

Special Board of Trustees' Board Meeting

Date: Tuesday, June 6, 2023

Time: 6:00 p.m.

* Committee of the Whole In Camera, if necessary, will precede or follow the Board Meeting, as appropriate.

Location:

1st floor Board Room, Catholic Education Centre, 35 Weber Street, Kitchener

Attendees: Board of Trustees:

Linda Cuff, Kathy Doherty-Masters (Vice-chair), Sally Fuentes, David Guerin, Renee Kraft,

Marisa Phillips, Robert Sikora, Tracey Weiler (Chair)

Student Representatives:

Chloe Armstrong, Anika Fejerpataky

Senior Administration:

Tyrone Dowling, Gerald Foran, Shesh Maharaj, Paul Mendonca, Judy Merkel, Kerry Pomfret,

Annalisa Varano

Special Resource:

Recording Secretary:

Alice Figueiredo

ITEM	Who	Agenda Section	Method & Outcome
1. Call to Order	Chair		
1.1 Opening Prayer/Memorials	Pastoral Committee Trustee		
1.2 Territorial Acknowledgement I (we) would like to begin by acknowledging that the land on which we gather today is the land traditionally cared for by the Haudenosaunee, Anishinaabe and Neutral People. I (we) also acknowledge the enduring presence and deep traditional knowledge, laws and philosophies of the Indigenous People with whom we share this land today.	Chair		
 1.3 Approval of Agenda 1.4 Declaration of Pecuniary Interest 1.4.1 From the current meeting 1.4.2 From a previous public or in-camera meeting 1.5 Items for Action: NA 	Board of Trustees Individual Trustees		Approval
2. Consent Agenda: Director of Education (e.g., day –to –day operational matters from the Ministry of Education that the Board is required to do)			
3. Consent Agenda: Board (Minutes of meetings, staff report)			
of Consont Agenda. Board (minutes of meetings, stair report)			

ITEM	Who	Agenda Section	Method & Outcome
4. Delegations/Presentation	VVIIC	Coolion	
5. Advice from the CEO			
6. Ownership Linkage (Communication with the External Environment)			
7. Reports from Board Committees/Task Forces			
8. Board Education (at the request of the Board)			
9. Policy Discussion			
10. Assurance of Successful Board Performance			
11. Assurance of Successful Director of Education Performance			
11.1 Monitoring Reports 11.1.1 Asset Protection – Monitoring Report IV – 009	S. Maharaj	pp. 4-11	Approval
12. Potential Agenda Items/Trustee Inquiry Report (CEO)			
12.1 Notice of Motion 12.2 Wellness (Guarding Minds at Work) 12.3 Trustee Replacement Process	M. Philips K. Pomfret Board of Trustees	pp. 12 pp.13-14 pp.15-18	Decision Information Decision
13. Announcements			
 13.1 Upcoming Meetings/Events (all scheduled for the Catholic Education Centre unless otherwise indicated): June 12: Board of Trustees June 14: Community Leaders Breakfast 	Chair		Information
13.2 Pending Items:13.3 Pending Items for OCSTA Consideration	Committee/Task Force	Due Date	Action Taken

ITEM	Who	Agenda Section	Method & Outcome
14. Items for the Next Meeting Agenda	Trustees		
 Board Meeting – June 12, 2023 General Exec Limitations IV – 002 and 003 MYSP Report General Exec Limitations – Monitoring Report IV – 001 Financial Planning/Budgeting – Monitoring Report IV – 007 Linkages/Pastoral/Governance Committee Report to Board Interim Financial Report #3 Board Policy II 001 General Governance Commitment (approval only for changes) (all) Board Policy II 009 Board Committee Principles (TBD) Board Policy II 010 Board Committee Structure (Cuff) 	Board of Trustees		Information
15. Confirm Decision Made Tonight	Director of Education		
15.1 Confirm Decision Made Tonight	Recording Secretary Chair		Information Decision
16. Closing Prayer			
17. Motion to Adjourn	Board of Trustees	Motion	Approval

CLOSING PRAYER

O Risen Lord, you have entrusted us with the responsibility to help form a new generation of disciples and apostles through the gift of our Catholic schools.

As disciples of Christ, may we educate and nurture hope in all learners to realize their full potential to transform God's world.

May our Catholic schools truly be at the heart of the community, fostering success for each by providing a place for all.

May we and all whom we lead be discerning believers formed in the Catholic faith community; effective communicators; reflective and creative thinkers; self-directed, responsible, life-long learners; collaborative contributors; caring family members; and responsible citizens.

