



DISTRICT SCHOOL BOARD OF NIAGARA
Achieving Success Together

**THE MINUTES OF THE
DISTRICT SCHOOL BOARD OF NIAGARA**

BOARD ROOM – EDUCATION CENTRE

October 26, 2010

6:45 p.m. – 7:30 p.m. (Private Session)

7:30 – 10:00 p.m. (Public Session)

ATTENDANCE:

Board: Liz Fulford (Chair), Gary Atamanyk, Lora Campbell, Dalton Clark, Gregg Dame, Marcy Heit (present for Public Session), Larry Lemelin, Don Love, Kevin Maves, Barbara Ness

**Student
Trustees:** Clive Velkers

Regrets: Lynn Campbell, Student Trustee James Gillespie

Officials: Warren Hoshizaki (Director of Education), Carol Germyn, Sue Greer, Cam Hathaway, Marilyn Hyatt, Linda Kartasinski, Sue Mark, Jim Morgan, Jane Roth, John Stainsby, Brenda Stokes Verworn, Peter Doan, Kim Yielding, Marian Lamb, Karen Bellamy

**Recording
Secretary:** Irene Foster

**Technical
Support:** Ezeldin Ebadalla

A. CALL TO ORDER AND NOTING OF MEMBERS ABSENT

Chair Liz Fulford called the Regular Meeting of the Board to order at 7:33 p.m.

Chair Fulford welcomed newly elected Trustees Sue Barnett, Alex Bradnam, Johnathan Fast, and Ed Fulford who were seated in the gallery as observers.

B. DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared.

C. COMMITTEE OF THE WHOLE (PRIVATE SESSION)

Moved by Dalton Clark
Seconded by Kevin Maves

“That the Board do now enter Committee of the Whole (Private Session).”

CARRIED

Moved by Dalton Clark

“That the Board do now return to open meeting.”

CARRIED

D. SINGING OF “O CANADA”

The Board stood as students from F.J. Rutland Public School, accompanied on keyboard by teacher Lorna Hilborn, sang “O Canada.”

E. OPENING PRAYER OR REFLECTIVE READING

Student Trustee Clive Velkers opened the meeting with a reflective reading.

F. ADOPTION OF THE AGENDA

Moved by Dalton Clark
Seconded by Barbara Ness

“That the Agenda be adopted.”

CARRIED

G. APPROVAL OF THE MINUTES

Moved by Kevin Maves
Seconded by Gregg Dame

“That the Minutes of the Regular Meeting of the District School Board of Niagara dated October 12, 2010, be confirmed as submitted.”

CARRIED

H. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

I. RATIFICATION OF BUSINESS CONDUCTED IN COMMITTEE OF THE WHOLE (PRIVATE SESSION)

Moved by Lora Campbell

Seconded by Don Love

“That the business conducted in Committee of the Whole (Private Session) be now ratified by the Board.”

CARRIED

J. EDUCATIONAL SHOWCASING OR PRESENTATIONS

(a) 2010-2011 United Way Campaign

Superintendent Linda Kartasinski introduced the showcase.

Principal Poppy Gilliam, Chair of the DSBN United Way Campaign, presented a slide show of the 2010-2011 fundraising campaign which highlighted community programs that are supported by funding from the United Way. Principal Gilliam thanked the members of the fundraising committee (Superintendents Cam Hathway and Linda Kartasinski, and Peter Doan, Human Resources Senior Manager) for bringing awareness to the needs of the community. Principal Gilliam also thanked the Trustees, Director Hoshizaki and members of the Senior Team for supporting the DSBN/United Way partnership.

Frances Hallworth, United Way Executive Director, highlighted a variety of programs which support the community and students, particularly the after school program which operates in Beamsville, Thorold and the Manchester area. Ms. Hallworth acknowledged the DSBN fundraising committee, and OSSTF and ETFO for their support throughout the year. Ms. Hallworth noted that a variety of community organizations and agencies work together to make the after school program successful in the students' neighbourhoods, including the Raft, Big Brothers Big Sisters, the YWCA, and the YMCA. Ms. Hallworth highlighted a variety of activities available to students in the after school program, which include drama, book club, dance, cooking for fun, skating, and bowling.

On behalf of the Board, Chair Fulford thanked Principal Poppy Gilliam and the fundraising committee for their commitment to students and the community. Chair Fulford also thanked Frances Hallworth for the United Way's continued partnership with the Board.

(b) Leading Educators Around the World (L.E.A.P.)

Superintendent Jim Morgan introduced the showcase. Superintendent Morgan explained that the L.E.A.P. program is an invitation for administrators to share school leadership strategies internationally. This year, 24 administrators from across Ontario took part in the exchange to Australia during the summer of 2010. DSBN Principals Carol Purcer, Johanna Provost and Sheila Walsh participated in the program.

EDUCATIONAL SHOWCASING OR PRESENTATIONS – continued:**Leading Educators Around the World (L.E.A.P.)**

Principals Carol Purcer, Johanna Provost and Sheila Walsh highlighted their experiences in Australia as part of the L.E.A.P. Program. Action research focused on engaging boys in literacy; assessment and evaluation practices and technology; and ways to help move teachers from classroom teaching to collaborative teaching. Principals Purcer, Provost and Walsh explained that there were many similarities with the DSBN. The key differences were noted in aboriginal inclusion, which is in the forefront in Australia; integration of technology; and the physical layout of school buildings. Also of significance is the presence of a compulsory, full agricultural program to Grade 10.

Principal Provost added that the experience was life changing, and it provided an excellent professional learning opportunity. On behalf of the participants, Principal Provost thanked the Trustees for supporting the program.

Principal Provost explained for Chair Fulford that there are opportunities to share strategies with staff and colleagues at the school level and through NSAC. Principal Walsh added that she had already shared student engagement strategies with her staff.

Principal Provost explained for Trustee Heit that the agricultural program, which includes a full range of livestock, appears to be a state wide compulsory program.

