

PROVINCE OF QUEBEC

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF COMMISSIONERS OF THE SIR WILFRID LAURIER SCHOOL BOARD HELD ON 2013-08-28

A regular meeting of the Council of Commissioners of the Sir Wilfrid Laurier School Board was held in the boardroom of the Administration Centre, 235 montée Lesage, Rosemere, QC on Wednesday, 2013-08-28.

Present: Commissioners Nick Milas, Chairman; Nazario Facchino, Vice-Chairman; Georges Benoit, Steve Bletas, Mario Di Domenico, Robert Dixon, Guy Gagnon, Steve Kmec, Elio Lattanzio, Peter MacLaurin, Emilio Migliozi, Steve Mitchell, Grace Nesi, Albina Pace, Merle Parkinson, Mike Pizzola, Nancy Rupnik, and Edward Turchyniak; Parent Commissioners Roberto Bomba and Angela Martorana; and Stephanie Vucko, Director General.

Also present were: Eileen Kelly, Assistant Director General; Johanne Brabant, Secretary General; Gaëlle Absolonne, Director of School Organization; Robin Bennett, Director of Information Technology; France D'Aoust, Director of Financial Resources; Linda Di Domenico, Senior Advisor to Director General; Frédéric Greschner, Director of Complementary Services; Richard Greschner, Director of Human Resources Heather Halman, Director of Adult Education & Vocational Training; Daniel Hogue, Director of Material Resources; Tina Korb, Director of Educational Services; and Jocelyne Thompson-Ness, Administrative Assistant. Several other persons were also in the audience.

Absent: Commissioner William Pollock

The Chairman welcomed everyone to the first meeting of the 2013-2014 school year and introduced the following persons:

- Eileen Kelly, Assistant Director General;
- Johanne Brabant, Interim Secretary General;
- France D'Aoust, Director of Financial Resources;
- Linda Di Domenico, Senior Advisor to the Director General; and
- Richard Greschner, Director of Human Resources.

He further mentioned that the 2013-2014 school year will be the last full year of the current Council as school board elections will be held on November 2, 2014, and assured those present that the current Council will continue to serve the students and stakeholders with their best interests in mind.

The Chairman called the meeting to order.

TIME: 19:32 hours

1.0 ACCEPTANCE OF AGENDA:

The following addition to the agenda was proposed:

10.0 Varia:

10.1 *Student Ombudsman – Specific Case*..... *INFO*

CC-130828-CA-0001

Commissioner Steve Bletas MOVED THAT the agenda be approved as amended in document #SWLSB-2013/08/28-CA-001.

Carried unanimously

2.0 APPROVAL OF MINUTES

CC-130828-CA-0002

Commissioner Mike Pizzola MOVED THAT the minutes of the SPECIAL meeting of the Sir Wilfrid Laurier School Board held on 2013-06-19 having been received by all members prior to this meeting, be approved as written.

THIS MOTION WAS CARRIED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Steve Bletas, Mario Di Domenico, Nazario Facchino, Steve Kmec, Elio Lattanzio, Peter MacLaurin, Emilio Migliozi, Nick Milas, Steve Mitchell, Grace Nesi, Merle Parkinson, Mike Pizzola, Nancy Rupnik, Edward Turchyniak
Commissioners ABSTAINING:	Robert Dixon, Guy Gagnon, Albina Pace

CC-130828-CA-0003

Commissioner Steve Kmec MOVED THAT the minutes of the REGULAR meeting of the Sir Wilfrid Laurier School Board held on 2013-06-26 having been received by all members prior to this meeting, be approved as written.

Carried unanimously

3.0 QUESTION PERIOD

There were no questions.

4.0 REPORT FROM THE CHAIRMAN:

4.1 *Chairman's Report:*

The Chairman wished everyone a good and productive 2013-2014 school year.

4.2 *Director General's Report:*

The Director General provided an update on the decontamination project at Crestview Elementary School noting that the project has been delayed due to the work being more extensive than originally estimated. Given that, the students will be housed at Phoenix Alternative School until the decontamination is completed which is anticipated for mid-September. Updates can be found on the Corporate Web site. Appreciation was extended to those employees at Crestview Elementary School who returned early from vacation in order to assist with this temporary relocation.

The Chairman advised that communication path for this temporary relocation was well organized and that Paul Leal, Crestview Elementary School Governing Board Chairman, is to be congratulated for his assistance to the schools and school board in ensuring that all parents of the school were aware of the situation and the temporary resolution for the start of the school year. A letter of thanks to Mr. Leal from himself and the Director General can be found on the Corporate Web.

