholic Parent Involvement Committee approve the minutes of the Niagara Catholic Parent Involvement Committee Meeting of November 1, 2018 as amended.

**CARRIED**

**B. PRESENTATIONS**

Ontario Association for Parents in Catholic Education (OAPCE)

Superintendent Forsyth-Sells reported that Annalisa Crudo-Perri, OAPCE President regretfully sent regrets on Monday, January 7, 2019. Superintendent Forsyth-Sells distributed an information brochure and a Q&A package to all members that was provided by Annalisa. Superintendent Forsyth-Sells also reported that OAPCE has reduced the Niagara Catholic membership fee to \$500.00 for the remainder of the 2018-2019 school year.

MOTION

Motion by: Carrie Vernelli

Seconded by: Rita Colling

**THAT** the Niagara Catholic District School partner with OAPCE and pay the reduced membership fee of \$500.00 for the 2018-2019 school year and that Chair Daly would continue to represent the Niagara Catholic District School Board as the Regional Director on OAPCE for the 2018-2019 school year.

**CARRIED**

### **C. 2018-2019 NCPIC GOALS**

- Recommendation are to be emailed to Yvonne Anderson for further discussion at the NCPIC meeting of March 7, 2019.

### **D. SUBCOMMITTEE REPORTS**

#### **1. FAITH FORMATION-Josie Rocca**

Chair Daly reported on behalf of Josie Rocca that the proposed date for the NCPIC and Catholic School Council Chairs/Co-Chair and Members Faith Formation was Thursday, February 28, 2019 from 7:00 p.m. to 9:00 p.m. The subcommittee will meet this month to finalize the details.

#### **2. PRO Grant 2018-2019**

Superintendent Forsyth-Sells reported that the Ministry of Education approved twenty-two PRO Grant applications from Catholic School Councils totaling 21,985.00. In addition, a Niagara Catholic PRO Grant project entitled “*Learning Together-A Shared Responsibility*” to facilitate increased participation by First Nation, Metis and Inuit parents in the education of their children was approved for \$9500.00. The NCPIC PRO Grant application for “*Sowing the Seeds of Faith through the Lens of Equity*” was not approved for the 2018-2019 school year.

### **E. POLICY**

Superintendent Forsyth-Sells reported that a policy feedback template was provided to all members to support the policies being vetted. NCPIC members were asked to complete and forward the template to Yvonne Anderson for submission to the Board on behalf of the Niagara Catholic Parent Involvement Committee.

*Feedback due January 11, 2019*

1. Transportation and School Operations for Inclement Weather Policy (500.1)
2. Employee Attendance During Inclement Weather and Workplace Closure Policy (201.9)
3. Student Senate – Secondary Policy (100.6.1)
4. Student Senate – Elementary Policy (100.6.2)
5. Supporting Children and Students with Prevalent Medical Conditions Policy (NEW)

*Feedback due January 17, 2019*

1. Death Benefit Policy (201.5)
2. Deferred Salary Plan (X/Y) Policy (201.10)
3. Employee Leaves of Absence Policy (201.1)
4. Fundraising Policy (301.4)
5. Prior Learning Assessment Recognition (PLAR) Policy (400.4)
6. Progressive Student Discipline Policy (302.6.9)
7. Student Transportation Policy (500.2)

### **F. CHAIR’S REPORT**

- Nil Report

## G. DIRECTOR'S DESIGNATE SUPERINTENDENT OF EDUCATION REPORT

### 1. Letter of Appreciation to Trustees

Superintendent Forsyth-Sells reported that as a follow-up to the motion made at the NCPIC meeting of November 1, 2018, a letter of appreciation was sent to all outgoing Trustees on November 14, 2018 on behalf of the Niagara Catholic District School Board Parent Involvement Committee.

### 2. NCPIC Feedback submission: Consultation: Education in Ontario

Superintendent Forsyth-Sells reported feedback received from the NCPIC members for the Consultation: Education in Ontario was sent to the Ministry of Education on December 14, 2018 on behalf of the Niagara Catholic District School Board Parent Involvement Committee.

### 3. 2019-2020 School Year Calendar Consultation

Superintendent Forsyth-Sells provided the draft 2019-2020 school year calendars for review and stated that any feedback is to be submitted to Jennifer Pellegrini, Communication Officer at [jennifer.pellegrini@ncdsb.com](mailto:jennifer.pellegrini@ncdsb.com) no later than 1:00 p.m. on Thursday, January 31, 2019.

Superintendent Forsyth-Sells reported that the 2019-2020 Catholic School Councils are to be established by October 3, 2019 and proposed that the annual NCPIC/Catholic School Councils Meeting take place on Thursday, October 17, 2019. Further discussion will take place at the NCPIC meeting of March 7, 2019.

### 4. NCPIC Financial Report

Superintendent Forsyth-Sells reported on the NCPIC finances for information and stated that as in past practice funds will be allocated to support the Partners in Catholic Education Dinner held on May 16, 2019.

## H. COMMUNITY REPORTS

### 1. **Development and Peace-Leone Strilec**

Leone reported that:

- parishes will be preparing for the Share Lent Campaign. The theme of "Share the Journey" will continue and workshops to support the campaign are to be held on Saturday, February 23, 2019 at 9:00 a.m. at St. Alfred's in St. Catharines.
- forty-nine secondary students from Niagara Catholic participated in the Development and Peace High School Workshop on November 20, 2018 with the theme of "Share the Journey".
- Rebecca Rathbone, Development and Peace animator for SW Ontario, will be travelling to Rome to work with Caritas Internationalis for the next six months on an exciting youth program. We look forward to hearing about Rebecca's experience and how it may be developed locally.
- the Ontario Regional Assembly will take place May 3-5, 2019 at Niagara College in Welland. Notre Dame College School will host a dinner and entertainment evening on Saturday, May 4, 2019. If anyone is interested in volunteering at, or attending this event please contact Leone at [iltld220@gmail.com](mailto:iltld220@gmail.com).

### **3. Society of St. Vincent de Paul-Shelley Gilbert**

Shelley reported that:

- with the support of Niagara Catholic elementary and secondary school food drives, and student assistance assembling Christmas hampers many families in need were supported.
- the Ozanman Centre (soup kitchen) was one of the recipients of the Bishop's Charity Dinner.
- the Welland Thrift Store was remodeled.
- St. Vincent de Paul administration is busy preparing year-end reports.

### **I. SEAC REPORT-Anna Racine**

Anna reported on the purpose of Special Education Advisory Committee, and that the meetings take place on the first Wednesday of each month. The following community agencies are represented on SEAC: Community Living, Autism Niagara, Children's Centre, Tourette's Syndrome Association, Learning Disabilities, Pathstone Mental Health, Mainstream and Down Syndrome Caring Parents. One of SEAC's goals for the 2018-2019 school year is to enhance parent engagement.

### **J. BISHOP/DIOCESAN REPORT-Fr. Peter Rowe**

Fr. Peter Rowe reported that:

- Mass celebrated on January 20, 2019 at 3:00 p.m. at the Cathedral of St. Catharine is designated to the Week of Prayer for Justice and Christian Unity.
- World Youth Day will be celebrated on January 22, 2019 in Panama.
- World Day of the Sick will be celebrated on February 11, 2019 in Calcutta.

### **K. STUDENT SENATE REPORT-Camille Peddle**

- Student Senate is currently preparing for a presentation regarding the Ontario Catholic Student Leadership Conference that is to be presented at the January 15, 2019 Committee of the Whole Meeting. Student senators will be attending the meeting to share their experiences, and present the limitless dance for Board members.
- Student Senate is reviewing the requirements for the 2018-2019 Student Senate Scholarships with a focus on leadership and student involvement. Two \$500.00 scholarships will be presented to the 2018-2019 graduating class.

### **L. STAFF REPORTS-Kim Kuchar and Brad Johnstone**

Good news and updates from the elementary and secondary schools were provided for information.

### **M. TRUSTEE REPORTS- Dino Sicoli**

Trustee, Vice-Chair Sicoli reported that at the Inaugural Meeting of the Board, December 4, 2018 at Denis Morris Catholic High School, Frank Fera was acclaimed Chair of the Board and Dino was elected as Vice-Chair. Trustee, Vice-Chair Sicoli also reported that there are five new Niagara Catholic Trustees and that he looks forward to working collaboratively, and constructively to ignite positive changes in the Board.

**N. AGENDA ITEMS-DISCUSSION FOR FUTURE MEETINGS**

**O. NEXT MEETING:** March 7, 2019 at 7:00 p.m. at the Catholic Education Centre

**P. CLOSING PRAYER:** Fr. Peter Rowe led the closing prayer.

**Q. ADJOURNMENT**

Moved by: Marion Battersby

Seconded by: Shelley Gilbert

**THAT** the January 10, 2019 meeting of the Niagara Catholic Parent Involvement Committee be adjourned.

**CARRIED**

This meeting was adjourned at 8:45 p.m.

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**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TITLE: NIAGARA CATHOLIC EDUCATION AWARD OF  
DISTINCTION 2019**

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The Niagara Catholic Education Award of Distinction 2019 report is presented for information.

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources

Presented by: John Crocco, Director of Education/Secretary-Treasurer  
Frank Iannantuono, Superintendent of Education/Human Resources

Approved by: John Crocco, Director of Education/Secretary-Treasurer

Date: March 26, 2019



NIAGARA CATHOLIC  
DISTRICT SCHOOL BOARD

## **REPORT TO THE BOARD MEETING MARCH 26, 2019**

### **NIAGARA CATHOLIC EDUCATION AWARD OF DISTINCTION 2019**

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#### **BACKGROUND INFORMATION**

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the Board believes in the importance of recognizing individuals and groups who have made/or continue to make outstanding contributions to Catholic Education in the Niagara Region.

In honour of these contributions the Niagara Catholic District School Board established an award known as the “Niagara Catholic Education Award of Distinction” to annually recognize individuals or groups with this prestigious honour. Annually, these individuals or groups may be recognized with this prestigious honour.

The Policy and Administrative Procedures provide the Eligibility, Criteria, Nomination Process, Selection Committee and Presentation of the Award expectations as follows:

#### **Eligibility**

Any individual or group (school, parish, home, community) who has participated in, or contributed to the growth of Catholic Education in the Niagara Region.

#### **Criteria**

Nominees must have:

- Made a notable, significant and positive contribution to Catholic Education in the Niagara Region over a sustained period of time;
- Demonstrated recognized leadership that has had an identifiable impact and has made a significant transformation to the Catholic character of the Board
- The fundamental, all-pervasive quality that distinguishes our system as Catholic system.
- The belief that education in the faith is possible in every aspect of education.
- Strive to build community and the ideal of the Christian community among Catholic schools and the Niagara Catholic District School Board and the Diocese.
- Accompanied students on their sacred journey of faith
- Demonstrated tangible sacrifice for Catholic Education;
- Been an advocate for Catholic Education in the Niagara Region.

#### **Nomination Process**

1. Each year, nominations will be invited from the public at large through newspaper advertisements, forms available at the Catholic Education Centre, the schools and on the Board’s website. Nominations will also be sent to the Parishes, Catholic School Councils, Diocesan Office, and groups such as past and present leaders of the Board.
2. Nomination Forms will require detailed documentation and substantiation of a nominee’s contribution to Catholic Education in Niagara. This may include input from the group being nominated.

3. Each nomination will require the signed endorsement of three individuals.
4. Nominations must be sent to the Communications Officer who will forward them to the designated Superintendent of Education.
5. Nominations must be received by the Communications Officer at the Catholic Education Centre as announced on the Nomination Form.

### **Selection Committee**

Each fall, the Director will establish a Niagara Catholic Award of Distinction Selection Committee, which will consist of the following members:

- The Chairperson of the Board or his/her designate
- The Vice-Chairperson of the Board or his/her designate
- The Director of Education or his/her designate
- The Bishop or his designate
- A Superintendent of Education
- A member of the Niagara Catholic Principals' Association
- Board Chaplaincy Leader
- Up to three additional members' representative of the Niagara Catholic Parent Involvement Committee (NCPIC), Special Education Advisory Committee (SEAC) and Student Senate as selected by the Director, in consultation with Senior Administrative Council. The Chairperson of the Board, or designate, will be the Chairperson of the Selection Committee.

### **Niagara Catholic Education Award of Distinction Recipients**

- 2005** The Sisters of Saint Joseph  
The Loretto Sisters of the Institute of the Blessed Virgin Mary  
The School Sisters of Notre Dame  
The Felician Sisters  
The Vincentian Sisters of Charity  
The Sisters of Saint Martha  
The Sisters of Holy Cross  
The Holy Cross Community
- 2006** Reverend Monsignor Vincent J. Ferrando, P.H.  
Frank Durante  
Don Lefebvre  
Fr. Ken Burns, C.S.C.
- 2007** Dr. Angelo Albanese
- 2008** Father Patrick H. Fogarty C.S.C.
- 2009** The Sisters of the Sacred Heart
- 2010** Reverend James T. Mulligan C.S.C.  
Les Soeurs du Sacré Coeur de Jésus de St. Jacut
- 2011** Father Stanley Puchniak, O.M.I.
- 2012** Rev. Monsignor Clement Schwalm  
Father Denis Warburton, C.S.C.
- 2013** Mary Hendriks
- 2014** Reverend Monsignor Matthew J. Clifford
- 2015** Anna Racine  
Joseph Noonan
- 2018** Peter Ferren  
Eileen McCarthy

**Presentation of the Award**

1. The Award will be announced and presented annually. The recipient(s) will also be publicized through the local media.
2. The Award will consist of a commemorative plaque which will be presented to the recipient. A permanent acknowledgment plaque will also be placed on the Wall of Distinction. Recipients will be invited to view the commemorative plaques on the Wall of Distinction.

**Niagara Catholic Award of Distinction 2019**

For 2019, the Selection Committee met on Thursday, March 8, 2019. The Committee members consisted of:

Frank Fera	Chair of the Board
Dino Sicoli	Vice-Chair of the Board
John Crocco	Director of Education
Sister Mary Kay Camp	Designate for the Bishop
Frank Iannantuono	Superintendent of Education
Deborah Mercnik	Niagara Catholic Principals' Association
Anna Racine	Parent member, Special Education Advisory Committee (SEAC)
Krista Wood	Board Chaplaincy Leader
Camille Peddle	Student Senate

The Selection Committee reviewed and evaluated nominations received by the March 1, 2019 deadline. The selection was conducted in accordance with the criteria outlined in the Niagara Catholic Education Award of Distinction Policy (100.7) and Guidelines.

The Selection Committee is to be commended for its dedication and commitment to upholding the prestige and honour of the award. The recipients for 2019 are **William Amadio** and **Patrick Hudak**.

The Board has publically announce the recipient(s) of the Niagara Catholic Education Award of Distinction 2019 through a communications notice, media release and publication on the Board website and social media accounts.

The recipient, as well as the nominators, have been informed of the selection for this year’s award and invited to attend the Annual Benefit Gala on March 30, 2019.

The Niagara Catholic Education Award of Distinction 2019 report is presented for information.

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Prepared by: Frank Iannantuono, Superintendent of Education

Presented by: John Crocco, Director of Education/Secretary-Treasurer  
Frank Iannantuono, Superintendent of Education

Approved by: John Crocco, Director of Education/Secretary-Treasurer

Date: March 26, 2019

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

**PUBLIC SESSION**

**TITLE: FINANCIAL REPORT AS AT FEBRUARY 28, 2019**

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The Financial Report as at February 28, 2019 is presented for information

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Prepared by: Giancarlo Vetrone, Superintendent of Business and Financial Services

Presented by: Giancarlo Vetrone, Superintendent of Business and Financial Services

Approved by: John Crocco, Director of Education/Secretary-Treasurer

Date: March 26, 2019

**Niagara Catholic DSB  
2018-19 Interim Financial Report**

**For the Month Ending February 28, 2019**

**Summary of Financial Results**

(\$Thousands)	Estimates	Revised Estimates	Forecast	In-Year Change	
				\$	%
<b>Revenue</b>					
Operating Grants	230,139	231,970	231,970	-	0.0%
Capital Grants	27,904	27,021	27,021	-	0.0%
Other	13,470	14,651	14,551	(100)	(0.7%)
<b>Total Revenue</b>	<b>271,513</b>	<b>273,642</b>	<b>273,542</b>	<b>(100)</b>	<b>(0.0%)</b>
<b>Expenditures</b>					
Classroom	202,362	205,490	205,257	(233)	(0.1%)
Other Operating	7,688	7,631	7,609	(22)	(0.3%)
Transportation	10,175	10,175	10,102	(73)	(0.7%)
Pupil Accomodation	41,476	41,431	41,623	192	0.5%
Other	7,112	7,675	7,675	-	0.0%
PSAB Adjustments	1,005	1,005	1,005	-	0.0%
<b>Total Expenditures</b>	<b>269,818</b>	<b>273,407</b>	<b>273,271</b>	<b>(136)</b>	<b>(0.1%)</b>
<b>In-Year Surplus (Deficit)</b>	<b>1,695</b>	<b>235</b>	<b>271</b>	<b>36</b>	<b>15.3%</b>
Prior Year Accumulated Surplus (Deficit)	10,440	10,440	10,440	-	0.0%
<b>Accumulated Surplus (Deficit) for Compliance</b>	<b>12,135</b>	<b>10,675</b>	<b>10,711</b>	<b>36</b>	<b>0.3%</b>

**Changes in Revenue**

- N/A

**Change in Expenditures**

- Pupil Accomodation line includes pressure on snowplowing of approximately \$200,000.  
- Replacement costs associated with sick time is approximately \$250,000 year-to-date over budget.

**Change in Reserve**

- Changes in the EPO revenue assumptions made in budget.

**Change in Surplus/Deficit**

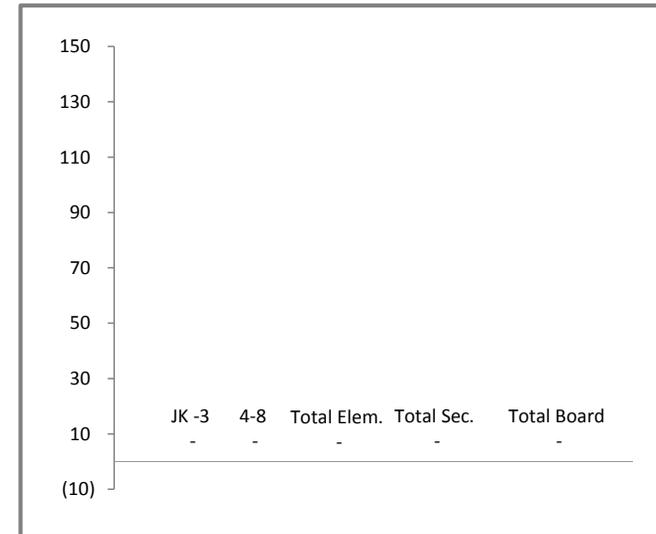
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**Summary of Enrolment**

ADE	Revised Estimates	Forecast	In-Year Change	
			#	%
<b>Elementary</b>				
JK -3	6,801	6,801	-	0.0%
4-8	7,593	7,593	-	0.0%
<b>Total Elementary</b>	<b>14,394</b>	<b>14,394</b>	<b>-</b>	<b>0.0%</b>
<b>Secondary &lt;21</b>				
Pupils of the Board	6,478	6,478	-	0.0%
Other Pupils	91	91	-	0.0%
<b>Total Secondary</b>	<b>6,569</b>	<b>6,569</b>	<b>-</b>	<b>0.0%</b>
<b>Total</b>	<b>20,963</b>	<b>20,963</b>	<b>-</b>	<b>0.0%</b>

Note: Forecast will be based on October 31st count date

**Changes in Enrolment: Budget v. Forecast**



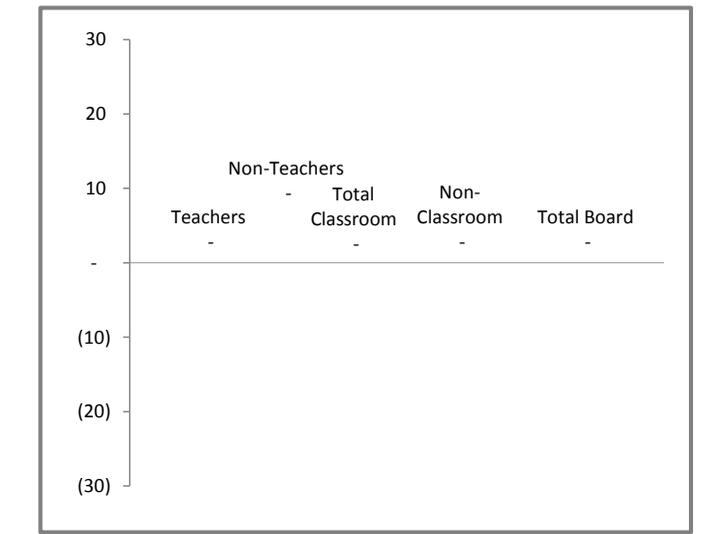
**Highlights of Changes in Enrolment:**

- Forecast is projected to be the same as revised estimates at this stage

**Summary of Staffing**

FTE	Revised Estimates	Forecast	In-Year Change	
			#	%
<b>Classroom</b>				
Teachers	1,261	1,261	-	0.0%
Non-Teachers	762	762	-	0.0%
<b>Total Classroom</b>	<b>2,023</b>	<b>2,023</b>	<b>-</b>	<b>0.0%</b>
<b>Non-Classroom</b>	<b>245</b>	<b>245</b>	<b>-</b>	<b>0.0%</b>
<b>Total</b>	<b>2,268</b>	<b>2,268</b>	<b>-</b>	<b>0.0%</b>

**Changes in Staffing: Budget v. Forecast**



**Highlights of Changes in Staffing:**

- Forecast is projected to be the same as revised estimates at this stage

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
SPOTLIGHT ON NIAGARA CATHOLIC – MARCH 5, 2019**

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**March 5, 2019**

### **Trustees Recommend Policies**

Trustees recommended four policies be considered by the Board for approval during the March 5 Committee of the Whole Meeting.

*Progressive Student Discipline - Safe Schools Policy (302.6.9), Death Benefit Policy (201.5), Deferred Salary Plan (X/Y) Policy (201.10) and Employee Leaves of Absence Policy (201.1)* will be considered by the Board March 26.

### **Capital Projects Update**

Niagara Catholic currently has two capital projects in development - a \$5-million project to renovate and expand Monsignor Clancy Catholic Elementary School to facilitate the consolidation of St. Charles Catholic Elementary School with Monsignor Clancy, and a \$1.5-million renovation to Our Lady of Mount Carmel Catholic Elementary School to include three child care rooms.

The renovation of Monsignor Clancy Catholic Elementary School remains in the design stage. Niagara Catholic has submitted a request to the Ministry of Education to proceed to tender request stage.

### **SpeakOut! Showcase**

Every year, Niagara Catholic elementary students spend weeks researching, writing and rehearsing their SpeakOut! speeches, on a wide range of topics. Prior to the March 5 Committee of the Whole Meeting, the top two recipients and the Catholic Messenger Award recipients from each area, delivered their SpeakOut! speeches.

Congratulations to Ciara Wood (Our Lady of Fatima Catholic Elementary School Grimsby, *Aung San Suu Ki*), Zia Amlani (Mary Ward Catholic Elementary School, *Why We Shouldn't Waste Time on Complaining*) and Allyson Coholan (St. Philomena Catholic Elementary School, *Poverty in Canada*) for their first place finishes. They delivered their speeches during the Committee of the Whole Meeting for trustees.

Second place finishes went to Avery Norman (St. Martin Catholic Elementary School, *Disney's Misrepresentation of Girls*), Kelly Dela Rosa (St. Mary Catholic Elementary School

NF, *Sea Pollution*) and Daniel Langelaan (St. Alexander Catholic Elementary School, *American Sign Language*). The 2019 Catholic Messenger Award recipients were Mateo Rego (St. Ann Catholic Elementary School SC, *Why People Want to Wear Brand Names*), Lola Incaviglia (Assumption Catholic Elementary School, *Water*) and Ella Schuchard, *The Importance of Having a Good Mindset*).

### **Mental Health and Addictions**

During the March 5 Committee of the Whole Meeting, Andrea Bozza, the Board's Mental Health Lead, and Superintendent of Education Lee Ann Forsyth-Sells, provided trustees with an overview of the mental health supports available to students.

The presentation touched on a wide range of ways in which Niagara Catholic strives to promote mental wellness within the school community, including utilizing the SMH (School Mental Health) ASIST program, which supports interventions for students with identified mental health problems. It focuses on three priority areas: Suicide prevention/pathways to care/Implementation of the Suicide Protocol; capacity building, and mental health workers in schools.

It also discussed the expected outcome of additional mental health workers recently hired by Niagara Catholic.

Read the complete report in section C2 of the March 5 [Committee of the Whole agenda](#).

### **Keep up with Niagara Catholic**

Have you checked our [Good News page](#) lately? If you're not, you could be missing some great stories. Hop on over to see what's new at Niagara Catholic.

### **Follow us!**



There's nothing like wild winter weather to boost the number of people who like and follow you on social media. And we've had a real flurry of activity on our pages since the snow, ice, rain and frigid temperatures started a few weeks ago. We've now hit 10,000 likes and followers – all done by human hands (no bots here!), and our most recent posts have taken on a life of

their own. We invite you to join them in staying connected with Niagara Catholic. Like and

follow us on [Facebook](#), [Twitter](#) and [Instagram](#) to ensure you stay connected with Niagara Catholic news and events. It's the best way to stay in the know.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
CALENDAR OF EVENTS – APRIL 2019**

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# APRIL 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<b>1</b>	<b>2</b>	<b>3</b> SEAC Meeting	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b> Volunteer Appreciation Breakfast	<b>9</b> SAL Meeting CW Meeting	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b> Palm Sunday	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b> Holy Thursday	<b>19</b> Good Friday	<b>20</b> Holy Saturday
Holy Week						
<b>21</b> Easter Sunday	<b>22</b> Easter Monday	<b>23</b> Policy Committee Board Meeting	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>				

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
OCSTA MEMORANDUM - NAVIGATING THE MUNICIPAL  
CONFLICT OF INTEREST ACT: A MANUAL FOR CATHOLIC  
SCHOOL BOARD TRUSTEES**

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Trustees' Association

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Beverley Eckensweiler, *President*  
Michelle Griepsma, *Vice President*  
Nick Milanetti, *Executive Director*

March 7, 2019

**MEMORANDUM**

**TO:** Chairpersons and Directors of Education  
- All Catholic District School Boards

**FROM:** Nick Milanetti, Executive Director

**SUBJECT: Navigating the Municipal Conflict of Interest Act: A Manual for  
Catholic School Board Trustees**

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Please find attached a Manual prepared for OCSTA by Borden Ladner Gervais on Conflict of Interest changes that came into effect on March 1, 2019. It is important that trustees publicly declare the conflict of interest before any discussion begins on the matter in conflict and that the declaration of conflict be recorded in the minutes of the meeting. In addition, trustees who declare a conflict of interest will now be required to file a written statement for public record indicating the general nature of the conflict.

Please share this information with your trustees to assist them in their roles.



Ontario Catholic School  
Trustees' Association



Borden Ladner Gervais

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**NAVIGATING THE *MUNICIPAL CONFLICT OF INTEREST ACT*:**  
**A MANUAL FOR CATHOLIC SCHOOL BOARD TRUSTEES**

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## Overview

This manual has been prepared as a resource for the Ontario Catholic School Trustees' Association and its member Catholic District School Boards ("Boards") and is intended to provide information on trustees' obligations in relation to addressing conflicts of interest.

Determining whether a conflict of interest arises in any particular situation requires an assessment of the facts on a case-by-case basis. If there are any doubts about a conflict of interest, trustees should seek their own legal advice.

The legislative and policy framework governing conflicts of interest by trustees of your Board includes the following:

- *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50 (the "*Municipal Conflict of Interest Act*");
- *Education Act*, R.S.O. 1990, c. E.2 (the "*Education Act*"); and
- Your Board's Trustee Code of Conduct.

## What is a Conflict of Interest?

In general, the law in Ontario takes a strict view of what constitutes a conflict of interest for a school board trustee. As noted by Ontario's Divisional Court:<sup>1</sup>

Trustees, like Caesar's wife, must be, and appear to be, beyond temptation and reproach.

As the above statement indicates, determining whether a trustee is in a conflict of interest and required to recuse themselves accordingly does not depend on whether the trustee considers themselves to be in conflict. Rather, the legal test considers the objective, "reasonable person" standard, described in one court decision as follows:<sup>2</sup>

Would a reasonable elector, being apprised of all the circumstances, be more likely than not to regard the interest of the [trustee] as likely to influence that [trustee]'s action and decision on the question?

(See "[The test for finding a conflict of interest under the \*Municipal Conflict of Interest Act\*](#)", below, for further discussion)

The conflicts of interest that are the focus of the *Municipal Conflict of Interest Act* are pecuniary conflicts of interest relating to a trustee's monetary or economic interests. A pecuniary interest that gives rise to a conflict may take one of three forms:

1. A *direct pecuniary interest*, which arises from the trustee themselves having a monetary or economic interest in a matter.

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<sup>1</sup> *Re Moll and Fisher*, 1979 CarswellOnt 575 (Div Ct) [*Moll*].

<sup>2</sup> *Whiteley v. Schnurr*, 1999 CarswellOnt 2123 (ONSC) [*Whiteley*] at para 10.

2. An *indirect pecuniary interest*, which arises from the trustee being a shareholder, owner, part-owner, director, officer, or member of a corporation or body having a monetary or economic interest in a matter.
3. A *deemed pecuniary interest*, which arises when the parent, spouse or child of the trustee has a direct or indirect pecuniary interest that is known to the trustee.

(see “Types of interests that give rise to conflict”, below, for further discussion)

Where these interests are legally considered to be so remote or insignificant that they cannot reasonably be viewed as likely to influence a trustee, a conflict of interest may not arise. **When dealing with decisions of a budgetary of financial nature, however, trustees’ direct, indirect or deemed pecuniary interests are generally not considered to be remote.** As stated in a recent decision of Ontario’s Divisional Court that supported this view:<sup>3</sup>

The courts have held that the conflict of interest legislation must be interpreted harshly to control members given the highest level of trust.

Where a trustee is in a conflict of interest and fails to recuse themselves in accordance with the requirements of the *Municipal Conflict of Interest Act*, a court may impose any of the following sanctions:

- reprimand (as of March 1, 2019);
- suspension of remuneration for a period of up to 90 days (as of March 1, 2019);
- declaration of the trustee’s seat as vacant;
- disqualification of the trustee or former trustee from being a member during a period of not more than seven years after the date of the order; and
- if the contravention has resulted in personal financial gain, requiring the trustee or former trustee to make restitution to the party suffering the loss, or, if the party’s identity is not readily ascertainable, to the school board.

(See “Consequences for contravention”, below, for further discussion)

In addition to the above, your Board’s Trustee Code of Conduct may include additional recusal requirements and penalties that apply to such conflicts of interest; and that may provide for a broader set of circumstances that require recusal as well as additional sanctions for violating these requirements. (See “The Education Act and the Board’s Trustee Code of Conduct”, below, for further discussion)

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<sup>3</sup> *Baillargeon v. Carroll*, 2009 CarswellOnt 633 (ONSC Div Ct) [*Carroll*] at para 77.