Grant us the wisdom of your Spirit so that we might always be faithful to our responsibilities. We make this prayer through Christ our Lord.

Amen

Rev. Charlie Fedy, CR and the Board of Trustees, 2010



Report

Date:	May 29, 2023		
To:	Board of Trustees		
From:	Director of Educati	on	
Subject:	Monitoring Report	- IV 009 "Asset Protection"	
Type of Repor	\boxtimes	Decision-Making Monitoring Incidental Information concerning day-to-day operations	
Type of Inform	\boxtimes	Information for Board of Trustees Decision-Making Monitoring Information of Board Policy IV 009 Information only of day-to-day operational matters delegated to the CEO	
Origin: (cite E	ducation Act and	d/or Board Policy or other legislation)	
This report will p Policy IV 009 "As		h information to assess the Director of Education's compliance with Board	
Policy Statem	ent and/or Educ	ation Act/other Legislation citation:	
Executive Limita	tion IV 009, "Asset	Protection"	
Alignment to t	he MYSP:		
Staff exper	ent can see themse iences a positive, he	lves reflected in their learning. ealthy, and inclusive workplace. se the available resources to assist in navigation of the school system.	
 ☑ Ignite to Believe ☑ Every student experiences the Ontario Catholic School Graduate Expectations (OCSGEs) and the WCDSB pastoral plan within their learning environments. ☐ Staff are welcomed and invited to continue to be a partner in their adult faith formation journey. ☐ The relationship between home, parish and school is strengthened. 			
☐ Staff see th	lent reaches their fu neir impact on stude		







Background/Comments:

Policy Statement:

The CEO shall not allow assets to be unprotected, inadequately maintained nor unnecessarily risked.

Definition

This policy statement is defined to mean that the CEO must ensure the appropriate cautions, facility maintenance, and risk management measures are in place to ensure assets are available for use in the delivery of educational programs and services.

Evidence

Management strives to create an environment where staff embrace their role as stewards of public resources.

Administrative procedures are used to provide staff and other stakeholders with information and guidance on acceptable practices within our educational context.

The administrative procedures address the most common aspects of IT and asset security, risk management, and maintenance. The CEO also has in place subject matter experts in all relevant fields who have special knowledge of the Board's various systems and assets.

Finally, the CEO has negotiated a comprehensive insurance plan which covers those instances where risk management measures do not fully mitigate the prevention of loss or damage.

Further, without limiting the scope of the foregoing and without approval of the board, the CEO shall not:

1. Fail to insure against theft and casualty losses and against liability losses to Board members, staff, or the organization itself.

Definition

The CEO must ensure sufficient insurance coverage exists and that the coverage indemnifies staff and trustees against personal liability in the discharge of their duties. The insurance coverage must also support costs related to asset loss, misappropriation, or unintentional harm caused to others when delivering educational programs and services.

Evidence

The Ontario School Boards' Insurance Exchange (OSBIE) is a non-profit insurance reciprocal with 119 members, representing 79 school boards/school authorities and 40 Joint Ventures in Ontario. The primary goals of the Exchange are to insure member school boards against losses and to promote safe school practices.

A list of confidential coverages held with OSBIE can be found here. (link will only work for Trustees and Senior Staff)

The annual board budget contains an amount to deal with uninsured losses such as minor damage and theft where these claims would not meet the policy deductible.







2. Unnecessarily expose the organization, its Board or staff to claims of liability or loss.

Definition

This policy provision is defined to mean that the CEO must ensure that appropriate guidelines, procedures, insurance, and risk mitigation measures are in place to ensure staff, trustees, and other stakeholders are not subject to atypical claims or losses in the discharge of their duties.

Evidence

Management and the Audit Committee work with the Regional Internal Audit Team and the Board's Internal Audit Officer to identify and review areas of risk and to ensure sufficient controls exist which mitigate the identified risks. Where control deficiencies are identified by the internal auditors, plans are put into place to ensure corrective actions take place and the audit teams follow up to ensure compliance has taken place.

The CEO is required to follow the Education Act and Regulations, Ministry directives, Board Policies, and Administrative Procedures to ensure common approaches and best practices are used in discharging their responsibilities. Where new risk areas are identified, they are discussed at Executive Council, and through deliberation and consultation, new Administrative Procedures are developed. Procedures are reviewed every three years at a minimum to ensure relevance.

In cases where claims do occur, staff and Board members carrying out their assigned duties are indemnified by the Board's insurance policy as noted in policy provision 1 above.