The Director General continued her report noting:

- The International Student Program registration is going well with 18 youth and 9 adults having received visas. There are 6 other potential registrations but these students are currently awaiting visa approval.
- The pre-consultation with the Ad Hoc Committee for the Laval High Schools is on going and at its last meeting in June 2013 the following models were presented for consideration and one model will be selected for recommendation to Council:

- Model #1 – Status quo with attendance zones;
 - Model #2 – Two schools Secondary I to V with attendance zones; and
 - Model #3 – One junior high school and one senior high school.
- The pre-consultation for the Ad Hoc Committee for the Laval High Schools is nearing completion as the Laval Principals have been consulted and have given feedback on the 3 models, a meeting with the teachers will take place in September 2013 for consultation and feedback purposes, the departments of Educational Services and Complementary Services have also provided feedback, and the Educational Policies Committee (EPC) has deposited its opinion with the school board. Once all the feedback is gathered at the school board level the Directorate will review it and prepare the final model for presentation in November 2013 to the Executive Committee and the Council, public consultation will follow, once approved in principle. The implementation timeline will depend on which model is selected.
 - Current enrolment figure for 2013-2014 stand at 13 649, which is relatively stable showing a variance of 79 in comparison to the 2012-2013 numbers.
 - A special thank you to Luigi Morabito, publisher of the “Laval Families” magazine for his continued support of the Sir Wilfrid Laurier School Board. The magazine recently expanded to have a publication for the Laurentians and Lanaudière regions.
 - Congratulations to Vicki Fraser, Teacher at McCaig Elementary School, on the publication of her book “Dear Bully of Mine”.
 - A successful Welcome Back for Administrators was held on August 22, 2013.
 - The installation of new video phones for Administrators, as well as a ZEN Live pilot project in partnership with LEARN, that will see certain meetings, professional development, etc. held on-line so that Administrators can participate from their schools. Appreciation was extended to the Director of Information Technology for coming forward with the video phones and to the Administrators for being open-minded about the new approaches.
 - A technology pilot project at St-Jude Elementary School;
 - Phase II of the Ministère de l'Éducation, du Loisir et du Sport (MELS) measure for the purchase of Smartboards is nearing completion and the Sir Wilfrid Laurier School Board will have a total 356 Smartboards installed in its schools; and
 - Appreciation to the Information Technology and Material Resources teams for all the work done to make the majority of the Sir Wilfrid Laurier School Board schools wireless.

In response to concerns expressed by Commissioner Steve Kmec, the Director General advised that an additional classroom has been created at Twin Oaks to help address its ongoing overcrowding situation by making the music class mobile. A request was made to the Ministère de l'Éducation, du Loisir et du Sport (MELS) in June 2013 to enlarge the school but a response has yet to be received.

5.0 BUSINESS ARISING:

5.1 Communication Structure:

The Director General advised the Council that during discussions at the August 19, 2013 Executive Committee meeting it was recommended that an Ad Hoc Committee be established to review policy #2009-CA-08: Standing & Statutory Committees.

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board approved resolution #CC-130626-CA-0184, approving a new structure for Standing Committees and the revision of policy #2009-CA-08: Standing & Statutory Committees;

WHEREAS the revision of policy #2009-CA-08: Standing & Statutory Committees has been delayed;

WHEREAS the Executive Committee recommends that an Ad Hoc Committee be established to review said policy;

Commissioner Edward Turchyniak MOVED THAT, on the recommendation of the Executive Committee, the Council of Commissioners of the Sir Wilfrid Laurier School Board approve the establishment of an Ad Hoc Committee to review policy #2009-CA-08: Standing & Statutory Committees.

AND THAT the following Commissioners** are named to the said committee:

** *Commissioners who volunteered at Executive to sit on the committee: Guy Gagnon, Nick Milas, Merle Parkinson & Nancy Rupnik*

AND THAT the mandate of said committee is to examine areas of policy #2009-CA-08: Standing & Statutory Committees, to see if there is a need for any additions, corrections or modifications.

FURTHER THAT the Ad Hoc Committee make a report on its findings and recommendations to the Corporate Committee to be held in October 2013.

The Council entered into discussion on the Ad Hoc Committee and it was recommended that two alternates be named in order that work of the committee not be stalled due to an unforeseen absence.

Commissioner Edward Turchyniak accepted this amendment.

Discussion also touched on the need to have a list of tentative meeting dates and times prior to establishing an Ad Hoc Committee so that interested Commissioners can check their availability. The Director General noted that this would be taken into consideration for the future.

CC-130828-CA-0004

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board approved resolution #CC-130626-CA-0184, approving a new structure for Standing Committees and the revision of policy #2009-CA-08: Standing & Statutory Committees;

WHEREAS the revision of policy #2009-CA-08: Standing & Statutory Committees has been delayed;

WHEREAS the Executive Committee recommends that an Ad Hoc Committee be established to review said policy;

Commissioner Edward Turchyniak MOVED THAT, on the recommendation of the Executive Committee, the Council of Commissioners of the Sir Wilfrid Laurier School Board approve the establishment of an Ad Hoc Committee to review policy #2009-CA-08: Standing & Statutory Committees.