## What are Trustees Required to Do?

Identifying a conflict of interest requires a consideration of the facts and the applicable law on a case-by-case basis. Trustees who are uncertain about whether their circumstances amount to a conflict of interest under the *Municipal Conflict of Interest Act* or their Board's Trustee Code of Conduct should seek their own legal advice or guidance from a Municipal Integrity Commissioner.

Where a trustee identifies a direct, indirect or deemed conflict of interest in a matter and is present at a meeting of the board or committee of the board in which the matter is being discussed, he or she must take the following measure to recuse themselves:

1. Publicly declare the conflict of interest before any discussion of the matter begins, stating the general nature of the interest and having the declaration recorded in the minutes of the meeting;
2. File a written statement of the interest and its general nature with the secretary of the committee or board (effective March 1, 2019; see Appendix "A" for a template "Statement and Declaration of Interest");
3. Do not vote on any question in respect to the matter;
4. Do not take part in any discussion of the matter;
5. Do not attempt to influence the voting on any question related to the matter; and
6. In a closed (i.e., *in camera*) session of a committee or board of trustees meeting, the trustee with conflict should leave the room for as long as the matter is discussed and have that fact recorded in the minutes.

(See "Recusal requirements where a conflict arises from a pecuniary interest", below, for further discussion)

Further recusal requirements may apply under your Board's Trustee Code of Conduct. Accordingly, it is recommended that trustees familiarize themselves with any conflict of interest provisions in their Board's Trustee Code of Conduct, and seek guidance and their own legal advice as needed in any particular fact scenario where a potential conflict of interest arises.

## What Changes Came into Force on March 1, 2019?

The *Modernizing Ontario's Legislation Act, 2016*, also known as Bill 68, passed third reading and received Royal Assent in Ontario's Legislature on May 30, 2017. Bill 68 amended 16 pieces of legislation at that time, and included changes to the *Municipal Act, 2001* and the *City of Toronto Act, 2006* that required municipalities to begin to appoint Integrity Commissioners. **Bill 68 also made important amendments to the *Municipal Conflict of Interest Act* that came into effect on March 1, 2019.**

**The basic definition of a conflict of interest remains unchanged by the amendments under Bill 68.** It remains the case that a conflict of interest arises where a trustee has a direct, indirect, or deemed *pecuniary interest* in a matter that is before the board of trustees and that interest is *not remote*.

In brief, the changes that came into effect on March 1, 2019 include the following:

- Trustees who declare a conflict of interest will now be required to file a written statement with a secretary of the Board disclosing the trustee's interest. This written statement must include a description of the general nature of the conflict of interest (see Appendix "A" for a template "Statement and Declaration of Interest").
- In turn, the Board will be required to maintain a registry where copies of such written statements may be accessed by members of the public.
- Any member of the public, in reviewing the information in the Board's public registry or from any other source, will be entitled to make an application to a court to determine whether any trustee has acted contrary to the *Municipal Conflict of Interest Act*. This is a departure from the legislation's previous provisions extending this right to only an individual who qualified as an *elector* of the trustee in question.
- Where an application is made to a court alleging that a trustee has violated the *Municipal Conflict of Interest Act*, the court will now have discretion to consider whether the trustee took reasonable measures to prevent the contravention, including considering whether the trustee consulted with a municipal Integrity Commissioner. This amends the previous regime which called for courts to strictly consider contraventions as a "yes-no" issue without considering mitigating factors in cases where trustees acting in good faith may have nevertheless crossed the line.
- In line with the new discretion to take trustees' reasonable measures into account, courts will also have a new ability to impose a range of penalties for contraventions of the *Municipal Conflict of Interest Act*. This range of penalties runs from lesser penalties such as a reprimand and suspension of remuneration, to more significant penalties such as declaring the trustee's seat vacant, disqualifying the trustee from running for re-election for up to 7 years, and ordering financial restitution where the trustee has made a financial gain as a result of their contravention. Under the previous regime, only the more significant of these penalties were available and were applied to any circumstance where a trustee had violated the *Municipal Conflict of Interest Act*, regardless of any mitigating factors.

The following sections contain detailed information on the law surrounding trustee conflicts of interest.

If there are any doubts about a conflict of interest, trustees should seek their own legal advice (See "Measures to prevent contravention", below, for further discussion)

## The Structure of the *Municipal Conflict of Interest Act*

### Purpose of the *Municipal Conflict of Interest Act*

Together with the *Education Act*, the *Municipal Conflict of Interest Act* governs the determination of conflicts of interest and applicable recusal requirements that apply with respect to the economic interests of a trustee.

In *Re Moll and Fisher [Moll]*,<sup>4</sup> a 1979 decision, the Ontario Divisional Court (the “Divisional Court”) recognized the broad purpose and application of the *Municipal Conflict of Interest Act* as a tool for protecting the public’s trust in its elected officials. This definition was affirmed and adopted in the 2009 decision of the Divisional Court in *Michael Baillargeon v. Oliver Carroll [Carroll]*:<sup>5</sup>

The obvious purpose of the Act is to prohibit members of councils and local boards from engaging in the decision-making process in respect to matters in which they have a personal economic interest. The scope of the Act is not limited by exception or proviso but applies to all situations in which the member has, or is deemed to have, any direct or indirect pecuniary interest. There is no need to find corruption on his part or actual loss on the part of the council or board. So long as the member fails to honour the standard of conduct prescribed by the statute, then, regardless of his good faith or the propriety of his motive, he is in contravention of the statute. And I should say at once, that in so far as this case is concerned there is no suggestion that the appellants acted out of any improper motive or lack of good faith.

This enactment, like all conflict of interest rules, is based on the moral principle, long embodied in our jurisprudence, that no man can serve two masters. It recognizes the fact that the judgment of even the most well-meaning men and women may be impaired when their personal financial interests are affected. Public office is a trust conferred by public authority for public purpose. And the Act, by its broad proscription, enjoins holders of public offices within its ambit from any participation in matters in which their economic self-interest may be in conflict with their public duty. The public’s confidence in its elected representatives demands no less.

[emphasis added]

This description of the scope of the *Municipal Conflict of Interest Act* was echoed by Justice Belleghem in *Haltons Hills (Town) v. Equity Waste Management of Canada*, stating:<sup>6</sup>

The Act is crystal-clear. It is harsh. It must be. It controls the actions of [public officials]. They are the repositories of the citizens’ highest trust. [...] They must not only be unshrinkingly honest they must be seen to be so – by those who voted *for*

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<sup>4</sup> *Moll, supra.*

<sup>5</sup> *Carroll, supra.*

<sup>6</sup> 1995 CarswellOnt 1048 (ONCJ (Gen Div)) at para 9.

them, and those who voted *against* them. Their role, though noble in its calling, is demanding in its execution. It is onerous in the extreme.”

[emphasis in the original]

#### Types of interests that give rise to conflict

The *Municipal Conflict of Interest Act* refers to three kinds of pecuniary interest: (i) direct; (ii) indirect; and (iii) deemed. The same recusal requirements will apply to a trustee under the *Municipal Conflict of Interest Act* where any of these forms of pecuniary interest arise and where such interests are not remote.

A “pecuniary” interest is essentially a monetary or an economic interest. If a question before the Board is one in which a trustee has an economic interest, then it is a **direct pecuniary interest** for purposes of the *Municipal Conflict of Interest Act*.

The definition of **indirect pecuniary interest** broadens the matter. Section 2 of the *Municipal Conflict of Interest Act* provides:

A member has an indirect pecuniary interest in any matter if:

- (a) the member or his or her nominee,
  - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
  - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
  - (iii) is a member of a body,that has a pecuniary interest in the matter; or

- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter.

Under section 3 of the *Municipal Conflict of Interest Act*, the direct or indirect pecuniary interest of a parent, spouse or child of a trustee is a **deemed pecuniary interest** of the trustee so long as such interest is known to the trustee.

Where a trustee has a close relative who may experience direct or indirect economic effects as a result of the trustee’s decision on a matter, that trustee will be considered as having a pecuniary interest in that matter – giving rise to a resulting conflict of interest. This applies regardless of whether such economic effects stand to be adverse or beneficial to the close relative.

#### Recusal requirements where a conflict arises from a pecuniary interest

Subsection 5(1) of the *Municipal Conflict of Interest Act* provides that where a trustee has a pecuniary interest in a matter to be discussed by the Board, the trustee is required to take the following *mandatory* measures to recuse themselves from participation in proceedings regarding such a matter:

- (a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

Subsection 5(2) of the *Municipal Conflict of Interest Act* sets out additional recusal requirements where the meeting addressing the matter that gives rise to a conflict is not open to the public (i.e., “in camera” meetings). In the case of such meetings, a trustee must withdraw from their place as member and leave the room in which the meeting is held for the duration of the consideration of the matter.

Under the amendments to the *Municipal Conflict of Interest Act* that came into effect on March 1, 2019, a new section 5.1 requires that, at a meeting where a trustee discloses an interest or as soon as possible thereafter, the trustee must also file a written statement of the interest and its general nature with the secretary of the Board. A record of this statement and corresponding Board minutes will then be kept in a public registry by the Board.

#### A conflict of interest does not arise where the possibility for influence is remote

Section 4 of the *Municipal Conflict of Interest Act* enumerates various exceptions to the recusal requirements otherwise found in the Act. In particular, subsection 4(k) provides that these recusal requirements do not apply to a pecuniary interest that a member may have “by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member [emphasis added].”

The criteria that a trustee should use in determining whether a conflict is so remote or insignificant that it cannot reasonably be viewed as likely to influence the Trustee will depend on the individual circumstances in each case. In making this determination, courts have examined criteria such as whether there is a “real connection”, a “predictable relation” or an “undeniable historical relationship” between the interest of the trustee and the decision placed before the Board.

#### Consequences for contravention

The decision to declare a conflict of interest is the personal responsibility of individual trustees who find themselves in circumstances giving rise to a conflict under the *Municipal Conflict of Interest Act*. The Board cannot force a member to declare a conflict or to leave the room when a decision is made. However, significant consequences may arise for trustees and the Board decisions in which they participate if a court determines that a trustee acted in contravention to the *Municipal Conflict of Interest Act*.

Under Section 10 of the *Municipal Conflict of Interest Act*, where a trustee is found by a court to have contravened the Act, a judge shall declare the seat of the trustee vacant unless the contravention was committed through inadvertence or a *bona fide* error in judgment. The trustee found to have contravened the Act will be deemed unqualified to fill the resulting vacancy. In addition to declaring such vacancy, a judge may:

- disqualify the trustee from serving as such for a period of up to seven years; and
- where the contravention has resulted in personal financial gain, require the trustee to make restitution to the party suffering the loss, or, where such party is not readily ascertainable, to the school board.

Further, where a resolution is passed by a school board and a trustee having a conflict had voted, that resolution is liable to be set aside. Section 12 of the *Municipal Conflict of Interest Act* provides that the failure of a trustee to declare an interest in a matter does not invalidate the Board's proceedings in respect of the matter, but the matter is nevertheless *voidable* at the instance of the Board unless this would adversely affect the rights of any third person who acquired such rights as a result of the proceedings, and who was acting in good faith and without actual notice of the trustee's contravention.

As of March 1, 2019, judges have new discretion to choose from a range of penalties where a contravention of the *Municipal Conflict of Interest Act* is found. Accordingly, as of March 1, 2019, trustees who have acted in contravention of the *Municipal Conflict of Interest Act* are subject to penalties short of removal and disqualification from service in certain circumstances.

The full range of penalties available to judges under the *Municipal Conflict of Interest Act* as of March 1, 2019 include:

- reprimand;
- suspension of remuneration for a period of up to 90 days;
- declaration of the trustee's seat as vacant;
- disqualification of the trustee or former trustee from being a member during a period of not more than seven years after the date of the order; and
- if the contravention has resulted in personal financial gain, requiring the trustee or former trustee to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the school board.

#### Measures to prevent contravention

When determining whether to exercise discretion to impose a more lenient penalty, such as reprimand or suspension of pay, as of March 1, 2019, courts will consider whether a trustee acting contrary to the *Municipal Conflict of Interest Act* had:

- taken reasonable measures to prevent the contravention;
- disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner, and acted in accordance with the advice, if any, provided to the trustee by the Commissioner; or
- committed the contravention through inadvertence or by reason of an error in judgment made in good faith

As a result of amendments passed under Bill 68, the *Municipal Act, 2001* and the *City of Toronto Act, 2006*, provide for Integrity Commissioners to be appointed by municipalities. The role of these Commissioners includes advising school board trustees with respect to their obligations under the *Municipal Conflict of Interest Act*, as well as any rules, policies, codes or other official documents governing these trustees' conduct.

While acting in an advisory capacity, municipal Integrity Commissioners do not assume the role of legal counsel and communications with an Integrity Commissioner are accordingly not subject to solicitor-client privilege. Where legal advice is sought in relation to compliance with the *Municipal Conflict of Interest Act*, the Board is entitled to retain and consult its own legal counsel, and individual trustees may also retain and be advised by independent legal counsel as permitted by the Board's by-laws and policies.

### **The test for finding a conflict of interest under the *Municipal Conflict of Interest Act***

#### The "reasonable person" test

Courts have held that the determination of whether a conflict of interest arises is not a subjective one. The relevant question is "**Would a reasonable person think that the Trustee has a conflict in these circumstances?**" According to the courts, a reasonable person making this determination would consider any "present or prospective [...] benefit or detriment financial or otherwise, that could result depending on the manner in which the member disposed of the subject matter before him or her".<sup>7</sup> As determined by courts, this threshold will be met so long as some real, non-remote connection exists between a trustee's decision and a consequence impacting on the direct or indirect pecuniary interests of that trustee, or of their parent, spouse or child. Courts have found that the mere *possibility of influence* is sufficient to establish such a connection.

#### Leading decisions applying the "reasonable person" test

In its 1979 decision in *Moll*,<sup>8</sup> the Divisional Court addressed a situation involving two elected trustees, each of whom was married to an *elementary school teacher* employed by the school board served by the trustees. However, the trustees had each voted on a proposed collective agreement with the school board's *secondary teachers*. One of the trustees also chaired a sub-committee on policies related to the collective agreement with secondary teachers, and both of the trustees voted upon a report presented by that sub-committee. Agreeing with a lower court, the Divisional Court concluded that, in these circumstances, a sufficiently real connection existed between the elementary and secondary collective agreements of the school board in question as to lead a reasonable person to conclude that a conflict of interest existed. Speaking for the Court, Justice Robins stated:

[...] Their family purse is in conflict with their public duty. Trustees, like Caesar's wife, must be, and appear to be, beyond temptation and reproach. The law sets a high objective standard of conduct.

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<sup>7</sup> *Whiteley v. Schnurr*, 1999 CarswellOnt 2123 (ONSC) [*Whiteley*] at para 19.

<sup>8</sup> *Moll*, *supra* at pages 5 to 6.

In a subsequent decision in *Benn v. Lozinski*<sup>9</sup> a trustee was found to be in a conflict of interest where he was Chair of the Windsor separate school board and also employed by the co-terminus public school board. The conflict precluded the trustee from involvement in matters related to collective bargaining matters involving teachers because a settlement in the separate board would impact the settlement in the public board.

In the recent decision of the Divisional Court in *Carroll*,<sup>10</sup> an applicant alleged that a school board trustee had debated, voted upon and influenced voting on the matter of a reduction in teaching staff despite the trustee's knowledge that his daughter would be affected by the decision on that matter. The trustee acknowledged that he had participated in a discussion of a matter in which he had an interest by reason of his daughter's interest in the possible reductions in numbers of teaching staff, which could have affected her continued employment with the school board. The trustee nevertheless took the position that he was entitled to participate in general budget discussions so long as he did not participate in *specific* discussions on particular line items that could have affected his daughter's continued employment.

Addressing the trustee's arguments, the Divisional Court in *Carroll* considered the issue of remoteness and took the strict view that trustees' decisions must be considered in a holistic manner that recognizes the inherently interconnected nature of any financial matters when dealing with a finite budget and limited resources. Such a holistic approach necessarily takes into consideration that a decision on a seemingly unrelated budgetary matter nevertheless *could* impact upon the pecuniary interests of close family members employed at a school board. The court in *Carroll* stated that a conflict of interest exists where *merely the possibility for such influence* arises. The court further stated that the school board trustee in question should have had a heightened sense of awareness that he was in a conflict of interest regarding any matter that could affect the employment of his children.

The Divisional Court's more recent decision in *Mondoux v Tuchenhagen [Mondoux]*<sup>11</sup> further illustrates the low threshold that applies to finding that an individual has a pecuniary interest under the *Municipal Conflict of Interest Act*. In *Mondoux*, a Thunder Bay city councilor had sent an email to a staff member to indicate that he may be interested in bidding on a property that the City had acquired as a result of unpaid taxes. After viewing the property and placing a bid on it, the councilor proceeded to disclose his pecuniary interest to his fellow city councilors in accordance with the *Municipal Conflict of Interest Act*. The Divisional Court nevertheless concluded that the councilor's actions were contrary to the *Municipal Conflict of Interest Act*; finding that his pecuniary interest crystallized when he formed the intention to consider placing a bid on the property in question. Once formed, this intention gave rise to the *possibility* that the councilor's involvement in decisions concerning the property could potentially affect his future economic interests. As stated by the Divisional Court:<sup>12</sup>

"Pecuniary interest" is not defined by the [*Municipal Conflict of Interest Act*]. Generally, it is a financial interest, an interest related to or involving money. A decision to buy, or offer to buy, property is demonstrative of a pecuniary interest.

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<sup>9</sup> 1982 CarswellOnt 772 (Essex County Ct).

<sup>10</sup> *Carroll, supra*.

<sup>11</sup> 2011 ONSC 5398 (Div Ct); appeal quashed in 2012 ONCA 567.

<sup>12</sup> *Ibid* at paras 31 and 32.

[...]

“The question that must be asked and answered is 'does the matter to be voted upon *have a potential* to affect the pecuniary interest of the municipal councillor?’” [Emphasis added] (see: *Greene v. Borins* (1985), 50 O.R. (2d) 513, at para. 42). As soon as Robert Tuchenhausen saw himself as a potential buyer, he had become a person with a pecuniary interest. The e-mail he sent on July 2, 2008 indicated that he might be interested in bidding on the property. At that point, he was no longer looking at this only from the perspective of a member of Council with the public responsibilities that entails. From the moment he decided he might make a bid, he began examining the situation to see how it could advantage his private interests. He had acquired a pecuniary interest.

**In other words, the Divisional Court affirmed in both *Carroll* and *Mondoux* that the mere possibility of having one’s financial circumstances impacted by a decision is sufficient to give rise to a pecuniary interest under the *Municipal Conflict of Interest Act*.** Accordingly, in order for no conflict of interest to arise in relation to decisions on budgetary matters, it must be *impossible* for a trustee’s decisions to impact upon the pecuniary interests of close family members employed at their school board.

### **The *Education Act* and the Board’s Trustee Code of Conduct**

In accordance with subsection 218.2(1) of the *Education Act*,<sup>13</sup> your Board has adopted a Trustee Code of Conduct. Subsection 218.1 of the *Education Act* establishes that the requirements set out under this Trustee Code of Conduct are included among the duties of trustees. The authority of the *Education Act* therefore holds trustees as duty-bound to act in accordance with the Board’s Trustee Code of Conduct. Depending on its specific contents, the Board’s Trustee Code of Conduct may both encompass and expand on the conflict of interest obligations arising from the *Municipal Conflict of Interest Act*.

Trustees who act in contravention of the *Municipal Conflict of Interest Act* may be subject to consequences under their Board’s Trustee Code of Conduct that are in addition to the consequences that follow from the *Municipal Conflict of Interest Act* itself. Moreover, to the extent that the requirements of the Board’s Trustee Code of Conduct set a more strict threshold for determining conflicts of interest than the reasonable person test that is applied under the *Municipal Conflict of Interest Act*, a trustee may be found to have violated the Trustee Code of Conduct based on a conflict of interest even where that conflict is not strictly in contravention of the *Municipal Conflict of Interest Act*.

Where the standard set by the Board’s Trustee Code of Conduct is not met, regardless of whether a court finds that a trustee acted in contravention of the *Municipal Conflict of Interest Act*, the trustee may nevertheless be found by the Board to have breached the Trustee Code of Conduct and may be subject to any of the following sanctions under the authority of the *Education Act*:

1. Censure of the trustee;

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<sup>13</sup> RSO 1990, c E.2.

2. A resolution disassociating the Board from the actions of the trustee;
3. Barring of the trustee from attending all or part of a meeting of the Board or a meeting of a Committee of the Board; and/or
4. Barring of the trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.

### **Helpful Hints**

1. Trustees should ensure that schools within their jurisdiction operate according to the *Education Act*, its regulations and other statutes. Legal accountability for Board of Trustees decisions applies to the Board as a corporate entity rather than to individual trustees.
2. Trustees must be sensitive to potential conflicts of interest. A member who identifies a direct, indirect or deemed conflict of interest in a matter before the board of trustees must declare it before any discussion of the matter begins. If there are any doubts about a conflict of interest, trustees should seek their own legal advice.
3. Public interests must always prevail over private, individual interests. A trustee must not use his or her office to advance his or her own personal interest or the interests of a family member or associate.
4. Trustees must not solicit or accept a personal benefit, or a benefit to a family member, in connection with the performance of his or her duties. Exceptions to this broad rule exist where the gift or benefit is in the public interest, the acceptance of the gift or benefit will not bring the integrity of the trustee or Board into disrepute or the gift or benefit received is an incident of the protocol or social obligation of being a member of the Board.

Overall, trustees have a duty to act in the best interest of the Board. This includes both statutory and common law obligations and obligations to uphold public confidence in the Board. Trustees should recognize when a battle is lost. Losing battles, even key battles, is part of political life, as well as public life. The Board of Trustees operates by majority rule.

In situations where a trustee feels that the best interests of the Board are served other than as the majority sees fit, the appropriate response is to register that view through meeting procedures. Any dissenting opinions or viewpoints may be registered in public meetings by casting dissenting votes. In extreme situations, a trustee may be required to resign where he or she wishes to register his or her dissent outside of the meeting room. This will be the case where the trustee considers it necessary to take an adversarial position contrary to the position of a majority of the Board of Trustees.

Policy development is a key way in which trustees can affect the direction of education. This work is complex and requires a broad perspective, with the recognition that policies must be applied to the whole Board. Policy decisions are not always unanimous. Trustees who disagree with a majority decision may enter a minority report. However, once the vote has been decided, the new policy becomes the property of the whole Board of Trustees.

**Appendix “A”**

**TEMPLATE**

**[NAME OF BOARD]**

**[BOARD CONTACT INFORMATION]**

**Statement of Interest**

**Trustee Name:** \_\_\_\_\_

**Board/Committee Meeting Date:** \_\_\_\_\_

**Agenda Item:** \_\_\_\_\_

**Topic:** \_\_\_\_\_

**Statement of Interest (including the general nature of the interest)**

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\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
Date Filed in Registry

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
OCSTA MEMORANDUM – MINISTRY OF EDUCATION  
ANNOUNCEMENT – MARCH 15, 2019**

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Ontario Catholic School  
Trustees' Association

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Beverley Eckensweiler, *President*  
Michelle Griepsma, *Vice President*  
Nick Milanetti, *Executive Director*

March 15, 2019

**MEMORANDUM**

**TO:** Chairpersons and Directors of Education  
- All Catholic District School Boards

**FROM:** Beverley Eckensweiler, President

**SUBJECT:** **Ministry of Education Announcement – March 15, 2019**

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Today the Minister of Education, the Hon. Lisa Thompson, delivered an announcement that addressed a number of initiatives under the government's new plan for education – "Education That Works for You."

Under this plan are changes to hiring practices, class sizes, cellphone use in classrooms, EQAO, Technology (Broadband), e-learning, GSN, student transportation funding changes and curriculum reform (new Health and Physical Education Curriculum – for September 2019, new Math Curriculum, and renewed focus on STEM, skilled trades and financial literacy).

Attached, for your reference, are the government backgrounders from today's announcement and relevant OCSTA submissions containing the Association's positions on topics referenced today.

**Note:**

Class Sizes

OCSTA was disappointed in the government's decision to maintain hard caps with respect to class sizes. In our submission to the government, we had indicated Catholic school boards' preference for the setting of class sizes based on system averages.

The Association is also concerned about the impact resulting from the significant increase in secondary school class sizes to 28.

OCSTA will be reviewing more detailed documents arising from this announcement and will keep boards informed.

**OCSTA Public Statement**

Today's announcement by Minister of Education, Lisa Thompson reflects the government's plan for education. The government's direction on class sizes creates some concern for Catholic School Boards. We had hoped that class sizes would be determined based on system averages and not hard caps which limit boards' abilities to make decisions based on local data. In addition, we are concerned about the impact of the significant increase in secondary class size caps to 28.

The government's plan for education includes various initiatives that we look forward to examining in detail.

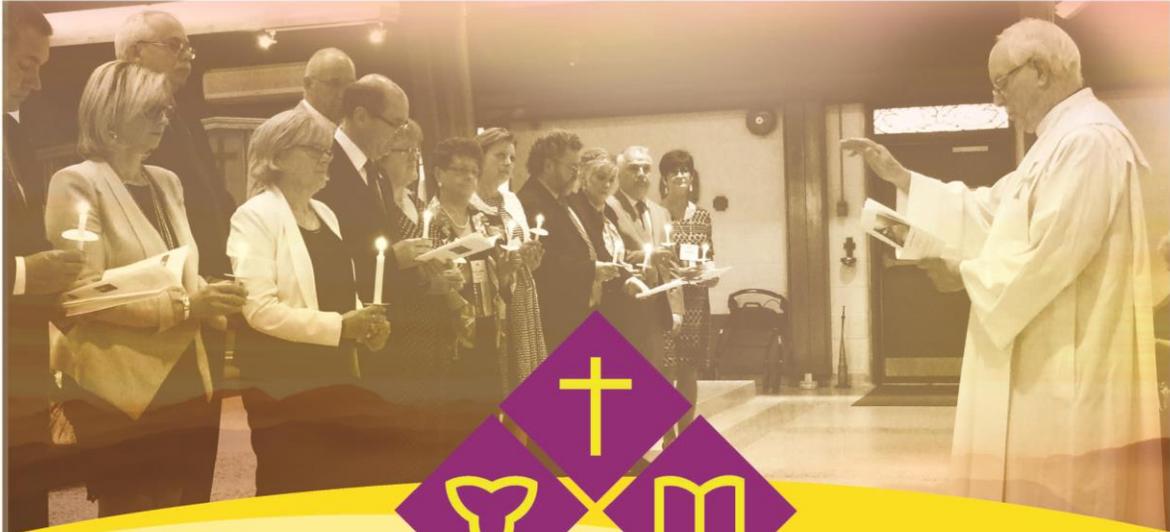
Beverley Eckensweiler, President

# Consultation: Education in Ontario

November 23, 2018



Ontario Catholic School  
Trustees' Association



## **Ontario Catholic School Trustees' Association**

### **Mission Statement**

Inspired by the Gospel, the Ontario Catholic School Trustees' Association provides the provincial voice, leadership and service for elected Catholic school trustees to promote and protect publicly funded Catholic education in Ontario.

### **Vision Statement**

Ontario is enriched by a publicly funded Catholic education system, governed by locally elected Catholic school trustees who serve with faith, commitment and compassion.

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## **1. If you are a member of a stakeholder group interested in Ontario's education system, please describe:**

The Ontario Catholic School Trustees' Association (OCSTA) was founded in 1930. It represents 237 elected Catholic trustees who collectively represent 29 English-language Catholic district school boards. Together, these school boards educate approximately 545,000 students from junior kindergarten to grade 12 and adults in continuing education programs province-wide.

Inspired by the Gospel, the Mission of the Ontario Catholic School Trustees' Association is to provide leadership, service and a provincial voice for elected Catholic school trustees who seek to promote and protect publicly funded Catholic education in Ontario.

Catholic education is a cornerstone of Ontario's successful education system that has been internationally recognized as being one of the best in the world. At the heart of Catholic education is faith development and a view of the person as Christ-Centred. Teaching of Gospel values is integral to every part of Catholic education as students are called on to respect the dignity of all persons.

The key outcomes of Catholic education for our students is reflected in our Graduate Expectations—discerning believers, effective communicators, reflective, creative and holistic thinkers, self-directed, responsible life-long learners, collaborative contributors to the common good, caring family members and responsible citizens.

## **2. How should we improve student performance in the disciplines of Science, Technology, Engineering and Math (STEM)?**

### **Key Principles for Enhancing Student Performance**

OCSTA believes that mathematics, science, technology and engineering instruction should be evidence-based and reflect best practice research in meeting the unique, God given learning capabilities of our students. School boards and staff should also have the resources, training and supports to deliver instructional material in these areas that meets the needs of students.

In the context of mathematics education, as a general trend, Ontario's Catholic schools tend to perform above the provincial average in grades 3 and 6 mathematics, as measured by EQAO test scores. It is concerning, however, that in general scores have been trending downwards in meeting provincial standards in mathematics. The reasons for this trend, we believe, are not simply due to one method of teaching mathematics at the elementary level. OCSTA believes that both "discovery methods" and "direct instruction" need to be incorporated into teaching strategies in order to best meet the learning requirements of individual students. Skills instruction and memorization are important in building a foundation of mathematics skills in order to do discovery based learning to explore more advanced forms of mathematics. In its statement of core principles, the Ontario Association for Mathematics Education states "*learning is enhanced when students experience a variety of instructional approaches, ranging from direct instruction*

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to inquiry based learning.” (for a full statement see <http://oame.on.ca/main/index1.php?lang=en&code=principles>).

In terms of improving student performance in other STEM areas, OCSTA supports programs to enhance digital literacy in areas of transferable skills such as computational thinking, computer science theory and those skills necessary to use and create digital tools. This will require ensuring school boards have the critical broadband infrastructure and related funding and support to ensure our schools have the resources to implement STEM curriculum changes.

## OCSTA Recommendations

- **Increase the mandatory mathematics and related STEM undergraduate course requirements for university students prior to entering Bachelor of Education programs;**
- **The Ministry of Education repurpose curriculum working groups with school boards, curriculum experts, parent groups to develop revised instructional materials for teachers and school board staff in the STEM areas;**
- **The Ministry of Education continue to fund and support Math Leads in school boards while enhancing professional development activities for teachers in the areas of mathematics, science, technology and engineering subject matter.**

### 3. How should our schools prepare students with needed job skills, such as skilled trades and coding?

Preparing students for post-secondary employment is a challenging exercise: what is needed today may not exist in the near to medium term. Foundational, transferable skills and competencies that are required include:

- Virtue formation—as outlined in our Catholic Graduate Expectations
- Transferable skills—problem solving, communication, creativity
- Modern skills—digital fluency, flexibility, resiliency, business acumen.