Principal Purcer explained for Trustee Heit that School Boards and educators in Australia have the same funding concerns as School Boards in Ontario and they endeavour to be creative in order to implement programs to support students.

On behalf of the Board, Chair Fulford thanked the Principals for sharing their experiences and for highlighting that there are many things happening in education across the world that can be shared.

K. DELEGATIONS

There were no Delegations.

L. BOARD RECESS

There was no Board Recess.

M. OLD BUSINESS**1. ACCOUNTS**

Moved by Dalton Clark
Seconded by Barbara Ness

“That the Summary of Accounts paid in Batch Numbers 0763 to 0769 for the month of September 2010 totalling \$9,570,187.73 be received.”

CARRIED

2. REPORT OF THE AD HOC GOVERNANCE COMMITTEE

Moved by Gregg Dame
Seconded by Kevin Maves

“That the report of the Ad Hoc Governance Committee dated September 29, 2010, be received and the recommendation adopted.”

Policy Advisory Committee

“That in response to legislative changes since 2009 and the Ministry of Education’s focus on policy making as a primary role of Board members, the Ad Hoc Governance Committee supports the reorganization of the Policy Advisory Committee to be a Board member only committee to take effect with the formation of the new Board on December 1, 2010, and that input from stakeholders will continue to be obtained by circulating proposed new and amended policies electronically.”

AND

“That Board Policies i-02 (Policy Advisory Committee) and i-03 (Policy Generating Process) be revised to reflect the new structure of the Policy Advisory Committee, and that the Board member representation should increase from 4 to 5 Board members.”

At the request of Trustees, the motions were split and voted on separately.

“That the report of the Ad Hoc Governance Committee dated September 29, 2010, be received.”

CARRIED

OLD BUSINESS – continued:**REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

“That in response to legislative changes since 2009 and the Ministry of Education’s focus on policy making as a primary role of Board members, the Ad Hoc Governance Committee supports the reorganization of the Policy Advisory Committee to be a Board member only committee to take effect with the formation of the new Board on December 1, 2010, and that input from stakeholders will continue to be obtained by circulating proposed new and amended policies electronically.”

DEFEATED

“That Board Policies i-02 (Policy Advisory Committee) and i-03 (Policy Generating Process) be revised to reflect the new structure of the Policy Advisory Committee.”

DEFEATED

“That the Board member representation should increase from 4 to 5 Board members.”

CARRIED

Prior to a vote, Trustee Gregg Dame provided verbal highlights of the report as follows:

- The Ad Hoc Governance Committee has been meeting since early January 2010 and taken into consideration input from Trustees in bringing recommendations to the full Board.
- The Committee agreed to defer the creation of a Trustee Code of Conduct until after the elections to see if the Ministry publishes any guidelines, or if the OPSBA template will be available following the elections.
- The primary focus of the meeting was to conduct a final review of the proposed amendments to the Board’s By-Laws and Rules of Order so that a Notice of Motion setting forth the changes could be introduced at the October 26th Board meeting for discussion and debate and approval of the proposed changes could take place at the November 9th Board meeting. Trustee Dame noted that discussion on the Notice of Motion will take place on November 9, 2010, and he encouraged Trustees to review the minutes of this September 29th meeting, and the prior meeting minutes, for the background explanation and rationale for some of the proposed changes.

OLD BUSINESS – continued:**REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

Trustee Dame also spoke to the recommended motion regarding the Policy Advisory Committee (PAC). Trustee Dame explained that the Committee discussed the future format and membership of the Policy Advisory Committee in light of the Ministry's renewed focus on Trustees as policy makers. Trustee Dame noted that a new provision (s.169.1) was added to the *Education Act* by the passage of Bill 177 on December 15, 2009, which emphasizes the role of Trustees as policy makers. Since this was an election year and Committee selection will commence starting December 1, 2010, this would be an appropriate time to revisit PAC's current structure and format. The recommended motion proposes that the structure of PAC become a Trustee only Committee (with an increase from 4 to 5 Board members) and that input shall continue to be obtained from stakeholders electronically. This would be in keeping with what other Boards do around the province.

Discussion followed on the recommended reorganization of the Policy Advisory Committee. Trustees discussed the importance of having stakeholder input in a forum that permits the face to face exchange of dialogue, rather than seeking input on policy matters electronically. Trustees noted that the current model for the Policy Advisory Committee provides an opportunity to hear valued input from stakeholders.

Trustees acknowledged that concerns have been raised that discussion at some Policy Advisory Committee meetings may be dominated by some stakeholder groups and that other stakeholder representatives may be reluctant to participate in discussion and provide input for a variety of reasons. Some concern was expressed that the Policy Advisory Committee is not functioning as intended. Trustees suggested that these concerns can be addressed by reviewing the structure of the committee, clarifying the roles and responsibilities of the committee members, and/or reviewing voting rights, while still maintaining a committee with stakeholder representation and which provides a forum for meaningful and productive discussion from stakeholder members in an advisory capacity.

It was noted that in the past, the Ministry of Education recognized the Board's Policy Advisory Committee as a best practice for Boards across the province to consider and that the Board was recognized as a provincial leader in developing strong partnerships with its stakeholders.

Trustees also pointed out that the importance of the Trustees' role as policy makers is not new and that they have always been responsible for making policy. However, over time, the functioning and discussion at some Policy Advisory Committee meetings was weighted by stakeholder input which impacted on the effectiveness of the business to be conducted at the meeting. It was suggested that the Ministry's recent legislative emphasis on Trustees as policy makers was intended to encourage more involvement from Trustees and to limit the role of Board administration in policy making, but not to preclude stakeholder groups from providing input into the development of policies that are enriched by that input. It was also suggested that the Board should continue to develop partnerships with stakeholder groups, and if passed, this motion may

OLD BUSINESS – continued:**REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

discourage stakeholders from participating in the policy making process, or impact negatively on the Board's partnerships with stakeholder groups.