AND THAT the following Commissioners are named to the said committee:

- | | |
|-----------------|------------------------------|
| Guy Gagnon | Nazario Facchino (Alternate) |
| Peter MacLaurin | Nick Milas (Alternate) |
| Merle Parkinson | |
| Nancy Rupnik | |

AND THAT the mandate of said committee is to examine areas of policy #2009-CA-08: Standing & Statutory Committees, to see if there is a need for any additions, corrections or modifications.

FURTHER THAT the Ad Hoc Committee make a report on its findings and recommendations to the Corporate Committee to be held in October 2013.

Carried unanimously

5.2 Report of the Ethics Commissioner:

The Chairman presented the report of the Ethics Commissioner.

In response to a request from Commissioner Mike Pizzola, the Director General advised that the school board has not received any information concerning a "mise en demeure" therefore the decisions and sanctions contained in the Ethics Commissioners report will be read into the record for each Commissioner concerned.

Commissioner Mike Pizzola MOVED THAT the Council go "in camera". **TIME: 20:20 hours**

The meeting resumed.

TIME: 20:44 hours

The Chairman advised those present that the original complaint was made by the Association des cadres scolaires du Québec (ACSQ) and the Sir Wilfrid Laurier Administrators Association (SWLAA) against Commissioners Steve Bletas and Steve Mitchell and former Commissioner Tom Mouhteros.

On a "point of privilege", Commissioner Steve Kmec moved to table the report of the Ethics Commissioner.

The Chairman indicated that this was discussed "in camera" and that tabling the report is not an option.

The Chairman presented and read the following decision, good faith notion and sanction imposed by the Ethics Commissioner:

Complaint against Commissioners Steve Bletas (Respondent A), Tom Mouhteros (Respondent B) and Steve Mitchell (Respondent C):

Decision:

"Given the evidence.

Given that Respondent A (Mister Steve Bletas, Commissioner), which according to his testimony and to the testimony of some of his supporters who have confirmed to the undersigned that he was not the creator of the Facebook page entitled: "Let our voices be heard". This page was primarily intended to solicit support from the supporters of Mr. Bletas and from some citizens of the School Board to influence the Council of Commissioners in the vote of confidence regarding Commissioner Steve Bletas that was on the agenda of the regular meeting for August 29th 2012, under item 6.1.2.

Given that this Facebook page, which according to the evidence, already existed for several weeks and which was after the August 29th, 2012 merged with the Facebook site of the Respondent A (Commissioner Steve Bletas), without any objections, dissociation nor request to the creator to shut it down from the latter at any point during this period, we believe that Respondent A has endorsed this public process by seeking to promote his personal interest rather than promoting the image and the credibility of the School Board.

Moreover, Respondent A has not retired from the Council during the discussion and the vote on this item, going here against the most elementary rules of governance.

Given the offensive, inappropriate and discriminatory comments that Respondent B (Mister Tom Mouhteros, Commissioner) wrote on his Facebook page July 26th, 2012 and after on the page "Let our voices be heard", comments that he admitted to have written in the context of a so-called private conversation but that became quickly public and that he regretted having said.

Given the comments of Respondent C (Mister Steve Mitchell, commissioner), comments that were accusatory, inappropriate, and on certain aspects excessive and offensive and that he made on his Facebook page called "Rebuilding Integrity" against another Commissioner (Respondent A) by making public some confidential information obtained in the exercise of his functions. By using this strategy of communication that is incompatible with his function and by discrediting the image and the credibility of the School Board to the population and its employees.

The undersigned is declaring:

- 1) that Respondent A (Mister Steve Bletas, Commissioner) violated sections 4.3,5.1, 5.5 et 6.1 of the Code of Ethics and Professional Conduct for Commissioners of the Sir Wilfrid-Laurier School Board;
- 2) that Respondent B (Mister Tom Mouhteros, Commissioner) violated sections 2.1, 5.1 5.5 et 6.1 of the Code;
- 3) that Respondent C (Mister Steve Mitchell, Commissioner) by his excessive and inappropriate behaviour violated sections 2.3, 5.1, 5.5, 6.1, 6.3 and 6.6 of the Code.

Good Faith Notion

For each decision rendered, the Ethic Commissioner shall specify whether the respondent acted in good faith in the performance of his duties (article 9.4.3 du Code of Ethics and Professional Conduct for Commissioners of the Sir Wilfrid-Laurier School Board.

The doctrine and the Court's decisions dealing with matters within the framework of the concept of immunity found in several acts of an administrative nature including article 177 of the "*Loi sur l'instruction publique*".

The Supreme Court intervened and made case law by analyzing the concept of immunity granted by the *Code des professions* on article 193 and the limitations of the "dispositions privatives" regarding the judicial review of the decision of the professional orders and the Tribunal des professions⁵.