Recent reports from a range of business groups points to a more immediate need—skilled trades and technical computer programming skills. For example, the Business Council of Canada (BCC) (formerly the Canadian Council of Chief Executives) 2016 survey of the 90 largest Canadian private-sector employers found that large Canadian companies are not facing a comprehensive skills shortage in various areas (<http://thebusinesscouncil.ca/wp-content/uploads/2016/02/Developing-Canadas-Workforce-March.pdf>). At a more local level the Mayor of Hamilton created a task force of industry, education and other stakeholders to address the lack of skilled trades for new employers in Hamilton and the role of education programs.

In the education context, Ontario’s Catholic schools offer Specialist High Skills Majors programs to high school students that provide experiential learning opportunities in the

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workforce. These are excellent programs in providing our students with the opportunities to develop competencies, and skills, and those hands-on experiences that enable them to attain our Catholic graduate expectations.

## **OCSTA Recommendations**

- **Expand Ontario’s High Skills Majors Programs to ensure at least 25% of all students in grades 11 and 12 have exposure to these programs;**
- **Expand other experiential learning programs with employers in the skilled trades areas and develop specific, modern apprenticeship programs;**
- **Review and update Guidance and Career education curriculum to ensure it exposes students to diverse learning and career opportunities.**
- **Provide incentives for the development of partnerships between school boards, employers, community partners and post secondary institutions to identify skills gaps and design experiential learning programs.**

### **4. What measures can be taken to improve provincial standardized testing?**

All school boards in Ontario participate in standardized testing at the end of grades 3, 6, 9 and 10 as administered by the Education, Quality Accountability Office (“EQAO”). These large scale tests are designed to measure achievement in mathematics, reading and writing. These tests are developed, reviewed and scored by Ontario educators and are based on the Ontario curriculum. The data received from these tests are used by our school boards to measure individual student achievement, identify strengths and weaknesses in our education programs and guide school improvement initiatives.

Standardized large scale tests of this sort are only one component of assessing a student’s performance and identifying gaps in knowledge and learning. Classroom assessment of student achievement is another key feature of the overall student evaluation process. These forms of assessment are developed by teachers to assist individual students in their learning and to determine student achievement.<sup>1</sup>

OCSTA supports the use of system, Provincial, National and International assessments and the standardized test regime administered by the EQAO across grades 3, 6, 9, and 10. These assessments provide one valuable source of information to parents, trustees, and school board staff about student achievement and the design of various programs important for Catholic education. However, these assessments must not be used to rank school board performance, evaluate teacher performance or make student diagnostic claims.

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<sup>1</sup> Classroom assessments can be broken down further into diagnostic assessments that measure a student’s readiness to learn new subject matter, formative assessments that include tests, assignments, task and summative assessments that occur at the end of learning segment such as projects, essays, and examinations.

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## OCSTA Concerns with EQAO Testing

OCSTA is concerned with how the tests are administered to students, especially those students with special needs and learning disabilities. EQAO needs to ensure appropriate accommodations are provided to these students.

In addition, OCSTA recommends that EQAO assessments be reviewed to ensure that they are culturally relevant for Ontario's diverse population, including indigenous students. The assessments must also reflect any new modifications that may be reflected in the curriculum. For example, the province is committed to revising the mathematics curriculum and therefore all EQAO math assessments will need to reflect those curriculum changes.

## OCSTA Recommendations

- **Establish specific guidelines that reflect the appropriate accommodations and modifications to the testing environment for students with special needs and learning disabilities. This could include the use of universal design principles.**
- **Reform the EQAO to provide education sector stakeholders with reports and information on the appropriate use of large scale assessment data on student achievement.**

### **5. What more can be done to ensure students graduate high school with important life skills, including financial literacy?**

Improving financial literacy has been a key concern for many governments around the world. The member countries of the Organization for Economic Co-operation and Development (“OECD”) have agreed to promote financial literacy education for their populations recognizing that people need a wide range of skills and knowledge to make informed choices and to manage the risks involved in the global economy.

In 2011, the Federal Task Force on Financial Literacy submitted a report to the Federal Government that called for a National Strategy on Financial Literacy for all Canadians. In 2010 the Ministry of Education convened a working group to consult stakeholders and propose changes to the curriculum with a goal to improving student's financial literacy. Since 2011, the Ministry has developed curriculum materials for grades 4-8 and 9-12 with a wide range of supports for school boards and staff.

The Ontario approach enhances financial literacy within existing [Ontario curriculum](#) from grades 4-12. The goal of the Financial Literacy Education Initiative is to make financial literacy education a part of every child's learning by enhancing financial topics and concepts in the existing curriculum in grades 4-12. At the present time, a wide range of educational resources exist to support the implementation of financial literacy in Ontario's schools.

In Catholic schools, financial literacy is taught within the context of our “Family Life” curriculum. In 2012, the Catholic Curriculum Corporation, a consortium of most of our Catholic

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school boards, developed a comprehensive resource guide to teach financial literacy from a faith based perspective for elementary grade students and high school students (<http://www.catholiccurriculumcorp.org/Units/FLelementarydocumentfinal.pdf> and <http://www.catholiccurriculumcorp.org/Units/FLsecondarydocumentfinal.pdf>).

The key issues for Catholic schools include:

- What values can be learned from Scripture that can be applied to financial matters?
- What does our Catholic community and tradition have to teach us about financial literacy?
- How do we speak of financial literacy within a foundational understanding of the human person created in the image of God?
- What does the social tradition of our Church teach us about private property, the dignity of work, economic justice, global solidarity and development, and our moral duty to care for the other?
- How do we ensure that financial literacy includes an understanding of right relationships – human/human, human/creation, human/material goods?
- Who are our Catholic role models of financial stewardship?
- When must financial decisions be guided by our faith?

### **OCSTA Recommendations**

- **Ensure Catholic school boards have the resources and support necessary to continue to implement financial literacy programs from a faith-based perspective;**
- **Consider making financial literacy courses mandatory for secondary students;**
- **Fully integrate financial literacy material into the elementary school curriculum;**
- **Structure professional development activities for board staff to inform them about key issues in financial literacy education;**
- **Continue to review the financial literacy curriculum to ensure it is age-appropriate and reflects the lived reality of students and their families;**
- **Explore the use of digital technology as a teaching tool for financial literacy**

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## 6. What steps could schools take to ban cellphone use in the classroom?

The widespread use of smart phones is an ongoing management challenge for school boards and staff. Parents of elementary age children often suggest that for safety and security reasons, their child must have access to their phone. For secondary students, smart phones tend to be used for educational and non-educational purposes. However, designing appropriate general policies for the use of smart phones is difficult given the variations in local school conditions and needs.

### OCSTA Recommendation

- **Allow schools and School Boards to establish smart phone policies that reflect and support their instructional needs.**

## 7. How can we build a new age-appropriate Health and Physical Education Curriculum that includes subjects like mental health, sexual health education and the legalization of cannabis?

OCSTA recognizes that it is the responsibility of Catholic school boards to follow the curriculum set out by the Ministry of Education in a manner that conveys, respects and models Catholic virtues to our students. As Catholics we believe that parents and guardians are the primary educators of their children.

Ontario's Catholic schools deliver the Health and Physical Education ("HPE") curriculum using the *Fully Alive* program, which is sponsored and developed with the approval of the Catholic Bishops of Ontario in collaboration with educators and families. *Fully Alive* is the program that delivers the family life curriculum, and after being updated in 2015 we are confident that it meets the needs of students as they encounter the challenges of 2018.

The *Fully Alive* program is consistent with our Catholic teachings, appropriate within the context of our Catholic classrooms, and complementary to the efforts of parents to guide their children to full Christian maturity. Catholic teachers will continue to present the issue of human sexuality within the fullness of a faith-based family life curriculum that teaches the content of our faith, the value of persons, human relationships, commitment, and social responsibility. As has been our tradition in Catholic education, the safety and well-being of students remains our priority and is reflected in the curriculum we deliver in our classrooms.

Catholic schools are committed to ensuring a safe, compassionate and nurturing learning environment for all students and developing mental health programs to support struggling students. As stewards of the life God has entrusted to us, we are charged to assist young people in recognizing that gift by:

- Affirming the God-given potential of each person, developing the body, mind and spirit of each and every student.
- Entering into open dialogue, increased self-awareness and shared information about mental health and well-being.

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With an increased understanding of mental health issues, we expect that our students will be better equipped to serve the greater good, as they reach out to their communities with compassion, understanding and service. In support of these principles, the Catholic Curriculum Corporation has developed a resource for school boards [Mental Health: Hope, Dignity and Our Compassionate Response, supports teachers in Grades 9-10](http://www.catholiccurriculumcorp.org/Units/MentalHealthfinalversion.pdf) for use in Religious Education classes to begin the conversation with students about mental health and mental illness. The lessons are written from the lens of our Catholic Faith, with the intention of raising awareness, decreasing stigma and creating opportunities for open dialogue about mental health and wellbeing. (see <http://www.catholiccurriculumcorp.org/Units/MentalHealthfinalversion.pdf>)

In respect of recreational cannabis, OCSTA believes the ministry's curriculum reform should focus on highlighting the serious health issues connected to cannabis use, prevention strategies and the link between non-medical cannabis use and student mental health problems.

### **OCSTA Recommendations**

- **Ensure Catholic school boards have the flexibility, autonomy and resources to implement HPE curriculum changes that focus on the distinct framework for students outlined in our Graduate Expectations and our Family Life/Fully Alive curriculum;**
- **Student mental health curriculum should focus on decreasing stigma/awareness/community supports and the link between cannabis use and mental health issues.**

### **8. What elements should be included in a Ministry of Education Parents' Bill of Rights?**

One of the pillars upon which Catholic Education is built is the conviction that parents and guardians are the primary educators of their children. OCSTA fully supports Catholic parents and guardians playing an active role in their children's education. As educators, our school board staff work closely with parents to ensure all of our students needs are met and their well-being promoted. We encourage parents to work with their child's teachers and other school staff to ensure their concerns and issues are addressed in a respectful and in a timely manner. If issues cannot be resolved at the local level, that is, through dialogue between parents, teachers and principals, parents should contact the area Superintendent of their board to and if necessary School Trustee.

In terms of curriculum matters, for example, it has been a standard practice of Catholic boards to inform parents in advance of certain topics covered in the Family Life/Full Alive program. Parents have the option to have their children opt out of those particular lessons through the form of a letter addressed to the teacher/principal.

School Board policies currently cover the vast majority of the issues that give rise to parental concerns. For example, the results of an Identification, Placement and Review Committee recommendation related to special education services. Boards have in place an *appeals process*

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and these are elaborated within specific board policies. Further examples include parents being notified if medical services are being provided to their child.

In terms of a Parents Bill of Rights, OCSTA would support a general statement of principles related to information sharing between the school and home, privacy protection and student well-being and achievement. OCSTA firmly believes that parents have the right to be informed about their child's educational achievement, key events and activities at school and various administrative procedures and school board policies.

The role of the Catholic school Trustee is critical as well in the context of communicating to parents and the Catholic community the views and decisions of the school board and facilitating communication between parents and school board staff.

### **OCSTA Recommendations**

- **That any statement of a Parental Bill of Rights clearly recognize the role of democratically elected Trustees to represent the concerns of parents to their local school board;**
- **Ensure that the Bill of Rights recognizes each boards' current model of dispute resolution and encourages parents to work collaboratively with school staff;**
- **Outlines how parents have the right to be informed about various administrative policies and procedures impacting their child's achievement and well-being.**

Ontario Catholic School Trustees' Association  
BOARD OF DIRECTORS

2018-2019

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Beverley Eckensweiler, President	Bruce-Grey Catholic District School Board
Michelle Griepsma, Vice President	Peterborough Victoria Northumberland & Clarington Catholic District School Board
Patrick Daly, Past President	Hamilton Wentworth Catholic District School Board
Linda Ainsworth	Peterborough Victoria Northumberland & Clarington Catholic District School Board
Vacant	Toronto Catholic District School Board
Michael Bellmore	Sudbury Catholic District School Board
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Carol Cotton	York Catholic District School Board
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Marino Gazzola	Wellington Catholic District School Board
Vacant	Halton Catholic District School Board
Todd Lalonde	CDSB of Eastern Ontario
Colleen Landers	Northeastern Catholic District School Board
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Mark Mullan	Ottawa Catholic School Board
Mario Pascucci	Dufferin-Peel Catholic District School Board
Thomas Thomas	Dufferin-Peel Catholic District School Board
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Bishop John Boissonneau	ACBO Liaison to OCSTA
Fr. Patrick Fitzpatrick	Chaplain
Nick Milanetti	Executive Director



Ontario Catholic School  
Trustees' Association

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Ontario Catholic School  
Trustees' Association

February 20, 2019

The Honourable Lisa Thompson  
Minister of Education  
900 Bay Street  
Mowat Block  
Toronto Ontario M7A 1L2

Dear Minister Thompson:

**Re: Class Size Engagement Guide and Ontario School Boards Hiring Practices Consultation**

The Ontario Catholic Schools Trustees Association (OCSTA) appreciates the opportunity to participate, along with other stakeholders, in this public consultation about important issues affecting publicly funded education. We note that invitations have also been extended to numerous other education partners, including our Trustee Association counterparts, Directors of Education, the Catholic Principals' Council of Ontario, the Council of Ontario Directors of Education as well as all teacher federations and education worker unions.

We understand that the Ministry is actively reaching out to stakeholders as a follow-up to the government's public consultation on education reform, which has sought input from parents, students, educators, employers and sector organizations on a variety of issues.

OCSTA joins these voices in the spirit of its mandate as an organization dedicated to excellence in Christ-centered education and the constitutional protections of Catholic education. For more than 85 years, OCSTA has safeguarded and promoted the interests of Catholic education in Ontario. We are a primary source of information about government funding and initiatives affecting Catholic education. OCSTA has made numerous submissions to all levels of government on the management and delivery of educational programs and services, both with respect to the system as a whole, and as they affect the distinct mission of Catholic education.

OCSTA also recognizes the public policy importance of the issues raised by the Minister and their impact on student success and achievement. We do therefore take this opportunity to raise and discuss concerns, and to highlight challenges associated with the regulatory status quo. We would urge the Ministry to consider these concerns in assessing new directions, and identifying options, should that be the ultimate outcome. We do so as the Provincial advocate for Ontario's 29 English Catholic school boards and in support of their mission to provide high quality, faith-filled education for the approximately 550,000 students who attend their schools.

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Beverley Eckensweiler, *President*  
Michelle Griepsma, *Vice President*  
Nick Milanetti, *Executive Director*

We also acknowledge that certain aspects of hiring practices and class size have in past been the subject of discussions with labour partners in the collective bargaining context. OCSTA is, and remains, committed to the collective bargaining process, the duty to bargain in good faith, and to the constitutional protection of Catholic education.

### **Regulation 132/12 – Class Size**

#### **Hard Caps and Board-Wide Average Class Sizes**

OCSTA has consistently advocated for an education funding model built on the following four principles:

**Equity** - A funding formula must distribute education dollars equitably among all Ontario school boards and their students;

**Adequacy** - The level of funding for education must be adequate to ensure quality Education for today's students;

**Autonomy/Flexibility** - The model must allow school boards the autonomy and Flexibility in spending they require to achieve the distinctive goals of their system, and to meet local needs;

**Accountability** - The educational funding model must include mechanisms that ensure the appropriate degree of accountability for all parties and transparent processes and reporting mechanisms to support efficient and effective use of educational resources for students.

These principles are rooted in student well-being and academic excellence, and flow from a desire to make pedagogically sound decisions in the best interest of students. Creating classrooms based on hard cap restrictions is not in the best interests of students and often unnecessarily restricts classroom organization without a focus on maximizing student well-being. Additionally, the principles set out above, flow from Catholic school boards' commitment to be good stewards of available resources and to provide programs to students as efficiently and effectively as possible. In OCSTA's estimation, determinations with regard to class size should be similarly rooted. In this regard, restricting school boards' ability to make pedagogical and student well-being choices based on requiring compliance with regulatory restrictions imposing hard caps, is neither pedagogically sound, nor fiscally efficient.

Rather, opting for determinations of class size based on system averages would provide school boards with much needed flexibility in allocating scarce educational resources. Such flexibility would allow school boards the ability to distribute resources where they have the greatest impact on students, optimizing the focus on student well-being. It would also reduce the requirement to create and reorganize classes after the beginning of the school year, minimizing student, and staff, disruption. Maintaining transparency, school boards would still be required to organize classes to meet system-wide requirements, albeit within a more flexible model allowing for pedagogical decision-making on a school by school basis, informed by input at the grassroots level. Finally, school boards currently provide significant reporting to the Ministry with respect to classroom organization. Such transparency and accountability would continue to be supported by school boards in a system wide average revised model.

## **Kindergarten Classroom**

OCSTA appreciates the significant investment that has been made in the full-day kindergarten program. Many millions of dollars and countless hours have been spent at each of the provincial, board and school levels putting in place a program that all hoped and anticipated would result in meaningful and sustained gains for our youngest learners. School boards report positive impressions of the program in its current form. Additionally, initial information is promising, though to date there is limited research that demonstrates a clear link between the program and prolonged academic gains for students.<sup>1</sup> The program as originally conceived and articulated in the 2009 report recommended a different structure than that which was implemented. Bearing all this in mind, and to better inform any view, OCSTA would support that a detailed review of the program, and any accompanying gains, be undertaken to assess effectiveness, prior to any program changes being implemented.<sup>2</sup>

## **Overall Class Size**

With respect to overall class size, the matrix of considerations are broad and should be premised on the needs of the students within a classroom/school. These include particular supports, including special education, English as a second language, cultural diversity and a host of other differentiated needs. Thereafter, significant issues such as existing school space and the ability to physically and comfortably accommodate students and staff are very important considerations. OCSTA reiterates that allowing school boards flexibility with respect to staffing and class composition through system-wide averages, can best assist in meeting the needs of our students.

## **Regulation 274/12 – Hiring Practices**

Ontario Regulation 274/12 was first enacted in 2012 subsequent to an agreement signed exclusively between OECTA and the Ministry of Education. Following the enactment of the regulation, collective agreement language was imposed via the *Putting Students First Act*, through Orders in Council. The *Putting Students First Act* was ultimately found to be unconstitutional.

OCSTA has maintained that teacher hiring is critically important to student well-being and academic excellence, and further that such hiring is the responsibility of the employer to conduct in a fair and equitable manner, reflective of local needs.

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<sup>1</sup> Some research attempts to evaluate Ontario's full-day kindergarten program include: J.P. Pelletier and J.E. Corter, *A Longitudinal Comparison of Learning Outcomes in Full-day and Half-day Kindergarten*, The Journal of Educational Research, January 2019 available at <https://doi.org/10.1080/00220671.2018.1486280> and the 2013 report – *A Meta-Perspective on the Evaluation of Full-Day Kindergarten During the First Two Years of Implementation*, conducted by the Social Program Evaluation Group – Queen's University, The Offord Centre for Child Studies – McMaster, available at <http://www.edu.gov.on.ca/kindergarten/fdkreport2013.pdf>. Some studies have shown that full-day programs provide short term academic and social gains with these gains fading over time. For example, see, J.S. Cannon et. al. *Is Full Better than Half? Examining the Longitudinal Effects of Full-day Kindergarten Attendance*, (2006) 25 (2) Journal of Policy Analysis and Management at 229-321; and M.D. Brownell et. al., *Long-term Benefits of Full-Day Kindergarten: A Longitudinal Population-Based Study*, (2015) 185(2) Early Childhood Development and Care at 291-316.

<sup>2</sup>Pelletier and Corter (2019) comment, "It is critical to understand both the context and the outcomes in FDK research; these contextual factors may affect the fade-out issue. More long-term follow up studies are needed to explore the potential lasting effects of such programs and to consider the diversity in contexts in which such programs are offered....Indeed, Bailey et. al. urged us to continue to track longer-run effects of FDK. This is particularly important in the context of the Ontario FDK program because this program differs from other full-day programs in important ways." (p.3).

Under these guiding principles, below is a list of challenges that have been articulated by our member boards with respect to Regulation 274/12.

### **Teacher Mobility**

Many school boards have indicated that certain of the requirements of Regulation 274/12 impede the ability of teachers to transfer between boards, in some instances despite significant teaching experience. Smaller, northern boards have articulated the greatest concern in this regard, citing exacerbated recruitment challenges.

### **Teacher Continuity in the Classroom**

School boards have indicated that the requirements of Regulation 274/12 negatively impact on teacher continuity in the classroom. School boards have noted that the posting and interview requirements of the regulation can often be an impediment to having a position filled quickly and with a single teacher. This can have a deleterious effect on student achievement and wellbeing. By way of example, in a large Catholic board in each of 2016/2017 and 2017/2018, 12 classes had more than 2 long-term occasional teachers over the course of a single academic year. Further, in a large Catholic board as of October 15 2016, 227 classes did not yet have a “permanent” long-term occasional teacher assigned. In 2017, 123 classes did not have a “permanent” long-term occasional teacher assigned by October 15, 2017.

### **Availability of Occasional Teachers**

Many school boards have reported difficulty ensuring that all classes with an absent teacher are filled quickly and consistently. It is reported that beyond increased absenteeism this may be due, in part, to the limited availability of occasional teachers as many occasional teachers are employed with multiple boards in order to increase their chances of obtaining long-term or permanent employment. In some instances, teachers work very little for each of the boards with whom they are engaged and this does not serve to foster a sense of community within a school and board.

### **Teachers Applying to Multiple Positions**

Numerous school boards have indicated a concern with teachers applying to many positions, causing ripple effects and significant delays in interviewing and filling positions. In addition, Regulation 274/12 provides no flexibility in granting an interview to candidates seeking to be placed on the occasional teachers list if certain conditions are met, regardless of whether that teacher has been unsuccessful in numerous previous interviews. In a large Catholic board to date in the 2018/2019 year, 156 candidates each applied for in excess of 50 open positions (permanent and LTO combined) creating administrative burdens and adding to delays in filling positions. A small number of candidates (2) have applied for in excess of 300 open positions.

### **Qualifications**

School boards have articulated that Regulation 274/12 is an impediment to filling positions with the best candidates, particularly in specialized positions such as French, special education and high skills, as some candidates have obtained qualifications but are not necessarily proficient or sufficiently experienced for the position. Some school boards have reported what they view as a contradiction between section 1(2) of Regulation 274/12 and the effect of the hiring process.

### **Administrative Burden and Process Inefficiencies**

School boards have reported that Regulation 274/12 imposes a significant administrative burden on principals and board staff. This is particularly exacerbated during the spring and fall, when numerous vacancies (both permanent and long-term) must be filled. It is reported that the required processes are, in large measure, not efficient sometimes necessitating that the same candidate be interviewed numerous times, as outlined above in Teachers Applying to Multiple Positions. Additionally, some boards report that the requirement to post all but the shortest long-term assignments, negatively impacts efficiency in the filling of vacancies and can cause challenges to continuity of learning. In this regard, it is interesting to note that a large Catholic board filled 534 LTOs in 2017/2018 and of those 46% were either full year/semester.

### **Equity, Diversity and Geographic Disparity**

A number of school boards report that the process requirements of Regulation 274/12 can hinder attempts to foster equity and diversity within certain schools. In some instances, a candidate who is not available for hire given the required process, might have been placed at a school with a student population that would benefit from strategic hiring in order for the students to see themselves reflected in their classroom. In addition, some of our more rural and Northern boards report an inability to maintain newly hired permanent teachers at specific, more remote locations where the successful candidates do not live in the surrounding communities. At a small, rural board, one school has experienced a teacher turnover rate of 41% over the last 3 academic years, and another school has experienced a teacher turnover rate of 24% for the same time frame. This board reports that teachers who do not live in the communities in which these schools are located will often seek transfers to schools which are more proximate to their home, very shortly after obtaining permanent employment. This has a detrimental effect on the students and school community.

Sincerely,



Beverley Eckensweiler  
President

cc: *Nancy Naylor, Deputy Minister of Education*  
*Andrew Davis, Assistant Deputy Minister Education Labour and Finance Division*

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## **Education that Works for You - Modernizing Learning**

*Province Modernizing Learning*

March 15, 2019 7:21 A.M.

Today, Ontario's Government for the People announced its plan to modernize learning in the publicly funded education system.

Following feedback from Ontario's largest ever consultation on education, the province will be improving learning in the following areas.

### **Math**

The government has announced a new four-year math strategy to ensure students have a strong understanding of math fundamentals and how to apply them. This approach will:

- Improve student performance in math
- Help students solve everyday math problems
- Increase students' employability for the jobs of tomorrow.

The strategy will feature a new math curriculum for all students in all grades phased in over four years. The curriculum will emphasize basic concepts and skills contributing to students' future success and be accompanied by parent and teacher resources. The first elements of the new curriculum will be available in September 2019.

In addition to an improved curriculum, online resources will be available to support student learning. The government has also introduced legislation that would require new teachers to pass a math content knowledge test before they enter the classroom in a professional capacity. If passed, the legislation would ensure teachers are confident and capable in teaching math and, by the spring of 2020, would be required to pass the test in order to be certified by the Ontario College of Teachers.

For teachers already in the system, the government will provide funding to support additional qualification courses in math.

### **STEM**

The government is committed to preparing Ontario students for success by equipping them with the skills they need in Science, Technology, Engineering and Math (STEM).

The new K-12 Ontario STEM Education Strategy will enable our province to become a global leader in STEM learning. By partnering with educators, students, parents and postsecondary institutions, as well as industry leaders, the government will create new and enriched learning experiences in STEM.

An immediate step will be a revised mandatory Career Studies Grade 10 course, which will include a strand on the changing nature of work, the role of transferable skills, and the importance of STEM in key high growth industries. This course is scheduled to be released in late May for implementation in September 2019.

The strategy will also include revised Business Studies and Computer Studies curricula focused on developing job skills such as entrepreneurial skills, computational thinking and coding. In 2019-20 we will begin research and benchmarking against other jurisdictions as a foundation for revisions to these curricula.

### **Skilled Trades**

Ontario students have experienced significant success through Specialist High Skills Majors and Dual Credit programs which have provided opportunities for students to experience skilled trades and apprenticeships. The Ministry of Education will work closely with the Ministry of Training, Colleges and Universities to increase student and parent exposure to skilled trades, technology and apprenticeship training, and focus on promoting these high-demand career pathways.

We want to ensure that students are exposed to:

- A broad range of opportunities that will offer exposure to skilled trades and technology careers, and that they are exposed to these opportunities starting in elementary school.
- Experiential, hands-on learning through community partnerships and co-op placements.

### **Financial Literacy**

Financial literacy learning is essential to student success, to building a well-educated, responsible workforce and to preparing Ontarians for a more prosperous future.

Financial literacy will be a major component of the mandatory learning in the revised Grade 10 Career Studies course which will be released in late May for implementation in September 2019.

It will also be an area of focus in the revised math curriculum being phased in for all grades.

## **Indigenous Education**

A revised First Nations, Métis, and Inuit Studies curriculum for Grades 9-12 will be released in late May for implementation in September 2019. The curriculum was developed in collaboration with Indigenous partners to increase learning about Indigenous perspectives, cultures, contributions and histories.

Building on this, the government will continue to work with Indigenous partners to develop an approach for more curriculum revisions across subjects, grades and courses, to strengthen Indigenous content and learning.

## **Digital Curriculum**

A new digital platform will be phased in to modernize access to Ontario's curriculum. This new digital space will help educators, parents and students access curriculum and learning resources in a user- and mobile-friendly manner and will become increasingly interactive over time. The first phase of the new platform will be launched in September 2019 and will grow steadily with more content and features in line with user needs and feedback.

These proposed changes are part of Ontario's new vision for education: [\*Education that Works for You\*](#). The new vision will modernize Ontario's classrooms and provide students with more learning opportunities to prepare them for success in postsecondary education, apprenticeship or training, and the workforce.

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## Education that Works for You - Modernizing Health and Physical Education

*Province Modernizing Health and Physical Education*

March 15, 2019 7:33 A.M.

Today, Ontario's Government for the People announced its plan to modernize the elementary Health and Physical Education (HPE) curriculum.

The 2019 HPE curriculum will cover various topics, including active living, movement skills, and healthy living - which is where students learn about human development and sexual health.

Following feedback from the largest provincial consultation on education, the government heard the need for an HPE curriculum that is age-appropriate and relevant.

The revised elementary HPE curriculum will be released in late May for September 2019 implementation. From now until the end of the 2018-19 school year, educators will continue using the 2018 curriculum, their professional judgement and age-appropriate resources to teach the students in their classroom.

To ensure parents are respected, the government will provide an opt-out policy similar to other jurisdictions. The ministry will also be introducing online modules for parents who may want to introduce topics at home whenever their child is ready. Both of these options will be available for the 2019-20 school year.

### What will Change in the Primary Grades (1 to 3)?

- Students begin to learn knowledge and skills related to important concepts to support their mental health, including resiliency (grades 1 to 3), as well as healthy eating (grades 1 to 3); personal safety, including concussions (grades 1 to 3); and caring behaviours, including preventing bullying (grade 1 and 3). Students will also learn the proper names of body parts, including genitalia (Grade 1).
- Students will also begin to learn knowledge and skills on important topics like building positive body image (grades 2 and 3), consent (grades 2 and 3), family and healthy relationships (Grade 2) and online safety (grades 2 and 3).

### New Learning in the 2019 curriculum will include:

- Body image in grades 2 and 3 (not previously taught in primary grades)
- Bullying in Grade 3 (in addition to existing learning in grades 1 and 2)
- Concussions in grades 1 to 3 (new mandatory learning)
- Consent in grades 2 and 3 (not previously taught in primary grades)
- Family and healthy relationships in Grade 2 (new content for mandatory learning)
- Mental health in grades 1 to 3 (new content for mandatory learning)

- Online safety in grades 2 and 3 (not previously taught in primary grades)

### **What will Change in the Junior Grades (4 to 6)?**

- In the junior grades, students will build on their learning related to the important concepts introduced in grades 1 to 3.
- Students will also begin to learn knowledge and skills on important topics related to substance use, addictions and related behaviours. This is when students learn new information on cannabis and the significant risks of opioids (Grade 6).
- Puberty (grades 4 to 6), sexual reproduction (Grade 5) and sexual orientation (grades 5 and 6) are also introduced.

### **New Learning in the 2019 curriculum will include:**

- Concussions in grades 4 to 6 (new mandatory learning)
- Consent in grades 4 to 6 (not previously taught in junior grades)
- Family and healthy relationships in grades 5 and 6 (new content for mandatory learning)
- Mental health in grades 4 to 6 (new content for mandatory learning)
- Online safety in Grade 6 (in addition to existing learning in grades 4 and 5)
- Sexual orientation in Grade 5 (in addition to existing learning in Grade 6)

### **What will Change in the Intermediate Grades (7 to 8)?**

- In the intermediate grades, students will build on their learning related to the important concepts introduced in the primary and junior grades.
- Students will also begin to learn knowledge and skills on important topics like abstinence (grades 7 and 8), sexting (Grade 7), contraception (grades 7 and 8), tolerance and respect (grades 7 and 8), intercourse (grades 7 and 8), and sexually transmitted infections (grades 7 and 8).
- Additionally, in the second half of the Grade 8 school year, students will learn about gender identity and gender expression.

