

**GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD**

ADMINISTRATIVE OFFICE: 451 Park Street West, P.O. Box 210, Windsor, Ontario N9A 6K1

**BOARD MEETING – PUBLIC SESSION  
TUESDAY, MAY 18, 2021  
BOARD ROOM  
451 Park Street West, Windsor  
5:45 P.M.**

**A G E N D A**

Pages

- A. **CALL TO ORDER**
- B. **ATTENDANCE**
- C. **APPROVAL OF AGENDA**  
C.1 Agenda
- D. **CONVENE TO PRIVATE SESSION**

**PUBLIC SESSION WILL RECONVENE AT 7:00 P.M.**

**Land Acknowledgement**

*We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe (Ah-nish-e-naa-bay), Haudenosaunee (Hoe-den-oh-show-nee), Lenni Lenape (Len-eh Le-naw-pay) and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires Confederacy (Ojibwe (Oh-jib-way), Odawa (Oh-dah-wah), Potawatomi (Paw-taw-watt-oh-me) and Huron/Wendat (Wen-dat) Peoples. We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis*

- E. **DECLARATION OF CONFLICT OF INTEREST**
- F. **ACTIONS OF BOARD MEETING PRIVATE SESSION**

- G. **APPROVAL OF MINUTES**  
G.1 Minutes of the Public Board Meeting of 2021-04-20

**ENCLOSURE**

- H. **BUSINESS ARISING FROM THE MINUTES**

- I. **PRESENTATIONS**
  - I.1 Student Trustee Presentation
  - I.2 GSN Update

- J. **DELEGATIONS**  
There were no delegations signed up at the time of agenda prep.

- K. **SPEAKER'S LIST**  
Nil.

**L. NEW BUSINESS**

11-22 L.1 **Capital Priority Lists**

**RECOMMENDATION:**

THAT THE BOARD APPROVE THE SUBMISSION OF THE CAPITAL PRIORITIES PROJECTS TO THE MINISTRY OF EDUCATION FOR THE 2020/21 YEAR.

23-34 L.2 **Approval of School Space Templates for four (4) Capital Priorities Business Cases**

**RECOMMENDATION:**

THAT, SUBJECT TO APPROVAL BY THE MINISTRY OF EDUCATION, THE BOARD APPROVE THE SCHOOL SPACE TEMPLATES FOR THE FOUR (4) NEW SCHOOL CAPITAL PRIORITIES SUBMISSIONS FOR THE FOLLOWING:

- A NEW REPLACEMENT SCHOOL FOR FOREST GLADE PUBLIC SCHOOL AND FOREST GLADE PRIMARY LEARNING CENTRE;
- A NEW ELEMENTARY SCHOOL IN SOUTH WEST WINDSOR;
- A NEW REPLACEMENT SCHOOL FOR MARLBOROUGH PUBLIC SCHOOL; and
- A NEW REPLACEMENT SCHOOL FOR GOSFIELD NORTH PUBLIC SCHOOL.

35-39 L.3 **School Year Calendar 2021-22**

**RECOMMENDATION:**

THAT THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD APPROVE THE SCHOOL YEAR CALENDARS FOR 2021 – 2022 AS SUBMITTED BY THE SCHOOLS UNDER ITS JURISDICTION.

40 L.4 **SCHOOL NAMING COMMITTEE FOR THE NEW SCHOOL IN FOREST GLADE**

**RECOMMENDATION:**

THAT THE BOARD APPROVE THE APPOINTMENT OF THE MEMBERS FOR THE NEW SCHOOL IN FOREST GLADE NAMING COMMITTEE.

41-13 L.5 **Short Term Financing of Capital Projects**

**RECOMMENDATION:**

THAT THE BOARD APPROVE THE ATTACHED BORROWING BY-LAW #38.

44-49 L.6 **Policy and Regulation: Employee Conflict of Interest**

**RECOMMENDATION:**

THAT THE BOARD APPROVE POLICY EMPLOYEE CONFLICT OF INTEREST P-HR-08 AS PRESENTED; and

THAT THE BOARD APPROVE REGULATION EMPLOYEE CONFLICT OF INTEREST R-HR-08 AS PRESENTED.

50-72 L.7 Policy and Regulation: Procurement

RECOMMENDATION:

THAT THE BOARD APPROVE POLICY P-BA-01 PROCUREMENT AS PRESENTED;  
and

THAT THE BOARD APPROVE REGULATION R-BA-01 PROCUREMENT AS  
PRESENTED.