Chair Fulford clarified that the Ad Hoc Governance Committee's rationale for the recommended reorganization of the Policy Advisory Committee is in response to the Ministry's legislative change and the increased emphasis on the role and responsibility of Trustees as policy makers. Chair Fulford added that during its discussions, the Committee agreed that it is important to continue to receive valued input from stakeholder groups on proposed new or revised policies, but that input can be obtained in a variety of ways, including electronically, or inviting them to make presentations.

Chair Fulford clarified that the role of Senior staff is to bring forward policies that are scheduled for review or required by new legislation and to prepare a draft of issues for the Policy Advisory Committee to consider. Senior staff does not make policy, but rather acts as a resource in bringing forward policy matters for the Trustees' review and approval. Chair Fulford reiterated that the rationale of the Ad Hoc Governance Committee was to propose progressive change which recognizes and supports the Trustees' key role as policy makers, and to ensure that there is an opportunity for continued input from stakeholders.

Chair Fulford clarified for Trustee Ness that while the position of Vice-Chair is always held by a Trustee, the position of Chair of the Policy Advisory Committee is rotated amongst the stakeholders groups and occasionally a stakeholder representative may decline acting as Chair for a variety of reasons, but will continue to be permitted to participate in discussion and provide input.

Trustee Ness asked if the number of Board members on the Committee can be increased if the recommended motion is not carried. Chair Fulford replied that the motion can be split and voted on separately if it is the wish of the Board.

Trustee Gary Atamanyk called a point of clarification and asked if the Trustees will be voting on the motion. Chair Fulford clarified that as previously requested the motion will be split and voted on separately. Thereafter, discussion can follow on the remainder of the Committee report.

Trustee Gary Atamanyk asked if the motion to increase the number of Board members on the Policy Advisory Committee will affect the Board's By-Laws.

At Chair Fulford's request, Brenda Stokes Verworn stated that the Board's By-Laws currently provide for (4) Board members on the Policy Advisory Committee. If the Trustees approve a change to (5) Board members then there could be amendments to the Board's policies respecting the structure of the Policy Advisory Committee. Further, there is a notation in the Notice of Motion coming forward later in the meeting that if the Board approves the increase in Board member representation on the Policy Advisory Committee, then it will also be included in the Notice of Motion that By-Law L-6 be amended to increase the Board member representation from (4) to (5).

OLD BUSINESS – continued:**REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

Trustee Dame thanked the Trustees for their comments on the recommended motion. Trustee Dame reiterated that the Ad Hoc Governance Committee had lengthy and thoughtful discussion on this issue. The Committee agreed that providing all stakeholders with the opportunity to provide input is very important, and that a forum for providing input should allow all stakeholders to participate openly in meaningful discussion.

Chair Fulford called for a vote on each motion regarding the reorganization of the Policy Advisory Committee.

Chair Fulford clarified for Trustee Atamanyk that a recommendation to increase Board member representation on the Policy Advisory Committee from (4) to (5) will now form part of the Notice of Motion for discussion and decision at the November 9, 2010, Board meeting.

Discussion followed on the remainder of the report. Trustees discussed the proposed changes to By-Law O-7 which differentiates the Policy Advisory Committee (PAC) and the Special Education Advisory Committee (SEAC) from other Board committees. Concerns were expressed that observing Trustees will be precluded from participating in discussion at meetings of the Policy Advisory Committee and impact on the Trustees' role as policy makers. Trustee Heit asked for clarification on the rationale for adding clause (c).

At Chair Fulford's request, Brenda Stokes Verworn clarified that By-Law O-7 (c) is actually not new at all. Both the Policy Advisory Committee and the Special Education Advisory Committee have always been treated differently as exceptions. The only reason clause (c) was created was for ease of reading, it does not represent a change with respect to the treatment of PAC and SEAC. Clause (a) of By-Law O-7 states that observing Trustees (who are guests and not designated alternates) are welcome to attend any committee meetings and participate in discussion, but will not be counted in quorum or be allowed to vote. Not being able to vote is new, however, clause (c) of By-Law O-7 mentions two exceptions and distinguishes the Policy Advisory Committee and the Special Education Advisory Committee from other committees of the Board. Brenda Stokes Verworn explained that historically, the Policy Advisory Committee was intended to be a forum for input by stakeholder groups, without discussion being dominated by Trustees. Brenda Stokes Verworn added that limiting the number of Trustees who are allowed to participate in discussion and to vote under the current structure of the Policy Advisory Committee, ensures that a Board meeting is not constituted in the event (8) Trustees are in attendance, and it reflects the historical intent that the Policy Advisory Committee is a forum for stakeholder input, not Trustee debate. Likewise, Brenda Stokes Verworn explained that the legislation governing the SEAC Committee is very specific in the Regulation. The recommended changes to By-Law L-6 regarding SEAC are to correct past practice that was not in compliance with the SEAC legislation because we did not have two designated SEAC Alternates. However, the legislation around SEAC is based on the same premise that it is a stakeholder committee. Both SEAC and PAC have Chairs who are not Trustees.

OLD BUSINESS – continued:**REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

Chair Fulford added that existing By-Law O-7(a) currently precludes observing Trustees from participating in discussion at meetings of the Policy Advisory Committee and so the recommended changes to By-Law O-7 is strictly a “housekeeping” matter to move the exception in clause (a) to a separate (c) section.

Discussion took place on the recommended Rules. Trustee Atamanyk pointed out that recommended Rule 64 (School Accommodation Reviews) states that the Board “will avoid adopting conditional motions,” whereas the minutes of the September 29th Ad Hoc Governance Committee meeting suggests that a Rule be developed to state that conditional motions for school closure “would not be adopted.”

Discussion followed on recommended Rules 64 and 65. Trustee Heit suggested that Rule 64 should be clearer and more prescriptive to ensure there is no ambiguity in its interpretation and application.

Brenda Stokes Verworn confirmed that both Trustees Atamanyk and Heit are correct that the wording in the Notice of Motion should have clearly read “not adopt” and that with the Trustees’ consent that error will be corrected in the Notice of Motion.