3. Subject plant and equipment to improper wear and tear or insufficient maintenance.

Definition

This policy provision is interpreted to mean that any building or its components used in the delivery of educational services to students will be subjected to regular maintenance, repair, and replacement.

Evidence

Management uses a Service Quality System (SQS) framework to plan and carry out preventative maintenance programs, repairs, and renewal at schools. The major programs are outlined below:

School-Based Inspections

Head custodians carry out daily, weekly, and monthly inspections at school sites.

Inspections include:

- Interior and exterior safety checks including play structures
- Fire sprinkler system
- Fire doors
- Emergency lighting
- Eye wash stations
- Roofs

Any work required as a result of the inspections is entered into a work order system by the head custodian for processing and follow up. Inspection forms are maintained in the work order system as a record of compliance. An example can be found here.

Central Maintenance

The following programs are in place to ensure equipment is being maintained:







- All lawn mowers, grass trimmers, chain saws, and snow blowers are checked prior to the start of each season. All new custodial staff are provided with training upon hiring. A refresher is provided if needed or requested.
- All vehicles are maintained regularly.
- Outside contractors complete annual inspections and repairs on elevating devices and lifts, fire panels, hoses and sprinkler systems (life safety equipment), thermal scan and sub-station maintenance, and playground structures.

A preventative maintenance (PM) program is in place for major building systems/assets. PM work is generated by the work order system and assigned to staff based on their trade/expertise. Sample components of the PM program include a complete inspection, filter change, and belt change of all:

- heat pumps
- unit ventilators
- air make-up systems
- portable HVAC units
- o boilers
- heat exchangers
- cooling systems

A scheduled maintenance (SM) program is in place to ensure that:

- 1. Each school receives an equitable amount of time from maintenance staff
- 2. Work orders are addressed on predictable schedule
- 3. If the number of work orders exceed the time allocated to the school, administrators can help to prioritize

Emergency, minor, and priority work are undertaken immediately outside of the SM schedule.

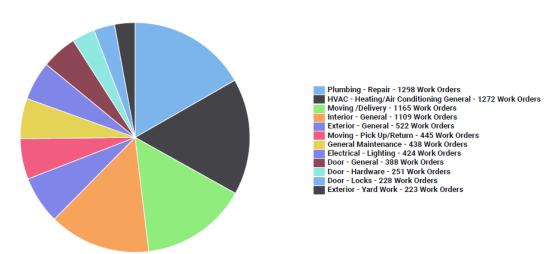
Work Orders Requested by Work Type

Start: May 18, 2022

End: May 18, 2023 Community Hubs: - None -

Facility Operations Supervisor Areas: - None -

Hvac/Plumbing: - None -Maintenance Team: - None -Two person trade coverage: - None -









May 18th, 2023 Export

4. Engage in banking services for operations with any institution other than a chartered bank.

Definition

This policy provision is interpreted to mean that the CEO must obtain banking services from a bank listed in Schedule I of the Bank Act.

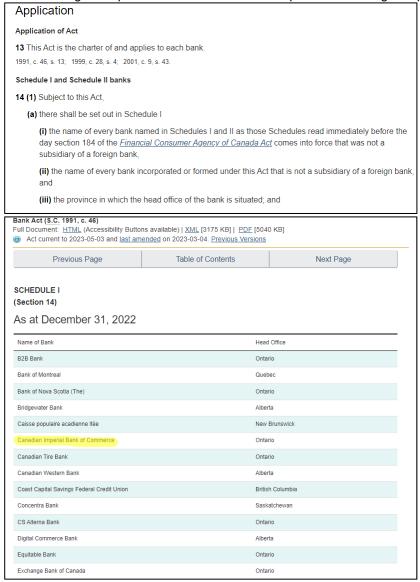
Evidence

The Board's bank of record is the Canadian Imperial Bank of Commerce (CIBC). CIBC is a Schedule I Bank as determined by the federal government and as a chartered/licensed bank, is governed by the Bank Act.

The Bank Act can be found here:

https://laws-lois.justice.gc.ca/eng/acts/B-1.01/FullText.html

The following excerpts from the Bank Act are helpful in assessing compliance:









5. Fail to present an annual report to the Board of Trustees on the Labour Relations Solicitor of Record and the Local Solicitor of Record that includes a year over year fee comparison and professional performance statement.

Definition

The policy provision is interpreted to mean that the CEO must share the standard hourly rates paid to the Board's labour relations lawyer and local solicitor. Further, an attestation on the performance of these individuals / firms must be provided annually.