### **New Learning in the 2019 curriculum includes:**

- Abstinence in Grade 8 (in addition to existing learning in Grade 7)
- Bullying in Grade 8 (in addition to existing learning in Grade 7)
- Cannabis in grades 7 and 8 (in addition to existing learning in Grade 6, as well as new learning on vaping and opioids)
- Concussions in grades 7 and 8 (new mandatory learning)
- Family and healthy relationships in grades 7 and 8 (new content for mandatory learning)
- Mental health in grades 7 and 8 (new content for mandatory learning)
- Online safety in Grade 8 (in addition to existing learning in Grade 7)
- Sexual orientation in Grade 7 (in addition to existing learning in Grade 8)

The revised HPE curriculum will reflect research, benchmarking with other jurisdictions, and the consultation data. The ministry is currently working with School Mental Health Ontario (formerly School Mental Health ASSIST) to enhance learning about Mental Health in the curriculum. The ministry is also working across the government to bring expertise in several areas including concussion, consent and human trafficking.

These curriculum changes are part of Ontario's new vision for education: [\*Education that Works for You\*](#). The vision will modernize Ontario's classrooms and provide students with more learning opportunities to prepare them for success in post-secondary education, apprenticeship and training, and the workforce

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## **Education that Works for You - Modernizing Classrooms**

*Province Modernizing Classrooms*

March 15, 2019 8:09 A.M.

Today, Ontario's Government for the People announced its plan to modernize classrooms across the province.

To better prepare students for the demands of the future, the Province's plan modernizes classrooms in a number of innovative ways.

### **Technology (Broadband)**

Digital skills are essential for everyone to be able to safely and effectively use technology. These skills are also needed as students advance in their education journey, and eventually enter the workplace. Broadband is foundational for supporting modernized digital learning in the classroom.

That is why all Ontario students and educators will have access to reliable, fast, secure and affordable internet services at school at a speed of one megabit per-second for every student in all regions of the province. The project will be completed by 2021-22, and will include all boards, schools and students.

This will give students access to technology that will better develop their digital skills and will provide quality broadband service for students in rural and northern communities.

To complete this project, the needs of each school will be individually assessed and then individual technical solutions will be implemented. Broadband expansion is underway at a majority of northern and rural schools. Already 32 per cent of northern schools have completed their upgrades, and 35 per cent of rural schools have been completed.

This strategy and vision was developed by the Ministry of Education, and follows a broader government vision for broadband expansion across the province.

This infrastructure will support enhanced e-learning opportunities and access for students to the ministry's Virtual Learning Environment wherever educational resources are available.

## **E-learning**

The government is committed to modernizing education and supporting students and families in innovative ways that enhance their success. A link to e-learning courses can be found here: [www.edu.gov.on.ca/elearning/courses.html](http://www.edu.gov.on.ca/elearning/courses.html).

Starting in 2020-21, the government will centralize the delivery of all e-learning courses to allow students greater access to programming and educational opportunities, no matter where they live in Ontario.

Secondary students will take a minimum of four e-learning credits out of the 30 credits needed to fulfill the requirements for achieving an Ontario Secondary School Diploma. That is equivalent to one credit per year, with exemptions for some students on an individualized basis. These changes will be phased in, starting in 2020-21.

With these additional modernizations, the secondary program enhancement grant will no longer be required.

## **Cellphones**

During the consultation on education reform in fall 2018, parents, students and teachers told us cellphones have the potential to be useful learning tools — but too often they are a distraction from learning and have a negative impact on the classroom experience.

In response to this feedback, the Provincial Code of Conduct will be updated to prohibit cellphone use in schools during instructional time, as of September 2019.

Use of cellphones during instructional time will be permitted under the following circumstances:

- For educational purposes, as directed by the educator.
- For health and medical purposes.
- To support students with special education needs.

Boards and stakeholders will be consulted to ensure students and parents are clear on the new guidelines, including exceptions.

The Provincial Code of Conduct sets clear provincial standards of behaviour. All school boards must ensure that their board codes of conduct are up to date and consistent with the provincial Code of Conduct.

## **EQAO**

The government is working with the Education Quality and Accountability Office (EQAO) to modernize the agency and its processes, while using data to build better assessment and evaluation models that have a greater focus on equity.

EQAO is a leading authority for measuring school system performance and it is critical that their insights are maximized. The government will work with EQAO on promising themes in education:

- Transferable skills like collaboration, problem-solving and citizenship.
- Supporting greater parent engagement.
- Using digital platforms for student learning, assessment and evaluation.
- Learning from other high-performing education jurisdictions.
- Assessing learning in ways that feel comfortable for students.
- Providing useful feedback to teachers and parents.

Student achievement is one of the keys to success in a competitive global economy. EQAO can provide vital data and research to reinvigorate education in Ontario, help improve student learning at the provincial, board and school level, and help identify achievement gaps to promote greater equity in the publicly funded education system.

### **Class Sizes**

The government is committed to supporting students and families, and modernizing education funding in a responsible manner.

The ministry has consulted with education partners to modernize and improve Ontario's education system and sought input on the Grants for Student Needs funding formula, followed by a consultation on class sizes from Kindergarten to Grade 12.

The ministry held in-person meetings in January 2019 with the teachers' federations, trustees' associations and education worker unions to gather feedback. School boards, principals/vice-principals' associations and other education sector partners were also invited to provide written feedback by February 22, 2019.

Ontario currently has one of the lowest student-to-teacher ratios among Canadian provinces that have restrictions on class sizes. To better balance student success and system sustainability, the government is proposing a measured approach to changes in class sizes.

Our government will protect the current framework for class size caps for students from Kindergarten to Grade 3.

We look forward to continued advice and consultation with our education partners to help shape our vision. The proposed changes for 2019-20 are as follows:

- Kindergarten - no changes to the class size caps.
- Primary (grades 1 to 3) - primary class size caps remain in place. There are no proposed changes to either the caps or the average class size requirements.
- Intermediate (grades 4 to 8) - all school boards would be required to maintain a board-wide average class size of 24.5 or less, while the funded average class size would be minimally increased from 23.84 to 24.5. This would standardize funding and class sizes across the province, as historically there was variability for these grades.
- Secondary (grades 9 to 12) - average class size requirements adjusted from 22 to 28 students to align secondary class sizes more closely to other jurisdictions across Canada. School boards would be required to maintain a board-wide average class size of 28 or less and the funded average class size would be increased to 28 to support this change. In addition, school operations funding would be adjusted accordingly.

The proposed changes in class size would be phased in, with attrition protection.

To provide families, staff, and school boards with certainty on the government's direction, the government will move forward on next steps, including any required legislation, in time for the next school year.

### **Hiring Practices**

Ontario Regulation 274/12, under the *Education Act*, establishes mandatory processes that all English-language school boards must follow when hiring long-term occasional and permanent teachers. These processes prioritize seniority, rather than specific skills or previous performance, as the most important criteria in hiring.

However, since the regulation was implemented in 2012, stakeholders, including parents, principals, directors of education and teachers, have raised concerns about the regulation - such as increased principal workload and classroom teacher turnover.

The ministry held in-person meetings in January 2019 with the teachers' federations, trustees' associations and education worker unions to gather feedback. Stakeholders were also invited to provide written feedback. The ministry received 80 written submissions from stakeholders and the public. The majority of submissions were supportive of increased teacher mobility.

To address these concerns, the government's objective is to work with its education partners to improve teacher mobility, while increasing transparency, fairness, consistency and accountability in teacher hiring across all school boards. Ontario's students deserve the best teacher available in each and every classroom, and principals should be empowered to hire teachers based on merit and fit for the role.

## **Grants for Student Needs**

The Province invests in our publicly funded education system through the Grants for Student Needs (GSN), which is the provincial funding formula for Ontario's school boards.

The GSN is a collection of grants described in detail in an annual regulation under the *Education Act*.

Funding allocations for school boards are generated based on a variety of factors, including on a per-pupil, per-school, or per-board basis depending on the structure of each grant within the GSN regulation.

The government undertook a comprehensive review of the GSN and engaged in an in-depth consultation with stakeholders as the long-term success of Ontario's publicly funded education system depends on sustainable funding that is focused on students and the classroom.

As a result of the review and feedback received from stakeholders, the 2019-20 GSN will reflect modest changes focusing on providing the resources to support outcomes for students and a sustainable funding model that can deliver for years to come.

While adjustments will be made to the following components of GSN funding, it is important to note that key program areas will not be changed, specifically to special education and student transportation funding.

## **Local Priorities Fund**

The Local Priorities Fund (LPF), first established in 2017-18 during the last round of collective bargaining, expires on August 31, 2019. Whether the funding for staffing is extended is an issue subject to the upcoming central collective bargaining process. The increases related to salary will continue, as well as the principals' and vice-principals' funding, which is not set to expire until August 31, 2020.

## **Cost Adjustment Allocation**

Historically, the base amount of the Cost Adjustment Allocation was providing supplemental funding for education worker benchmarks. As school boards have flexibility through other grants in the GSN to address their staffing needs, this amount has been discontinued for the 2019-20 school year.

## **Human Resource Transition Supplement**

The Human Resource Transition Supplement was intended to be a temporary support to assist school boards with the negotiated 2017-19 agreements. This temporary transitional supplement amount has been discontinued for the 2019-20 school year.

### **Classroom Loading Factors**

To reflect the proposed secondary class size changes, the factors that determine the amount of funding for the operation of school facilities will be adjusted.

### **Utilities Funding**

As in previous years, funding will be increased to support increased costs associated with the heating and lighting of school facilities.

### **Student Transportation Funding**

As in previous years, funding will be increased to support higher costs associated with student transportation. Also, additional funding supports are planned for school boards that run efficient transportation operations, but for which the costs of student transportation exceed the funding provided for that purpose.

Finally, the ministry intends to undertake a review of the student transportation funding formula in order to achieve a more efficient and accountable student transportation system in Ontario.

These proposed changes are part of Ontario's new vision for education: [\*Education that Works for You\*](#). The new vision will modernize Ontario's classrooms and provide students with more learning opportunities to prepare them for success in post-secondary education, apprenticeship and training, and the workforce.

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## **'Back-to-Basics' Math Curriculum, Renewed Focus on Skilled Trades and Cellphone Ban in the Classroom Coming Soon to Ontario**

*Minister of Education Lisa Thompson Unveils Government's Vision for 'Education that Works for You'*

March 15, 2019 8:21 A.M.

TORONTO - Students and parents in Ontario can look forward to the implementation of stronger math, STEM, and financial literacy curricula, improved skilled trades opportunities, and a provincewide ban on cellphones in the classroom as part of the Government of Ontario's sweeping new vision for 'Education that Works for You,' Lisa Thompson, Minister of Education, announced today.

"This is our plan to protect a sustainable world-class education system for the students of today and the future," said Thompson. "We will make sure our students are leaving school with the skills they need to build good lives, families and careers right here in Ontario, while ensuring the system is both fiscally sustainable and respectful of parents."

The government's plan, [\*Education that Works for You\*](#), will modernize curriculum, modernize classrooms and empower educators to better prepare students for the realities of today's modern world.

"Shortly after we came to office we did what the previous government had been afraid to do - and threw the doors open to real, meaningful public and parental input into our education system," said Thompson. "We heard from more than 72,000 parents, teachers, students, employers and organizations making this the largest consultation of its kind in Ontario history. The people told us what wasn't working and what we need to protect."

The new vision will modernize Ontario's classrooms and provide students with more learning opportunities to prepare them for success in post-secondary education, apprenticeship and training, and the workforce. The plan would include:

- Modernizing classrooms by expanding broadband, developing a new policy that will ban the use of cellphones during class except for educational purposes and modernizing the approach to assessment and evaluation with a renewed focus on equity across the province.
- Introducing changes to education funding that keep resources focused on students in the classroom.

- Supporting teacher mobility, greater transparency, fairness, consistency and accountability to school board hiring practices of teachers.
- Maintaining class sizes for Kindergarten to Grade 3, establishing a consistent approach to class sizes for grades 4 to 8 and aligning secondary class sizes more closely with other Canadian jurisdictions, while introducing a new approach to e-learning and reducing pressure on school boards to put students in portables and split classes.

Undertaking curriculum reform that will include:

- A new math curriculum that will focus on math fundamentals for all grades;
- A renewed focus on STEM, skilled trades and financial literacy; and
- A modern and age-appropriate Health and Physical Education curriculum that will keep students safe.

There will be clear provisions for parents who wish to exempt their child or children from sexual health education, and online modules will be available for parents who want to discuss sexual health topics at home whenever they feel their child is ready.

The government is committed to discussing the key elements of the proposed plan, including hiring practices and class sizes, through a consultation process that allows partners to provide the benefit of their expertise, experience and ideas.

"We welcome conversation with any education stakeholder who is prepared to work with us in good faith to ensure our plan continues to serve the best interests of Ontario's students in a way that works for families and school boards and is fair to our educators." said Thompson.

"In January and February, we consulted with our partners and I look forward to continuing to work with them on this bold and transformative plan for Ontario's education system. Over the next few years, we will shift our focus towards helping our students build resiliency, as well as other relevant skills to create the best education system Ontario has ever seen," added Thompson.

Ontario's Government for the People held the [largest public consultation on education](#) in the province's history. The consultation included more than 72,000 engagements across three different consultation channels, which included an open submission form, online survey and telephone town halls held in every region of the province.

"We will continue to look for better ways to improve student learning. We will continue to adapt curriculum to address the needs of the modern world. And we will continue to take responsibility for every dollar spent," said Thompson. "Together we will build on a system that supports careers, promotes well-being and prepares every student for the future."

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**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
MINISTRY OF EDUCATION MEMORANDUM – NEXT PHASE  
OF CONSULTATIONS ON HIRING PRACTICES AND CLASS  
SIZES**

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Ministère de l'Éducation  
Édifice Mowat  
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2019: B09

**MEMORANDUM TO:**

Association des conseils scolaires des écoles publiques de l'Ontario  
Association des enseignantes et des enseignants franco-ontariens  
Association franco-ontarienne des conseils scolaires catholiques  
Canadian Union of Public Employees  
Educational Workers' Alliance of Ontario  
Elementary Teachers' Federation of Ontario  
Ontario Catholic School Trustees' Association  
Ontario Council of Education Workers  
Ontario English Catholic Teachers' Association  
Ontario Public School Boards' Association  
Ontario Secondary School Teachers' Federation  
Unifor

**FROM:**

Martyn Beckett  
Assistant Deputy Minister  
Student Achievement Division

Andrew Davis  
Assistant Deputy Minister  
Education Labour and Finance Division

**DATE:**

March 15, 2019

**SUBJECT:**

**Next Phase of Consultations on Hiring Practices and Class Sizes**

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This is an invitation to provide further input on teacher hiring practices (Ontario Regulation 274/12 – Hiring Practices) and class sizes in Ontario.

We appreciate all of the input from our education partners that participated in our previous consultations. The feedback we have received, and which we continue to consider, will help us to deliver vital education programs and services efficiently.

Attached are the two consultation guides: Teacher Hiring Practices and Class Size. These guides are intended to support stakeholders in understanding the government's plans and assist in the development of stakeholder submissions.

The government believes that stakeholder submissions on these issues are important and would continue to benefit from stakeholders' expertise, experience, and ideas.

To ensure that your feedback is taken into consideration, please forward your electronic submission by **May 31, 2019** to:

Hiring Practices: [PTPSB@ontario.ca](mailto:PTPSB@ontario.ca)  
Class Size: [EDULABFINANCE@ontario.ca](mailto:EDULABFINANCE@ontario.ca)

In addition to the written submissions, the ministry would be pleased to meet with education sector labour partners, which includes the teachers' federations, education worker unions and trustees' associations, to continue the dialogue on the planned changes contained in these guides.

Your continued participation in this process is greatly appreciated as we work toward the government's goal of ensuring that public spending provides best value.

*Original signed by:*

Martyn Beckett  
Assistant Deputy Minister  
Student Achievement Division

Andrew Davis  
Assistant Deputy Minister  
Education Labour and Finance Division

#### Attachments

c: Directors of Education  
Regional Managers, Regional Offices, Field Services Branch  
School Business Officials  
Association des directions et directions adjointes des écoles franco-ontariennes  
Catholic Principals' Council of Ontario  
Council of Ontario Directors of Education  
Ontario Principals' Council

# School Board Hiring Practices Consultation Guide

## About this Consultation

The ministry concluded this year's consultation on the Grants for Student Needs (GSN) in December 2018. As a follow-up, the ministry undertook a further consultation on teacher hiring practices, which recently concluded on February 22, 2019.

The current process for hiring occasional and permanent teachers to bargaining units represented by the Ontario English Catholic Teachers' Association (OECTA), the Elementary Teachers' Federation of Ontario (ETFO) or the Ontario Secondary School Teachers' Federation (OSSTF) is governed by Ontario Regulation 274/12 and complemented by local collective agreement language and local hiring policies. In addition, Regulation 298, Operation of Schools – General sets out rules for the assignment of teachers to teaching positions based on qualifications, safety, and program quality.

This guide is intended to support stakeholders in understanding the government's proposed changes to school board hiring practices of teachers in Ontario. This guide sets out some considerations and questions with the aim of supporting a dialogue and stakeholder submissions on the government's proposed changes.

The government is committed to discussing teacher hiring practices to allow stakeholders, including education sector labour partners, to provide the benefit of their expertise, experience, and ideas.

The ministry wishes to meet with education sector labour partners to continue the discussion on the proposals contained in this guide. If your organization is willing to participate in an in-person meeting, please contact us to make arrangements. To ensure your feedback is considered, please forward your electronic submission by May 31, 2019 to: [PTPSB@Ontario.ca](mailto:PTPSB@Ontario.ca). Please send any questions about the process to the email address noted above.

## Goals

We are pleased to share with you our proposed teacher hiring practices plans and next steps which are guided by the following key goals:

1. **Student Achievement:** Success and well-being of every child.
2. **Protect Front Line Staff:** Improve access to employment opportunities for teachers.
3. **Fiscal Responsibility:** Deliver services in an effective and efficient manner.
4. **Evidence-based Decision Making:** Grounded in sound policy and empirical research.
5. **Diverse teaching staff:** Enhance the quality of student education through a diverse teaching staff.

## School Board Hiring Practices

TOPIC	CURRENT STATUS	PROPOSED CHANGES
Teacher Mobility	<ul style="list-style-type: none"> <li>A teacher wishing to move between school boards would lose seniority and must apply to be placed on the occasional teacher (OT) roster again.</li> <li>A relocating permanent teacher from any board may apply to be placed on an ETFO long-term occasional (LTO) list and shall be granted an interview.</li> </ul>	<ul style="list-style-type: none"> <li>Teachers are able to apply to a school board's single hiring pool for permanent positions in any Ontario school board for which they are qualified.</li> <li>New teachers have direct access to apply to permanent positions in any school board.</li> </ul>
Right Teacher for the Job	<ul style="list-style-type: none"> <li>School boards must follow hiring processes set out in O. Reg. 274/12, which are largely based on seniority.</li> </ul>	<ul style="list-style-type: none"> <li>Hiring is responsive to local needs and is based on transparent criteria including teacher qualifications, experience and due regard for the provision of the best possible program for students as determined by principals.</li> <li>Remove maximum number of interviewees required.</li> </ul>
Simplifying the Hiring Process	<ul style="list-style-type: none"> <li>Currently the regulation differs for every union/federation.</li> <li>The requirements for the OT roster and LTO list including the interview caps, entitlements to debrief interviews, and the importance of seniority in hiring to LTO and permanent positions differ for every union/federation.</li> </ul>	<ul style="list-style-type: none"> <li>Require boards to maintain a single hiring pool of Ontario College of Teachers certified teachers who are eligible to be hired for any available position including occasional, long-term occasional, or permanent, as determined by the principal, instead of the current staged entry requirements.</li> <li>There will no longer be an OT roster and LTO list. Instead, the regulation will provide the parameters for a separate OT hiring process.</li> </ul>
Reducing Bias in Teacher Hiring Practices	<ul style="list-style-type: none"> <li>O. Reg. 274/12 highlights the importance of seniority in the hiring process, which is intended to reduce bias.</li> </ul>	<ul style="list-style-type: none"> <li>Boards are required to include measures to address conflicts of interest as part of the local hiring process.</li> </ul>
Addressing diversity and equity in hiring	<ul style="list-style-type: none"> <li>The hiring process in the regulation is based primarily on seniority.</li> </ul>	<ul style="list-style-type: none"> <li>Regulatory amendments to enable boards to include diversity and equity considerations in hiring decisions.</li> <li>Policy and Program Memorandum (PPM) to be developed on equity and diversity in hiring practices.</li> </ul>

## What We Heard

- The majority of stakeholders expressed a desire for increased mobility, including the flexibility to move between teaching panels and school boards in different regions without having to start at the beginning of the hiring process again.
- Stakeholders would like to have flexibility in hiring practices to:
  - Allow principal discretion in considering factors beyond seniority when selecting interview candidates.
  - Put school and school board local needs at the forefront of hiring, to improve student achievement.
- Stakeholders said:
  - There is no need for both a roster and a list;
  - Do not increase interview cap; and
  - Allow principal discretion in how many candidates to interview.
- Stakeholders are concerned about bias in the hiring process and suggest creating consistent policies that acknowledge experience, include prescribed rubrics, and include explicit declarations of conflict of interest.
- Some stakeholders reported that the process requirements of the regulation can hinder attempts to foster equity and diversity. In some cases, they felt candidates, who reflect the diversity of the local community or the students themselves, may not be considered as they have less seniority than other candidates.

In response to the feedback provided, the proposed model would:

- Provide increased mobility for teachers in Ontario
- Ensure that teaching positions are filled by the right candidate
- Simplify the hiring process to reduce turn over in the classroom
- Reduce bias in hiring by addressing conflict of interest
- Be complemented by a Policy and Program Memorandum (PPM) on equity and diversity in hiring practices
- Apply to all school systems (French Language boards included)

## Consultation Questions

1. What are the implications of the proposals on hiring practices of teachers in Ontario in relation to the five key goals?
2. Regarding this proposal, what issues will need to be considered for implementation?
3. Are there alternative approaches that you would like to put forward that would achieve the government's five key goals?
4. Are there any other comments you would like to provide, keeping in mind the five key goals?

## Conclusion

In formulating the proposed changes set out above, the government is approaching these issues with five goals to guide decision making:

1. **Student Achievement**
2. **Protect Front Line Staff**
3. **Fiscal Responsibility**
4. **Evidence-based Decision Making**
5. **Diverse teaching staff**

In addition to these goals, we were guided by your feedback in the first consultation. This feedback was extremely valuable and helped shape the proposed changes.

The ministry would be pleased to meet with education sector labour partners, which includes the teachers' federations, education worker unions and trustees' associations, to continue dialoguing on the planned changes contained in this guide, upon request.

We are committed to supporting students and families as we modernize education in a responsible manner while ensuring that decisions are having the greatest impact in the classroom.

# Class Size Consultation Guide

## About this Consultation

The ministry concluded this year's consultation on the Grants for Student Needs (GSN) in December 2018. As a follow-up to that consultation, the ministry undertook a further consultation on class sizes in Ontario which recently concluded on February 22, 2019.

We appreciate all of the input from our education partners who participated in both of these consultations. The feedback we have received, and which we continue to consider, has helped to shape the government's plan to modernize classrooms and education funding in Ontario. The plan outlined in this consultation guide was shaped by the advice and feedback in the prior consultations. It is a measured and responsible approach.

This guide is intended to support stakeholders in understanding the government's plan for class sizes in Ontario and assist in the development of stakeholder submissions. This guide sets out some considerations and questions with the aim of supporting a dialogue about the government's plan.

The government is committed to discussing class size options, through a consultation process that allows partners to provide the benefit of their expertise, experience, and ideas. Therefore, the ministry would be pleased to meet with education sector labour partners to continue the dialogue on the planned changes contained in this guide.

In order to ensure your feedback is considered, please forward your electronic submission by May 31, 2019 to: [EDULABFINANCE@ontario.ca](mailto:EDULABFINANCE@ontario.ca). If you have questions about this consultation, please send them to the email address noted above.

## Goals

We are pleased to share with you our planned class size changes and next steps which are guided by the following key goals.

1. **Student Achievement:** Success and well-being of every child.
2. **Protecting Front Line Staff:** The planned changes are to be managed through attrition protection for teachers.
3. **Fiscal Responsibility:** Delivering services in an effective and efficient manner.
4. **Evidence-based Decision Making:** Grounded in sound policy, inter-jurisdictional scans, and empirical research.

## Grades 1-8

GRADES	CURRENT STATUS	PROPOSED CHANGES
<b>Grades 1-3</b>	<ul style="list-style-type: none"> <li>At least 90 per cent of primary classes of a board must have 20 or fewer students</li> <li>All school boards have a class size limit of 23 students</li> <li>The funded average class size is 19.8</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<b>Grades 4-8</b>	<ul style="list-style-type: none"> <li>Averages vary by board as identified in the class size regulation</li> <li>The funded average class size is 23.84</li> </ul>	<ul style="list-style-type: none"> <li>Maximum board-wide average class size of 24.5, with no exceptions</li> <li>Funded average class size of 24.5</li> </ul>
<b>Mixed Grade</b>	<ul style="list-style-type: none"> <li>All mixed-grade classes consisting of primary grade students combined with students from junior-intermediate grades (grades 4 to 8) must have 23 or fewer students</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>

### What We Heard In Support of the Plan

- The feedback from sector partners showed considerable support for class size caps in grades 1 to 3 to ensure these young learners continue to be supported in small class sizes.
  - The ministry heard how important class size caps are for children in grades 1 to 3. The ministry is not proposing any changes.*
- Some stakeholders indicated that flexibility is important and prefer averages to caps. Some also felt that current class size averages for grades 4-8 is a fair way for school boards to manage class size.
  - The ministry believes that children and parents should expect consistency on maximum class size averages wherever they are in the province. The old model for students in grades 4-8 wasn't fair and the ministry proposes to fix that, while continuing to provide flexibility on classroom composition through the use of averages.*

## Consultation Questions:

1. What are the opportunities of the planned changes in relation to the four key goals?
2. Will the status quo in grades 1-3 and modest changes to grades 4-8 allow for continued flexibility in organizing school board class sizes?
3. Are there any other comments on the planned changes, keeping in mind the key goals outlined above, you would like to provide?

## Grades 9-12

GRADES	CURRENT STATUS	PROPOSED CHANGES
Grades 9-12	<ul style="list-style-type: none"> <li>• School board class size averages must not exceed 22 in grades 9 to 12</li> <li>• The funded average class size is 22.0</li> </ul>	<ul style="list-style-type: none"> <li>• School board class size averages must not exceed 28 in grades 9 to 12</li> <li>• The funded average class size is 28.0</li> </ul>

The government remains committed to modernizing education while continuing to support students and families. In addition to the planned changes in the table above, starting in 2020-21, the government plans to centralize the delivery of all e-learning courses to secondary students in Ontario to allow students greater access to programming and educational opportunities. Secondary students will take a minimum of four e-learning credits out of the 30 credits to fulfill the requirements for achieving an Ontario Secondary School Diploma. That is equivalent to one credit per year, with exemptions for some students on an individualized basis. This will include increased class size for online courses to 35 students.

### What We Heard In Support of the Plan

- Schools and school boards require the flexibility to organize courses and pathways to meet the needs of secondary students and the school community which cannot be achieved through hard caps.
  - *The ministry heard of the importance and requirement for flexibility and will continue to provide the flexibility that is important in meeting the needs of students and school communities.*
- Feedback received from sector partners stated that the ideal class size for grades 9-12 ranged between a low of 20 students to a maximum of 30 students.
  - *The ministry's plan will align our secondary class sizes to better reflect other jurisdictions in Canada and follows a fiscally responsible approach. Please see appendix A for information on class sizes in other jurisdictions in Canada and a comparison of class sizes between Ontario and Quebec.*

## Consultation Questions:

1. What are the opportunities of the planned changes in relation to the four key goals?
2. The new vision for e-learning is intended to provide more programming options for students. What comments and advice do you have?
3. Class size caps exist in many local collective agreements. Do these caps pose a barrier to implementing the new class size requirements?
4. Are there other comments on the planned changes, keeping in mind the four key goals, you would like to provide?

## Financial Impact:

The following is a summary of the estimated financial impact of the planned changes, in relation to the goal of fiscal responsibility.

<b>Financial Summary (in %)</b>	<b>2019-20</b>	<b>2020-21</b>
Grades 4 to 8	(0.2)%	(0.5)%
Secondary	(0.1)%	(0.6)%
<b>Total Fiscal Impact</b>	<b>(0.4)%</b>	<b>(1.0)%</b>

Note:

Table reflects government fiscal year figures. The percentage is in proportion to the 2018-19 projected Grants for Student Needs.

## Conclusion

In formulating the planned changes set out above, the government is approaching these issues with four goals to guide decision making:

1. **Student Achievement**
2. **Protecting Front Line Staff**
3. **Fiscal Responsibility**
4. **Evidence-based Decision Making**

In addition to these goals we were guided by your feedback in the first two consultations. This feedback was extremely valuable and helped shape this plan.

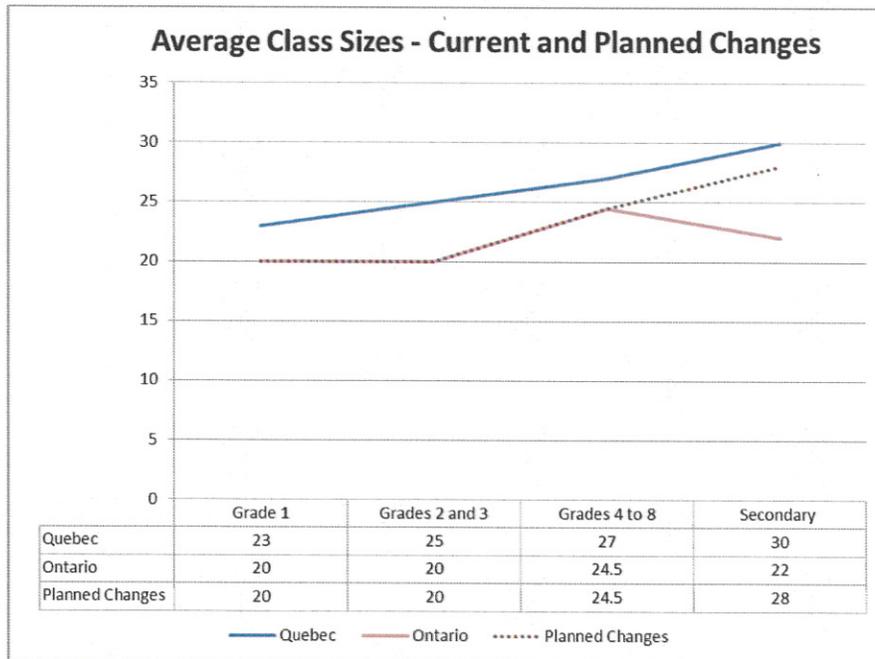
The ministry would be pleased to meet with education sector labour partners, which includes the teachers' federations, education worker unions and trustees' associations, to continue dialoguing on the planned changes contained in this guide, upon request.