Trustee Atamanyk suggested that a defeated motion or motions that have failed are also decisions of the Board, and similar to a motion to rescind (Rule 44), motions to reconsider should only require a two-thirds vote to be adopted, not a majority vote. Trustee Atamanyk pointed out, however, that Rule 42 (Motion to Reconsider) sets out a two-step process in Rule 43 for the motion for reconsideration to be considered. Trustee Atamanyk suggested that the two-step process for motions to reconsider can prevent further discussion on an issue and preclude the opportunity to bring new information forward for consideration. Trustee Atamanyk also suggested that a motion to reconsider is really a motion to rescind and it should be subject to the same voting requirements as a motion to rescind. Trustee Atamanyk added that whether a motion is subject to being reconsidered or being rescinded is determined by the wording of the original main motion, for example, was the original motion a motion to keep a school open, or a motion to close a school.

Trustee Gary Atamanyk called a point of clarification to confirm whether the Board is only receiving the report of the Ad Hoc Governance Committee. Trustee Atamanyk suggested that recommended Rule 43 which sets out the two-step process for motions to reconsider, be deleted from the report.

At Chair Fulford’s request, Brenda Stokes Verworn responded to Trustee Atamanyk’s comments. Brenda Stokes Verworn reminded Trustees that the Board is only receiving the report of the Ad Hoc Governance Committee and that further discussion on the recommended changes to the By-Laws and Rules of Order can take place at the November 9, 2010, Board meeting. In the meantime, Brenda Stokes Verworn explained that the proposed changes to Rules 42, 43, and 44 are consistent with Bourinot’s Rules of Order. Brenda Stokes Verworn added that, using Trustee Atamanyk’s example of a school closure decision, the current Rule 42 still requires a Step 1 two-thirds vote to be reconsidered and then a majority vote in Step 2.

OLD BUSINESS – continued:**REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

Trustees discussed Rule 65, which will not permit Delegations on school closures to address the Board on the same night a decision is scheduled to be made by the Board on a school closing issue. Concerns were expressed that the Rule places a timeline on Delegations for addressing the Board. Concerns were also expressed that in the past some Delegations did not have an opportunity to address the Board on the decision night.

Chair Fulford explained that the Committee's rationale for recommending a new Rule 65 is based upon earlier input from Trustees that we need to provide more Delegations with an opportunity to address the Board by holding a Special Board meeting if necessary, rather than limiting the number of Delegations on the night of the decision so that the Board can conduct all of the business on the agenda. The recommendation does not preclude Delegations from continuing to request an opportunity to address the Board at prior Board meetings.

Brenda Stokes Verworn added that our practical experience has been that even if a small number of Delegations address the Board on a decision night, the time for Trustees to discuss and debate the school closing issue is then forced to take place late in the evening and the audience who want to hear the debate are also required to stay until 11:00 p.m. or later in the evening. Brenda Stokes Verworn pointed out that the Committee felt that Rule 65 also addresses the inequity posed by the fact that currently only a limited number of Delegations would be able to address the Board on a decision night. Rule 65 will not preclude opportunities for community input prior to a decision night, rather it provides more opportunity (i.e. Special Board meeting) and the proposed Rule allows the Trustees to have meaningful discussion on an important issue earlier on the agenda without the pressure of making a late night decision.

Brenda Stokes Verworn reminded the Trustees that at the November 9, 2010, Board meeting they can choose to vote collectively or separately on each recommended By-Law and Rule of Order. Brenda Stokes Verworn invited the Trustees to contact Trustee Dame or herself prior to the November 9th Board meeting if they required further clarification on the recommended changes.

Chair Fulford added that the Ad Hoc Governance Committee has been working hard since January 2010 to bring the recommended changes forward during this term so that the new Board can move forward on governance issues. The proposed recommendations reflect a number of housekeeping changes and a review of the By-Laws from an operational perspective.

Chair Fulford asked for all those in favour of receiving the report of the Ad Hoc Governance Committee dated September 29, 2010. The motion carried.

OLD BUSINESS – continued:**3. REPORT OF THE SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)****Moved by Don Love****Seconded by Barbara Ness****“That the report of the Special Education Advisory Committee dated October 14, 2010, be received”****CARRIED**

Trustee Don Love provided highlights of the report as follows:

- Committee members were reminded to submit letters from their associations/agencies indicating their choice for primary representation as well as alternate representation on SEAC for the 2010 -2011 year.
- Discussion took place on a number of changes to the meeting dates.
- The Committee was provided with an update on the Ministry of Education's recent information session on Special Education Funding and the challenges shared by Boards.
- The Committee was provided with information that of the nearly 40,000 students within the District School Board of Niagara, approximately 8,000 students are identified with special needs, some with complex mental health issues.
- The Special Education Report was reviewed with the SEAC Committee and discussion followed. It was noted that much of the wording in the Special Education Report is ministry mandated and therefore cannot be changed. Further review of the Special Education Report will take place at the November meeting.
- A number of associations/agencies provided reports. Autism Ontario has encouraged its members to send letters to the Minister of Education and other Members of Parliament in regards to the Special Education Funding shortfall for the District School Board of Niagara.
- A number of issues were raised and discussed at the meeting, including making Special Education information on the Board's website more prominently accessible; renaming School Support Services to Student Support Services; the impact on Special Education funding as a result of the Board's failure to submit Special Education statistics to the Ministry of Education in 2004, and the Ministry's current consultation and review process to address the issue of equalizing funding; and the students' continued access to the curriculum when their assistive technology is being serviced.

4. REPORT OF THE FINANCE COMMITTEE**Moved by Dalton Clark****Seconded by Lora Campbell****“That the report of the Finance Committee dated October 20, 2010, be received and the recommendations adopted.”**

OLD BUSINESS – continued:**REPORT OF THE FINANCE COMMITTEE**Audit Planning Report

“That the Audit Planning Report for the year ended August 31, 2010, be received.”