Evidence

Appendix A contains the required information.

6. Allow intellectual property, information systems and files to be pirated, lost, stolen, or suffer significant damage.

Definition

This policy provision is interpreted to mean that the CEO must have robust systems in place to protect the Board's electronic information and systems.

Evidence

Evidence can be found here:

IT Security.docx

(For Trustees and Senior Staff)

Recommendation:

That the Board of Trustees approves this report as demonstrating compliance with Board Policy IV 009 for the 2022-23 school year.

Prepared/Reviewed By: Tyrone Dowling

Director of Education

Shesh Maharai

Executive Superintendent of Corporate Services

*Bylaw 4.2 "where the Board of Trustees receives from the Director of Education a monitoring report that flows from a responsibility delegated to the Director under Board Policy – except where approval is required by the Board of Trustees on a matter delegated by policy to the Board – the minutes of the Meeting at which the Report is received shall expressly provide that the Board has received and approved of the Report as an action consistent with the authority delegated to the Director, subject in all instances to what otherwise actually occurred."







<u>Annual Report – Solicitors of Record</u>

Labour Relations

The solicitor of record for labour relations is Filion Wakely Thorup Angeletti LLP. A fee comparison follows:

	2022	2023
Lead Partner M. McNaught	\$310	\$310

The labour relations firm provides services related to:

- o Central labour agreement issues
- Grievances
- o Employment contracts and terms and conditions issues
- o Hiring and Termination issues

Filion Wakely Thorup Angeletti LLP has performed satisfactorily during the 2022-23 school year.

Kerry Pomfret, Superintendent of Human Resources







Local

The local solicitor of record is SorbaraLaw – Sorbara, Schumacher, McCann LLP. A fee comparison follows:

Lead Partner M. Schumacher Litigation Expert J. G. Murdoch

2022	2023
\$240	\$240
\$400	\$400

The local solicitor of record provides services related to:

- o Purchase and sale of real estate
- Contract interpretation
- Lease agreements
- o Planning issues
- o Procurement law
- o Defense related to uninsured claims against the Board
- o Lien checks

SorbaraLaw – Sorbara, Schumacher, McCann LLP has performed satisfactorily during the 2022-23 school year.

Shesh Maharaj, Executive Superintendent of Corporate Services







Notice of Motion Regular Board Meeting April 19, 2023

In accordance with Board's bylaws 4.1 Trustee Phillips is providing notice of the following for consideration at the Regular Board Meeting on April 24, 2023

Topic: Letter for additional funding for an Incentive Program

Whereas: Our board has been short staffed for support workers and speech

therapists that benefit children with disabilities.

Whereas: A job posting has been up for months now with no prevail.

Whereas: We have the opportunity to explore more creative options to attract

more people to apply for these positions.

Whereas: Regardless of any changes in government policies and promising

for funding our education system, there is no plan in place that will

help us fill these under-serviced positions that children with

disabilities so desperately need.

Whereas: By providing a plan with this incentive program, we are giving Lecce

a solution instead of problem. We are fast tracking this process with an idea that has been proven to work in many corporations in the

past. For instance, a signing bonus or tuition grant program.

Therefore, be it resolved that the Director:

Send a request to Lecce requesting additional funding for an Incentive Program offering a Bonus Sign Up Pay and/or a tuition grant to Support Workers and Speech Therapists that benefit children with disabilities. This program would be in place as long as we have a shortage as a board.



Report

Date:	May 29, 2023		
To:	Board of Trustees		
From:	Director of Education		
Subject:	Wellness (Guarding Minds at Work)		
Type of Repor	rt: □ Decision-Making □ Monitoring □ Incidental Information concerning day-to-day operations		
Type of Inforn	nation: Information for Board of Trustees Decision-Making		
7.	☐ Monitoring Information of Board Policy XX XXX		
	☑ Information only of day-to-day operational matters delegated to the CEO		
Origin: (cite E	ducation Act and/or Board Policy or other legislation)		
Anti-Racism Act	2017 S.O. 2017 c. 15		
The first year of	the Three-Year Pastoral Plan: Awaken		
Policy Statem	ent and/or Education Act/other Legislation citation:		
Ontario's Equity and Inclusive Education Strategy (2009) APC037: Equity and Inclusive Education Policy Ontario's Well-Being Strategy for Education: Discussion Document (2016) Ontario Ministry of Education Equity Action Plan (2017) APO028: Fair and Equitable Hiring and Promotions Policy (2021)			
Alignment to the MYSP:			
 ☑ Awaken to Belong ☑ Every student can see themselves reflected in their learning. ☑ Staff experiences a positive, healthy, and inclusive workplace. ☐ Are aware of and/or use the available resources to assist in navigation of the school system. 			
	ent experiences the Ontario Catholic School Graduate Expectations (OCSGEs) and the WCDSB		
\square Staff are w	an within their learning environments. relcomed and invited to continue to be a partner in their adult faith formation journey. Inship between home, parish and school is strengthened.		
☐ Strengthen to	o Become dent reaches their full potential.		