We are committed to supporting students and families as we modernize education funding in a responsible manner while ensuring that funding decisions are having the greatest impact in the classroom.

Thank you for taking the time to read this guide. Once again, we look forward to working with our sector partners and your continued feedback.

## Appendix A

- Ontario has among the lowest class size averages and caps compared to other provinces in Canada with restrictions on class sizes.
- In other Canadian jurisdictions, class sizes tend to increase as students move through the education system. This means that average class sizes in higher grades tend to be larger, as the maturity of learners grows.
- The trend toward increasing class sizes is shown in the example of Quebec, in the tables below. This is compared with the current average class sizes for the different panels in Ontario and the planned changes.
  - Currently, in Ontario, classes follow a similar increasing until the junior-intermediate grades, at which point the average class size drops again at the secondary level.



### Notes on Ontario Class Sizes:

1. Funded average class size of 19.8 to support school boards to meet the class size caps (90% of classes must have 20 or fewer students, up to 10% of classes up to 23).

### Notes on Quebec Class Sizes:

1. The class size averages and maximums indicated on this table are in reference to “regular groups” of students as stated in the Provincial Collective Agreement 2015-2020, Quebec has significantly lower class size requirements for groups of students with different characteristics and need (i.e. economically disadvantaged areas or special education needs).
2. Class size requirements as they relate to secondary general education courses, Quebec has denoted different class size requirements for other secondary programs (i.e. technical exploration courses or temporary individualized paths for learning)

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
OCSTA LETTER TO THE MINISTER OF EDUCATION**

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Ontario Catholic School  
Trustees' Association

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Beverley Eckensweiler, *President*  
Michelle Griepsma, *Vice President*  
Nick Milanetti, *Executive Director*

March 20, 2019

Minister Lisa Thompson  
Minister of Education

Minister Lisa MacLeod  
Minister of Children, Community and Social Services

Dear Minister Thompson and Minister MacLeod:

The Ontario Catholic School Trustees' Association is concerned about the impact on education to result from the government's plans to change the Ontario Autism Program (OAP). We do not know how many families currently receiving supports and intensive therapy for their children outside of schools will now be admitting their children to schools on a full-time basis or for longer periods of time than before.

With the funding changes set to take place on April 1, this leaves very little time and inadequate resources to meet important needs that are still unquantified. As we have communicated to the government over successive years, special education continues to be an under-funded area in Ontario schools. Addressing the needs of our most vulnerable children and youth is our utmost priority.

We are encouraged by the government's recent decision to reach out to boards and gather information on estimated new enrollment of children transitioning to school full-time or approaching boards for supports. While this survey will surface important information about the kinds of services that might be needed, the timing of the survey is close to the deadline set for funding changes.

If the necessary resources are not or will not be available by April 1, it is our hope that the government will delay implementation until there is certainty that boards will have the resources necessary to equip schools with what is required to effectively support every student in the classroom.

Sincerely,

Beverley Eckensweiler, President

cc. Matthew Bondy, Chief of Staff, Ontario Ministry of Education  
Tim Porter, Chief of Staff, Ontario Ministry of Children, Community and Social Services

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TOPIC: TRUSTEE INFORMATION  
OCSTA 2019 AGM & CONFERENCE RESOLUTIONS PACKAGE**

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Ontario Catholic School  
Trustees' Association

**2019 AGM & CONFERENCE**

**RESOLUTIONS**



# Ontario Catholic School Trustees' Association

## **Our Mission**

*Inspired by the Gospel, the Ontario Catholic School Trustees' Association provides the provincial voice, leadership and service for elected Catholic school trustees to promote and protect publicly funded Catholic education in Ontario.*

## **Our Vision**

*Ontario is enriched by a publicly funded Catholic education system governed by locally elected Catholic school trustees who serve with faith, commitment and compassion.*

## ***Explanation of Committee Recommendations & Resolution Session Procedures***

Resolution sessions will be conducted using “**Robert’s Rules of Order**” and the provisions of the OCSTA Constitution. The chairperson of the session will ensure compliance with their rules.

### ***Explanation of Committee Recommendations***

The **Resolutions** Committee will study the resolutions and offer recommendations on the best way to meet their intent. The recommendations and their implications are:

- i. **Approve**  
The direction given in the “therefore be it resolved” section of the resolution will be carried out.
- ii. **Approve and refer to the ..... committee for appropriate implementation.**  
The resolution will be forwarded to the designated committee for implementation.
- iii. **Receive and refer to the ..... committee for study.**  
The resolution will be forwarded to the designated committee for study. Following the study and receipt of the committee’s recommendation, the Board of Directors will determine whether or not the resolution will be implemented.
- iv. **Not approve**  
No action will be taken.
- v. **No recommendation**  
The committee is not making any recommendation with respect to the resolution.
- vi. **No action required**  
The intent of the resolution has been met. No further action will be taken.

### ***Resolution Session Procedures***

Delegates wishing to speak to a resolution must go to one of the floor microphones and state their name and the name of the board they represent.

The mover of a resolution will have the opportunity to be the first and last to speak to that resolution. Other trustees may speak **once** to a resolution.

The chairperson may declare a motion out of order giving the reasons for doing so. The chairperson’s decision may be challenged by a majority vote of those voting delegates present **at the session** when the vote is called.

Voting will be by a show of hands. Delegates carrying proxies must have and show proper identification - i.e. proxy badge. Ballots will be provided in the event that a vote by ballot is called for.

**Note Re Quorum:** *Quorum for the transaction of business at any meeting of the Members shall require the presence in person or by proxy of not less than a total of forty (40) current Members.*

## ***Grouped Resolutions***

- a. the chair of the session will ask for a mover and seconder to approve the **grouping** of various related resolutions.
- b. the chair of the session will ask for movers and seconders for the committee recommendation for each group.
- c. delegates will vote on the committee recommendation for each group.

Delegates may request that any resolution(s) be removed from a “group” to be handled individually. These will be addressed when the group from which they have been removed has been dealt with.

## ***Resolutions Handled Individually***

*These will include resolutions removed from the groups, resolutions for which the committee has not made any recommendation and resolutions from the floor.*

### **A. Resolutions with committee recommendations**

1. The chair of the session will announce the resolution number and the name of the sponsoring board:
  - the chair will call for the sponsoring board to move and second **the committee recommendation;**
  - delegates will speak to the committee recommendation;
  - delegates will vote on the committee recommendation.
2. If the sponsoring board does not move the committee recommendation from the floor:
  - the chair will call for the sponsoring board to move their **original resolution;**
  - delegates will speak to the resolution;
  - delegates will vote on the resolution.
3. If the original resolution is not moved by the sponsoring board, the resolution will be withdrawn.

### **B. Resolutions without committee recommendations**

1. These resolutions will be handled as follows:
  - the chair will call for the sponsoring board to move their **original resolution;**
  - delegates will speak to the resolution;
  - delegates will vote on the resolution.
2. If the original resolution is not moved by the sponsoring board, the resolution will be withdrawn.

### C. Amendments from the Floor

Amendments made on the floor relate to the “therefore be it resolved” section of the resolution and **must be written out** and handed to the chairperson. The chairperson will consider the amendment and, if necessary, discuss it with the parliamentarian or others to ensure that it is clearly understood.

- the chair will **read** the amendment;
- delegates will speak to the amendment;
- delegates will vote on the amendment;
- delegates will vote on the resolution as amended.

If the amendment is defeated:

- delegates will be asked to speak to the original resolution;
- delegates will vote on the original resolution.

### D. Members' Discussion Rights

Under Article 5.11 (*Members Discussion Rights*), a Member may raise a matter for discussion at the Annual General Meeting. Subject to the provisions in Articles 5.10.1 to 5.10.5, and 5.11, the item may be addressed, and may be referred to a committee of OCSTA for further consideration, but it shall not be put to a vote at the meeting at which it has been raised.

If the Member continues such discussion for three minutes or more, the Chair of the meeting may interrupt the Member and permit others to speak and/or make any subsidiary motion related thereto.

*Revised January 20, 2017*

---

**OCSTA BY-LAW – AMENDMENT TO  
BY-LAW NUMBER 2016-1**

**APPROVE**

**RESOLUTION # A-19**

---

**MOVED BY:**

\_\_\_\_\_

**SECONDED BY:**

\_\_\_\_\_

**THAT:**

**the committee recommendation for Resolution A-19 be  
approved.**

**Moved by:** Paul Landry **OCSTA Board of Directors**

**Seconded by:** Colleen Landers

**Topic:** *Amendment to the “Amended and Restated By-law Number 2016-1, A By-law Relating Generally to the Conduct of Its Affairs” (“OCSTA By-Law”)*

---

**Whereas:** Resolutions 1-2018 and 2-2018 regarding the limit on the term of office of the President, Vice President and CCSTA Representative were considered by the Members of the Corporation on April 27, 2018, and referred to the OCSTA Board of Directors for further review;

**and Whereas:** on September 15, 2018 the Board of Directors approved a Motion to amend the Limits on the terms of office, and to allow the President, Vice President and CCSTA Representative of the Corporation the option of running for a second term, and to accordingly amend the OCSTA By-Law;

**and Whereas:** on February 8, 2019 by resolution #A-19, the Board of Directors approved amendments to the OCSTA By-Law to reflect such changes to term limits, along with other minor typographical, cross-referencing and grammatical corrections, subject to confirmation of the Members at the next meeting of the Members;

**Therefore be it Resolved:**

that the Members confirm the amendments to the OCSTA By-Law as set out in Schedule 1 to this Resolution.

**Committee Recommendation**

Approve.

[Schedule 1 to Resolution X](#)  
[Amended and Restated By-law Number 198-1](#)  
[A By-law Relating Generally to the Conduct of Its Affairs](#)



Ontario Catholic School  
Trustees' Association

**Amended and Restated**  
**By-law Number ~~2016~~2019-01**  
**A By-law Relating Generally to**  
**the Conduct of Its Affairs**

[Schedule 1 to Resolution X](#)  
[Amended and Restated By-law Number 19-1](#)  
[A By-law Relating Generally to the Conduct of Its Affairs](#)

**ONTARIO CATHOLIC SCHOOL TRUSTEES' ASSOCIATION**

**AMENDED AND RESTATED BY-LAW NUMBER ~~2016~~2019- 1**

A By-law relating generally  
to the conduct of the affairs of the  
**ONTARIO CATHOLIC SCHOOL TRUSTEES' ASSOCIATION**

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By-law ~~2016~~[2019](#)-1 Relating Generally to the Conduct of the Affairs of [the](#)

## **ONTARIO CATHOLIC SCHOOL TRUSTEES' ASSOCIATION**

**WHEREAS** the Ontario Catholic School Trustees' Association (hereinafter the "**Corporation**") was incorporated by Letters Patent issued under the [Ontario Corporations Act](#) and dated ~~the 30<sup>th</sup> day of July, 1969,~~ [30, 1969](#) as amended by Supplementary Letters Patent dated July 11, ~~1979,~~[1979](#); June 18, 1997; and January 24, 2002;

**AND WHEREAS** it is considered expedient to enact a new General By-law relating generally to the conduct of the affairs of the Corporation, which complies with the requirements of the *Ontario Corporations Act* and will comply with the *Not-for-Profit Corporations Act* when the latter comes into force, and repeals all former By-laws of the Corporation;

**BE IT THEREFORE ENACTED** [and Amended](#) as By-law ~~2014~~[2018](#)-1 of the Corporation as follows:

### **0. INTRODUCTION**

#### 0.1 PREAMBLE

The wisdom, sacrifices and strivings of dedicated Canadians have created and preserved for us a school system that offers a God-centred vision of life, shaped by Jesus and his gospel, and open to the signs of the times under the guidance of the Holy Spirit.

The Corporation dedicates itself to the preservation of a school system in this province conceived in this belief and dedicated to this truth. To achieve these ends, the following shall be the objectives of the Corporation.

#### 0.2 OBJECTS

**Whereas the Objects of the Corporation are:**

1. TO maintain the constitutional rights of Roman Catholic School Boards and their supporters;
2. TO recommend improvements in the legislation and regulations affecting the Roman Catholic Schools of Ontario;
3. TO assist Catholic boards in attaining the highest standards in the operation of such schools by offering a medium for the exchange of information and the development of consensus among them;
4. TO promote knowledge of and appreciation for the aims and objectives of Catholic schools through conferences, meetings, exhibitions, research, publication of studies and the presentation of statements;
5. TO participate with organizations and authorities, including the Catholic Bishops of Ontario, in elaborating and advancing mutually agreeable policies in favour of Catholic education;

6. TO cooperate in other relationships established to pursue progress in education;
7. TO encourage local, regional, diocesan, provincial and national initiatives and support and/or sponsor programs apt to strengthen the competence and commitment of Catholic school trustees;
8. TO accept donations, gifts, legacies, bequests and grants in support of the aforesaid objects;
9. TO engage~~;~~ or participate~~;~~ in provincial labour negotiations on behalf of its Member Boards, or pursuant to legislation.

## 1. INTERPRETATION

### 1.1 Meaning of Words

In this By-law and in all other By-laws and resolutions of the Corporation, unless the context otherwise requires:

- 1.1.1 the singular includes the plural;
- 1.1.2 the masculine gender includes the feminine;
- 1.1.3 “**Act**”, unless qualified by the word “Education”, means the *Corporations Act*, R.S.O. 1990, c.C.38, as amended from time to time;
- 1.1.4 “**Annual Meeting**” shall mean a meeting of the Members, as defined in Section ~~5-6~~5.1 herein;
- 1.1.5 “**Articles**” means any document or instrument that modifies the letters patent of the Corporation, including supplementary letters patent, restated articles of incorporation, articles of amendment, articles of amalgamation, articles of arrangement, articles of continuance, articles of dissolution, articles of reorganization, or articles of revival;
- 1.1.6 “**Board**” shall mean the Board of Directors for the Corporation;
- 1.1.7 “**CCSTA**” means the Canadian Catholic School Trustees’ Association;
- 1.1.8 “**CDSB**” means a Catholic District School Board in the Province of Ontario;
- 1.1.9 “**Committee**” means any committee of the Board established pursuant to this By-law but does not include the First Nation Trustees’ Advisory Council;
- 1.1.10 “**Corporation**” means Ontario Catholic School Trustees~~’~~’ Association;
- 1.1.11 “**Director**” includes Elected and Regional Directors;
- 1.1.12 “**FTE**” means full time equivalent number of students calculated in accordance with Ontario Ministry of Education formulae;

- 1.1.13 “**Government Regulations**” means the regulations made under the Act or the ONCA, as applicable, as amended, as restated or in effect from time to time;
- 1.1.14 “**Member**” means an individual who is a Member of the Corporation, as defined in Section ~~4.24.1~~ of this By-law;
- 1.1.15 “**ONCA**” means the *Not-for-Profit Corporations Act*, S.O. 2010, c.15, as amended from time to time;
- 1.1.16 “**Ordinary Resolution**” means a resolution submitted to a meeting of Members and passed at the meeting, with or without amendment, by at least a majority of the votes cast, or consented to by a Written Resolution of the Members;;
- 1.1.17 “**Past President**” means the person who is qualified as a Director, whose term of office as President has most recently expired, and who is willing to serve as such;
- 1.1.18 “**President**”, following the coming into force of the ONCA, means the Chair of the Board within the meaning of the ONCA;
- 1.1.19 “**Poll**” includes a vote in any written form;
- 1.1.20 “**Record Date**” means the date as of which the current membership of the Corporation is determined, which shall be fifty (50) days prior to the event or action to which the Record Date relates<sup>1</sup>;
- 1.1.21 “**Region**” means a CDSB or group of ~~CDSB’s~~CDSBs so designated for the purpose of selecting Regional Directors;
- 1.1.22 “**Regional Director**” means a Regional Director described in Section 6.1;
- 1.1.23 “**Resolution**” shall mean an Ordinary Resolution unless this By-law or the *Act* specifies otherwise;
- 1.1.24 “**Special Meeting**” shall mean a meeting of the Members as defined by Section 5.12 herein;
- 1.1.25 “**Special Resolution**” means:
- 1.1.25.1 while the Act is in force, a resolution approved by the Board and confirmed, with or without variation, by two-thirds (2/3) of the vote cast at a meeting of Members called to consider the Special Resolution, or by the consent in writing of all of the Members; and
- 1.1.25.2 following the coming into force of the ONCA, a resolution submitted to a Special Meeting duly called for the purpose of considering the resolution and passed at the meeting, with or

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<sup>1</sup> Under S.54(1) of the ONCA, the record date must be less than 50 days prior to the event or action to which it relates.

without amendment, by at least two-thirds (2/3~~reds~~) of the votes cast, or consented to in writing by each Member of the Corporation entitled to vote at a meeting of the Members or by the ~~Member's~~Members' attorney;

1.2 Severability

- (1) Each of the provisions of this By-law shall be independent and severable, and the invalidity or unenforceability in whole or in part of any one or more of such provisions shall not be deemed to impair or affect in any manner the validity, enforceability or affect the remainder of the By-law, and in such event all the other provisions of this By-law shall continue in full force and effect as if such invalid provision had never been included herein.

**2. HEAD OFFICE**

2.1 Location of Head Office

The head office of the Corporation shall be in the City of Toronto in the Province of Ontario, and at such place therein as the Board may from time to time determine.

2.2 ~~Directors Establish~~Establishment of Provincial Office by Directors

- (2) The Board shall provide for a provincial office and staff to be named, remunerated, and in all things, supervised by the duly elected Officers of the Corporation and in accordance with the requirements of this By-law.

**3. COAT OF ARMS AND CORPORATE SEAL**

3.1 Coat of Arms

The official Coat of Arms of the Corporation shall be that approved by the Executive in 1955 - a facsimile whereof is appended hereto, and the motto of the Corporation shall be "Primo Prima" - "First Things First".

3.2 Seal

- (3) The seal, an impression whereof is stamped in the margin hereof, shall be the corporate seal of the Corporation.

**4. MEMBERSHIP**

4.1 Class of Membership

The Corporation shall have one class of Members.

#### 4.2 Membership Eligibility

Subject to Section 4.4 of this By-law, all individuals who are currently elected Trustees of a CDSB shall be ~~Ex Officio~~ex officio Members of the Corporation.<sup>2</sup>

#### 4.3 Membership Fee

The Board shall, from time to time, fix the annual membership fee and any additional assessment fees, which shall be payable by the ~~CDSB's~~CDSBs of which the Members are, respectively, Trustees.

#### ~~4.4~~ — Termination of Membership

A membership ceases to exist when:

4.3.1 ~~4.4.1~~ the Member ceases to be eligible under a provision of the Act or this By-law;

4.3.2 ~~4.4.2~~ the CDSB for which the Member is a Trustee fails to submit the annual membership fee and any assessment fees within ninety (90) days of receiving notice of the amount due;

4.3.2.1 ~~4.4.2.1~~ ~~Provided~~provided that the Board in its discretion may by resolution extend such time limit;

4.3.3 ~~4.4.3~~ the Corporation is liquidated or dissolved.<sup>3</sup>

4.4.4 The termination of a membership for any reason does not affect the responsibility or the liability of their CDSB for payment on the Trustee's behalf of any membership fees or other assessment outstanding at the time of termination.

4.4.5 The rights of a Member, including any rights in the property of the Corporation, cease to exist on termination of the membership.<sup>4</sup>

#### 4.4 ~~4.5~~ Reinstatement of Membership

Any Member whose membership has been terminated due to the non-payment of a fee or assessment shall be reinstated without further formality upon receipt by the Corporation of the amount due.

#### 4.5 ~~4.6~~ Transferral of Membership

(4) Membership is not transferrable.

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<sup>2</sup> Allowable under S.48(2) of ONCA.

<sup>3</sup> These subsections are included to make applicable the operation of S.50(1) of the ONCA.

<sup>4</sup> This sentence is included to make applicable the operation of S.50(2) of the ONCA.

## 5. MEETINGS OF MEMBERS

### 5.1 Minimum Requirement

The Corporation will hold at least one (1) meeting per year of the Members, and that shall be the Annual Meeting. Special Meetings shall be held as provided in Section 5.12 of this By-law.

### 5.2 Date, Time and Place of Meetings

The Annual and any Special Meetings of the Members shall be held at such time and on such day as the Board shall appoint, at the Head Office of the Corporation or elsewhere in Ontario as the Board may determine.

### 5.3 Admission to Meetings

Meetings of the Members shall be open only to:

5.3.1 Members eligible to vote, as defined by Section 5.4 herein;

5.3.2 Directors;

5.3.3 The auditor, if an Annual Meeting;

5.3.4 such other persons who are entitled or required under any provision of the Corporations Act or the ONCA, (as applicable), the Articles and/or By-Laws of the Corporation ~~to be present at the meeting;~~

5.3.5 CDSB Directors of Education; and

5.3.6 CDSB Student Trustees and other Persons, if admitted at the invitation of the Chair or by Resolution of the Members.

### 5.4 Member Eligibility to Vote

Only those Members who are Trustees of ~~CDSB's~~ CDSBs which have paid the annual membership and any outstanding assessment fees as of the Record Date, will be eligible to vote at a meeting of the Members.

### 5.5 Voting by Members

5.5.1 The method of voting at any meeting of Members shall be determined by the chair of the meeting prior to any vote being taken. Each Member shall have one (1) vote on each question raised at any meeting of the Members, and all questions shall be determined by Ordinary Resolution, unless otherwise required by the By-~~Laws~~ Law, the Corporations Act or the ONCA, (as applicable). In the case of an equality of votes, the vote shall be deemed to have been lost.

5.5.2 Notwithstanding registration at a meeting, no Member shall be entitled to vote at meetings of the Corporation unless present at such meeting in person or by proxy; for the purposes of this Section 5.5, a person is not present at the meeting unless the person (or the proxy) is physically

present in the room or other space (including overflow space) in which the meeting is conducted;

5.5.3 At all meetings of Members every question shall be decided by a show of hands unless otherwise required by the By-Laws~~Law~~, the Corporations Act or the ONCA, (as applicable), or unless a ballot is required by the chair of the meeting or requested by any Member. Whenever a vote by show of hands has been taken upon a question, unless a ballot is requested, a declaration by the chair of the meeting that a resolution has been carried or lost by a particular majority and an entry to that effect in the minutes of the Corporation is conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the motion.

## 5.6 Ballot

A Member can demand a ballot during the meeting either before or after any vote by show of hands. If at any meeting a vote by ballot is requested on the election of a chair, it must be taken forthwith without adjournment. If a vote by ballot is requested on any other question, it shall be taken in the manner and time as the chair of the meeting directs. The result of a vote by ballot shall be deemed to be the resolution of the meeting at which it was requested. A request for a vote by ballot may be withdrawn at any time prior to the taking of the ballot.

## 5.7 Proxy Voting

Every Member entitled to vote at a meeting of the Members may by means of proxy appoint a proxyholder, or one or more alternate proxyholders, as the Member's nominee to attend and act at the meeting in the manner and to the extent and with the authority conferred by the proxy, the ONCA, and the Government Regulations.

A proxy must be:

5.7.1 in writing;

5.7.2 signed by the Member or the Member's Attorney,

5.7.3 be deposited with the Secretary of the Corporation no later than forty-eight (48) hours, excluding Saturdays and holidays, before any meeting or continuance of an adjourned meeting of the Members;

5.7.4 in such form as the Board prescribes; and

5.7.5 meet any additional requirements of the ~~Act or its Regulations;~~Corporations Act or regulations or the ONCA or regulations (as applicable).

A proxy shall only be valid at the meeting in respect of which it is given, or if that meeting is adjourned, at the meeting that continues the adjourned meeting.

A proxy may be revoked by a Member by depositing a written and signed revocation which must be received at the registered head office of the

Corporation at any time up to and including the last business day before the meeting at which the proxy is to be used, or by depositing same with the chair of the meeting on the day of the meeting.

The Corporation shall send, or otherwise make available, the form of proxy to each Member who is entitled to receive notice of the meeting concurrently with or before giving notice of the meeting.<sup>5</sup>

#### 5.8 Business at Annual Meetings

Annual Meetings shall be called by the Board~~7~~ and shall be held no later than fifteen (15) months after the preceding Annual Meeting~~7~~ on such a day and place as the Board shall determine~~6~~.

The agenda for the Annual Meeting shall include the following matters of business:

- 5.8.1 consideration of the minutes of the previous Annual Meeting;
- 5.8.2 consideration of any proposed By-law amendments;
- 5.8.3 consideration of Resolutions submitted by ~~CDSB's~~CDSBs in accordance with Section 5.9;
- 5.8.4 consideration of the financial statements of the Corporation;
- 5.8.5 appointment of the auditor;
- 5.8.6 approval of the auditor's report;
- 5.8.7 election of the President, Vice President, and CCSTA Representative, if an even ~~u~~numbered year;
- 5.8.8 introduction of Regional Directors present; and
- 5.8.9 any Members' proposals, received in accordance with Section 5.9 herein.

#### 5.9 Resolutions from ~~CDSB's~~CDSBs

Any CDSB may submit a Resolution for consideration at an Annual Meeting to address any challenge or opportunity which affects Catholic education in Ontario, subject to the following:

- 5.9.1 each such Resolution shall have been received at the Head Office of the Corporation not less than sixty (60) days prior to the date of the Annual Meeting;

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<sup>5</sup> Required under Part VI of the ONCA~~7~~.

<sup>6</sup> Required under S.52(1) of the ONCA~~7~~.

- 5.9.2 each such Resolution shall have been considered and reported upon by a Committee of the Board, or by the Board of Directors;
- 5.9.3 each such Resolution shall be circulated among all ~~CDSB's~~CDSBs not less than thirty (30) days prior to the Annual Meeting;
- 5.9.4 each such Resolution shall be included in the notice of the Annual Meeting; and
- 5.9.5 no such ~~resolution~~Resolution shall be acted upon unless approved by a majority of the votes cast at an Annual Meeting.

5.10 Members' Proposal Right

Through their CDSB, any Member entitled to vote at an Annual Meeting may give the Corporation notice of a proposal which the Member would like to have considered at the meeting.<sup>7</sup>

Provided that the proposal is received at least sixty (60) days prior to the date of the meeting, the Corporation shall refer it to a Committee of the Board or as determined by the Board of Directors, for review and consideration, and shall include it with the notice of the meeting sent to all Members. If the Member so requests, the Corporation shall also include a statement by the Member in support of the proposal, not to exceed 500 words, and/or the Member's name and address. The proposal, along with the Committee's report, if any, will be tabled at the Annual Meeting, at which the Member making the proposal may read aloud the resolution proposed.

Notwithstanding the above, the Corporation may refuse to send the proposal to the Members if:

- 5.10.1 it clearly appears that the primary purpose of the proposal is to enforce a personal claim or redress a personal grievance against the ~~corporation~~Corporation or its Directors, Officers, Members or debt obligation holders;
- 5.10.2 it clearly appears that the proposal does not relate in a significant way to the activities or affairs of the Corporation, as outlined in the corporate Objects; [see ~~art.~~Article 0.2]
- 5.10.3 not more than two years before the receipt of the proposal, the Member failed to present in person or by proxy, if authorized by the By-law, at a meeting of the Members, a proposal that had been included in a notice of meeting at the Member's request;
- 5.10.4 substantially the same proposal was submitted to Members in a notice of a meeting of the Members held not more than two years before the receipt of the proposal and the proposal was defeated; or

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<sup>7</sup> Required by S.56 of the ONCA.

5.10.5 the ~~rights~~right conferred by this section ~~are~~is being abused to secure publicity.

5.11 Members' Discussion ~~Rights~~Right

Any Member entitled to vote at an Annual Meeting is entitled to raise for discussion at that meeting any matter with respect to which the Member would have been entitled to submit a proposal, subject to the conditions outlined in Sections 5.10.1 to ~~5.10.5~~5.10.5<sup>8</sup>

5.11.1 Provided however that if such Member continues such discussion for three minutes or more, the Chair of the meeting may interrupt the Member and permit others to speak and/or make any subsidiary motion related thereto.

5.12 Special Meetings

The Board, the President or the Vice President may call a Special Meeting of the Members at any time, the nature of which must be specified in the notice to call the meeting.

The President shall call a Special Meeting upon the written request of the Members of the Corporation who hold at least ten (10) per cent of the votes that may be cast at a meeting of the Members sought to be held, within twenty-one (21) days after receiving such a request, failing which any Member who signed the request may call a Special Meeting, provided that the business of the meeting as stated in the requisition does not include a matter described in Subsections 5.10.1 through 5.10.5<sup>9</sup>.

No other business other than that which is specified in the notice shall be transacted<sup>10</sup>.

5.13 Adjournments

Members' meetings may be adjourned to any time, and such business may be transacted at such adjourned meeting as might have been transacted at the original meeting from which such adjournment took place. No notice shall be required of any such adjournment<sub>±</sub> and an adjournment may be made notwithstanding that no quorum is present.

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<sup>8</sup> S.56(1)(b) of the ONCA~~-~~

<sup>9</sup> S.60(1)~~-~~

<sup>10</sup> S.55(8)~~-~~

5.14 Quorum

Quorum for the transaction of business at any meeting of the Members shall require the presence in person or by proxy of not less than a total of forty (40) current Members.

5.15 Effect of Loss of Quorum

In the event that a quorum is lost at any meeting of Members,

5.15.1 if, in the opinion of the chair of the meeting, such loss of quorum is temporary and likely to be short-lived, the chair of the meeting shall have the authority to forthwith declare a recess for any period of time not exceeding one hour;

~~5.15.2 if,~~

5.15.2 ~~5.15.2.1 if,~~ in the opinion of chair of the meeting, such loss of quorum is not temporary and likely to be short-lived, or having declared a recess, a quorum is not present at the end of the recess, the meeting shall stand adjourned, to be reconvened at the call of the President.

~~5.15.2.2 —having declared a recess, a quorum is not present at the end of the recess,~~

~~the meeting shall stand adjourned, to be reconvened at the call of the President.~~

5.16 Notice of Meetings

Written notice of the time and place of a meeting, stating the nature of the business to be transacted in sufficient detail to permit a Member to form a reasoned judgement on the business, and stating the text of any Resolution to be submitted to the meeting, shall be sent to all Members entitled to receive notice, all Directors, and if an Annual Meeting then to any person appointed to conduct an audit or review engagement of the Corporation, not less than ten (10) and not more than fifty (50) days before the date on which the meeting is to take place.

No error or omission in giving notice of any meeting or any adjourned meeting of the Members shall invalidate such meeting or make void any proceedings taken thereat. Any Member may waive notice of a meeting at any time and may ratify, approve and confirm any or all proceedings taken thereat.

5.17 Appointment of Returning Officer

- (5) Prior to every meeting of Members, the Board shall appoint a Returning Officer, and may appoint one or more Deputy Returning Officers, to supervise any vote by ballot which takes place at the meeting. The appointment of the Returning Officer (and Deputy Returning Officers, if any) may be challenged by motion prior to the first call by the chair for a vote on any question at the meeting, and if such motion is successful, an appropriate

replacement shall be selected by the meeting forthwith.