73-76 L.8 Policy and Regulation: Interim/Acting Director

RECOMMENDATION:

THAT THE BOARD APPROVE THE POLICY INTERIM/ACTING DIRECTOR OF  
EDUCATION AS PRESENTED, AND

THAT THE BOARD APPROVE THE REGULATION INTERIM/ACTING DIRECTOR OF  
EDUCATION AS PRESENTED.

M. REPORTS (TO BE RECEIVED)

M.1 Report of the Director of Education

M.2 Report of the OPSBA Director/Delegate

M.3 Chair's Report

ORAL

ORAL

ORAL

N. TRUSTEE QUESTION PERIOD

(9:10 p.m. to 9:50 p.m.)

O. NOTICES OF MOTION

(9:50 P.M. TO 9:55 P.M.)

P. ANNOUNCEMENTS

(9:55 p.m. to 10:00 p.m.)

Q. ADJOURNMENT

DISTRIBUTION

Nil.

NEXT SCHEDULED MEETINGS:

Board Meeting Public Session Tuesday, June 1, 2021

Chairperson - Alicia Higgison  
Vice-Chairperson – Cathy Cooke

Director of Education – Erin Kelly  
Executive Assistant – Melissa LeBoeuf

**MINUTES OF THE PUBLIC MEETING OF THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD HELD ON TUESDAY, APRIL 20, 2021 VIA TEAMS.**

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**PRESENT: TRUSTEES:**

<b>A. Higgison</b> (Chairperson of the Board)	<b>C. Cooke</b> (Vice-Chairperson of the Board)
<b>J. Burgess</b>	<b>S. Cipkar</b>
<b>A. Halberstadt</b>	<b>G. Hatfield</b>
<b>R. LeClair</b>	<b>L. Qin</b>
<b>J. Sartori</b>	<b>A. Omstead</b>

**STUDENT TRUSTEES:**

**A. Soave**  
**I. Unger**

**ADMINISTRATION:**

<b>E. Kelly</b> (Director of Education)	
<b>S. Armstrong</b>	<b>T. Awender</b>
<b>J. Canty</b>	<b>J. Hillman</b>
<b>C. Howitt</b>	<b>V. Houston</b>
<b>C. Mills</b>	<b>S. Pyke</b>
<b>M. Wilcox</b>	

**RECORDER: M. LeBoeuf**

**A. CALL TO ORDER**

Chairperson Higgison called the meeting to order at 6:02 p.m.

**B. ATTENDANCE**

Chairperson Higgison noted that all trustees were attending via Teams.

**C. APPROVAL OF AGENDA**

C.1 Approval of Agenda

**Moved by Trustee Hatfield**  
**Seconded by Trustee Cooke**

**Moved by Trustee Burges**  
**Seconded by Trustee Qin**

**THAT ITEM L.6 BE DEFERRED TO THE MAY 18<sup>TH</sup> BOARD MEETING.**

- It was noted that this motion has been deferred three times. If a trustee makes a motion they should be prepared to go ahead with it.
- As the mover of the motion, Trustee Burgess noted that she wanted an opportunity to discuss the opinion she obtained with the Chair and the Vice-Chair of the Board prior to the moderation of the discussion at a board meeting.
- It was noted that everyone should hear the discussion.

**The vote was called and it was**

**DEFEATED.**

**THAT THE AGENDA BE APPROVED AS AMENDED.**

**The vote was called and it**

**CARRIED.**

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**D. CONVENE TO PRIVATE SESSION**

**Moved by Trustee Hatfield  
Seconded by Trustee Burgess**

**TO MOVE INTO PRIVATE SESSION.**

**The vote was called and it**

**CARRIED.**

**PUBLIC SESSION RECONVENED AT 7:00 P.M.**

Chairperson Higgison read the approved GECD SB Land Acknowledgement.

**E. DECLARATION OF CONFLICT OF INTEREST**

**Nil.**

**F. ACTIONS OF COMMITTEE OF THE WHOLE PRIVATE SESSION**

**Nil.**

**G. APPROVAL OF MINUTES**

**Moved by Trustee Le Clair  
Seconded by Trustee Cooke**

**G.1 THAT THE MINUTES OF MARCH 23, 2021 PUBLIC BOARD MEETING BE APPROVED AS PRESENTED.**

Trustee Halberstadt wanted to clarify that his vote on agenda item L.2 should have been in support of the motion.