Thus, in examining the scope of the immunity granted to the Quebec bar under section 139 of the *Code des professions*, the Supreme Court was brought to examine the notion of "bad faith" in paragraphs 37, 38 and 39 of its decision:

"Ces difficultés-- montrent néanmoins que la notion de mauvaise foi peut et doit recevoir une portée plus large englobant l'incurie ou l'insouciance grave. Elle inclut certainement la faute intentionnelle, dont le comportement de procureur général, examiné dans l'affaire *Roncaleri c. Duplessis*, 1959 (RCS) 121, représente un exemple classique. Une telle conduite constitue un abus de pouvoir qui permet de retenir la responsabilité de l'État et parfois du fonctionnaire. Cependant, l'insouciance grave implique un dérèglement fondamental des modalités de l'exercice du pouvoir, à tel point que l'on peut en déduire l'absence de bonne foi et présumer la mauvaise foi. L'acte dans les modalités de son accomplissement, devient inexplicable et incompréhensible au point que l'on puisse considérer comme un véritable abus de pouvoir par rapport à ses fins. (Dussault c. Borgeat, « La réforme des professions du Québec, », Revue du Barreau, t. 34, no 3, mai 1974, page 485). »

In the *Juneau*⁶ case, the Court said :

« L'immunité de poursuivre accordée au syndic adjoint, entre autres, dans le cadre de leurs fonctions, qui est fondé sur le critère de bonne foi est prévu à l'article 193 du Code des professions. Au-delà de la faute intentionnelle, la mauvaise foi peut découler parfois d'une attitude relevant de l'incurie, de l'insouciance grave ou de l'absence presque totale de diligence équivalant, alors, à une faute d'imprudence dans une situation donnée. »

In the *Jinny Allaire*⁷ case, the Court elaborated on administrative bad faith :

« 104. Avec beaucoup de déférence À L'ÉGARD DE LA Commission scolaire qu'il n'accuse pas de "mauvais foi administrative" ».

« 105. Il cite à sujet plusieurs arrêts dont le célèbre arrêt *Finney* dans lequel la Cour suprême du Canada par la voix du juge Lebel souligne « que la notion de mauvaise foi peut et doit recevoir une portée plus grande englobant l'incurie ou l'insouciance grave ». Plus loin, il ajoute « Cependant, l'insouciance grave implique un dérèglement fondamental des modalités d'exercice de l'exercice du pouvoir, à un tel point que l'on peut en déduire l'absence de bonne foi et présumer la mauvaise foi. »

« 106. Au même effet, il cite aussi l'arrêt subséquent de la Cour suprême dans l'affaire *Sibeca*¹ dans laquelle la juge Deschamps indique que le concept de mauvaise foi englobe non seulement les actes commis dans l'intention de nuire mais « aussi ceux qui se démarquent tellement du contexte législatif dans lequel ils sont posés qu'un tribunal ne peut raisonnablement conclure qu'ils ont été de bonne foi.

¹ *Entreprise Sibeca inc. c. Frelishberg* (2004) 3 RCS 304. »

« 107. Il cite aussi à l'appui de son argument la décision dans le dossier *Chiasson et Canada (sous-ministre de patrimoine canadien)*² où le tribunal conclut à une forme de « mauvais foi administrative ». »

² *Chiasson et Canada (sous-ministre de patrimoine canadien)*, AZ-50521206 »

« 108. Selon lui, la Commission scolaire, en changeant les règles du jeu en cours de route (en remplaçant la politique de 2004 en vigueur au moment de l'avis publié en juin 2009 par la politique entrée en vigueur le 2 décembre 2009) se rend ainsi coupable de mauvaise foi administrative ».

Thus, by the reading of the court's case and the submitted documentation, testimony and the evidence gathered:

- 1) "les échanges courriel entre l'intimé A et l'intimé C sur une période de plusieurs mois mettant en évidence au début leur différend puis devenant avec le temps de plus en plus accusateurs, hargneux et harceleurs et visant à nuire créant ainsi un climat de travail hostile au sein du conseil d'administration de la Commission scolaire et nuisant à certains moments à l'esprit de collégialité que l'on doit rechercher dans les réunions du conseil; »
- 2) « en publiant sur facebook des propos méprisants sur les associations des employées et des cadres de la Commission scolaire, démontrant ainsi une grande insouciance qui aurait pu dégénérer en poursuites en diffamation contre l'intimé et contre la Commission scolaire, conflits litigieux et coûteux en matière de relations de travail tendues. »

For all these reasons, the undersigned can infer lack of good faith and assume the bad faith of the Respondents in these complaints.

⁵ *Finney c. Barreau du Québec* (2004) 2RCS 17 (CSC)

⁶ *Juneau c. Villeneuve*, 2007 QCCS 2012 (CS)

⁷ *Jinny Allaire c. La Commission scolaire au Cœur des Vallées*, Cour supérieure district de Hull, numéro 550-17-005169-105, page 15.

Sanction:

The sanction, according to the jurisprudence, in disciplinary law is not intended to punish the professional but to protect the public by deterring the professional from recurrence and by deterring other members of this profession from committing a similar offence⁸.