5.18 Authority of Returning Officer

The Returning Officer shall have full and final authority on any question as to:

- 5.18.1 the qualifications of any person to cast a ballot;
- 5.18.2 the validity of proxies;
- 5.18.3 whether any ballot is to be counted or declared spoiled;
- 5.18.4 the counting of ballots;
- 5.18.5 the results of the balloting and announcement thereof to the meeting;
- 5.18.6 and generally over the supervision of balloting subject to any specific authority vested by this By-law in the Chairperson of the meeting;

- (6) ~~Provided~~provided that where any duty is performed by the Deputy Returning Officer, the absence or inability of the Returning Officer shall be presumed with reference thereto.

**6. REGIONS**

6.1 Criteria for Determining Regions and Representation

The criteria for determining the boundaries of and the representation by Regions shall be as follows:

- 6.1.1 ~~CDSB's~~CDSBs with a student enrolment of less than 35,000 FTE shall be grouped with other similarly sized ~~CDSB's~~CDSBs in a contiguous geographic area to form a Region, and such Region shall be entitled to select one (1) Regional Director if the combined student enrolment is less than 75,000 FTE, and shall be entitled to select two (2) regional Directors if the combined student enrolment is greater than 75,000 FTE;
- 6.1.2 ~~CDSB's~~CDSBs with a student enrolment in excess of 35,000 FTE but less than 75,000 FTE shall constitute a Region, and such Region shall be entitled to select one (1) Regional Director; and
- 6.1.3 ~~CDSB's~~CDSBs with a student enrolment in excess of 75,000 FTE shall constitute a Region, and such Regions shall be entitled to select two (2) Regional Directors to the Board.

6.2 Division into Regions

The Province of Ontario shall be divided into twelve (12) Regions for the purpose of selecting Regional Directors, and the number of Regional Directors respectively for such Region shall be as follows:

<b>Region</b>	<b>Catholic District School Board</b>	<b>Number of Directors</b>
1.	Huron-Superior Catholic District School Board Nipissing-Parry Sound Catholic District School Board Northeastern Catholic District School Board Sudbury Catholic District School Board	1
2.	Kenora Catholic District School Board Northwest Catholic District School Board Superior North Catholic District School Board Thunder Bay Catholic District School Board	1
3.	Northern Regions No. 1 & 2 (at large)	1
4.	Bruce-Grey Catholic District School Board Huron-Perth Catholic District School Board Waterloo Catholic District School Board Wellington Catholic District School Board	1
5.	London District Catholic School Board St. Clair Catholic District School Board Windsor-Essex Catholic District School Board	1
6.	Toronto Catholic District School Board	2
7.	Dufferin-Peel Catholic District School Board	2
8.	York Catholic District School Board	1
9.	Durham Catholic District School Board Peterborough, Victoria, Northumberland & Clarington Catholic District School Board Simcoe-Muskoka Catholic District School Board	1
10.	Algonquin & Lakeshore Catholic District School Board Catholic District School Board of Eastern Ontario Renfrew County Catholic District School Board	1
11.	Brant Haldimand-Norfolk Catholic District School Board Halton Catholic District School Board Hamilton-Wentworth Catholic District School Board Niagara Catholic District School Board	2
12.	Ottawa Catholic School Board	1
	<b>TOTAL</b>	<b>15</b>

6.3 Regions to Create Offices

Each Region shall create and maintain the offices corresponding to and named, respectively, the offices listed in Subsection 7.1.4.

6.4 Amendment

- (7) If and whenever the criteria set out in this Article 6 so requires, the Members shall, by Special Resolution, alter the boundaries of the Regions and

the number of Regional Directors accordingly, so as to take effect at the selection of Directors next following the confirmation of such Special Resolution by the Members.

~~(8)~~

6.5 Alteration of Regional Boundaries for Other Reasons

In addition to Article 6.4 above, Region boundaries may also be altered, by Special Resolution, for reasons other than those necessitated by Article ~~6.1~~,6.1, provided that:

- (a) The change in Regions shall not result in any Board with an excess of 35,000 ~~FTE's~~FTEs being in the same Region as any other Board, and
- (b) The change in Regions shall not alter the number of Regional Directors to which any one Region is entitled.

**7. BOARD OF DIRECTORS**

7.1 Board Composition

The affairs of the Corporation shall be managed by a Board composed of eighteen (18) Directors, as follows:

- 7.1.1 The President, who shall be elected by the Members; and
- 7.1.2 The Vice President, who shall be elected by the Members.
- 7.1.3 The Past President;
- 7.1.4 Fifteen (15) Directors being the incumbents for the time being of the following offices:
  - 7.1.4.1 Regional Director for Region One;
  - 7.1.4.2 Regional Director for Region Two;
  - 7.1.4.3 Regional Director for Region Three;
  - 7.1.4.4 Regional Director for Region Four;
  - 7.1.4.5 Regional Director for Region Five;
  - 7.1.4.6 Regional Director A for Region Six;
  - 7.1.4.7 Regional Director B for Region Six;
  - 7.1.4.8 Regional Director A for Region Seven;
  - 7.1.4.9 Regional Director B for Region Seven;
  - 7.1.4.10 Regional Director for Region Eight;

- 7.1.4.11 Regional Director for Region Nine;
- 7.1.4.12 Regional Director for Region Ten;
- 7.1.4.13 Regional Director A for Region Eleven;
- 7.1.4.14 Regional Director B for Region Eleven;
- 7.1.4.15 Regional Director for Region Twelve.

## 7.2 Director Eligibility

The following persons are disqualified from being a Director:

- 7.2.1 A person who is not an individual;
- 7.2.2 A person who is under eighteen (18) years of age;
- 7.2.3 A person who has been found under the *Substitute Decisions Act*, S.O. 1992, c. 30 or under the *Mental Health Act* R.S.O. 1990 c. M.7 to be incapable of managing property;
- 7.2.4 A person who has been found to be incapable in any court in Canada or elsewhere;
- 7.2.5 A person who has the status of bankrupt<sup>11</sup>; and
- 7.2.6 A person who is not a Member.

## 7.3 Election of President and Vice President

The President and Vice President shall be elected at Annual Meetings held in even   -numbered years.

Where there are more candidates nominated than there are positions to be filled by election, there shall be an election conducted by ballot, and for this purpose, there shall be a separate ballot for the election of each of the President and the Vice- President.

The Returning ~~officer~~Officer shall report to the Members the number of ballots cast for each candidate, the total number of ballots cast, the number of spoiled ballots, and the number of ineligible ballots.

## 7.4 Selection Process for Regional Directors

No particular manner or method is prescribed for how each Region selects its Regional Director. The ~~CDSB's~~CDSBs comprising each Region, therefore, shall devise and adopt a fair, equitable and democratic process by which their Regional Director is selected, in accordance with Board guidelines, provided however, that:

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<sup>11</sup> 7.1.1 to 7.1.5 correspond to Sections 23(1)1 to 5 of the ONCA.

- 7.4.1 Regional Directors from ~~CDSB's~~CDSBs described in Section 6.1.1 shall be selected in odd \_-numbered years, and Regional Directors described in Sections 6.1.2 and 6.1.3 shall be selected in even \_-numbered years; and
- 7.4.2 the selection process once adopted may not be altered more frequently than every second year, and in any event not later than one hundred and eighty (180) days prior to the second Annual Meeting following the previous use of the process.

7.5 Failure to Agree ~~Upon~~upon Regional Director Selection Process

In the event that the CDSBs comprising a Region are unable to reach a consensus as to the process to be adopted for that Region for the selection of its Regional Director, any CDSB within that Region may refer the selection process to the Board; and upon referral:

- 7.5.1 the Board shall give notice to the other CDSBs within that Region, requesting each to make representations to the Board within thirty (30) days after the notice, as to the selection process to be adopted;
- 7.5.2 within a further thirty (30) days, the Board shall consider all representations received from the CDSBs within that Region, and determine the process by which such Regional Director is selected;
- 7.5.3 such determination by the Board shall be final and binding for such Region and from which there is no right of appeal, but without prejudice to the right to adopt a new selection process subject to the limitations described in clause 7.4.2.

7.6 CCSTA Representative

The following shall determine the selection of the CCSTA Representatives:

- 7.6.1 in the event ~~that~~ that the Corporation shall have the right to select only one (1) person to serve on ~~its~~the CCSTA Board of Directors, the Past President of the Corporation shall be the CCSTA representative;
- 7.6.2 for as long as the Corporation shall have the right to select two (2) persons to serve on the CCSTA Board of Directors, the second CCSTA Representative (in addition to the Past President of the Corporation) shall be elected in even \_-numbered years by the Members at the Annual Meeting;
- 7.6.3 ~~in~~in the event that one of the CCSTA Representatives is selected by CCSTA to serve as its president, the President of the Corporation shall appoint a Director of the Corporation in the place and stead of the person so selected to serve as a CCSTA Representative.

7.7 Termination

A Director ceases to hold office when he or she:

- 7.7.1 submits ~~their~~his/her written resignation to the President, specifying the date upon which it shall become effective;
  - 7.7.2 becomes deceased~~;~~;
  - 7.7.3 ceases to be eligible to be a Director, as prescribed in this Article 6.5; or
  - 7.7.4 is terminated as a Member, in accordance with Section 4.4 herein;
- and an elected Director further ceases to hold office when he or she:
- 7.7.5 is removed by Ordinary Resolution of the Members at a Special Meeting of which notice of the intention to pass such a resolution has been given~~;~~.

#### 7.8 Vacancies

If, for any reason, there is a vacancy in the office of:

- 7.8.1 **President**, then the Vice- President shall automatically assume the office of President for the balance of the unexpired term of office;
- 7.8.2 **Vice- President**, then the Directors shall appoint a Regional ~~Ex-Officio~~ex-officio Director to assume the office of Vice- President for the balance of the unexpired term of office;
- 7.8.3 **President and Vice- President**, then the Directors shall appoint one of their number to assume each of the offices of President and Vice- President for the balance of the respective unexpired terms of office;
- 7.8.4 **Past President**, the person who is the next most recent former President who is willing to assume the office shall automatically assume the office of Past President for the balance of the unexpired term of office; and if none, the office shall remain vacant until ~~there is~~ a person is eligible and willing to assume the office; and if none, the office shall remain vacant until the next Annual Meeting at which a new President is to be elected;
- 7.8.5 **Regional Director**, then the Members of the Region from which the vacancy occurred shall elect a person who is qualified to assume the office for the balance of the unexpired term, provided however that, where there is still a quorum of the Board in office and a vacancy occurs during the six months prior to a scheduled annual meeting, the election to fill such vacancy shall be deferred to such Annual Meeting.
- 7.8.6 **CCSTA Representative**, then the President of the Corporation shall appoint a Director of the Corporation in the place and stead of the vacated CCSTA Representative to serve for the remainder of the term.

#### 7.9 Remuneration of Directors

The Directors shall receive no remuneration for acting as such provided that a Director may be paid reasonable expenses incurred by him or her in the performance of his or her duties.

7.10 Term

The term of office shall be for two years,

7.10.1 in the case of the President, Vice- President and CCSTA Representative(s) commencing at the adjournment of the Annual Meeting at which they are elected;

7.10.2 in the case of a Regional Director, commencing at the adjournment of the first Annual Meeting following such Regional Director's selection; and

ending at the adjournment of the second Annual Meeting thereafter and when the successor in office is chosen.

7.11 Limit on Term of Office

A person is not qualified to serve, and shall not serve, for more than ~~one~~ two (2) successive ~~term~~ terms in any one of the positions of President, Vice- President or CCSTA Representative; and for the purpose of calculating the limit on the term of office:

7.11.1 service in office by appointment to fill a vacancy of eighteen (18) months or longer shall be deemed to be service for one term of office; and

7.11.2 service in office by appointment to fill a vacancy of less than eighteen (18) months shall be deemed not to be service in office.

7.12 Nomination for President and Vice President

A nomination for the election of President and Vice- President shall conform to the following requirements:

7.12.1 such nomination shall be in writing in a form approved from time to time by the Board and circulated among ~~CDSB's~~ CDSBs with the notice of the Annual Meeting at which the election is to take place;

7.12.2 such nomination shall include the consent of the nominee, and shall identify the name of and be signed by each of the mover, seconder and nominee, each of whom shall be qualified to hold the office for which the nomination is made, and in each case identifying by name the CDSB of which such Member is a Trustee;

7.12.3 such nomination shall be received at the Corporation Head Office not later than twenty-one (21) days prior to the time fixed in the notice of meeting for the call to order of the first plenary session at the Annual Meeting, provided however that if no nominations within the time so limited, nominations shall remain open until but not later than two hours and fifteen minutes prior to the time fixed in the notice for the call to order of the first plenary session at the Annual Meeting;

Notwithstanding the above, a Member may nevertheless propose a nomination at the Annual Meeting, and if such a nominee consents, that nomination will be added to the slate of nominees presented to the Members for election.<sup>12</sup>

No member may accept the nomination for more than one office in the same election.

#### 7.13 Standard of Care of Directors

Every Director in exercising his or her powers and discharging his or her duties to the corporation shall:

7.13.1 act honestly and in good faith with a view to the best interests of the corporation; and

7.13.2 exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.<sup>13</sup>

Every Director will comply with the Act and its Regulations, and the Corporation's Articles, By-laws, policies and Code of Conduct.<sup>14</sup>

### 8. **BOARD MEETINGS**

#### 8.1 Confidentiality

All information pertaining to the affairs of the Corporation which ~~are~~<sup>is</sup> brought before the Board, including but not limited to agenda items for Board decision, background materials relating to those decision items, staff reports, and the content of debate and discussion which takes place at Board and Board committee meetings, shall be treated by Directors as strictly confidential unless declared to be otherwise by Board resolution, pursuant to the Standard of Care owed to the Corporation.

#### 8.2 Calling of Meetings

At least three meetings of the Board of Directors shall be held between Annual Meetings of the Members. In addition, meetings of Board of Directors

8.2.1 may be called by the President, and

8.2.2 shall be convened by the Executive Director upon direction in writing of five (5) Directors.

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<sup>12</sup> ONCA Section 56(5)~~-~~

<sup>13</sup> ONCA Section 43(1)~~-~~

<sup>14</sup> ONCA Section 43(2)~~-~~

### 8.3 Regular Meetings

The Board may appoint one or more days in each year for regular meetings of the Board at a set place and time. A copy of any resolution of the Board fixing the place and time of such regular meetings of the Board shall be sent to each Director as soon as possible after being passed, but no other notice shall be required for any such regular meeting except as may be required pursuant to the Corporations Act or the ONCA, ~~(~~as applicable).

The Board shall hold a meeting within seven (7) days following the Annual Meeting of the Members of the Corporation for the purpose of organization, the election and appointment of officers and the transaction of any other business.

### 8.4 Place of Meetings

Meetings of the Board and of the Committees of the Board may be held at any place within Ontario, as designated in the notice calling the meeting.

### 8.5 Quorum for Meeting of Directors

A quorum for the transaction of business at meetings of the Board shall be the smallest whole number that is not less than a majority of the number of Directors, and, subject to the proviso set out in subsection 9.3.1, no business shall be transacted at any meeting unless the requisite quorum is present at the commencement of such business.

### 8.6 Meetings by Electronic Conference<sup>15</sup>

A Director may participate in a meeting of the Board or a committee of the Board by telephonic or electronic means that permit all participants to communicate adequately with each other during the meeting. A Director so participating in a meeting is deemed to be present at the meeting.

Provided that at the outset of each such meeting, and whenever votes are required, the Chair of the meeting shall call roll to establish quorum, and shall, whenever not satisfied that the proceedings of the meeting may proceed with adequate security and confidentiality, unless a majority of the persons present at such meeting otherwise require, adjourn the meeting to a predetermined date, time and place.

### 8.7 Voting

Questions arising at any meeting of the Board shall be decided by a majority vote. In the case of an equality of votes, the question shall be deemed to have been lost. At all meetings of the Board, every question shall be decided in the usual way by assent or dissent unless a poll on the question is required by the Chair or requested by any Director.

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<sup>15</sup> Section 34(6) of ONCA allows the By-law to specify either that there may be no electronic participation, or electronic participation upon the unanimous consent of Directors, or as is provided here, that there is the right to participate electronically unless the Chair identifies a security or confidentiality concern.

A declaration by the Chair that a resolution has been carried and an entry to that effect in the minutes is conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution.

#### 8.8 Written Resolutions

Subject to the ~~Act~~, [Corporations Act or ONCA \(as applicable\)](#) a resolution in writing, signed by all the Directors entitled to vote on that resolution at a Board or Committee meeting, is as valid as if it had been passed at a meeting of the Board or Committee called, constituted and held for that purpose.

#### 8.9 Notice of Meetings of Directors

Notice of meetings other than regularly scheduled meetings of the Board shall be given to each Director by one of the following methods:

8.9.1 by telephone, facsimile, email or other electronic method not less than twenty-four (24) hours before the meeting is to take place; or

8.9.2 by prepaid letter post not less than fifteen (15) days before the meeting is to take place,

provided however that a meeting of Directors shall be held without notice immediately following the annual meeting of the Corporation.

The statutory declaration of the Executive Director or the President that notice has been given pursuant to this By-law shall be sufficient and conclusive evidence of the giving of such notice.

No formal notice of a meeting is necessary if all the Directors are present or if those absent have signified their consent to the meeting being held without notice and in their absence.

### 9. **CONFLICT OF INTEREST<sup>16</sup>**

#### 9.1 Disclosure Required

As required by the [Corporations Act](#) or the ONCA [\(as applicable\)](#), a Director or officer of the Corporation who:

9.1.1 is a party to a material contract or transaction, or a proposed material contract or transaction with the Corporation; or

9.1.2 is a Director, officer, or has an immediate material interest in, any person who is a party to a material contract or transaction or proposed material contract or transaction with the Corporation,

shall disclose to the Board, or request to have entered in the minutes of Board meetings, the nature and extent of such interest.

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<sup>16</sup> Adapted from ONCA Section ~~41~~.[41](#)

## 9.2 Timing of Disclosure

This disclosure shall be made, in the case of a Director:

- 9.2.1 at the meeting at which a proposed contract or transaction is first considered;
- 9.2.2 if the Director was not then interested in a proposed contract or transaction, at the first meeting after which the Director becomes so interested;
- 9.2.3 if the Director becomes interested after a contract is made or a transaction is entered into, at the first meeting after which they become so interested; or
- 9.2.4 if a person who is interested in a contractor transaction later becomes a Director, at the first meeting after which they become a Director,

and the disclosure shall be made in the case of an officer:

- 9.2.5 forthwith after the officer becomes aware that the contract or transaction or proposed contract or transaction is to be considered or has been considered at a meeting of Directors;
- 9.2.6 if the officer becomes interested after a contract is made or a transaction is entered into, forthwith after he or she becomes and officer;
- 9.2.7 if a person who is interested in a contract or transaction later becomes an officer, forthwith after he or she becomes an officer.

## 9.3 Duty After Disclosure

A Director who has an interest as defined herein shall not attend any part of a Board or Committee meeting during which the contract or transaction is being discussed, and shall not vote on any Resolution to approve the contract or transaction.

- 9.3.1 Provided that if quorum does not exist for the purpose of voting on a Resolution to approve a contract or transaction only because a Director is not permitted to be at a meeting due to a conflict of interest, the remaining Directors are deemed to constitute a quorum for the purpose of voting on that resolution.

## 10. OFFICERS OF THE CORPORATION

### 10.1 Officers

The officers of the Corporation shall be:

- 10.1.1 the President,
- 10.1.2 the Vice- President,

10.1.3 the Past President,  
each of whom shall be a Member;

10.1.4 an Executive Director who shall also be the Secretary, but shall not be a person who is a Member;

10.1.5 a Chaplain, who may but need not be a Member.

10.2 Standard of Care of Officers

The provisions of Section 7.13 apply with necessary variations to the officers of the Corporation.

10.3 Duties of the President

The President:

10.3.1 shall when present, preside as Chair at all meetings of Members of the Corporation, and at all meetings of the Board;

10.3.1.1 ~~Provided~~provided however that the President may delegate any part or parts of such duty to preside over the Annual Meeting to any person;

10.3.2 shall be a member of every Committee;

10.3.3 shall have the other powers and duties from time to time prescribed by the Board or incident to the office.

10.4 Duties of the Vice- President

During the absence or inability to act of the President, the duties and powers of the office may be exercised by the Vice- President. Without limiting the generality of the foregoing, when delegated by and in the absence of the President, the Vice- President shall have the right to attend and to vote at all Committee meetings at which the President has the right to attend and vote. If a Vice- President exercises any of those duties or powers, the absence or inability to act of the President shall be presumed with reference thereto. The Vice- President shall also perform the other duties from time to time prescribed by the Board of Directors or incident to the office.

10.5 Absence of President and Vice- President

In the event that either the President or the Vice- President is unable to fulfil a particular obligation of the office, such officer may delegate responsibility for the task to another Director. Where ~~athe~~athe President or Vice President is unable to fulfill the duties and powers of the office, the Board may from time to time appoint another Director for that purpose. Where such other Director exercises any such duty or power, the absence or inability of the President and the Vice- President shall be presumed with reference thereto.

#### 10.6 Duties of Executive Director

The Executive Director shall:

- 10.6.1 be the non-voting *ex officio* clerk of the Board and of every committee established by or under the By-laws of the Corporation;
- 10.6.2 attend all meetings of the Board and record all facts and minutes of all proceedings in the books kept for that purpose;
- 10.6.3 give all notices required to be given to Members and to Directors;
- 10.6.4 shall be the custodian of the seal of the Corporation and of all books, papers, records, correspondence, contracts and other documents belonging to the Corporation and as are required by the Act and this By-law, the same being delivered up only when authorized by a resolution of the Board to do so and to such person or persons as may be named in the resolution; and
- 10.6.5 shall perform such other duties as may from time to time be determined by the Board.

#### 10.7 Other Officers

The Board of Directors may appoint other officers, including without limitation, Honourary Officers, and agents (and with such titles as the Board of Directors may prescribe from time to time) as it considers necessary and all such officers and agents shall have the authority and perform the duties from time to time prescribed by the Board of Directors. The Board of Directors may also remove at its pleasure any such officer or agent of the Corporation. The duties of all other officers of the Corporation appointed by the Board of Directors shall be such as the terms of their engagement call for or the Board of Directors prescribes.

#### 10.8 Bonding of Officers

The Executive Director and any other officer, agent or employee of the Corporation who may be designated by the Directors shall furnish a bond in such amount and with such sureties as the Directors may approve. The cost of the said bonds shall be paid by the Corporation and they shall be deposited and kept as the Directors may direct.

#### 10.9 Appointment and Duties of Chaplain

The Chaplain of the Corporation shall:

- 10.9.1 be appointed annually by the Board on the nomination of the Assembly of Catholic Bishops of Ontario;
- 10.9.2 invoke Divine Guidance on all meetings of the Corporation and of the Directors; and
- 10.9.3 ~~(9)~~ encourage the Directors to bring a gospel perspective and the riches of the Catholic Tradition to current issues and decision-making.

## 11. COMMITTEES OF THE BOARD

### 11.1 Executive Committee

There shall be an Executive Committee composed of the President, Vice President and Past President with authority to act on behalf of the Board with regard to urgent matters which may arise between Board meetings, provided that all decisions taken in the absence of the Board shall be reported at the next Board meeting.

### 11.2 Committees Generally

Subject to the Corporations Act or the ONCA (as applicable), the Articles, and the By-Laws, the Board may, by Board ~~Resolution~~resolution, appoint such standing and ad hoc committees as it deems appropriate from time to time and set the rules governing such committees.

### 11.3 Limits on Authority of Committees<sup>17</sup>

No committee, including the Executive Committee (if any), has authority to:

- 11.3.1 submit to the Members any question or matter requiring approval of the Members;
- 11.3.2 fill a vacancy among the Directors or in the office of Auditor or of a person appointed to conduct a review engagement of the Corporation;
- 11.3.3 appoint additional Directors;
- 11.3.4 issue debt obligations except as authorized by the Board;
- 11.3.5 approve any financial statements;
- 11.3.6 adopt, amend or repeal any By-Law; or
- 11.3.7 establish contributions to be made, or dues to be paid, by Members.

### 11.4 Rules Governing Committees

Except where otherwise provided in the By-laws of the Corporation, all Committees, excluding the Committee of the Whole Board and the Executive Committee, are subject to the following:

- 11.4.1 a Committee shall be composed of not less than three (3) Directors<sup>18</sup>;

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<sup>17</sup> Required by Section 36(2) of the ONCA.

<sup>18</sup> Note that quorum is defined in section ~~41.40.8~~11.4.8 as requiring at least three Directors, but could be changed to a majority or two-thirds of committee members if greater flexibility is preferred.

- 11.4.2 the committee members shall be appointed by the Board of Directors, on the nomination of the President, from among the Members of the Corporation;
- 11.4.3 the members of the Committee shall select the Committee chairperson;
- 11.4.4 a member of a Committee shall serve for a term ending at the annual meeting of Members following appointment, and is eligible for reappointment for one or more additional terms;
- 11.4.5 each Committee shall meet at least annually, and more frequently at the will of its Chairperson or as required by its terms of reference;
- 11.4.6 a Committee shall carry out such additional or amended duties or tasks as may be determined by the Board from time to time, regardless of its Terms of Reference or the Terms of Reference of any other Committee;
- 11.4.7 each Committee shall be responsible to, and shall report regularly to, the Board;
- 11.4.8 subject to any rules established by the Board, a quorum for the holding of a Committee meeting consists of the lesser of
  - 11.4.8.1 a majority of a Committee, and
  - 11.4.8.2 three (3) members of a Committee,and otherwise each Committee may establish its own rules of procedure and may appoint subcommittees;
- 11.4.9 if and whenever a vacancy exists on a Committee, the remaining Committee members may exercise all of the Committee's powers so long as a quorum remains on the Committee, but the Board shall in any event appoint a replacement to fill any vacancy as soon as practicable.

## 12. PROTECTION OF DIRECTORS AND OFFICERS

### 12.1 Directors' and Officers' Liability Exclusion

Absent the failure to act in accordance with the Standard of Care as outlined in Section 7.13 or Section 10.2 in the performance of the duties of office, and save as may be otherwise provided in any legislation or law, no present or past Director or officer of the Corporation shall be personally liable for any loss or damage or defaults of such Director or officer or of any other Director or officer or employee, servant, agent, volunteer or independent contractor arising from any of the following:

- 12.1.1 insufficiency or deficiency of title to any property acquired by the Corporation or for or on behalf of the Corporation;
- 12.1.2 insufficiency or deficiency of any security in or upon which any of the monies of or belonging to the Corporation shall be placed out or invested;

- 12.1.3 loss or damage arising from the bankruptcy or insolvency of any person, firm or corporation including any person, firm or corporation with whom or which any monies, securities or effects shall be lodged or deposited;
- 12.1.4 loss, conversion, misapplication or misappropriation of or any damage resulting from any dealings with monies, securities or other assets belonging to the Corporation;
- 12.1.5 loss, damage or misfortune whatever which may occur in the execution of the duties of the Director's or officer's respective office or trust or in relation thereto; and
- 12.1.6 loss or damage arising from any wilful act, assault, act of negligence, breach of fiduciary or other duty or failure to render aid of any sort.

## 12.2 Pre-Indemnity Considerations

Before giving approval to the indemnities provided herein, or purchasing insurance as provided herein, the Board of Directors shall consider:

- 12.2.1 the degree of risk to which the Director or officer is or may be exposed;
- 12.2.2 whether, in practice, the risk cannot be eliminated or significantly reduced by means other than the indemnity or insurance;
- 12.2.3 whether the amount or cost of the insurance is reasonable in relation to the risk;
- 12.2.4 whether the cost of the insurance is reasonable in relation to the revenue available; and
- 12.2.5 whether it advances the administration and management of the property to give the indemnity or purchase the insurance.

## 12.3 Indemnification of Directors and Officers

Every person, (including their respective heirs, executors and administrators, estate, successors and assigns) who:

- 12.3.1 is a Director; or,
- 12.3.2 is an officer of the Corporation; or
- 12.3.3 is a member of a Committee; or
- 12.3.4 has undertaken, or, with the direction of the Corporation is about to undertake, any liability on behalf of the Corporation or any Corporation controlled by the Corporation, whether in the person's personal capacity or as a director or officer or employee or volunteer of such corporation;

shall, upon approval of the Board from time to time, be indemnified and saved harmless (including, for greater certainty, the right to receive the first dollar payout, and without deduction or any co-payment requirement) out of the funds

of the Corporation, from and against all costs, charges and expenses which such person sustains or incurs:

12.3.5 in or in relation to any demand, action, suit or proceeding which is brought, commenced or prosecuted against such person in respect of any act, deed, matter or thing whatsoever, made, done or permitted or not permitted by such person, in or in relation to the execution of the duties of such office or in respect of any such liability; or,

12.3.6 in relation to the affairs of the Corporation generally,

save and except such costs, charges or expenses as are occasioned by the failure to such person to act honestly and in good faith in the performance of the duties of office, or by other wilful neglect or default.

The Corporation shall also, upon approval by the Board from time to time, indemnify any such person, firm or corporation in such other circumstances as any legislation or laws permit or require.

Nothing in this By-law shall limit the right of any person, firm or corporation entitled to indemnity to claim indemnity apart from the provisions of this By-law to the extent permitted by any legislation or law.

#### 12.4 Insurance

The Corporation shall purchase and maintain appropriate liability insurance for the benefit of the Corporation and each person acting or having previously acted in the capacity of a Director, officer or any other capacity at the request of or on behalf of the Corporation, which insurance may include:

12.4.1 property and public liability insurance;

12.4.2 Directors' and officers' insurance; and,

12.4.3 such other insurance as the Board sees fit from time to time;

with coverage limits and with insurers deemed appropriate by the Board from time to time.

No coverage shall be provided for any liability relating to a failure to act honestly and in good faith with a view to the best interests of the Corporation.

(8) ~~(10)~~ It shall be the obligation of any person seeking insurance coverage or indemnity from the Corporation to co-operate fully with the Corporation in the defence of any demand, claim or suit made against such person, and to make no admission of responsibility or liability to any third party without the prior agreement of the Corporation.

### 13. CORPORATE RECORDS<sup>19</sup>

#### 13.1 Required Records

The Corporation shall keep and maintain the following records at its registered head office:

- 13.1.1 the Corporation's Articles and By-laws, and any amendments to them;
- 13.1.2 the minutes of meetings and any resolutions of the Members;
- 13.1.3 a register of Directors, Officers, and Members;
- 13.1.4 the minutes of meetings and resolutions of the Board, and any committees of the Board;
- 13.1.5 accounting records adequate to enable the Directors to ascertain the financial position of the corporation with reasonable accuracy on a quarterly basis;
- 13.1.6 a copy of the financial statements;
- 13.1.7 consent to act as a Director of each individual who is elected as a Director of the Corporation.

#### 13.2 Directors' Access to Records

Any such records shall be open to inspection by the Directors. Copies must be provided upon request at no cost to the Director.

#### 13.3 Members' Access to Records

A Member, a Member's attorney or legal representative, may examine and take extracts from the records referred to in Subsections 13.1.1, 13.1.2 and 13.1.3.