**The vote was called and it**

**CARRIED.**

**H. BUSINESS ARISING FROM THE MINUTES**

**Nil.**

**I. PRESENTATIONS**

**I.1 Student Trustee Presentation  
See attached presentation.**

**J. DELEGATIONS**

**Patricia Poku-Christian – Budget Consultation**

Ms. Poku-Christian spoke to Budgeting for Black Students' Academic Support and Success and made the following recommendation:

1. Graduation Coach program - need 1 GC per high school or a minimum of 4 Coaches for 4 schools (\$400,000)
2. CYF's (mindfully hire Black CYF's with lived experiences for elementary and high school. GSN budget)

3. Superintendent New Hire (purposefully seek out an outside Black hire to include a very needed different perspective. ONABSE & ABC - Ontario Alliance of Black School Educators & Administrators Black Caucus). Budget of \$179,000.00 will simply transfer from the exiting Superintendent to the next.

**Questions from Trustees**

- It was questioned if this information was presented to the Anti-Black Racism Committee. Ms. Poku-Christian noted that she is a member of the community and is not aware of what has transpired thus far.

**K. SPEAKER'S LIST**

**Kristen Garrett-Spanswick**  
**See attached presentation**

**L. NEW BUSINESS**

**L.1 Policy and Regulation: Employee Conflict of Interest**

**Moved by Trustee Hatfield**  
**Seconded by Trustee Le Clair**

**THAT THE BOARD APPROVE POLICY EMPLOYEE CONFLICT OF INTEREST AS PRESENTED; and**

**THAT THE BOARD APPROVE REGULATION EMPLOYEE CONFLICT OF INTEREST AS PRESENTED.**

- Concern was expressed with the referencing of adopted children. It was suggested the work adopted by changed to dependent. Superintendent Houston noted that the document had been reviewed by legal counsel but would be happy to bring it back to ensure the word dependent does not change the context of what we are trying to say.

**Moved by Trustee Hatfield**  
**Seconded by Trustee Halberstadt**

**THAT THE POLICY AND REGULATION: EMPLOYEE CONFLICT OF INTEREST BE REFERRED BACK TO THE POLICY COMMITTEE.**

**The vote was called and it**

**CARRIED.**

**L.2 Updated Policy and Regulation AD-02, Commercial Advertising in Schools**

**Moved by Trustee Hatfield**  
**Seconded by Trustee Le Clair**

**THAT THE BOARD APPROVE POLICY P-AD-02 COMMERCIAL ADVERTISING IN SCHOOLS AS PRESENTED; and**

**THAT THE BOARD APPROVE REGULATION R-AD-02 COMMERCIAL ADVERTISING IN SCHOOLS AS PRESENTED.**

**The vote was called and it**

**CARRIED.**

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**L.3 Updated Policy and Regulation AD-39, Animals (Live) in the Classroom / School**

**Moved by Trustee Le Clair  
Seconded by Trustee Hatfield**

**THAT THE BOARD APPROVE POLICY P-AD-39 ANIMALS (LIVE) IN THE CLASSROOM / SCHOOL AS PRESENTED; and**

**THAT THE BOARD APPROVE REGULATION R-AD-39 ANIMALS (LIVE) IN THE CLASSROOM / SCHOOL AS PRESENTED.**

**The vote was called and it**

**CARRIED.**

**L.4 Updated Policy and Regulation BA-18, Student Accident Insurance**

**Moved by Trustee Le Clair  
Seconded by Trustee Hatfield**

**THAT THE BOARD APPROVE POLICY P-BA-18 STUDENT ACCIDENT INSURANCE AS PRESENTED; and**

**THAT THE BOARD APPROVE REGULATION R-BA-18 STUDENT ACCIDENT INSURANCE AS PRESENTED.**

- Concern was expressed with the use of the word policy in #5 of the Regulation. Superintendent Armstrong noted that plan and policy can be used interchangeably.