Architect Appointment – James Morden Public School Addition & Renovation Project

“That The Walter Fedy Partnership be appointed Architect for the James Morden Public School Addition and Renovation Project.”

Architect Appointment – River View Public School Addition

“That Macdonald Zuberec Ensslen Architects be appointed Architect for the River View Public School Addition and Renovation Project.”

Use of Niagara District Secondary School Site

“That the staff of the Don Reilly Resource Centre be temporarily moved to the Niagara District Secondary School site.”

CARRIED

Trustee Dalton Clark provided a summary of the report as follows:

- The Finance Committee reviewed the Audit Planning Report, which is presented annually prior to the audit taking place as a requirement of the annual audit process. The Audit Planning Report addresses any entity specific issues, accounting standards, and auditing standards that have changed since the previous year's audit.
- Eight architectural firms have been pre-qualified, for a period of three years, for future capital projects. All of the pre-qualified firms submitted proposals for the James Morden School project. The proposals were reviewed and The Walter Fedy Partnership is the recommended firm to undertake the James Morden Addition and Renovation Project. As set out in the Board-approved Multi-Year Capital Plan, the project includes the construction of a new general purpose room, the renovation of the existing playroom to create a new library resource centre, conversion of the existing library to create two additional classroom spaces which will eliminate the need for portables, and the construction of a new entrance.
- The addition and renovations to River View Public School will be undertaken to accommodate the students of F.J. Rutland Public School as a result of the Accommodation Review of South Niagara Falls. The proposed project includes the construction of a new general purpose room, renovations to the existing playroom to create a new library resource centre and to the existing office area to create a second classroom for the new Early Learning Program. The school office will be moved to the new addition area. Proposals were received from all eight pre-qualified architectural firms and Macdonald Zuberec Ensslen Architects is the recommended firm for the River View addition and renovation project. The estimated total cost of this project is \$2,869,000. The Board has received funding in the amount of \$434,585 through the Ministry's Early Learning Program capital initiative. The balance of \$2,434,415 will be funded through the Board's capital reserves.

OLD BUSINESS – continued:**REPORT OF THE FINANCE COMMITTEE**

- The Committee received and discussed a report on the proposed use of Niagara District Secondary School as a temporary site for the School Support Services and Media Services staff who are currently located at the Don Reilly Resource Centre. The Committee was reminded that on June 16, 2010, it defeated a proposal regarding the use of the Niagara District Secondary School site. At that time, the Finance Committee requested that further investigation be done and that the matter be brought back in the Fall of 2010.

Following Trustee Clark's report, Trustee Gary Atamanyk called a point of order. Trustee Atamanyk reminded the Board that the issue of moving the Don Reilly Resource Centre staff to Niagara District Secondary School was discussed at a June 16, 2010, Finance Committee and a similar motion was defeated by the Finance Committee at that time. Trustee Atamanyk suggested that the Board's By-Laws with respect to defeated motions should also apply to motions defeated at the Committee level. Therefore, the current motion before the Board is a motion to reconsider the defeated June 16th Finance Committee motion and it requires a notice of motion to reconsider. Trustee Atamanyk suggested that the motion is out of order today.

At Chair Fulford's request, Brenda Stokes Verworn reminded Trustees that at its June 16, 2010, meeting the Finance Committee requested that the matter be brought back in the Fall of 2010. Brenda Stokes Verworn referenced the June 16, 2010, defeated Finance Committee motion which read, "*That the staff of the DRRC be temporarily moved to Niagara District Secondary School for September 2010, while continuing to look at options for a permanent location.*" The motion did not come to the Board at the June 22, 2010, Board meeting for consideration, rather, it was reported as an information item only.

Chair Fulford ruled that Trustee Atamanyk's point of order, is not in order. Chair Fulford added that the June 16, 2010, motion of the Finance Committee was not considered and defeated at the full Board table and the requirement for a notice of motion at a meeting of the Board to reconsider a defeated motion does not apply to motions defeated at the Committee level.

Trustee Gary Atamanyk challenged the ruling of the Chair.

Director Hoshizaki clarified that the Chair has ruled that Trustee Atamanyk's point of order is not in order. Director Hoshizaki called the question, all those in favour of upholding the ruling of the Chair. A recorded vote was not requested. Trustees voted individually, in favour or against. The Trustees (exclusive of the Chair) voted in favour of upholding the ruling of the Chair by a two-thirds vote of 6-3 of the members present.

Trustee Heit suggested that the October 20, 2010, report of the Finance Committee should have more clearly set out the background from June 2010 so that Trustees had a better understanding of the previous discussion on this issue.

OLD BUSINESS – continued:**REPORT OF THE FINANCE COMMITTEE**

At Chair Fulford's request, Brenda Stokes Verworn referenced the Board meeting minutes of June 22, 2010, which reports on the June 16, 2010, Finance Committee discussion on the proposed use of Niagara District Secondary School as an information item for the Board. The June 22, 2010, Board minutes also state that Trustee Atamanyk requested an opportunity to discuss the proposed use of Niagara District Secondary School. In response, it was clarified that the report on this item was for information only and there was no motion on the floor from the Finance Committee regarding Niagara District Secondary School. The June 22, 2010, Board minutes also state that Trustee Atamanyk thanked the Chair for the clarification and there was no further discussion on this item.

Discussion continued on the proposed motion regarding the use of Niagara District Secondary School, and costs associated with relocating staff to the high school site. Trustees discussed the condition of the Don Reilly Resource Centre and whether it provided an adequate working environment for staff. Suggestions were made that some repairs could be made to the Don Reilly Resource Centre to address the condition of the facility as an option to relocating staff. Concerns were expressed that the Niagara District Secondary School site is not located centrally within the jurisdiction of the Board and that access to schools will result in added travel time for staff and increased mileage costs for the Board. Trustees also discussed the opportunities raised by the Town of Niagara-on-the-Lake to share office space and meeting room space at the school site, as well as the computer labs for staff training. It was suggested that utilizing the high school facility will minimize the potential for vandalism at the school while the Board assesses the future of both the high school site and the Don Reilly Resource Centre site.