Upon request and without charge, a Member may inspect any ~~“Consent to Act as a Director”~~ and to make a copy of it.

(9) ~~(11)~~—A Member or a Member's attorney or legal representative who wishes to examine the Register of the Members shall first make a request to the Corporation accompanied by a Statutory Declaration that states the name and address of the Member applicant and shall further state that the list of Members or the information contained in the Register of Members thus obtained will only be used for an effort to influence the voting of members, requisitioning a meeting of the Members, or another matter relating to the affairs of the

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<sup>19</sup> In accordance with Part X of the ONCA-

corporation, upon receipt of which the Corporation will as soon as is practical allow the applicant access to the Register and, on payment of a reasonable fee, provide the applicant with an extract from the Register.

## 14. EXECUTION OF DOCUMENTS

### 14.1 Cheques, Drafts, Notes, Etc.

All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by the officer or officers or person or persons and in the manner from time to time prescribed by the Board.

### 14.2 Execution of Documents

Documents requiring execution by the Corporation may be signed by any two (2) of the President, Vice- President, ~~the~~ Secretary, or any one (1) of the foregoing together with any one (1) Director, and all documents so signed are binding upon the Corporation without any further authorization or formality. The Board may from time to time appoint any officer or officers or any person or persons on behalf of the Corporation, either to sign documents generally or to sign specific documents. The corporate seal of the Corporation shall, when required, be affixed to documents executed in accordance with the foregoing.

### 14.3 Books & Records

(10) ~~(12)~~—The Directors shall see that all necessary books and records of the Corporation required by the By-laws of the Corporation or by any applicable statute or law are regularly and properly kept.

## 15. BANKING ARRANGEMENTS

### 15.1 Board Designation of Directors Designate Bankers

The Board shall designate, by resolution, the officers and other persons authorized to transact the banking business of the Corporation, or any part thereof, with the bank, trust company, or other corporation carrying on a banking business that the Board has designated as the Corporation's banker, to have the authority set out in the resolution, including, unless otherwise restricted, the power to,

15.1.1 operate the Corporation's accounts with the banker;

15.1.2 make, sign, draw, accept, endorse, negotiate, lodge, deposit or transfer any of the cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money;

15.1.3 issue receipts for and orders relating to any property of the Corporation;

- 15.1.4 execute any agreement relating to any banking business and defining the rights and powers of the parties thereto; and
- 15.1.5 authorize any officer of the banker to do any act or thing on the Corporation's behalf to facilitate the banking business.

15.2 Deposit of Securities

(11) ~~(13)~~—The securities of the Corporation shall be deposited for safe keeping with one or more bankers, trust companies or other financial institutions to be selected by the Board. Any and all securities so deposited may be withdrawn, from time to time, only upon the written order of the Corporation signed by such officer or officers, agent or agents of the Corporation, and in such manner, as shall from time to time be determined by resolution of the Board and such authority may be general or confined to specific instances. The institutions which may be so selected as custodians by the Board shall be fully protected in acting in accordance with the directions of the Board of Directors and shall in no event be liable for the due application of the securities so withdrawn from deposit or the proceeds thereof.

16. **FINANCIAL YEAR**

16.1 ~~Financial Year Determined~~Determination of Fiscal Year

(12) ~~(14)~~—Until otherwise determined by resolution of the Board, the fiscal year end of the Corporation shall terminate on ~~the August 31st day of August in~~ the August 31st day of each year.

17. **AUDITORS**

17.1 Appointment of Auditor

(13) ~~(15)~~—The Members entitled to vote shall at each annual meeting appoint an auditor qualified to conduct an audit pursuant to the requirements of the *Public Accounting Act, 2004* to hold office until the next Annual Meeting, provided that the Directors may fill any casual vacancy in the office of the auditor. The remuneration of the auditor shall be fixed by the Members entitled to vote, or by the Board if authorized to do so by the Members entitled to vote.

## 18. NOTICE

### 18.1 Method of Notice

Except where otherwise provided in this By-law, notice shall be validly given if given by telephone, or if in writing:

18.1.1 by prepaid letter post;

18.1.2 by facsimile;

18.1.3 by e-mail; or

18.1.4 by other electronic method;

addressed to the person for whom intended at the last address shown on the Corporation's records. Any such notice shall be deemed given:

18.1.5 in the case of telephone, at the time of the telephone call;

18.1.6 in the case of letter post, on the third day after mailing; and

18.1.7 in all other cases, when transmitted.

### 18.2 Presumed Address of ~~A~~a Member

Any notice or resolution sent to a Member may be sent to such Member at the address of the CDSB for which the Member is a Trustee, whether or not such Member has provided another address to the Corporation, and so sending shall constitute notice as if the notice or resolution had been sent in an envelope individually addressed to the Member.

### 18.3 Computation of Time

In computing the date when notice must be given under any provision of the By-law requiring a specified number of days' notice of any meeting or other event, the date of giving the notice is, unless otherwise provided, not included.

### 18.4 Omissions and Errors

(14) ~~(16)~~ The accidental omission to give notice of any meeting of the Board, a Committee or Members, annual, general, regional, special meeting or other, or the non-receipt of any notice by any Director or Member or by the auditor of the Corporation or any error in any notice not affecting its substance does not invalidate any resolution passed or any proceedings taken at the meeting. Any Director, Member or the auditor of the Corporation may at any time waive notice of any meeting and may ratify and approve any or all proceedings taken thereat.

**19. USE OF ~~ROBERTS~~ROBERT'S RULES OF ORDER**

(15) ~~(17)~~ Subject to all requirements of law, and subject to any specific provision set out in the By-laws, meetings of the Members, the Board and Committees shall be conducted in accordance with the rules and practice contained in the current edition of *Robert's Rules of Order Newly Revised* as far as applicable.

**20. AMENDMENT TO THE BY-LAWS**

The Board may pass, amend or repeal this By-law by Ordinary Resolution, except where to do so is contrary to the ~~Act~~Corporations Act or ONCA (as applicable), provided that where the Board has approved any such amendments, it shall submit same to the Members at the next Members' meeting, and the Members may confirm, reject, amend or repeal the revised By-law by Ordinary Resolution.

Any amendment to the By-law by the Board shall take effect from the date of the Ordinary Resolution of the Board, but shall cease to be in effect as of the date of the next Members' meeting if not submitted to the Members for a vote at that meeting, or if at that meeting such amendments are rejected by the Members.

(16) ~~(18)~~ Notice of any such changes, including the complete text of the previous and revised version of the By-law, must be given to the Members at least thirty (30) days before the meeting at which the amendment or amendments will be voted upon.

**21. REPEAL OF PRIOR BY-LAWS**

21.1 Repeal

Subject to the provisions of Section 21.2 and 21.3 hereof, all prior By-laws, resolutions and other enactments of the Corporation heretofore enacted or made are repealed.

21.2 Exception

The provisions of Section 21.1 shall not extend to any By-law or resolution heretofore enacted for the purpose of providing to the Board the power or authority to borrow.

21.3 Proviso

(17) ~~(19)~~ Provided however that the repeal of prior By-laws, resolutions and other enactments shall not impair in any way the validity of any act or thing done pursuant to any such repealed By-law, resolution or other enactment.

**22. EFFECTIVE DATE**

22.1 Coming into force

This By-law shall come into force with no further formality on the later of:

22.1.1 the date approved by Ordinary Resolution, ~~and~~or

22.1.2 the coming into force of the Ontario *Not-for-Profit Corporations Act*.

**ENACTED** as a By-law of the **Ontario Catholic School Trustees' Association** and sealed with the corporate seal the 1<sup>st</sup> day of May, 2016.



\_\_\_\_\_  
President



\_\_\_\_\_  
Secretary

**CONFIRMED** by the Members in accordance with the *Not-For-Profit Corporations Act* (Ontario) on the 29<sup>th</sup> day of April, 2016.



\_\_\_\_\_  
President



\_\_\_\_\_  
Secretary

**MOTION TO DEAL WITH RESOLUTIONS IN GROUPS**

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT:**               **the grouping of the Resolutions be approved.**

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**APPROVE**

**RESOLUTIONS # 1-8**

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**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT:**                   **the committee recommendations for Resolutions 1-8  
be approved.**

**Moved by:** Mark Valvasori **Hamilton-Wentworth CDSB**

**Seconded by:** Patrick Daly

**Topic:** **Accuracy of Municipal Voter Lists**

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**Whereas:** The accuracy of Municipal Voter lists is of crucial importance in our democratic process.

**Whereas:** Accurate Municipal Voter lists provide electors with the opportunity to cast their vote for a trustee among the four publicly funded school systems they are constitutionally entitled to do so.

**Whereas:** The accuracy of Municipal Voter lists is a critical factor in trustee determination and distribution.

**Whereas:** Concerns throughout the Province have been expressed with regard to the accuracy of Municipal Voter lists and the impact this has on electors rights to vote as they are constitutionally eligible to do so.

**Therefore be it Resolved that:**

OCSTA meet with representatives of the Municipal Property Assessment Corporation (MPAC) and the Ministry of Finance to advocate for improvements to both the accuracy and timeliness of Municipal Voter lists.

**Committee Recommendation**

Approve.

**Moved by:** Peter Fracassi

**Simcoe Muskoka CDSB**

**Seconded by:** Janice Hutchison

**Topic:** **Property Tax – School Board Support**

---

**Whereas:** If a property buyer does not actively indicate on the land transfer affidavit form that they want their property taxes to be allocated to the separate school system, it automatically defaults to the public school system; and

**Whereas:** The results are poor voter lists of Catholic ratepayers which make it difficult to vote for Catholic trustee in elections and problematic for boards to have accurate data for planning and developing budgets and programs; and

**Whereas:** OCSTA been advocating for changes to the various laws and regulations that govern this matter by sending letters, making submissions and holding several meetings;

**Therefore be it Resolved that:**

OCSTA approach the Government of Ontario and the Canada Law Society to change the default of support to the public system to be an intentional choice when purchase property agreements are being signed; and that

OCSTA, along with local school Boards, develop a plan to amplify and clarify the extreme importance of identifying Catholic Separate School supporters.

**Committee Recommendation**

Approve.

**Moved by:** Melanie Van Alphen

**Waterloo CDSB**

**Seconded by:** Jeanne Gravelle

**Topic:** **Parent Reaching out Grants**

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**Whereas:** *Achieving Excellence: A Renewed Vision for Education in Ontario, 2014* recognizes and acknowledges that parents are a key part of their children's learning and of Ontario's success in education; and

**Whereas:** The government has supported over 22,000 PRO Grants to school councils and over 900 regional/provincial PRO Grants since 2006; and

**Whereas:** PRO Grants support projects that help identify and remove individual and system barriers to parent engagement that may prevent some parents from fully participating in their children's learning and well-being; and

**Whereas:** PRO Grants support projects that celebrate diversity; create connections between parents, schools, and community services; provide parents with skills and resources to support their children's learning; and increases the overall success for students; and

**Whereas:** The Ministry of Education has not signalled its intent for PRO Grants for the 2019-2020 school year and reductions have been made to ongoing PRO Grants while the government reviews its financial priorities;

**Therefore be it resolved that:**

OCSTA petition the Ministry of Education to prioritize the practice and funding of the PRO Grant applications for the 2019-2020 school year, as they evaluate the future of this program.

**Committee Recommendation**

Approve.

**Moved by:** Stefano Pascucci

**Dufferin-Peel CDSB**

**Seconded by:** Shawn Xaviour

**Topic:** **Funding for Retrofitting/Renovating Schools**

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**Whereas:** Keeping schools in a state of good repair is essential to providing safe and healthy learning environments for students and staff; and

**Whereas:** Funding levels for school renewal, repairs and retrofits have not been sufficient to reduce the overall deferred maintenance backlog; and

**Whereas:** Stable and reliable school renewal funding is necessary to make strategic, long-term investments to ensure that learning environments can support high levels of student achievement and well-being; and

**Whereas:** Effective July 3, 2018, the Ministry of Education announced the cancellation of the Greenhouse Gas Reduction Fund, which served as an important source of funding to replace, renew and install energy efficient building components, thereby enabling school boards to reduce greenhouse gas emissions; and

**Whereas:** Retrofits and renovations in schools are necessary to support modernized, 21<sup>st</sup> century learning and technologies that will enable our students to have the knowledge and skills required for advanced education and careers of the future;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to provide stable, reliable multi-year funding to support school renewal, renovations and retrofits that will keep schools in a state of good repair and provide students and staff with environments to support 21<sup>st</sup> century learning.

**Committee Recommendation**

Approve.

**Moved by:** Mario Pascucci **Dufferin-Peel CDSB**

**Seconded by:** Luz del Rosario

**Topic:** **Funding for Students with Diverse Learning Needs, including Special Education Needs**

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**Whereas:** The principles of the draft ministry resources *Learning for All: K-12*, the aligned Inter-Ministerial Provincial Transition Framework and commitments to supporting successful transitions for all students (PPM 156) are founded on beliefs that all students can succeed and that student well-being, achievement, student voice and engagement need to be supported in an inclusive learning environment; and

**Whereas:** School boards continue to be challenged in their ability to design effective school and system improvement plans when funding and other pressures may arise in delivering a ministry-mandated criterion-referenced curriculum with related expected practices while adhering to a universal design for learning approach which honours success for all through personalized instruction; and

**Whereas:** Building capacity of staff through professional learning in support of all diverse learners is critical to student well-being and student achievement; and

**Whereas:** The Ministry of Education, Ministry of Child and Youth Services and Ministry of Health's mental well-being, special education and renewed mathematics strategies will need sustainable commitments to keep pace with growth communities and to respond to changing needs; and

**Whereas:** School boards continue to be faced with challenges related to providing specialized programming, support and human resources to ensure that all students achieve their fullest potential;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to review on-going equitable and sustainable funding and continue to address the changing nature and complexity of student needs and required supports by providing adequate funding that reflects the actual need and not just a reallocation of funding from other budget lines.

**Committee Recommendation**

Approve.

**Moved by:** Janice Hutchison

**Simcoe Muskoka CDSB**

**Seconded by:** Maria Hardie

**Topic:** **Special Education**

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**Whereas:** Special Education is an area that faces chronic underfunding and differs from board to board.

**Whereas:** Legislation which changed the base per pupil funding does not mitigate this underfunding.

**Whereas:** Research shows that an inclusive model of Special Education is most effective for all students,

**Whereas:** School boards continue to be challenged with providing programming and support to ensure that all students achieve their fullest potential.

**Therefore be it Resolved that:**

OCSTA continue to petition the Ministry of Education to review sustainable funding for Special Education.

**Committee Recommendation**

Approve.

**Moved by:** Thomas Thomas

**Dufferin-Peel CDSB**

**Seconded by:** Stefano Pascucci

**Topic:** **Student Transportation Funding**

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**Whereas:** Funding for student transportation by the Ministry of Education has not been reviewed in a comprehensive manner for several years, save for the Effectiveness and Efficiency (E&E) reviews; and

**Whereas:** The provision of student transportation services is paramount in ensuring school safety and safe arrival of students to and from school; and

**Whereas:** Issues related to driver retention, late bus routes and cancelled bus routes have impacted many families who rely on student transportation services to transport their children, including some of our most vulnerable students with special needs; and

**Whereas:** Costs associated with transportation have increased substantially across the province (i.e., fuel costs, cap and trade program, fleet costs, etc.); and

**Whereas:** Cost adjustment increases have been provided only to school boards with transportation deficits;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to review transportation funding in an effort to increase funds to allow school boards to provide a level of service that meet the needs of all eligible students and families within their respective districts.

**Committee Recommendation**

Approve.

**Moved by:** Mario Pascucci

**Dufferin-Peel CDSB**

**Seconded by:** Frank Di Cosola

**Topic:** **School Bus Driver Retention Concerns**

---

**Whereas:** The Education Act supports the transportation of students to and from school; and

**Whereas:** School boards across the province have experienced significant school bus delays and cancellations for consecutive years as a result of school bus driver shortages and training/retention issues; and

**Whereas:** The ongoing busing delays and inadequate service levels have impacted the educational experience and well-being of students and their families, and the operations of schools and the board; and

**Whereas:** The Ministry has supported the cost of transportation through the Student Transportation Grant, however, adjustments for inflation and cost pressures are netted against a transportation surplus, if it exists;

**Therefore, be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to work with school boards and School Bus Operator Associations to develop a sustainable framework and funding model that aims to enhance the retention of school bus drivers while ensuring an effective and efficient delivery of student transportation services.

**Committee Recommendation**

Approve.

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**APPROVE & REFER**

**RESOLUTIONS # 9-14**

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**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT:**                   **the committee recommendations for Resolutions 9-14  
be approved.**

**Moved by:** John Curry

**Ottawa CDSB**

**Seconded by:** Joanne MacEwan

**Topic:** **Equity Regarding System/Department Principals**

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**Whereas:** the Education Act declares that a principal is an educator who is in charge of a school,

**Whereas:** the appointment of system or department principals by Catholic school boards in the province was grieved by the Ontario English Catholic Teachers Association (OECTA),

**Whereas:** the outcome of this grievance was, based on the wording in the legislation, that such system or department principals are not allowed except in rare circumstances with OECTA approval,

**Whereas:** this situation does not exist in other publicly funded school systems in the province,

**Whereas:** the presence of such system or department principals is important to an effective and efficient administration of schools and the success of students,

**Therefore be it resolved that:**

the Ontario Catholic School Trustees Association (OCSTA) petition the Minister of Education to alter the Education Act to define a principal as an educator who is in charge of a school or of a program or department, thus allowing Catholic school boards to have equity in this matter with other publicly funded school systems in the province.

**Committee Recommendation**

Approve and refer to Labour Relations Committee.

**Moved by:** Darryl Brian D’Souza

**Dufferin-Peel CDSB**

**Seconded by:** Thomas Thomas

**Topic:** **Occasional Teacher Costs**

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**Whereas:** School boards are required to provide occasional teacher coverage for teachers who are absent from work; and

**Whereas:** The provision of coverage is governed by Collective Agreements (CAs) which detail absence category and duration; and

**Whereas:** The Grants for Student Needs (GSN) funding provided by the Ministry of Education has not changed in accordance with the centrally negotiated contracts as at 2012; and

**Whereas:** Employees have access to 11 days of absence due to illness, 5 emergency day absences, an Earned Leave program, carry-over of unused sick days for top-up purposes and a Short Term Leave and Disability program of 120 days; and

**Whereas:** Average absenteeism and occasional teacher costs for boards have been increasing year-over-year; and

**Whereas:** Increased costs associated with absenteeism may come at the expense of programs and resources to support student well-being and achievement;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees’ Association petition the Ministry of Education to examine the issue of absenteeism and increase the amount of funding provided to school boards to offset the increased costs associated with the provision of occasional teacher coverage.

**Committee Recommendation**

Approve and refer to Labour Relations Committee.

**Peterborough Victoria Northumberland & Clarington CDSB**

**Moved by:** Michelle Griepsma

**Seconded by:** David Bernier

**Topic:** **Cybersecurity in School Boards**

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**Whereas:** The Auditor General of Ontario has identified Cyber attacks as a clear and present risk to information technology systems used in the education of Ontario students; and

**Whereas:** It is in the interest of OCSTA to support the protection of information technology infrastructure and systems for publicly funded Catholic education in Ontario; and

**Whereas:** OCSTA has prioritized building positive new relationships with provincial groups; and

**Whereas:** Cybersecurity is a complex and fast-evolving field that most school boards are not equipped to effectively address on their own;

**Therefore be it Resolved that:**

OCSTA encourage the Ministry of Education to support the work being done by the Ministry of Education's Broadband Modernization Team, including proceeding with the planned focus on securing school board infrastructure (Wave 3) and also encourage the Ministry to support the work of the Educational Computing Network of Ontario (ECNO) in building shared service capacity for cybersecurity analysis and audit in Ontario School Boards.

**Committee Recommendation**

Approve and refer to Political Advocacy Committee.

**Moved by:** Janice Hutchison

**Simcoe Muskoka CDSB**

**Seconded by:** Francis Smith

**Topic:** **Economic Realities with Capital Projects**

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**Whereas:** Global economic realities such as aluminum and steel tariffs, a saturated market and rising interest rates are creating construction costs far in excess of the Ministry Funding Benchmark; and

**Whereas:** Building standards are being compromised in an attempt to meet the Ministry Funding Benchmark resulting in a reduction of the life expectancy of schools and an advanced need for renewal investment; and

**Whereas:** the last formal review of the funding benchmark was completed in 2010/11 based on the Leading Practices Manual for School Construction in Ontario prepared by the Expert Panel on Capital Standards in July 2010;

**Therefore be it Resolved that:**

OCSTA encourage the Ministry of Education to review the current Capital Priorities Funding Benchmark with the goal of adjusting it to suit the current economic realities.

**Committee Recommendation**

Approve and refer to Political Advocacy Committee.

**Moved by:** Mario Pascucci

**Dufferin-Peel CDSB**

**Seconded by:** Luz del Rosario

**Topic:** **Parent Reaching Out (PRO) Grants**

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**Whereas:** The Ministry of Education recognizes and acknowledges that parents are a key part of their children’s learning and has supported Parent Reaching Out (PRO) Grants to school councils since 2006; and

**Whereas:** PRO Grants are designed to support parents in identifying barriers to parent engagement in their community and to find local solutions to involve more parents in support of student achievement and well-being; and

**Whereas:** Catholic School Councils rely on the PRO Grants to offset the costs of such parent engagement events; and

**Whereas:** An announcement was made in the Ontario legislature indicating that funding for a number of programs, including the PRO grants, would be put on “pause” as the government re-evaluates its financial priorities for education; and

**Whereas:** Catholic School Councils were not forewarned that the PRO Grant funding would be halted for the entire 2018-2019 year, which has had a significant impact on planned events in many school communities; and

**Whereas:** The long-term effects of this funding pause will have a detrimental effect on parent council activity and support of increased community engagement;

**Therefore be it Resolved that:**

OCSTA advocate on behalf of Catholic School Councils to reinstate the PRO Grant funding to support Catholic School Councils in providing community engagement activities, outreach programs and opportunities to keep families informed and active in their children’s education experience.

**Committee Recommendation**

Approve and refer to Political Advocacy Committee.

**Moved by:** John Curry

**Ottawa CSB**

**Seconded by:** Sandra Moore

**Topic:** **Perceived threat to security**

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**Whereas:** safe schools are a priority for all partners in education in Ontario,

**Whereas:** the safe environment at a school can be threatened not only by an overt act at the school itself but also by acts committed by members of the school community off school property,

**Whereas:** in this day and age of widespread social media word of such acts both on and off school property quickly spread through the school community,

**Whereas:** students whose actions threaten the safety of those at a school can be expelled,

**Whereas:** students are also expelled for being a perceived threat to school safety but where such expulsions have been routinely and universally overturned on appeal to the Child Youth and Family Services Review Board (CFSRB),

**Therefore be it resolved that:**

the Ontario Catholic School Trustees' Association (OCSTA) petition the Minister of Education to review the number of expulsions that have been overturned by the CFSRB and based on this review adjust as needed the prescribed powers and duties of the tribunal.

**Committee Recommendation**

Approve and refer to Catholic Education & Trustee Enrichment Committee.

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**RECEIVE & REFER**  
**RESOLUTIONS # 15-33**

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**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT:**                   **the committee recommendations for Resolutions 15-33  
be approved.**

**Moved by:** Anna da Silva

**Dufferin-Peel CDSB**

**Seconded by:** Thomas Thomas

**Topic:** **Daily Occasional Teacher Roster Caps**

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**Whereas:** Daily occasional teacher roster caps are articulated in local collective agreements; and

**Whereas:** Recent local OECTA – OT negotiations were restricted with respect to addressing daily occasional teacher list caps by OECTA Central Agreement status quo clauses as a result of central table negotiations; and

**Whereas:** Certain school boards are faced with challenges in providing adequate coverage for permanent teacher absence due to restrictions as a result of the daily occasional teacher cap size as found in local agreement language pre-dating the 2012 round of negotiations; and

**Whereas:** Seniority based hiring as per Regulation 274 negates the original intent of an Occasional Teacher CAP; and

**Whereas:** The ability to call upon and place qualified occasional teachers is critical to ensure student well-being, achievement and safety;

**Therefore, be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to remove reference to a daily occasional teacher list cap from all central table discussions, thereby giving boards the opportunity to renegotiate this item locally between individual school boards and their local bargaining unit.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** Brea Corbet

**Dufferin-Peel CDSB**

**Seconded by:** Bruno Iannicca

**Topic:** **Hard Caps in Kindergarten Classes**

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**Whereas:** School boards are staffing Kindergarten classes based on an average class size of 26; and

**Whereas:** School boards across the province are experiencing inequitable distribution of students in Kindergarten classes; and

**Whereas:** Some classes are very small, with less than 16 students, so that a Designated Early Childhood Educator is not required; and

**Whereas:** School Boards are dealing with safety issues in large Kindergarten classes;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to impose a hard cap for Kindergarten classes and funding to sustain increased space requirements within schools to ensure equitable, consistent staffing in all Kindergarten classes.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** David Sharp

**Northwest CDSB**

**Seconded by:** Don Marquis

**Topic:** **Regulation 274 Fair Hiring Practice**

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**Whereas:** The Northwest Catholic DSB, Kenora Catholic DSB and Superior North Catholic DSB have noted a substantial decrease in teachers seeking employment with our school boards; and

**Whereas:** appropriate levels of staff are required to support the Ministry of Education's renewed vision for the 21<sup>st</sup> Century; and

**Whereas:** Our Boards have noted increasing difficulty in attracting and hiring teachers for Occasional Teaching, Long Term Occasional Teaching and Permanent Teaching positions to support capacity building in many areas; and

**Whereas:** teachers are unable to move between school boards without repeating the hiring process set out in Regulation 274, where full time employment and past experience is not counted due to Long Term Occasional Hiring List/Roster hiring requirements; and

**Whereas:** regulation 274 has created a hardship for boards in the North in terms of attracting new teachers from outside and does not allow new recruits to, in many cases, start their teaching careers in the North instead having them opt to wait out their home boards for several years before gaining permanent employment.

**Therefore be it Resolved that:**

OCSTA petition the Ministry of Education to create the ability for teachers across the province to move between school boards without the impediments imposed by Regulation 274 by repealing the act or making changes that will create the conditions that improve boards' ability to staff our systems and teachers ability to gain employment.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** Shawn Xaviour

**Dufferin-Peel CDSB**

**Seconded by:** Thomas Thomas

**Topic:** **Ontario Regulation 274/12 – Hiring Practices**

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**Whereas:** Regulation 274 has been imposed upon school boards with regards to hiring practices; and

**Whereas:** Regulation 274 stipulates that occasional teachers be ranked in terms of seniority and placed on a roster; and

**Whereas:** Regulation 274 outlines a prescribed process and timeline for the posting of available teaching positions; and

**Whereas:** Regulation 274 stipulates consistency in teacher assignment supports student achievement and well-being; and

**Whereas:** Regulation 274 has ramifications in terms of providing consistency and continuity of teachers in classrooms; and

**Whereas:** Regulation 274 has ramifications in terms of hiring practices addressing individual student needs and ability to hire staff who are reflective of the diversity in the school communities they serve; and

**Whereas:** School Boards are directed to hire from the top five qualified candidates limiting management rights; and

**Whereas:** The Ontario Equity Action Plan requires boards to make a concerted effort to recruit, hire and retain a diverse and qualified teaching population;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to review Regulation 274 – Hiring Practices, to allow school boards to exercise management rights in hiring at the local school board level, thereby ensuring consistency of continuous teacher assignments in classrooms for both long term vacancies and permanent vacancies, including the ability to staff, so as to reflect local Boards' population diversity.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** Shawn Xaviour

**Dufferin-Peel CDSB**

**Seconded by:** Luz del Rosario

**Topic:** **Qualified French Teacher Recruitment & Retention**

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**Whereas:** School boards across the province are experiencing persistent challenges with the recruitment of qualified French Teachers; and

**Whereas:** Regulation 274 stipulates that all new teachers must be placed on the occasional teachers list for daily supply work as one of the eligibility requirements for full time consideration, limiting school boards' ability to attract permanent teachers who are qualified to teach French; and

**Whereas:** Catholic District school boards have a smaller pool for recruitment of teachers as they must be Catholic and qualified to teach French; and

**Whereas:** Teachers are able to request assignments outside of French (within their areas of qualification) as soon as they are offered permanent placement; and

**Whereas:** All school boards have difficulty in recruiting and retaining teachers who are qualified to teach French in volumes that are consistent with the increasing demand for the expansion of French language programs across the province;

**Therefore, be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to review Regulation 274 – Hiring Practices and the additional constraints it places on school boards with regard to the recruitment of teachers who are qualified to teach French, so as to explore regulatory changes with respect to hiring practices in the area of French instruction that would address the shortage of teachers qualified to teach French.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** Darryl Brian D’Souza

**Dufferin-Peel CDSB**

**Seconded by:** Brea Corbet

**Topic:** **Support Staff Recruitment and Retention**

---

**Whereas:** School boards are experiencing persistent challenges with the recruitment and retention of qualified Educational Resource Workers and Designated Early Childhood Educators; and

**Whereas:** Increased absenteeism coupled with inadequate supply coverage within these two occupational groups places students at increased risk and increases health and safety risks for staff; and

**Whereas:** Increased absenteeism within these two occupational groups places increased liability on school boards; and

**Whereas:** School boards are in direct competition for supply staff who are typically employed by more than one employer; and

**Whereas:** The compensation for Educational Resource Workers Designated Early Childhood Educators can vary from school board to school board, increasing the likelihood of “job shopping” among boards;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees’ Association petition the Ministry of Education to review universal standards with regard to qualifications and salary for support staff to equalize the competitive market for school boards.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** Catherine MacDonald **Simcoe Muskoka CDSB**

**Seconded by:** Jeanny Salmon

**Topic:** **Chronic Shortage of Occasional Staff for Teachers, Early Childhood Educators and Educational Assistants, and Its Impact on Learning**

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**Whereas:** Chronic shortages of occasional staff for teachers, Early Childhood Educators and Educational Assistants are occurring in Ontario school boards; and

**Whereas:** Teacher shortage is looming due to cut in enrolment at teachers colleges by more than half in 2015, with the number of graduates dropping from 12,399 in 2015 to 5,480 by 2018; *Amanda Pfeffer · CBC news · posted: Aug 30*; and

**Whereas:** This chronic shortage is having a negative impact on student learning;

**Therefore be it Resolved that:**

OCSTA encourage the Ministry of Education to find ways to reduce teacher, Early Childhood Educator and Educational Assistance shortages.

**Committee Recommendation**

Receive and refer to Labour Relations Committee.