**Trustee Hatfield moved, seconded by Trustee Cooke the adoption of a motion which, after debate and amendment, was adopted as follows:**

**That #5 of the Regulation be amended to read:**

**THE BOARD SHALL NOT BE HELD RESPONSIBLE FOR THE COLLECTION OF FUNDS RELATING TO THIS STUDENT ACCIDENT INSURANCE.**

**The vote was called and it**

**CARRIED.**

**Chairperson Higgison read the amended motion:**

**THAT THE BOARD APPROVE POLICY P-BA-18 STUDENT ACCIDENT INSURANCE AS PRESENTED; and**

**THAT THE BOARD APPROVE REGULATION R-BA-18 STUDENT ACCIDENT INSURANCE AS AMENDED.**

**The vote was called and it**

**CARRIED.**

**L.5 School Naming Committee for the New School in Amherstburg**

**Moved by Trustee Cooke  
Seconded by Trustee Omstead**

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**THAT THE BOARD APPROVE THE APPOINTMENT OF THE MEMBERS FOR THE NEW SCHOOL IN AMHERSTBURG NAMING COMMITTEE.**

**Trustee Le Clair and Trustee Hatfield were appointed to the naming committee.**

Concern was expressed with the current name of the school. It was suggested that a letter penned by General Amherst would be shared with the school naming committee.

**The vote was called and it**

**CARRIED.**

**L.6 Notice of Motion – Trustee Burgess**

**Moved by Trustee Burgess  
Seconded by Trustee Qin**

**THAT THE GECDSB DETERMINE BY BOARD DISCUSSION OR REFERRAL TO A COMMITTEE FOR THEIR RECOMMENDATION WHAT IS MEANT BY THE WORD “SESSION” AS PER OUR CURRENT ROBERTS RULES OF ORDER (12<sup>TH</sup> EDITION, CHAPTER IV, 8:4 AND ANY OTHER PERTINENT SECTIONS) AS WELL AS DETERMINE IF ANY SPECIAL RULES NEED ADOPTION REGARDING RENEWAL OF MOTIONS.**

- As the mover of the motion, Trustee Burgess noted that notice of this motion was first given at the December 8<sup>th</sup> meeting. Trustee Burgess noted that immediately after notice was given she privately contracted a parliamentary to give an opinion. The motion arises from a gap informed by an expert opinion. We cannot restrict ourselves by not being able to revisit something for four years. It ties our hands.
- It was noted that there are always ways to get a matter back on the table. If it is something important, and it is the will of the board to want to revisit it, then someone on the prevailing side could bring it forward.

**Moved by Trustee Burgess  
Seconded by Trustee Qin**

**THAT THE MAIN MOTION BE AMENDED TO READ:**

**THAT THE GECDSB REFER TO AN AD HOC COMMITTEE FOR THEIR RECOMMENDATION .....**

**The vote was called and it**

**CARRIED.**

**Chairperson Higginson read the amended main motion**

**THAT THE GECDSB REFER TO AN AD HOC COMMITTEE FOR THEIR RECOMMENDATION WHAT IS MEANT BY THE WORD “SESSION” AS PER OUR CURRENT ROBERTS RULES OF ORDER (12<sup>TH</sup> EDITION, CHAPTER IV, 8:4 AND ANY OTHER PERTINENT SECTIONS) AS WELL AS DETERMINE IF ANY SPECIAL RULES NEED ADOPTION REGARDING RENEWAL OF MOTIONS.**

**The vote was called and it**

**CARRIED.**



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**M. REPORTS (TO BE RECEIVED)**

M.1 Report of the Director of Education

The Director presented a powerpoint which highlighted a number of student, staff, school and community events over the past month.

What is happening behind the scenes when it comes to a pivot in learning? Director Kelly noted that a pivot isn't easy. I work very closely with Directors across the province, participate in many calls with the Ministry, often with short notice. Also, a member of the CODE and PCODE Executive. There are planning tables that occur. Mostly proud of the senior team, administrators, teachers and support staff who have been extraordinary.

M.2 Report of the OPSBA Director/Delegate

Trustee Burgess noted that she attended a special meeting of the OPSBA Board of Directors. All matters were in-camera and private.

Trustee Burgess also noted that she attended the Western Regional meeting which had a substantial in-camera session as well. Our provincial education budget needs were analyzed and from all hints from the Ministry OPSBA finds there are many shortfalls in the budget and advocacy is needed.

The public may have seen in the media particularly in the Globe and Mail and People for Education a proposal for on-line learning going forward from the Ministry. This is something that will have to be scrutinized in the future. Trustees were asked to complete the survey for the Compass Project.

M.3 Chair's Report

Chairperson Higgison noted that the Board of Trustees and the senior team have engaged in the development of a new Strategic Plan. Part of our work is to reach out to our partners for consultation. Everyone is encouraged to send responses through the survey that will be going out.