Thus, as in this case, the focus is on each of the respondent's according to his actions. The nature, severity and circumstances of the offense are essential factors⁹.

Those factors have been extensively discussed in the preceding paragraphs. Thus, given the number of years of experience of the three respondents within the Council of Commissioners of the School Board, given that the Respondents in the present case have already been subject to convictions in the past for breaches to the Code of Ethics and Professional Conduct for Commissioners of the Sir-Wilfrid-Laurier School Board by the Ethics commissioner.

The sanction that appears to us the most appropriate given the circumstances for each of the three respondents is a written reprimand. These reprimands are to be filed in the file of the Secretary General of the School Board."

⁸ *Marois c. avocat* (1993) DDCP (117) TPCS 17

⁹ *Sirois c. Psychologue*, (1996) DTPQ 44 (QL)

The Council entered into discussion on the report of the Ethics Commissioner and there were several concerns expressed over the delay in the final report.

Commissioner Steve Mitchell advised that he would be instructing his lawyer to send a letter to the school board concerning the making public of certain information this evening that he deems to be defamatory and he will also be requesting a judicial review of the matter.

Commissioner Steve Bletas indicated that, in his opinion, the Ethics Commissioner reviewing this complaint had been selected by the Executive Committee and that this was not a part of its mandate.¹ He also noted that this Ethics Commissioner did not respect the timeline contained in the Code of Ethics and Professional Conduct for Commissioners of the Sir-Wilfrid-Laurier School Board. Even though the Council allowed this Ethics Commissioner to proceed with this review, in violation of the school board's Code of Ethics, he will not contest the report but will remain firm on the fact that he did not act in "bad faith".

6.0 DECISION ITEMS:

6.1 COMMUNICATIONS & CORPORATE AFFAIRS

6.1.1 Strategic & Partnership Plans for Submission to MELS:

The Director General presented and reviewed the Strategic & Partnership Plans that will be submitted to the Ministère de l'Éducation, du Loisir et du Sport (MELS) as per the Education Act (R.S.Q., Chapter I-13.3).

CC-130828-CA-0005

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board adopted resolution #CC-120627-CA-0179, approving the "Sir Wilfrid Laurier School Board Strategic Plan 2012-2017";

WHEREAS the "Sir Wilfrid Laurier School Board Strategic Plan 2012-2017" was submitted to the Ministère de l'Éducation, du Loisir et du Sport (MELS) and feedback was received;

WHEREAS the feedback received from the Ministère de l'Éducation, du Loisir et du Sport (MELS) requested several additions and corrections;

WHEREAS the necessary revisions have been completed and reviewed;

Commissioner Peter MacLaurin MOVED THAT, on the recommendation of the Directorate, the Council of Commissioners of the Sir Wilfrid Laurier School Board approve the revised version of the "Sir Wilfrid Laurier School Board Strategic Plan 2012-2017", as contained in document #SWLSB-2013/08/26-CA-002.

Carried unanimously

CC-130828-CA-0006

WHEREAS the Education Act (R.S.Q., Chapter I-13.3) requires all school boards to develop its Strategic Plan in line with the strategic directions and objectives of the Strategic Plan of the Ministère de l'Éducation, du Loisir et du Sport (MELS);

WHEREAS the Sir Wilfrid Laurier School Board has adopted its Strategic Plan for 2012-2017;

¹ In accordance with By-law #2008-CA-01: Delegation of Functions & Powers of the Sir Wilfrid Laurier School Board, Appendix 1, sub-section 1.1, the Executive Committee was in possession of all the functions & powers of the Council of Commissioners, and so approved the engagement of the Alternate Ethics Commissioner.

WHEREAS the Sir Wilfrid Laurier School Board has worked in collaboration with the Administrators of its schools and centres on the means to achieve the goals and measurable objectives determined by the Minister and developed a Partnership Agreement, in conformity with section 459.3 of the Education Act (R.S.Q., Chapter I-13.3);

Commissioner Peter MacLaurin MOVED THAT the Council of Commissioners of the Sir Wilfrid Laurier School Board adopt the Partnership Agreement, as presented in document #SWLSB-2013/08/28-CA-003.

AND THAT the Chairman, or in his absence or with his knowledge the Vice-Chairman, as well as the Director General, or in her absence or with her knowledge the Assistant Director General, be authorized to sign this Partnership Agreement with the Ministère de l'Éducation, du Loisir et du Sport (MELS).

THIS MOTION WAS CARRIED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Steve Bletas, Robert Dixon, Nazario Facchino, Guy Gagnon, Steve Kmec, Elio Lattanzio, Peter MacLaurin, Emilio Migliozi, Nick Milas, Steve Mitchell, Grace Nesi, Albina Pace, Merle Parkinson, Mike Pizzola, Nancy Rupnik, Edward Turchyniak
Commissioners ABSTAINING:	Mario Di Domenico

6.1.2 Reports of the Student Ombudsman:

The Director General advised that there were two reports from the Student Ombudsman to be reviewed this evening.