☐ Staff see their impact on student achievement.
☐ Are engaged as active partners in our students' Catholic education journey.

Background/Comments:

On February 27, 2023, staff shared the findings from the Guarding Minds at Work survey that was completed in the fall of 2022 with the Board of Trustees. In response to those findings staff have initiated the following activities:

- 1. As part of our Administrative Services through our EAP Provider, Homewood Health, the WCDSB can access up to six (6) professional development sessions on a variety of topics each year. Between May and June, presentations on the following topics have been or will be available to all staff:
 - The Science of Happiness
 - The Art of Relaxation
 - Managing Time and Energy
 - Improving Workplace Communications
- 2. In July there will be one session dedicated to the UNIFOR employee group. This will be a session on Mental Health and Mental Health Supports delivered in partnership with Homewood Health and the TAM team from HR. The purpose of this session is de-stigmatize mental health issues and to provide employees with information about their benefits and how to access those supports and services that are funded through their benefits.
- 3. The development of a Wellness Advisory Committee will be completed by the end of June.

Recommendation:

This is for information for the Board.

Prepared/Reviewed By: Tyrone Dowling

Director of Education

Kerry Pomfret

Superintendent of Human Resources

*4.2 DIRECTOR Monitoring Reports: Where the Board receives from the CEO a monitoring report that flows from a responsibility delegated to the Director under Board Policy – except where approval is required by the Board on a matter delegated by policy to the Board – the minutes of the Meeting at which the Report is received shall expressly provide that the Board has received and approved of the Report as an action consistent with the authority delegated to the CEO, subject in all instances to what otherwise actually occurred.









Report

Date:	March 28, 2022	
То:	Board of Trustee	es
From:	Director of Educ	eation
Subject:	2022 Catholic T	rustee Determination and Distribution
Type of Repor	t: [2]	Decision-Making Monitoring Incidental Information concerning day-to-day operations
Type of Inform	nation:	☐ Information for Board of Trustees Decision-Making ☐ Monitoring Information of Board Policy XX XXX ☐ Information only of day-to-day operational matters delegated to the CEO

Origin:

As part of the upcoming elections, Trustees are required to pass certain motions to determine the number of Catholic Trustees that will be elected in 2022 as well as the areas they will represent. In addition, the Board is required to appoint an audit committee for purposes of reviewing election expenses if a related dispute arises. This report provides information on these processes.

Policy Statement and/or Education Act/other Legislation citation:

Education Act Section 58.1 "Regulations: district school boards"

Ontario Regulation 412/00 "Elections to and Representation on District School Boards"

2022 MPAC "Population of Electoral Groups Report"

<u>Trustee Determination and Distribution Guide for Ontario District School Boards 2022</u> (Province of Ontario) Municipal Elections Act "Compliance Audits and Reviews of Contributions" Sections 88.33, 88.34, and 88.37

Alignment to the MYSP:

N/A

Background/Comments:

By March 31, 2022, school boards are required to complete a Trustee Determination and Distribution Report. This report will be used by local municipalities to fulfil their administrative duties as relates to the 2022 municipal elections. The report also provides information to candidates who are interested in running for the position of school board trustee on the number of positions to be elected in their area.

Following are the requirements:

- 1. Trustees must approve a motion identifying the number of Catholic Trustees that will be elected in 2022 (Trustee Determination).
- 2. Trustees must approve a motion identifying the geographical areas that Catholic Trustees will represent (Trustee Distribution).
- 3. Trustees must approve a motion establishing, or to not establish, low enrolment areas.
- 4. Trustees must appoint members to an Election Expense Compliance Audit Committee.







The first three motions need to be approved by March 31, 2022. The last by October 1, 2022.

Trustee Determination

Trustees have the option of choosing for the 2022 election:

- 1. The number of Trustees determined for the general election in 2006. That number is set at 9.
- 2. A different number calculated using the formulae contained in Ontario Regulation 412/00. Using the recommended web-based calculator located on the Ontario Educational Services Corporation (OESC) website, that number is **8**. The calculations are shown in Appendix A to this report.
- 3. A lower number to a minimum of 5 Trustees.