In response to Trustee Heit's questions regarding other possible costs and revenue opportunities at the high school site, Superintendent Germyn replied that there is also potential to share the gymnasium space for meeting facilities and the cafeteria for catering functions. Superintendent Kartasinski added that there may be further costs if additional computer drops or electrical outlets are required to meet user needs.

Prior to the conclusion of discussion on the use of Niagara District Secondary School, Trustee Atamanyk called a point of order noting that the role of the Chair is to provide information and stimulate discussion, not to participate in debate.

With respect to the appointment of architects, Superintendent Roth clarified for Trustee Heit that there are no reported costs associated with the appointment of architects. There will be costs to report once contracts are awarded for the construction projects.

N. QUESTIONS ASKED OF AND BY BOARD MEMBERS

- (a) Trustee Don Love asked for information on the Education Foundation of Niagara's upcoming fundraising gala on November 27th at Club Italia. Trustee Lora Campbell responded that the event is primarily for the purpose of raising funds for nutrition programs in schools. The gala will have a Christmas theme and will include dinner, dancing, and a silent auction. Invitations to the gala will be available soon.

QUESTIONS ASKED OF AND BY BOARD MEMBERS – continued:

- (b) Trustee Gary Atamanyk recalled that at the October 14, 2010, Board meeting it was reported that the Board's partnership with the Canadian International School in Vietnam generated approximately \$200,000 in revenue. Trustee Atamanyk stated that revenue earned by the Board must be allocated to an operating account and that expenditures from that account must be budgeted for or approved by the Board. Trustee Atamanyk questioned how the travel expenses to Vietnam were made without going through the budget process.

At Chair Fulford's request, Superintendent Roth explained that within the last approved budget an entry was created for income and expenditures for the international school projects.

Director Hoshizaki added that there are a number of accounts in addition to the Canadian International Schools, including continuing education, and that revenue and expenditures are reported to the Board through the budget process. Director Hoshizaki noted that the agreement with the Canadian International School generates revenue based on enrolment and that a renewal of the agreement is currently being discussed.

O. NEW BUSINESS**1. ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION (OPSBA)**

Trustee Don Love reported that the Central West Regional Council Meeting will be held on Saturday, November 13, and hosted by the Hamilton-Wentworth DSB. Agenda information will follow. Trustees and newly elected Trustees are invited to attend. The OPSBA Directors meeting is scheduled for November 26/27, 2010, in Toronto.

P. INFORMATION AND PROPOSALS**1. Trustee Information Session**

There was no Trustee Information Session.

2. Staff Reports**(a) Director's Report**

Director Hoshizaki reported the following:

- The students of Colonel John Butler Public School were honoured with a "Waste Diversion Hero" award from Niagara Region Waste Management Services at a special assembly on Friday, October 22, 2010.
- Statistics show the utilization of the Welcome Centre has increased from its opening in 2007-2008.

INFORMATION AND PROPOSALS – continued:**Staff Reports****Director's Report**

- The Assistant Deputy Minister of Education recently visited the Board's Early Learning Program at Memorial Public School. There will be opportunities to have discussion with the Ministry regarding challenges around partnerships, funding, capital funding, and the successes within our Board.

3. Trustee Communications**(a) Notice of Motion – Changes to By-Laws and Rules of Order**

Chair Liz Fulford gave notice that in accordance with Board By-Law Q – 2, a recommendation that the following amendments to the By-Laws and Rules of Order of the District School Board of Niagara will come forward for consideration at the next meeting of the Board scheduled for November 9, 2010, with such amendments to take effect November 30, 2010.

PREAMBLE

The following organizational and governing By-Laws of the District School Board of Niagara shall be observed for the order and dispatch of its business. **Whenever the By-Laws are silent on an issue, the rules and practices of Bourinot's Rules of Order shall govern.**

F ORGANIZATION MEETING OF THE BOARD

- F - 1 The order of business for the Organization Meeting is to elect the Chairperson and Vice-Chairperson of the Board and, in an election year, for Trustees to make committee selections by Trustees submitting their committee preferences to the Director's Office, **as outlined in By-Law L - 4**, preferably by electronic submission.

G REGULAR BOARD MEETINGS

- G - 1 The regular meetings of the Board shall be held on the second and fourth Tuesday of each month between September and June, save and except for the months of March and December when there will only be one regular Board meeting, and save and except for the month of June when the regular meeting of the Board shall be held on the second Tuesday and the fourth Monday of the month. Should any such Tuesday or Monday fall on a statutory or civic holiday, the Board shall meet on the evening of the following day at the same hour, or as otherwise decided by the Board. Committee of the Whole shall commence at **6:45** p.m. and the regular Board meeting, public session, shall commence at 7:30 p.m.

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order**

- G - 3 In the event of weather conditions which, in the judgment of the Chairperson, preclude the regular meeting of the Board, the meeting will be held on the next following Tuesday, with Committee of the Whole commencing at **6:45** p.m. and the regular Board meeting, public session, commencing at 7:30 p.m.

Recommended By-Law G - 9

(a) The Board *will endeavour to have posted on the Board's website at least 24 hours prior to the Board meeting the Board* agenda, ~~together with support material~~, exclusive of matters to be considered in Committee of the Whole - Private Session, *for access by the public. shall be made available to media representatives, presidents of staff unions, federation representatives, and other persons so designated by the Board.*

(b) *The Board meeting minutes, without supporting material, shall be posted on the Board's website once they are approved by the Board.*

(c) *The Board will endeavour to have posted on the Board's website at least 24 hours prior to a Standing or Statutory Committee meeting the Committee agenda, exclusive of matters to be considered in a Closed Session, for access by the public.*

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order****G - 10****Current G-10:**

The order of business for regular meetings of the Board shall be:

- A. Call to Order and Noting of Members Absent
- B. Declaration of Conflict of Interest
- C. Motion to Move to Committee of the Whole (Private Session)
Motion to Return to Open Board (Public Meeting)
- D. Singing of *O Canada*
- E. Opening Prayer or Reflective Reading
- F. Adoption of Agenda
- G. Approval of Board Minutes
- H. Business Arising from the Minutes
- I. Ratification of Business Conducted in Committee of the Whole
- J. Educational Showcasing or Presentations
- K. Delegations
- L. Board Recess (Optional)
- M. Old Business
- N. Questions Asked of and by Board Members
- O. New Business
- P. Information and Proposals:
 - 1. Trustee Information Sessions
 - 2. Staff Reports
 - 3. Correspondence & Communications
 - 4. Trustee Communications
- Q. Future Meetings
- R. Adjournment

Proposed G-10:

The order of business for regular meetings of the Board shall be:

- A. Commencement of the Meeting of the Board
 - 1. Call to Order and Noting of Members Absent
 - 2. Declaration of Conflict of Interest
- B. Committee of the Whole
 - 1. Motion to Move to Committee of the Whole (Private Session)
 - 2. Motion to Return to Open board (Public Meeting)
- C. Singing of *O Canada*
- D. Opening Prayer or Reflective Reading
- E. Business of the Board
 - 1. Adoption of Agenda
 - 2. Approval of Board Minutes
 - 3. Business Arising from the Minutes
 - 4. Ratification of Business Conducted in Committee of the Whole
- F. Educational Showcasing or Presentations
- G. Student Achievement Reports
- H. Delegations
- I. Board Recess (Optional)
- J. Old Business
- K. Questions Asked of and by Board Members
- L. New Business
- M. Information and Proposals
 - 1. Staff Reports
 - 2. Trustee Information Sessions
 - 3. Correspondence and Communications
 - 4. Trustee Communications and School Liaison
 - 5. OPSBA Reports
 - 6. Future Meetings
- N. Adjournment

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order****J INAUGURAL MEETING OF THE BOARD**

- J - 1 In each municipal election year, the Inaugural Meeting of the Board shall be held on the first Board meeting in December following the Organization Meeting, at the hour of **6:45** p.m. for Committee of the Whole and 7:30 p.m. for the regular Board meeting, public session, unless otherwise determined by Board motion.

L STANDING AND STATUTORY COMMITTEES

- L - 4 The Board members will indicate their preference for committees to the Nominating Committee. **The membership of the Nominating Committee shall be comprised of the Chairperson, the Vice-Chairperson and one Board member selected at large by the Chairperson. The mandate of the Nominating Committee is to receive each Board member's preference for committees, preferably electronically, and subsequently allocate committee assignments to each Board member.**
- L - 6 There shall be the following committees of the Board with each Board member required to sit on two (2) Standing or Statutory Committees.

| | |
|---|--|
| • <u>Audit Committee</u> | <u>3 Board Members</u> |
| • Policy Advisory Committee..... | 4 Board Members |
| • Program and Planning Committee..... | 5 Board Members |
| • Finance Committee..... | 4 Board Members |
| • Special Education Advisory Committee (SEAC)..... | 2 Board Members <u>plus 2 appointed Board Member Alternates (this is a legislated four (4) year term)</u> |
| • Supervised Alternative Learning for Excused Pupils Committee (SALEP)..... | 1 Board Member |
| • Parent Involvement Committee..... | 2 Board Members |
| • Student Trustee Senate..... | 2 Board Members plus 2 Student Trustees |
| • Student Discipline Committee..... | 3 Board Members (<u>legislated</u> minimum) |
| • Ad Hoc Negotiations Committee..... | 2 <u>Trustees Board Members</u> for each contract |
| • Ad Hoc Properties Disposal Committee..... | 2 <u>Trustees Board Members</u> (Chair of Program and Planning Committee, and Chair of Finance Committee, or designate) |

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order**

Other Ad Hoc Committees will be established as required.

- L - 7 The committee responsibilities of the incoming Chairperson shall be assumed by the outgoing Chairperson, **save and except if the incoming Chairperson was the Board member assigned to serve on the Special Education Advisory Committee (SEAC), then the incoming Chairperson will remain on the SEAC Committee for the balance of the Board's four year term.**
- L - 10 The Board shall then appoint its representative to outside agencies, boards and commissions **to serve the same term as cited in By-Law L-9, unless otherwise required.**

N AD HOC COMMITTEES AND SPECIAL COMMITTEES

- ~~N-3~~ **N – 2** The Board may, from time to time, appoint special committees as it deems necessary. Such committees shall be appointed by resolution of the Board and each shall receive terms of reference from the Board.
- ~~N-2~~ **N – 3** Items which have been referred to an ad hoc committee may only be placed on the agenda after consultation with the committee.

O BOARD COMMITTEES

(NOTE – If the Board adopts the new PAC as an only Trustees Committee then the Notice of Motion will be amended to delete reference to PAC in By-Law O-7(c).)

Recommended By-Law O - 7

- a) All Board members who are not official members of a Standing or Statutory Committee as listed in By-Law L-6 (~~save and except the Policy Advisory Committee and the Special Education Advisory Committee~~) may attend all or any committee meetings in the capacity of an observer or to participate in discussions **and but**, if in attendance, **the observing** Trustee shall not be counted in arriving at quorum, ~~but shall be allowed to vote~~, **shall not move any motions, and shall not be allowed to vote.**
- b) Notwithstanding (a), a Board member assigned to a **Standing or Statutory** Committee may designate an alternate Board member as a replacement voting member in their absence in accordance with Board Policy A-2 (Attendance at Board and Committee Meetings) for the purpose of arriving at a quorum, **and such designated alternate shall be allowed to vote.**

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order****New (c)**

- c) **Furthermore, notwithstanding (a), all Board members who are not official members of the Policy Advisory Committee or the Special Education Advisory Committee may attend any Policy Advisory Committee and/or Special Education Advisory Committee meetings in the capacity of an observer but, if in attendance, shall not participate in discussion, shall not be counted in arriving at quorum, shall not move any motions, and shall not be allowed to vote.**

Recommended By-Law O-8

The Chairperson of the Board shall be an ex-officio member of all committees. As such, the Chairperson **of the Board is allowed, but not required, to vote** shall not be counted in arriving at quorum, **or allowed to vote unless acting as a designated alternate for an absent Board member of the committee.**

Recommended By-Law O-10

Reports of all committees shall be printed before being presented to the Board, and shall contain the names of the members of such committee present at the meetings at which such reports were adopted, and if a meeting of any committee is called at which a quorum is not present, the Chairperson of such committee, or in the Chairperson's absence the Secretary **of the Board (Director of Education)**, shall report the fact to the Board at the next meeting with the names of the members present.