Commissioner Nazario Facchino MOVED THAT Council go "in camera". **TIME 21:06 hours**

The meeting resumed.

TIME: 21:15 hours

The Chairman apologized to the public and the Directors for the length of the "in camera" sessions.

The Director General provided background information on the two reports of the Student Ombudsman being presented this evening concerning out-of-zone-requests for Twin Oaks Elementary School. She advised that every effort was made to honour these requests but in the end the enrolment criteria had to be applied due to the overcrowding situation at the school, returning these students to their sector school. Any new students who come in to the Twin Oaks Elementary School sector for the 2013-2014 school year will be registered at Our Lady of Peace. A legal opinion was sought on this situation and the school board would put itself in a precarious position with the Laurier Teachers Union if it were to create oversized classes.

She also noted that the Student Ombudsman had rendered his opinion based on the information received and on jurisprudence however, his recommendation indicated a lack of understanding of the Collective Agreement.

The Council entered into discussion.

In response to several questions the Director General noted:

- each request concerning a student is handled on an individual basis;
- the role of the Administration is to assist the Council in making decisions for the students of the Sir Wilfrid Laurier School Board as a whole, while taking into consideration the global impact and other aspects that can affect a class;
- out-of-zone requests have always had to be renewed on an annual basis so families with an out-of-zone authorization have always been aware that there is no guarantee that a renewal will be granted; and
- the enrolment criteria is being applied fairly in all areas of the school board.

Based on this information the Director General's recommendation was for the Council to maintain the original enrolment criteria decision to return said students to their home school.

CC-130828-CA-0007

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board adopted by-law #BL2009-CA-19: By-Law Establishing Procedures for the Examination of Complaints from Students or their Parents;

WHEREAS this by-law establishes the procedure for the intervention of the Student Ombudsman when all other avenues have been exhausted;

WHEREAS the parent of "Student MA" was dissatisfied with the outcome of a school board decision of a general scope that had an impact on "Student MA";

WHEREAS the parent of "Student MA" complained to the Student Ombudsman, such complaint being sent on 2013-05-20;

WHEREAS the Student Ombudsman provided the Council of Commissioners with his opinion on the merit of the complaint;

WHEREAS the Student Ombudsman is recommending that the school board reconsider the decision of a general scope and, more precisely, to "Student MA";

WHEREAS the Student Ombudsman concludes that the compensation mechanism contained in the teachers Collective Agreement for oversized classes should be implemented;

WHEREAS the Student Ombudsman makes certain recommendations in his reports dated August 7, 2013;

WHEREAS certain facts that could have an effect on the decision were either not taken into consideration or were not available at the time of the drafting of the report, such as:

- other students that are affected by the overcrowding situation at Twin Oaks Elementary School;
- the Teachers Provincial Collective Agreement provides compensation mechanisms when a class is oversized;
- classes maximized or oversized

WHEREAS, in accordance with section 176.1 (2) of the Education Act (R.S.Q., Chapter I-13.3), the Council of Commissioners of the Sir Wilfrid Laurier School Board has the mandate to see to the relevance and quality of the educational services offered by the school board;

Commissioner Peter MacLaurin MOVED THAT the Council of Commissioners of the Sir Wilfrid Laurier School Board receive the report of the Student Ombudsman regarding the complaint of parent of "Student MA".

AND THAT, after having reviewed this opinion, taking into consideration the facts in this case and the disposition of the Teachers Provincial Collective Agreement, determines that the out-of-zone request for 2013-2014 to attend Twin Oaks Elementary School **be refused**

THIS MOTION WAS TIED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Nazario Facchino, Peter MacLaurin, Nick Milas, Grace Nesi, Albina Pace, Merle Parkinson, Nancy Rupnik, Edward Turchyniak
Commissioners voting NAY:	Steve Bletas, Mario Di Domenico, Robert Dixon, Guy Gagnon, Steve Kmec, Elio Lattanzio, Emilio Migliozi, Steve Mitchell, Mike Pizzola

CASTING VOTE

THIS MOTION WAS DEFEATED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Nazario Facchino, Peter MacLaurin, Grace Nesi, Albina Pace, Merle Parkinson, Nancy Rupnik, Edward Turchyniak
Commissioners voting NAY:	Steve Bletas, Mario Di Domenico, Robert Dixon, Guy Gagnon, Steve Kmec, Elio Lattanzio, Nick Milas, Emilio Migliozi, Steve Mitchell, Mike Pizzola

CC-130828-CA-0008

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board adopted by-law #BL2009-CA-19: By-Law Establishing Procedures for the Examination of Complaints from Students or their Parents;

WHEREAS this by-law establishes the procedure for the intervention of the Student Ombudsman when all other avenues have been exhausted;