It was noted that we advocated for the vaccination of our employees as essential workers. How many of our staff were vaccinated over the spring break? Superintendent Pyke noted that 700 letters were provided to eligible staff. We don't know how many staff actually received their vaccination.

**N. TRUSTEE QUESTION PERIOD**

- Trustee Qin noted that sports field at Massey is in need of repair. Director Kelly noted that she would bring the concerns forward to the Facility Services department.
- Trustee Halberstadt noted that the board was receiving \$15.6 million in Infrastructure Funding from the federal government and questioned how much money is going toward ventilation improvements. Superintendent Armstrong noted that a presentation will be made at the May 4<sup>th</sup> Operations and Finance meeting.
- Trustee Sartori noted recent developments at the Toronto District School Board around EDCs. TDSB is asking a divisional court to strike down the rules that prevent them from collecting EDCs. What do we know about the case and what does it mean to us, if anything? Director Kelly noted that boards are treated differently when it comes to EDCs. Superintendent Armstrong noted that the TDSB is challenging the government specifically the legislation pertaining to EDCs, specifically the section on eligibility trigger to qualify. The TDBS is saying that they should not be punished by not qualifying because of surplus space in one part of the city, when they have growth in

another part of the district. They are arguing that the moratorium on school closures has prevented them from closing schools. Superintendent Armstrong noted that this case would not have any implications for us because we have EDCs in place. As long as we have a deficit in EDC funds we can continue to qualify for the EDCs.

- Trustee Omstead questioned if we would be offering virtual schooling next year. Director Kelly noted that we are waiting for guidance from the Ministry. They have not been clear around the funding for virtual schools. The number one goal is to have all students learning in school. We believe in-person learning is the best way for students to learn.
- Student Trustee Soave questioned if the Pride Flag could be flown the entire month of June. Superintendent Pyke noted that the Board had passed a motion for the flag to fly for one week in June, but indicated that she would discuss the request with the committee.
- Trustee Burgess questioned what was happening with graduations. Superintendent Awender noted that there are several plans in place depending on the status of the local health restrictions. We will be preparing for virtual graduations, much like last year. We have to follow the guidelines of the Health Unit. Trustee Burgess noted that there are also many questions around the distribution of awards. Director Kelly noted that there is a plan in place to ensure all students have an opportunity.
- Chairperson Higgison requested an update on where we are at in getting our education workers vaccinated. Superintendent Pyke noted that we would not be providing verification letters for staff members if they are 40 and over who are not in the prioritized group. They would be able to book themselves through the pharmacies. We take our direction from the Health Unit when it comes to specific categories of staff eligible for vaccinations. They are currently looking at postal code hotspots. As they are rolling out the vaccinations, they are looking at educators. People need to use every avenue available to them to be vaccinated.

**O. NOTICES OF MOTION**

Nil.

**P. ANNOUNCEMENTS**

Trustee Burgess noted that April 28<sup>th</sup> is the annual Day of Mourning for Workers Injured or Killed on the job. We will be lowering our flag to half-mast at the administration building. It was also noted that April 28<sup>th</sup> is Administrative Professionals Day.

Trustee Omstead noted that this week is National Organ and Tissue Donation week.

**Q. ADJOURNMENT**

There being no further business before the Board, Chairperson Higgison adjourned the meeting at 9:40 p.m.

**A. HIGGISON**

**CHAIRPERSON OF THE BOARD**

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**E. KELLY**

**DIRECTOR OF EDUCATION**

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## **Student Trustee Presentation – April 20, 2021**

### **Student of the Month**

The Student of the Month for April is Nicole Weurch, a Grade 11 student at Kingsville District High School. Nicole is an avid athlete, a true role model and an overall exemplary Cavalier who exemplifies this month's theme of "initiative."

A gifted athlete, Nicole has been a member of Kingsville's basketball, volleyball, track and field, and soccer teams as well as the Run Club. With her understanding of sports, she also volunteered at the 2019 and 2020 OFSAA Basketball and Volleyball tournaments. While school sports are on hold this year, she took the initiative to create a trick shot video to engage in her sport in different way.

Nicole has participated in various clubs and groups including Kingsville's EcoClub and WE Group. She has been a huge help to Student Parliament as a Grade 10 Representative last year and is an enthusiastic supporter of council's virtual events, showing her school spirit and inspiring her fellow students. Nicole often reaches out to her fellow classmates when they are struggling academically and runs study sessions.