**Moved by:** Melanie Van Alphen

**Waterloo CDSB**

**Seconded by:** Manuel da Silva

**Topic:** **Capital Priorities Program**

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**Whereas:** The Capital Priorities Program has allowed school boards to access grants for major capital construction including new schools, major additions, and funding for site purchases and associated costs; and

**Whereas:** This funding allows school boards to provide much needed permanent space where enrolment pressures are significant; and

**Whereas:** Most school boards across Ontario are experiencing enrolment growth, particularly in areas of high immigration; and

**Whereas:** Since the Capital Priorities funding program began in 2011, the ministry has provided more than \$4.3 billion in funding to support new school facilities, as well as permanent additions and renovations at existing schools; and

**Whereas:** As of January 2018, the province planned on providing almost \$16 billion in capital grants over 10 years to help build new schools in high-growth areas, improve the condition of existing schools and invest in projects to reduce surplus space; and

**Whereas:** The Ministry of Education did not announce the availability of Capital Priority Program funding for the current school year;

**Therefore be it resolved that:**

OCSTA petition the Ministry of Education to prioritize and funding of the Capital Priorities Program for the 2019-2020 school year.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Bruno Iannicca

**Dufferin-Peel CDSB**

**Seconded by:** Mario Pascucci

**Topic:** **Air Conditioning in all Schools**

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**Whereas:** The number of extremely warm weather days experienced throughout the school year is increasing; and

**Whereas:** The heat and humidity experienced during these extreme warm weather days has the potential to negatively impact the learning environments of students and staff; and

**Whereas:** The renewal funding provided to school boards by the Ministry of Education is not adequate to address the total outstanding renewal needs across all school boards and to install and implement air conditioning into schools in a timely manner;

**Therefore, be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to provide adequate renewal funding and develop an implementation strategy to introduce some level of air conditioning into all schools in order to minimize the impact that extreme warm weather days have on the learning environments of students and staff.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Melanie Van Alphen **Waterloo CDSB**

**Seconded by:** Manuel da Silva

**Topic:** **Renewal Funding for Administrative Buildings**

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**Whereas:** The province has invested heavily in the renewal of schools through the School Renewal Grant, School Condition Improvement Grant, Enhanced School Renewal Grant, and School Consolidation Grant; and

**Whereas:** The province recently passed legislation that redirected the use of Proceeds of Disposition – Schools to support the renewal of school buildings; and

**Whereas:** The use of renewal funding allows school boards to carry out major repairs to windows, roofs, doors, HVAC systems, plumbing, flooring, structures, walls, school grounds, walkways as well as associated infrastructure and accessibility enhancements; and

**Whereas:** Most school boards in Ontario have at least two administrative facilities that house staff, equipment, students, and the public; and

**Whereas:** School boards receive no funding to provide for the renewal of administrative buildings; and

**Whereas:** School boards have a legal and moral obligation to provide safe and accessible spaces for staff, students, and the public;

**Therefore be it resolved that:**

OCSTA petition the Ministry of Education to prioritize:

1. The provision of funds to renew and maintain administrative buildings; and
2. Enacting changes to legislation that will allow funds obtained from the proceeds of disposition of board properties (school and administrative) to be used on the renewal of board properties (school and administrative).

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Melanie Van Alphen

**Waterloo CDSB**

**Seconded by:** Brian Schmalz

**Topic:** **Green Investments**

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**Whereas:** Two years of provincial Greenhouse Gas Reduction Funds were provided to school boards to renew building components that increased the efficiency of buildings; and

**Whereas:** With the elimination of the provincial Cap and Trade system, funds were no longer available to fund school board efficiency initiatives; and

**Whereas:** Commitments have been made federally, provincially, regionally, and at the school board level to reduce greenhouse gas emissions from public buildings; and

**Whereas:** The federal government may implement a federal carbon pricing program for provinces without a cap and trade or carbon pricing program; and

**Whereas:** Federal funds may flow to school boards to allow for investments in projects that will increase building efficiency (and reduce greenhouse gas emissions);

**Therefore be it resolved that:**

OCSTA petition the Ministry of Education to ensure political and or infrastructural barriers will not exist that would preclude school boards from benefitting from federal carbon pricing investments.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Mario Pascucci

**Dufferin-Peel CDSB**

**Seconded by:** Thomas Thomas

**Topic:** **Funding For Mathematics Courses**

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**Whereas:** School boards endeavor to achieve excellence in mathematics achievement for all students; and

**Whereas:** The current staffing model is centered around an overall student to staff ratio; and

**Whereas:** Some students may benefit from a lower class size to support their mathematics achievement; and

**Whereas:** Under the current staffing model, larger class sizes are the result of creating smaller class sizes in order to support some students' mathematics achievement; and

**Whereas:** To support student mathematics achievement in all pathways, some class sizes would require to be supported at a lower teacher/pupil ratio;

**Therefore be it Resolved that:**

The Ontario Catholic School Trustees' Association petition the Ministry of Education to provide funding to support decreased teacher/pupil ratios as well as increased support for teacher training to allow school boards flexibility and capacity to support all mathematics pathways.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Bruno Iannicca

**Dufferin-Peel CDSB**

**Seconded by:** Anna da Silva

**Topic:** **50 Day Limit Re-employment for Retired School Administrators**

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**Whereas:** School boards across the province are experiencing persistent challenges with filling School Administration positions and “back filling” for Principal and Vice-Principal absences; and

**Whereas:** Ontario Teacher Pension Plan stipulates that all retirees can only work a maximum of 50 school days in any given year; and

**Whereas:** Catholic District school boards have a smaller pool for recruitment of school administrators as they must be Catholic; and

**Whereas:** School Boards are relying heavily on retired School Administrators to fill in Principal/Vice-Principal vacancies and/or absences; and

**Whereas:** 50 days does not cover a term in either an elementary or a secondary school, resulting in numerous school administrators being assigned to one school; and

**Whereas:** stability in the school leadership is paramount;

**Therefore, be it Resolved that:**

The Ontario Catholic School Trustees’ Association petition the Ministry of Education to review the 50-day limit on reemployed Principals/Vice-Principals with a view to increasing the allowable reemployment days without negatively affecting their pensions. Increasing the reemployment days will allow for consistency in a school community.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** John Curry

**Ottawa CSB**

**Seconded by:** Spencer Warren

**Topic:** **Seat Belts on School Buses**

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**Whereas:** Transport Canada has taken the position for over three decades that seat belts on school buses do not enhance safety,

**Whereas:** a 2010 study which has recently come to light has revealed that seat belts would be helpful in side collisions in rollovers, preventing student passengers from being flung around inside the bus and thus preventing injuries and even saving lives,

**Whereas:** on the other hand, seat belts could dangerously restrain student passengers in the case of a school bus fire,

**Whereas:** school bus fires are more common than rollovers or side collisions,

**Therefore be it resolved that:**

the Ontario Catholic School Trustees Association (OCSTA) petition the Minister of Education to work with Transport Canada to examine the whole situation of seat belts on school buses and come to a definitive conclusion about whether seat belts enhance or detract from the safety of students on school buses.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Francis Smith

**Simcoe Muskoka CDSB**

**Seconded by:** Catherine MacDonald

**Topic:** **Trustee Honorarium and Benefits**

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**Whereas:** Municipal elected officials determine their own compensation levels and benefits by using a range of factors, the most common practice being surveying the neighbouring municipalities.

**Whereas:** Trustees are elected officials but the maximum allowable honorarium is legislated and the base amount increase from \$5,900 to \$6,300 was denied which is discouraging because it appears the province does not appreciate the contribution trustees are able to offer and do not think are worth even cost-of-living increases.

**Whereas:** The Education Act subsection 176 states that benefits cannot be extended to trustees since they are not employees of the board, but T4 supplementary slips are issued.

**Therefore be it Resolved that:**

- OCSTA petition the government to reconsider the formula on calculating School Board Trustees and minimally allow cost of living increases.
- That OCSTA approach the government to develop a plan for medical benefit coverage of school board trustees.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Greg Reitzel  
**Seconded by:** Brian Schmalz  
**Topic:** **Trustee Honoraria**

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**Waterloo CDSB**

**Whereas:** The Fewer School Boards Act (1997) reduced the number of Catholic school boards from 53 to 29 and the number of Catholic trustees from 710 to 250 while at the same time greatly reducing individual trustee honoraria and increasing their workload; and

**Whereas:** The minimum wage in Ontario has more than doubled (6.85 to 14.00) since 1997; and

**Whereas:** trustee honoraria have remained virtually unchanged since 1997; and

**Whereas:** as of 2019 the Federal government has removed the non-taxable allowance for trustee honoraria, further reducing the real honoraria received by trustees;

**Therefore be it resolved that:**

OCSTA petition the Ministry of Education to review the limits placed on trustee honoraria and adjust to ensure they are investing in good governance and trustees are receiving a fair honoraria for the work that they do.

**Committee Recommendation**

Receive and refer to Political Advocacy Committee.

**Moved by:** Jeanny Salmon

**Simcoe Muskoka CDSB**

**Seconded by:** Janice Hutchison

**Topic:** **Home, School, Church**

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**Whereas:** education begins at home; and

**Whereas:** Catholic schools play an integral role in the Church’s mission to evangelize youth; and

**Whereas:** everyone would benefit from a stronger partnership among home, school and parishes; and

**Whereas:** children’s days are filled more than ever with sports and arts activities, and families are spending less time together than in previous generations;  
2nd

**Whereas:** interconnected preparation in our schools, with parents and parish leaders could provide more opportunity for our students to make their sacraments; and

**Whereas:** sacrament preparation in the schools may be an opportunity for teachers to strengthen their faith; and

**Whereas:** some parish/school relationships are very strong and others non-existent;

**Therefore be it Resolved that:**

OCSTA create a survey for discovering methods and making suggestions on how to strengthen the home, school, church triad.

**Committee Recommendation**

Receive and refer to Catholic Education and Trustee Enrichment Committee.

**Moved by:** Catherine MacDonald

**Simcoe Muskoka CDSB**

**Seconded by:** Peter Fracassi

**Topic:** **Global Warming – Climate Change**

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**Whereas:** global warming is the increase in the average temperature of the Earth's near-surface air and the oceans ever since the mid-twentieth century and its projected continuation and the world is currently warming up at about 0.2 C each decade and has already warmed by more than 1 C compared to the mid-19<sup>th</sup> century; and

**Whereas:** climate change is any significant long-term change in the expected patterns of average weather of a region (or the whole Earth) over a significant period of time; and

**Whereas:** Intergovernmental Panel on Climate Change, the world's foremost scientific body, recently said global carbon emissions need to be cut in half by 2030 to prevent climate change; and

**Whereas:** there seems to be some unwillingness to take the political actions need to protect our children's future from the escalating impacts of global warming and climate change; and

**Whereas:** global warming and climate change is the greatest threat facing humanity;

**Therefore be it Resolved that:**

OCSTA create a forum to address this concern with a Province wide approach and implementing the voice of our staff and students to demand real government action.

**Committee Recommendation**

Receive and refer to Catholic Education and Trustee Enrichment Committee.

**Moved by:** John Curry

**Ottawa CSB**

**Seconded by:** Shelley Lawrence

**Topic:** Use of word “Indian”

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**Whereas:** reconciliation with indigenous communities must include respect,

**Whereas:** words are important instruments in conveying respect,

**Whereas:** the Education Act and its associated regulations from time to time may make references to matters affecting indigenous students and/or indigenous communities,

**Whereas:** one example is Ontario Regulation 464/97 regarding Special Education Advisory Committees (SEAC) which authorizes the composition of such SEAC committees and refers to "Indian pupils" in section 2 (e), section 4 (1) and section 4 (2),

**Therefore be it resolved that:**

the Ontario Catholic School Trustees Association (OCSTA) petition the Minister of Education to review the Education Act and its associated regulations to replace any usage of the word "Indian" with "indigenous" or some appropriately similar word that conveys respect of indigenous peoples and not the colonial attitude represented by the use of the term "Indian."

**Committee Recommendation**

Receive and refer to Catholic Education and Trustee Enrichment Committee.

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**TO BE CONSIDERED INDIVIDUALLY**

**RESOLUTIONS # 34-36**

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**Moved by:** Michael Del Grande **Toronto CDSB**

**Seconded by:** Maria Rizzo

**Topic:** **Legal Defence Fund and Insurance for Individual Catholic School Trustees**

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**Whereas:** Ontario Catholic School Trustees are protected by the Ontario School Boards' Insurance Exchange Insurance policy when they are acting in the course of their duties for all sums they are legally obligated to pay as compensatory damages for:

- i) Personal Injury Liability
- ii) Property Damage Liability
- iii) Incidental Professional and Malpractice Liability
- iv) Environmental Impairment Liability
- v) Errors and Omissions Liability; and

**Whereas:** Trustees are not protected by the Ontario School Boards' Insurance Exchange Insurance Policy when they are acting in the course of their duties for all sums they are legally obligated to pay as compensatory damage and legal fees incurred in defence of such claims, including for violations of:

- i) Municipal Conflict of Interest Act
- ii) Occupational Health and Safety Act
- iii) Environmental Protections Act
- iv) Unfair Hiring Practices and Wrongful Dismissal
- v) Breach of Contract; and

**Whereas:** Trustees are paid a very minimal honorarium for the services they provide; and

**Whereas:** Trustees engage with the media and the public daily, and may make commentary and be sued for such commentary, for which a Trustee has no insurance coverage;

**Therefore be it Resolved that:**

1. OCSTA create a legal fund and obtain insurance protection for all Ontario Catholic School Trustees by charging member boards for such protection; and
2. OCSTA establish and maintain a depository of legal opinions received from member Boards on legal issues that are likely to arise in other member Boards. Such legal opinions would be made available to other member Boards upon request.

**Committee Recommendation**

1. Receive and refer to Budget and Human Resources Committee.
2. Receive and refer to Political Advocacy Committee.

**Moved by:** Mario Pascucci

**Dufferin-Peel CDSB**

**Seconded by:** Thomas Thomas

**Topic:** **Investigation of a new method of vote allocation at the Annual General Meeting of the Ontario Catholic School Trustees' Association (OCSTA)**

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**Whereas:** The current management structure for the Ontario Catholic School Trustees' Association (OCSTA) permits representation from each Ontario Catholic school board; and

**Whereas:** The current OCSTA vote allocation is not reflective of the student and constituent population that trustees represent; and

**Whereas:** The ratification formula utilized during collective bargaining 2012-2014 required double majority which recognized the importance of large enrolment boards, and has been proven as a formula that represents the needs of boards in reference to collective bargaining situations; and

**Whereas:** OCSTA votes seeks to recognize the needs representing all Catholic constituents;

**Therefore be it Resolved that:**

OCSTA investigate a new method for vote allocation at the Annual General Meeting (AGM) so that representation be aligned to the size of boards.

**Committee Recommendation**

Not approve.

**Moved by:** Michael Del Grande **Toronto CDSB**  
**Seconded by:** Maria Rizzo  
**Topic:** **Weighted Voting for the Annual General Meeting of the Ontario Catholic School Trustee's Association (OCSTA)**

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**Whereas:** There are 29 Catholic Board or Districts in Ontario of varying size, student population and number of ratepayers. There is a provincial election process that provides representation according to population. It would be beneficial for all members of OCSTA to participate in an open, transparent and representative process when making decisions which have a provincial impact on Catholic education; and

**Whereas:** the current Board of Directors structure for Ontario Catholic School Trustees' Association (OCSTA) provides for equal representation from each Ontario Catholic School Board; and

**Whereas:** the current voting procedure at the Annual General Meeting permits one vote per board regardless of size; and

**Whereas:** the current OCSTA vote allocation is not reflective of the population that trustees represent;

**Therefore be it Resolved that:**

OCSTA investigate and develop a new method and policy for vote allocation for voting at Annual General Meetings which considers Trustee representation reflective of Catholic population by Board or District for implementation at the 2019 Annual General meeting.

**Committee Recommendation**

Not approve.

# OCSTA 2018 Resolutions Status Chart



Ontario Catholic School  
Trustees' Association

Board	Topic	AGM Decision	Action Taken	Status	
A	OCSTA	OCSTA's Support of FACE	Approve		
1.	Huron Superior	Change to OCSTA By-Law re Term of Office for President	Receive and Refer to OCSTA Board of Directors Referred to Resolutions Committee	<i>Board Decision: Feb. 8, 2019. Board of Directors approved amendments to the OCSTA By-laws. Process to amend by-law to be submitted to Members of 2019 AGM</i>	<i>Process to amend by-law will be presented to Members at the 2019 AGM.</i>
2.	St. Clair	Trustee Term of Service as CCSTA Representative	Receive and Refer to OCSTA Board of Directors Referred to Resolutions Committee	<i>Same as above.</i>	<i>Same as above</i>
3.	Dufferin-Peel	Occasional Teacher Costs	Approve	<i>Included in Annual Finance Brief to Minister of Education</i>	<i>Complete</i>
4.	York	Lead in Water – Retrofitting Older Schools	Approve	<i>Letter sent to ADM Andrew Davis. Response received February 25, 2019 from ADM Joshua Paul.</i>	<i>Complete</i>
5.	York	Student Transportation	Approve	<i>Included in OCSTA's Annual Finance Brief to the Minister of Education</i>	<i>Complete</i>
6.	Dufferin-Peel	Ontario Regulation 274/12 – Hiring Practices	Approve and refer to Labour Relations Committee	<i>OCSTA labour relations representatives have conveyed administrative and costs concerns to Crown representatives in recent consultations regarding Regulation 274. Bargain options will be finalized in discussions with CTA partners and the Crown in advance of 2019 bargaining. Letter sent to Board on March 8, 2019.</i>	<i>Ongoing</i>
7.	Dufferin-Peel	Qualified French Teacher Recruitment & Retention	Approve and refer to Labour Relations Committee	<i>Same as above.</i>	<i>Ongoing</i>
8.	Dufferin-Peel	Student Transportation Funding	Approve and refer to Political Advocacy Committee	<i>Included in Annual Finance Brief to the Minister of Education.</i>	<i>Complete</i>
9.	Dufferin-Peel	Funding for Students with Diverse Learning Needs, including Special Education Needs	Approve and refer to Political Advocacy Committee	<i>Included in Annual Finance Brief to the Minister of Education.</i>	<i>Complete</i>
10.	Dufferin-Peel	School Bus Driver Retention Concerns	Approve and Refer to Political Advocacy Committee	<i>Included in Annual Finance Brief to the Minister of Education.</i>	<i>Complete</i>
11.	Ottawa	Increase in Funding to Programs That Support Students on Long Term Suspensions, Expulsions and Exclusions	Approve and refer to Political Advocacy Committee	<i>Included in Annual Finance Brief to the Minister of Education.</i>	<i>Complete</i>
12.	York	Special Education	Approve and refer to Political Advocacy Committee	<i>Included in Annual Finance Brief to the Minister of Education.</i>	<i>Complete</i>

# OCSTA 2018 Resolutions Status Chart



Ontario Catholic School  
Trustees' Association

	<b>Board</b>	<b>Topic</b>	<b>AGM Decision</b>	<b>Action Taken</b>	<b>Status</b>
13.	Dufferin-Peel	Support Staff Recruitment and Retention	Receive and refer to Labour Relations Committee	<i>OCSTA labour relations representatives will canvass the Crown's willingness to support standardization of DECE and ERWA terms and conditions in advance of 2019 central terms negotiations. Consultation on this issue will also be undertaken with OCSTA member boards and members of the Council of Trustees Association (CTA).</i>	<i>Ongoing</i>
14.	Dufferin-Peel	Daily Occasional Teacher Roster Caps	Receive and refer to Labour Relations Committee	<i>OCSTA labour representatives will raise this concern both with the Crown and when consulting with other member boards in advance of central/local determination for 2019 central terms negotiations.</i>	<i>Ongoing</i>
15.	Dufferin-Peel	Executive Compensation Program Development Costs	Receive and Refer to Political Advocacy Committee	<i>Board Decision February 8, 2019: Deferred to a future meeting due to timing with new government.</i>	<i>Ongoing</i>
16.	Dufferin-Peel	Air Conditioning in Schools	Receive and refer to Political Advocacy Committee	<i>Board Decision June 15, 2018: No further action be taken on this resolution as this is a local issue requiring a local decision.</i>	<i>Complete</i>
17.	Dufferin-Peel	Funding for Mathematics Courses	Receive and refer to Political Advocacy Committee	<i>Board Decision December 7, 2018: That no further action be taken as this is a local issue requiring a local decision.</i>	<i>Complete</i>
18.	York	Elimination of Top-Up Funding	Receive and refer to Political Advocacy Committee	<i>Included in Annual Finance Brief to the Minister of Education.</i>	<i>Complete</i>
19.	Dufferin-Peel	Trustee Honoraria	Receive and refer to Political Advocacy Committee	<i>Board Decision September 15, 2018: That: at the appropriate time OCSTA will resubmit and advocate for its most recently approved position with regard to trustee honoraria. Letter sent to DPCDSB (Dec. 11/18)</i>	<i>Ongoing</i>

**2018 (20) OCSTA=1, Dufferin-Peel=12, Huron-Superior=1, Ottawa=1, St. Clair=1, York=4**

2017 (08) Dufferin-Peel=4, Hamilton-Wentworth=1, Renfrew=1, Windsor=2

2016 (15) OCSTA=1, Dufferin-Peel=4, Kenora=1, Simcoe=3, York=6

2015 (27) Brant=1, Dufferin-Peel=4, Huron Superior=4, Kenora=1, Ottawa=1, Renfrew=1, Simcoe=6, Superior North=1, Windsor=5

2014 (16): Algonquin=1, Eastern Ontario=1, Dufferin-Peel=6, Nipissing= 1, Northwest=1, Ottawa=3, Renfrew=1, Waterloo=1

2013 (16): Brant=1, Dufferin-Peel=2, London=1, Renfrew=1, Simcoe=1, Toronto=9, York=1

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TITLE: NOTICE OF MOTION  
DEFERRED FROM FEBRUARY 26, 2019  
BOARD INVOLVEMENT IN APPOINTMENT AND OF  
PERSONNEL TO LEADERSHIP POSITIONS**

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**RECOMMENDATION**

**THAT** a new policy regarding hiring, appointments, promotions and transfers of Supervisory Officers, Superintendents, Controllers of Plants, Principals and Vice-Principals be written and presented to the Board for final approval within two months. The policy to clearly include Board approval and representative Board (Trustee representation) involvement in the process for hiring, promoting and transferring persons regarding the following positions:  
Supervisory Officers, Superintendents, Controllers of Plants, Principals & Vice-Principals.

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Prepared by: Trustee Moody  
Date Submitted: January 8, 2019  
To be Presented: February 26, 2019 (Deferred)  
Date: March 26, 2019



## NOTICE OF MOTION

### BOARD INVOLVEMENT IN APPOINTMENT AND OF PERSONNEL TO LEADERSHIP POSITIONS

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#### BACKGROUND INFORMATION

Trustee Moody submitted the following Notice of Motion on January 8, 2019 (Appendix A)

#### RECOMMENDATION

**THAT** a new policy regarding hiring, appointments, promotions and transfers of Supervisory Officers, Superintendents, Controllers of Plants, Principals and Vice-Principals be written and presented to the Board for final approval within two months. The policy to clearly include Board approval and representative Board (Trustee representation) involvement in the process for hiring, promoting and transferring persons regarding the following positions:  
Supervisory Officers, Superintendents, Controllers of Plants, Principals & Vice-Principals.

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Prepared by: Trustee Moody  
Date Submitted: January 8, 2019  
To be Presented: February 26, 2019 (Deferred)  
Date: March 26, 2019

**Notice of Motion 1**

**Purpose - Board involvement in appointment and of personnel to Leadership positions (Supervisory officers, Principals, Vice – Principals)**

Whereas the Education Act & Regulations is clear in the role that “District School Boards” must play in the approval process for supervisory positions,

Whereas across the Province, Boards play a variety of roles in the hiring and approval process for these positions.

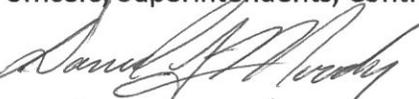
Whereas the community recognizes the value of “Board” involvement in bringing transparency and accountability to these key processes,

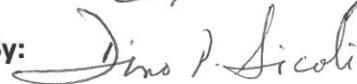
Whereas a number of Trustees and Staff members at all levels have questioned the current interpretation regarding “Day to day” administration as promoted by the Director,

Whereas the NCDSB should increase the accountability portion of budget expenditures in order to promote more transparent accountability that will help to meet congruency with Board objectives and required “balanced budgets”,

The undersigned, give notice that at the next Board meeting they will present the following motion:

Motion: That a new policy regarding hiring, appointments, promotions and transfers of Supervisory Officers, Superintendents, Controllers of Plants, Principals and Vice-Principals be written and presented to the Board for final approval within two months. The policy to clearly include Board approval and representative Board (Trustee representation) involvement in the process for hiring, promoting and transferring persons regarding the following positions: Supervisory officers, Superintendents, Controllers of plants, Principals & Vice – Principals.

Moved by: 

Seconded By: 

Date: *January 8 / 2019*

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TITLE: NOTICE OF MOTION  
DEFERRED FROM FEBRUARY 26, 2019  
BUILDING ON TODAY SURVEY**

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**RECOMMENDATION**

**THAT** the current Building on Today survey approved by the Board be halted and all commitments with outside “service providers” be terminated forthwith.

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Prepared by: Trustee Turner  
Date Submitted: January 8, 2019  
To be Presented: February 26, 2019 (Deferred)  
Date: March 26, 2019



## NOTICE OF MOTION

### BUILDING ON TODAY SURVEY

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#### BACKGROUND INFORMATION

Trustee Turner submitted the following Notice of Motion on January 8, 2019 (Appendix A)

#### RECOMMENDATION

**THAT** the current Building on Today survey approved by the Board be halted and all commitments with outside “service providers” be terminated forthwith.

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Prepared by:	Trustee Turner
Date Submitted:	January 8, 2019
To be Presented:	February 26, 2019 (Deferred)
Date:	March 26, 2019

**Notice of Motion 2**

**Purpose - Increase messaging of Collaboration and Building Trust with employees  
Move towards healing relationships with Employee groups  
Changing Direction of "Community" Survey**

Whereas employee groups (OECTA Secondary & Elementary, CUPE) have conducted a wide ranging survey of their members (our employees) which resulted in a clear message of mistrust towards the Board, the Directors and other levels of staff,

Whereas it is (or should be) our purpose to rebuild bridges and to work harmoniously with all members of staff,

Whereas employee groups sees the Board' initiative as a lack of validation of the results of their survey and an attempt to discredit staff's opinions,

Whereas a positive partnership with employee groups will bring benefits to a much more positive education environment within the schools and within individual classrooms,

Whereas conducting a further "Board" survey will tend to message that the Board does not value or worse mistrust the results of their surveys,

Whereas it may be "bad timing" to conduct yet another survey on similar issues,

Whereas the Board needs to approve "balanced budgets" and focus on "classroom support" , it needs to find savings in all parts of the budget especially as we begin to experience provincial cuts in education,

The undersigned, give notice that at the next Board meeting they will present for approval the following motion:

Motion: That the current survey <sup>building on today</sup> approved by the Board be halted and all commitments with outside "service providers" be terminated forthwith.

Moved By: 

Seconded By: 

Date: Jan. 8 / 2019

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
BOARD MEETING  
MARCH 26, 2019**

***PUBLIC SESSION***

**TITLE: NOTICE OF MOTION  
ACCOUNTABILITY & TRANSPARENCY**

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**RECOMMENDATION**

**THAT** all expenditures greater than \$10 000, with the exception of purchases already approved, and those resources both physical and material and related to the delivery of educational programs at the school level and such resources which may be implemented at the school level shall be approved by the Board in advance.

**THAT** all hires, terminations, promotions and administrative assignments shall be approved by the Board in advance.

**THAT** a comprehensive report of all legal services and counsel be presented to the Board no later than 2 months from date of approval of this motion. Such report will itemize each grievance, arbitration, buy out and resolution to the aforementioned grievance. In addition the report will also identify for all Trustees the expenses incurred by each legal firm and a description of service and purpose for the need of the legal service.

**THAT** in the future any legal service required by the Director or any administrator to be approved by the Chair of the Board, who will consult with the Vice Chair regarding the matter. This approval and description of the legal service will subsequently be presented to the Board (in private) as a matter of information.

**THAT** a monthly report to the Board listing all grievances, complaints and disagreements which have occurred over the period of the month. There will be no need for Union presentation, however, the report will also identify the status of the grievance, complaint or disagreement and if resolved a description of the resolution.

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Prepared by: Trustee Sicoli  
Date Submitted: February 8, 2019  
To be Presented: April 23, 2019  
Date: March 26, 2019



## NOTICE OF MOTION

### FEBRUARY 8, 2019 NOTICE OF MOTION

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#### BACKGROUND INFORMATION

Trustee Sicoli submitted the following Notice of Motion on February 8, 2019 (Appendix A)

#### RECOMMENDATION

**THAT** all expenditures greater than \$10 000, with the exception of purchases already approved, and those resources both physical and material and related to the delivery of educational programs at the school level and such resources which may be implemented at the school level shall be approved by the Board in advance.

**THAT** all hires, terminations, promotions and administrative assignments shall be approved by the Board in advance.

**THAT** a comprehensive report of all legal services and counsel be presented to the Board no later than 2 months from date of approval of this motion. Such report will itemize each grievance, arbitration, buy out and resolution to the aforementioned grievance. In addition the report will also identify for all Trustees the expenses incurred by each legal firm and a description of service and purpose for the need of the legal service.

**THAT** in the future any legal service required by the Director or any administrator to be approved by the Chair of the Board, who will consult with the Vice Chair regarding the matter. This approval and description of the legal service will subsequently be presented to the Board (in private) as a matter of information.

**THAT** a monthly report to the Board listing all grievances, complaints and disagreements which have occurred over the period of the month. There will be no need for Union presentation, however, the report will also identify the status of the grievance, complaint or disagreement and if resolved a description of the resolution.

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Prepared by: Trustee Sicoli  
Date Submitted: February 8, 2019  
To be Presented: April 23, 2019  
Date: March 26, 2019

**Notice of Motion**

Whereas there is a newly elected Niagara Catholic District School Board willing to begin the process of understanding the budgeting process of school boards, and

Whereas is a need to get a true picture of costs incurred by the administration, and

Whereas there is a need to control future costs to ensure the continued growth of Niagara Catholic District School Board:

The following list of articles are offered to my fellow Trustees for approval:

That, all expenditures greater than \$10 000, with the exception of purchases already approved, and those resources both physical and material and related to the delivery of educational programs at the school level and such resources which may be implemented at the school level shall be approved by the Board in advance.

That all hires, terminations, promotions and administrative assignments shall be approved by the Board in advance.

That a comprehensive report of all legal services and counsel be presented to the Board no later than 2 months from date of approval of this motion. Such report will itemize each grievance, arbitration, buy out and resolution to the aforementioned grievance. In addition the report will also identify for all Trustees the expenses incurred by each legal firm and a description of service and purpose for the need of the legal service.

That in the future any legal service required by the Director or any administrator to be approved by the Chair of the Board, who will consult with the Vice Chair regarding the matter. This approval and description of the legal service will subsequently be presented to the Board (in private) as a matter of information.

That a monthly report to the Board listing all grievances, complaints and disagreements which have occurred over the period of the month. There will be no need for Union presentation, however, the report will also identify the status of the grievance, complaint or disagreement and if resolved a description of the resolution.

Submitted by:

*Dino P. Sicoli*

Seconded by:

*Franka Jones*