WHEREAS the parent of "Student TN" was dissatisfied with the outcome of a school board decision of a general scope that had an impact on "Student TN";

WHEREAS the parent of "Student TN" complained to the Student Ombudsman, such complaint being sent on 2013-05-20;

WHEREAS the Student Ombudsman provided the Council of Commissioners with his opinion on the merit of the complaint;

WHEREAS the Student Ombudsman is recommending that the school board reconsider the decision of a general scope and, more precisely, to "Student TN";

WHEREAS the Student Ombudsman concludes that the compensation mechanism contained in the teachers Collective Agreement for oversized classes should be implemented;

WHEREAS the Student Ombudsman makes certain recommendations in his reports dated August 7, 2013;

WHEREAS certain facts that could have an effect on the decision were either not taken into consideration or were not available at the time of the drafting of the report, such as:

- other students that are affected by the overcrowding situation at Twin Oaks Elementary School;
- the Teachers Provincial Collective Agreement provides compensation mechanisms when a class is oversized;
- classes maximized or oversized

WHEREAS, in accordance with section 176.1 (2) of the Education Act (R.S.Q., Chapter I-13.3), the Council of Commissioners of the Sir Wilfrid Laurier School Board has the mandate to see to the relevance and quality of the educational services offered by the school board;

Commissioner Grace Nesi MOVED THAT the Council of Commissioners of the Sir Wilfrid Laurier School Board receive the report of the Student Ombudsman regarding the complaint of parent of "Student TN".

AND THAT, after having reviewed this opinion, taking into consideration the facts in this case and the disposition of the Teachers Provincial Collective Agreement, determines that the out-of-zone request for 2013-2014 to attend Twin Oaks Elementary School **be refused**.

THIS MOTION WAS TIED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Nazario Facchino, Peter MacLaurin, Nick Milas, Grace Nesi, Albina Pace, Merle Parkinson, Nancy Rupnik, Edward Turchyniak
Commissioners voting NAY:	Steve Bletas, Mario Di Domenico, Robert Dixon, Guy Gagnon, Steve Kmec, Elio Lattanzio, Emilio Migliozi, Steve Mitchell, Mike Pizzola

CASTING VOTE

THIS MOTION WAS DEFEATED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Nazario Facchino, Peter MacLaurin, Grace Nesi, Albina Pace, Merle Parkinson, Nancy Rupnik, Edward Turchyniak
Commissioners voting NAY:	Steve Bletas, Mario Di Domenico, Robert Dixon, Guy Gagnon, Steve Kmec, Elio Lattanzio, Nick Milas, Emilio Migliozi, Steve Mitchell, Mike Pizzola

Commissioner Emilio Migliozi left the meeting.

TIME: 21:49 hours

6.1.3 Establishment of Ad Hoc Committees:**Evaluation of Director General**

The Chairman provided background information.

Commissioner Emilio Migliozi returned to the meeting.

TIME: 21:52 hours

CC-130828-CA-0009

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board approved resolution #CC-130424-CA-0139, rescinding policy #2000-HR-03: Annual Evaluation of the Director General;

WHEREAS resolution #CC-130828-CA-0011 amended the aforementioned resolution;

WHEREAS the Executive Committee recommends that an Ad Hoc Committee be established to develop said policy;

Commissioner Robert Dixon MOVED THAT, on the recommendation of the Executive Committee, the Council of Commissioners of the Sir Wilfrid Laurier School Board establish an Ad Hoc Committee to develop a policy for the evaluation of the Director General.

AND THAT the following Commissioners are named to the said committee:

Guy Gagnon
Angela Martorana
Nick Milas
Mike Pizzola

Peter MacLaurin (Alternate)
Steve Mitchell (Alternate)

AND THAT the Ad Hoc Committee submit a draft policy to the Corporate Committee for its review and recommendation.

FURTHER THAT the Corporate Committee submit a final version of a draft policy for approval in principle to the Council of Commissioners at its 2013-10-30 meeting.

THIS MOTION WAS CARRIED ON THE FOLLOWING DIVISION:	
Commissioners voting YEA:	Georges Benoit, Steve Bletas, Mario Di Domenico, Robert Dixon, Nazario Facchino, Guy Gagnon, Steve Kmec, Elio Lattanzio, Peter MacLaurin, Nick Milas, Steve Mitchell, Grace Nesi, Albina Pace, Merle Parkinson, Mike Pizzola, Nancy Rupnik, Edward Turchyniak
Commissioners ABSTAINING:	Emilio Migliozi

Travel Policy**CC-130828-CA-0010**

WHEREAS the Executive Committee is recommending that policy #1999-FR-01: Travel and Representation Expenses Reimbursement Policy for the Members of the Council of Commissioners and the Employees of the Sir Wilfrid Laurier School Board, be updated

WHEREAS the Executive Committee recommends that an Ad Hoc Committee be established to review said policy;

Commissioner Merle Parkinson MOVED THAT, on the recommendation of the Executive Committee, the Council of Commissioners of the Sir Wilfrid Laurier School Board approve the establishment of an Ad Hoc Committee to review policy #1999-FR-01: Travel and Representation Expenses Reimbursement Policy for the Members of the Council of Commissioners and the Employees of the Sir Wilfrid Laurier School Board.