Nicole recently showed her support of the greater community by participating in Kingsville's Love Local Bingo to help support local businesses. She volunteers at her church and works at the Zehrs bakery. She truly takes initiative to be supportive of her school, her classmates and her town. Through her actions, Nicole demonstrates that we can all contribute, even when things are tough.

Congratulations Nicole on being selected as the April Student of the Month!

### **Report**

April has been a month of gearing up for the events and projects that the three subcommittees of Student Senate have been planning!

The Anti-Racism subcommittee has rescheduled the education seminar for Wednesday, May 12 and will feature guest speakers from the community and the school board on the topics of local black history, the history of anti-black racism, micro-aggressions, the model minority myth, developing coping skills, a student perspective panel and more. The subcommittee is looking forward to offering this event to students in Grades 7-12.

The Environmental Sustainability subcommittee is working hard in anticipation of its conference coming up on Friday, April 30! The conference will feature guest speaker Claire Sanders, climate change specialist from the Essex Region Conservation Authority, and the board's Energy and Environmental Officer Ms. Kathleen Quenneville. The conference will also feature student speakers Anna Dawson and Jana Alrifai who are representatives of Fridays for Future Windsor Essex. The conference will lead into breakout rooms on the topics of Environmental Wellness and Mental Health, Environmental Racism and Student Engagement. At the conference, the call for submissions to an environmental art exhibit will be announced. Promotion for the event has gone out on the Senate's Instagram page and we are looking forward to student participation in this event!

The Mental Health subcommittee is looking forward to hosting a board-wide student wellness week to encourage and challenge students to take care of themselves in different facets of their lives. Each day will feature a different theme which will be accompanied by a wellness challenge, journal prompts, related videos and opportunity for interaction on social media. The subcommittee is also excited to be working with Ms. Pawley and Dr. Crundwell to be hosting a mental health webinar in the month of May to inform and educate teenagers about their brain and mental processes.

Student Senate enjoyed hearing from Mr. Marusic and Ms. Rocheleau on the GECSB's cannabis strategy and from Superintendent Canty on academic de-streaming in secondary schools. We thank them for taking the time to speak with us and appreciate their desire for Student Senate's input, interaction and feedback on these topics.

Arabella and I have also begun sharing monthly subcommittee reports and the Student of the Month on our Instagram page as we are seeking to make our students aware of the action being taken on their behalf at the board level and to celebrate the outstanding accomplishments of the students in our board. We were excited to feature Autumn Owens, Student of the Month of March and are looking forward to honouring our outstanding students going forward.

Arabella and I are thrilled to welcome the incoming student trustees for next year's term and we have enjoyed working with them through Student Senate.

We are so appreciative of the support we've received from Director Kelly, Senior Administration and Trustees throughout our term and we are very excited to keep the momentum going as we execute our projects and initiatives for the year!

Good Evening and thank you for allowing me to provide input into the budget as part of the public consultation process, on behalf of OSSTF-Educational Support Staff Bargaining Unit.

I want to thank you again for the work that you do.

Educational Support Staff (ESS) provide crucial support to some of our most at-risk and special needs students. ESS address the needs of students with behavioural, developmental and physical challenges. Students who may be deaf, hard of hearing or visually impaired, intellectually or socially challenged, gifted or autistic, all rely on Educational Support Staff to adapt materials and programs daily in order to help them succeed in a classroom environment.

The ESS who support our students require exceptional communication skills, and the ability to adapt to all kinds of educational needs and scenarios. ESS have to be able to address the often complex social and individualized needs of our students, and frequently work with parents and community agencies to make sure that students' needs are being met. These students are given the opportunity to participate and succeed in school because Educational Support Staff are working every day to give them a positive, safe and healthy learning environment. From JK to grade 12, ESS inspire students to be who they are and enhance their school experience to be the best it can be.

But we cannot do more with less. Less bodies, less equipment, less resources for the ever increasing student needs will not work. Our Spec Ed enrolment continues to grow every year, because of the wonderful programming and support that the Greater Essex Board offers through the amazing work of our staff.

I turn now to provide important areas of suggestions that will hopefully help contribute to your decision-making when approving the final budget.