Given the growth in enrolment in recent years, future enrolment trends, and increasing interest in our faith-based education system, a reduction in the number of Trustees representing Catholic ratepayers is not desirable. Further, having an even number of Trustees (8) has the potential to create challenges with future decision making (i.e., tied votes).

A recommendation supporting a total Catholic Trustee complement of 9 can be found below.

Trustee Distribution

Historically, the geographic areas of representation have been as follows:

Kitchener Wilmot – 4 Trustees Cambridge North Dumfries – 3 Trustees Waterloo Woolwich Wellesley – 2 Trustees

Some math 🐸

A prescribed calculator has been provided by the province to assist boards in assessing representation options.

The calculator provides an area 'quotient' which is the percentage of Catholic school supporters in an area in relation to the number of Catholic school supporters in the Region.

The groupings of municipalities and townships can be changed for the upcoming election if desired by adding together different combinations of area quotients. The total of each grouping of area quotients equals (with rounding) the number of Trustees for that area.

The Board also has the option of identifying one or more areas as an area of low population. The identification allows the Board to modify the area quotients to increase the number of Trustees for an area (but in total, Trustees are still capped at 9). Boards often make this designation in low population areas where extensive growth is projected during the upcoming 4 year term. As this would not apply to WCDSB, a recommendation will be made that the Board not identify any areas low population. If Trustees wish to explore this option, there are prescribed templates and calculations for this purpose which can be provided upon request.

Assuming that Trustees are comfortable with the current combination of townships and municipalities, following are the calculations for WCDSB using the 2022 area quotients:







Name of Municipality	Electoral Group Population	Electoral Quotient	
North Dumfries 3001	1,871	0.180	
Cambridge 3006	28,871	2.774	
Kitchener 3012	40,901	3.93	
Waterloo 3016	15,605	1.499	
Wilmot 3018	2,462	0.237	
Wellesley 3024	1,363	0.131	
Woolwich 3029	2,599	0.250	

Current Combination	Existing Allocation	Quotients Above	Rounded
Cambridge North Dumfries	3	2.954	3
Kitchener Wilmot	4	4.167	4
Waterloo Wellesley Woolwich	2	1.88	2
Total	9	9	9

The allocations would remain unchanged.

Should Trustees wish to model different combinations of townships and municipalities, management is providing the following spreadsheet for this purpose:

Distribution Modelling.xlsx

A recommendation supporting an unchanged distribution can be found at the end of this report. If the Board determines a different distribution is preferable, the recommendation can be modified to suit.

Election Expense Audit Committee

By October 1, 2022, the Board is required to appoint members to its Election Expense Audit Committee for the next 4 year term. The Committee only sits if there is a challenge to a future Trustee's election campaign expenses.

The Municipal Elections Act requires that members cannot be:

- An employee of the Board
- A Trustee of the Board
- A candidate in the upcoming election

An Election Expense Audit Committee can be shared between municipalities and or school boards. Management has had discussions with staff at Waterloo Region District School Board about continuing the current sharing arrangement between the school boards. Membership would consist of 4 community members who currently sit on







each board's Audit Committee. In the future a report will be brought back requiring the Board of Trustees to appoint each member to the committee.

Recommendations:

- 1. That the Board of Trustees determine the number of Catholic Trustees to be elected in the 2022 Municipal Election is 9.
- 2. That the Board of Trustees not designate any municipality as an area of low population for the purposes of Trustee distribution in the 2022 Municipal Election.
- 3. That the Board of Trustees, for the purpose of the 2022 Municipal Election, distributes 9 Catholic Trustees as follows:

Kitchener / Wilmot – 4 Trustees Cambridge / North Dumfries – 3 Trustees Waterloo / Woolwich / Wellesley – 2 Trustees

Prepared/Reviewed By: Loretta Notten

Director of Education

Shesh Maharaj

Executive Superintendent of Corporate Services

*Bylaw 4.2 "where the Board of Trustees receives from the Director of Education a monitoring report that flows from a responsibility delegated to the Director under Board Policy – **except where approval is required by the Board of Trustees on a matter delegated by policy to the Board** – the minutes of the Meeting at which the Report is received shall expressly provide that the Board has received and approved of the Report as an action consistent with the authority delegated to the Director, subject in all instances to what otherwise actually occurred."