AND THAT the following Commissioners are named to the said committee:

Roberto Bomba	Guy Gagnon (Alternate)
Nazario Facchino	
Elio Lattanzio	
Merle Parkinson	

AND THAT the mandate of said committee is to examine areas of policy #1999-FR-01: Travel and Representation Expenses Reimbursement Policy for the Members of the Council of Commissioners and the Employees of the Sir Wilfrid Laurier School Board, to see if there is a need for any additions, corrections or other modifications.

FURTHER THAT the Ad Hoc Committee make a report on its findings and recommendations to the Corporate Committee no later than December 2013.

Carried unanimously

Commissioners Steve Kmec and Steve Mitchell left the meeting.

TIME: 21:54 hours

The Director General explained that the following resolution was overlooked earlier in the meeting.

CC-130828-CA-0011

WHEREAS the Council of Commissioners of the Sir Wilfrid Laurier School Board approved resolution #CC-130424-CA-0139, rescinding policy #2000-HR-03: Annual Evaluation of the Director General;

WHEREAS resolution #CC-130424-CA-0139 mandated the Governance & Ethics Committee to develop a new policy for the evaluation of the Director General;

WHEREAS the Executive Committee recommends that an Ad Hoc Committee be established to develop said policy;

Commissioner Robert Dixon MOVED THAT, on the recommendation of the Executive Committee, the Council of Commissioners of the Sir Wilfrid Laurier School Board amend resolution #CC-130424-CA-0139, deleting paragraphs 5 and 6 of said resolution.

Carried unanimously

Commissioners Steve Kmec and Steve Mitchell returned to the meeting. **TIME: 21:56 hours**

6.2 QESBA

6.2.1 Nomination for the QESBA Award of Merit:

There were no candidates for the Quebec English School Boards Association (QESBA) Award of Merit.

6.3 INFORMATION TECHNOLOGY

6.3.1 GRICS Annual Invoice 2013-2014:

The Director of Information Technology presented the annual GRICS invoice noting that there was a 1.9% general increase over the 2012-2013 school year and a 3.5% for software due to the rewriting of certain programs.

CC-130828-IT-0012

WHEREAS the Sir Wilfrid Laurier School Board uses GRICS (Société de gestion du réseau informatique des commissions scolaires) software for the management of its administrative and pedagogical information systems;

WHEREAS GRICS invoices the Sir Wilfrid Laurier School Board on an annual basis for those software licenses and related support services;

Commissioner Nancy Rupnik MOVED THAT, on the recommendation of the Director of Information Technology, the Council of Commissioners of the Sir Wilfrid Laurier School Board approve the payment of invoice #FA-205154 received for the 2013-2014 school year from **GRICS** (Société de gestion du réseau informatique des commissions scolaires) in the amount of 306 672,63\$ (352 596,85\$, all taxes included).

Carried unanimously

7.0 INFORMATION ITEMS

7.1 Reports of Committee Chairs:

There were no reports.

7.2 SWL Foundation:

Commissioner Edward Turchyniak noted that at its next meeting the Sir Wilfrid Laurier Foundation will begin planning for the January 2014 Gala.

7.3 Parent Commissioners Report

There was no report.

Parent Commissioner Roberto Bomba advised that the first meeting of the 2013-2014 Parents Committee would be held on October 3, 2013.

7.4 Report of the QESBA:

The Chairman drew the Council's attention to the correspondence contained in the meeting package with special note to the Quebec English School Boards Association (QESBA) Monday Messages.

Commissioner Grace Nesi advised Commissioners that the QESBA would be holding a professional development session in October 2013 and that she would have more details at the September meeting of Council.

8.0 QUESTION PERIOD:

In response to a question from Carla Scarpato, a parent, the Director General advised that the students from Crestview Elementary School will be housed at Phoenix Alternative School not at Laval Liberty High School during the decontamination project.

In response to concerns expressed by Helen Selinger, a grandparent of a student, the Director General invited her to meet after the close of this meeting.

9.0 CORRESPONDENCE:

The Chairman drew the Council's attention to the correspondence in the meeting package.

10.0 VARIA:

10.1 Student Ombudsman – Specific Case:

Commissioner Emilio Migliozi MOVED THAT the Council go "in camera". **TIME: 22:03 hours**

The meeting resumed.

TIME: 22:40 hours

11.0 ADJOURNMENT OF MEETING:

Commissioner Nazario Facchino MOVED adjournment of the meeting.

Carried unanimously

TIME: 22:40 hours

NEXT MEETING ⇌ REGULAR ⇌ 2013-09-25