Educational Support Staff members use electronic devices every day to develop behavior plans, safety plans, create programming, and for communication with other staff, to document learning, make student assessments, data track, share updates and student successes as part of the school based team.

It is important for the Board to recognize the value of ESS having a Board provided individual device to utilize on a daily basis, and especially during times of pivoting to remote learning in order to best carry out the duties of their jobs and support the success of the students they are assigned to.

We appreciate the efforts the Board has attempted this year to meet this technology need, but all ESS need access to this equipment, to help their students be successful.

Another urgent need is that of additional Temporary Support Staff hires and wage parity.

In recent years there has been an ongoing shortage of Temporary Support Staff (TSS) to fill assignments when permanent ESS are absent for a variety of reasons, leaving many unfilled assignments on a daily basis. This year, in the middle of a global pandemic those shortages have created a safety crisis in our Board putting both staff and our most vulnerable students at an increased risk. These risks lead to injuries and further absences and increased costs to the Board, not to mention to cost of lowered moral and increased workload to those remaining in the class. This year, the need has been so great on a daily basis that permanent ESS are being

reassigned within the Board to strictly support the safety needs in other classrooms or schools, leaving other students without support.

We have discussed many times over the years with the Board possible suggestions to help improve this situation. We recognize that this is a province wide problem, but in looking at our local circumstances we are making the suggestion that wage parity with our coterminous board might help to level the playing field by attracting more applicants to our Board and retaining those that are hired. Currently the hourly wage difference between the two Boards daily temporary support staff is over \$6.00 an hour. I am not sure about you, but all things being equal most people would choose the higher paying employer.

We are asking that as part of the budget process, the Board look at bringing the temporary support staff more on par with their local peers. We recognize that this could be viewed as a bargaining item, however, in the past the Board agreed to this type of option for specific job classifications that the Board was having a hard time attracting and retaining employees to. We are asking for this same consideration for all TSS in order to improve this situation.

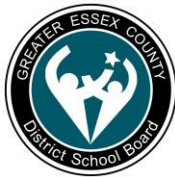
With an understanding that every student learns in their own way and as part of the Educational Team, Educational Support Staff assist in making the impossible -possible and the unachievable- achievable. Educational Support Staff are an integral part of student success.

But in order to be successful and progress we need more TSS and more resources in order to better service our students with special needs.

In my experience, the board of trustees has always put students who require specialized support and those that support them first, and I would expect no different from you when you make the decisions required of you when passing the budget.

Thank you for this opportunity and your defense of public education.

Kristen Garrett-Spanswick  
President, Educational Support Staff,  
OSSTF D9



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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**DATE:** May 18, 2021

**TO:** The Chairperson and Trustees of the  
Greater Essex County District School Board

**FROM:** E. Kelly  
Director of Education

S. Armstrong  
Superintendent of Business

T. Awender  
Superintendent of School Development and Design

**SUBJECT:** Capital Priority Lists

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**AIM:**

To seek Board approval for Capital Priorities Program projects as requested by the Ministry of Education (the "Ministry") in memo "2021: B05 – Launch of 2020-21 Capital Priorities Program, including Child Care Capital Funding" dated March 24, 2021.

**BACKGROUND:**

The Capital Priorities Program provides school boards with an opportunity to identify and address their most urgent pupil accommodation needs, in five categories:

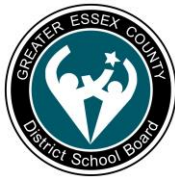
- Accommodation pressures;
- Replacing schools in poor condition;
- Supporting past consolidation decisions;
- Providing facilities for French-language rights holders in under-served areas; and
- Creating child care spaces in schools.

School boards were invited to identify and address their ten most urgent pupil accommodation needs for Ministry funding consideration. The projects submitted are expected to be completed and open no later than the 2024-25 school year and must be ranked in priority.

The deadline for submission of the Capital Priorities Program projects to the Ministry is May 21, 2021.

**PRIORITY CAPITAL PROJECTS:**

In order to prepare the recommended list of projects, a consultation process was followed through the Board's Accommodation Advisory Committee which includes the Director of Education, Superintendent of School Development and Design, Superintendent of Business and Facility Services Staff. This ensures that the proposed capital projects reflect both accommodation and building renewal needs.



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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CN Watson, the Board's Planning Consultant, collaborated with Board staff to prepare the business cases for submission, reflecting both the enrolment projections of the current situation and the proposed solution (capital business case). A qualitative submission has also been prepared including a description of the project rationale and project scope, discussion on alternate accommodation strategies, school enrolment and a capacity overview which considers the accommodation issues in all schools within a 40 km radius.