RULES OF ORDER**Current Rule 42 – Motion to Reconsider**

After a vote has been taken on any question (except one of indefinite postponement) such vote may, with the consent of two-thirds majority of the members present, provided that the members constitute a quorum, be reconsidered during the same meeting, or may be reconsidered (with the consent of a two-thirds majority of the members present) at any meeting held thereafter, provided any member shall give notice to that effect in writing at a previous regular meeting. A motion to reconsider, being once made after notice at a previous Board meeting and decided in the negative, shall not again be entertained during the current year or within a period of four months, whichever is the lesser, unless approved unanimously by a quorum of the Board.

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order****Recommended Rule 42**

A motion to reconsider can only be applied to defeated motions or motions that have failed. Any motion that has failed (except one of indefinite postponement) may be reconsidered at the same meeting without the need for prior notice, or at any meeting held thereafter provided any Board member shall give notice to that effect in writing at a previous meeting. A motion to reconsider is passed by a vote of at least two-thirds of the Board members present and voting. If the motion to reconsider fails, a motion to reconsider that same failed earlier main motion cannot again be entertained during the current calendar year or within a period of four months from the failed motion to reconsider, whichever is the lesser, unless approved unanimously by the Board members present and voting.

Current Rule 43 – Motion for Reconsideration

When a member has moved for reconsideration of any question which has been decided, no discussion of the main question shall be allowed until the motion for reconsideration has been decided.

Recommended Rule 43

When a member has moved for reconsideration of any question which has been decided, no discussion of the main question shall be allowed until the motion for reconsideration has been decided. **A motion to reconsider is a two step process. The first step requires the Board members to vote on whether or not the motion in question should be reconsidered. If the motion to reconsider is adopted by a vote of at least two-thirds of the Board members present and voting, then the Board members proceed to the second step. The second step is to debate and vote again on the main question being considered. The vote on the main question must be passed by a majority vote of the Board members present and voting.**

Current Rule 44 - Motion to Rescind

No resolution of the Board shall be rescinded at any subsequent meeting unless a notice of motion to rescind is given and read at a prior meeting, but such notice may be dispensed with provided two-thirds of a quorum of the members vote in favour thereof.

Recommended Rule 44

Motions adopted by the Board can be rescinded at any subsequent meeting, provided a notice to this effect in writing is given at a previous meeting. A notice to rescind is adopted by a vote of at least two-thirds of the Board members present and voting.

INFORMATION AND PROPOSALS – continued:**Trustee Communications****Notice of Motion – Changes to By-Laws and Rules of Order****RECOMMENDED RULES 64 AND 65 (NEW)****School Accommodation Reviews**

R - 64 In situations where the Board is considering closure of a school, the Board will endeavour to provide certainty and finality in its decision-making for the sake of the community and will avoid adopting conditional motions that prolong the uncertainty of the school's future or the outcome.

R - 65 Delegations on school closures will not be permitted to address the Board on the same night a decision is scheduled to be made by the Board on whether or not a school will be closed. However, Delegations will be permitted in accordance with the Board's Rules of Order (Rules 6 to 8) at prior meetings and/or heard at a Special Meeting of the Board held to receive community input on that specific issue.

- (b) Trustee Don Love suggested that the Board's "Phone Directory" should be revised to more clearly provide the Board's contact information in an easily locatable manner.
- (c) Trustee Don Love suggested that information posted on the Board's website should be kept up to date, and that locating information on the website should be more easily accessible.
- (d) Trustee Don Love reported that he attended Eden's Spiritual Life Department's recent fundraising event. Trustee Love commended the Spiritual Life Department's leader for his motivating messaging.

4. Correspondence and Communications

- (a) Letter from the Honourable Bryon Wilfert, P.C., M.P., congratulating the DSBN on the opening of the Canadian International School (CIS) in Ho Chi Minh City, Vietnam.
- (b) Letter from the Ministry of Citizenship and Immigration regarding the 2010-2011 Adult Non-Credit Language Training Program.
- (c) Trustees were provided with a flyer that was distributed to all schools in recognition of the October 27, 2010, 10th Annual Child Care Worker and Early Childhood Educator Appreciation Day.

Chair Fulford commended staff for recognizing this group of dedicated staff.

Q. FUTURE MEETINGS

The Schedule of Meetings for November 2010 was provided, along with a calendar of future events to note.

Trustees were reminded that the calendar is available for viewing on the Trustee Calendar on the First Class Desktop of Trustee computers.

The following changes were noted:

November 29 – 5:30 p.m. Trustee Orientation Session
(rescheduled from November 25th)

Chair Fulford noted that correspondence has been sent to all Trustees informing them of the November 29th date and, if necessary, the Orientation Session will be rescheduled to accommodate the Trustees. Director Hoshizaki indicated that Trustees will be provided with information on Committee structure at the Trustee Orientation Session.

Chair Fulford pointed out that upcoming dates for December 2010 are noted on the reverse of the November calendar.

R. ADJOURNMENT

**Moved by Barbara Ness
Seconded by Dalton Clark**

“That this meeting of the District School Board of Niagara be now adjourned.”

CARRIED

The meeting adjourned at 10:15 p.m.

ELIZABETH FULFORD, Chair

WARREN HOSHIZAKI, Director of Education
and Secretary/Treasurer