In addition, Administration has assessed the viability of the business cases against the Ministry's eligibility and evaluation criteria including expected internal rates of return, future school utilization rates and projected operating and renewal savings.

Based on these assessments, the recommended capital project funding submissions are outlined in Appendix A. A rolling five-year summary of all capital priorities submissions and their rationale is outlined in Appendix B.

### **PROJECT CONSIDERATIONS:**

In addition to project specific assessments, the following school board performance measures will be considered by the Ministry for all Capital Priorities project categories:

- School Board's demonstrated willingness to participate with co-terminus school boards in joint-use school opportunities;
- School Board's ability to build to ministry benchmark costs as evidenced by past projects;
- School Board's ability to deliver projects within target timeframes as evidenced by past projects;
- School Board's history of meeting the ministry's capital accountability measures;
- Accuracy of enrolment projections for previously approved projects; and
- Number of projects the school board currently has underway.

Projects matching the following descriptions will not be considered for Capital Priorities funding purposes:

- Projects addressing an accommodation pressure as a result of a specialized or alternative program such as French Immersion;
- Projects for additional child care space that are not associated with a capital priorities school project (i.e., child care only project requests);
- Projects associated with consolidations and/or closures where a Pupil Accommodation Review has not been completed;
- Requests for Land Priorities funding for site acquisitions;
- Projects addressing the renewal needs of a facility; and
- Projects addressing school board administrative space.

### **RECOMMENDATION:**

**THAT THE BOARD APPROVE THE SUBMISSION OF THE CAPITAL PRIORITIES PROJECTS TO THE MINISTRY OF EDUCATION FOR THE 2020/21 YEAR.**



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

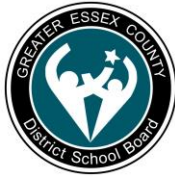
## MEMORANDUM

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Attachments:

- Appendix A – 2020/21 Capital Priorities Business Cases
- Appendix B – Rolling Five Year Report of Capital Priorities Business Cases and Rationale





# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### Appendix A - Capital Priorities Business Cases – 2020/21 year

Project Name	Rank #	Project Request	Project Category
New Forest Glade Public School	1	New school on existing property to address facility condition and size	School Consolidation
New Elementary School in West Windsor	2	New school to address accommodation pressures on a new site	Accommodation Pressures
Addition for Legacy Oak Trail Public School	3	Addition to address accommodation pressures	Accommodation Pressures
Addition for Talbot Trail Public School	4	Addition to address accommodation pressures	Accommodation Pressures
Addition for Margaret D. Bennie Public School	5	Addition to address accommodation pressures	Accommodation Pressures
New Replacement School for Marlborough Public School	6	New school to address facility condition on existing property	Facility Condition
New School for Gosfield North Public School	7	New school to address facility condition on existing property	Facility Condition

## Appendix B – Rolling Five Year Report of Capital Priorities Business Cases and Rationale

### Capital Priority Business Cases 2020/21

Rank	Project Name	Rationale
1	New Forest Glade Public School	<ul style="list-style-type: none"> <li>• Forest Glade PLC was purchased by the Board in 2004 to address over-crowding concerns at Forest Glade Public School.</li> <li>• A boundary adjustment between Forest Glade and Tecumseh Vista has increased enrolment due to the implementation of French Immersion.</li> <li>• The Board of Trustees approved the submission of a business case in 2018 and 2019 to consolidate the two schools into a single building on the Forest Glade site.</li> <li>• Consolidation of the two schools has the following benefits: <ul style="list-style-type: none"> <li>○ Elimination of deferred renewal needs totaling \$9.1 million;</li> <li>○ Consolidation of the school community in one building;</li> <li>○ Proper student drop-off and bus bay facilities on the new site; and</li> <li>○ Elimination of open concept classroom design.</li> </ul> </li> </ul>
2	New elementary school in West Windsor	<ul style="list-style-type: none"> <li>• This business case was initially submitted in 2019 to alleviate enrolment pressures at Northwood and West Gate.</li> <li>• Northwood School continues to experience growth beyond its capacity and enrolment projections indicate sustained growth. <ul style="list-style-type: none"> <li>○ Ten portables exist on the site that are taking away green space from the students.</li> <li>○ Census data indicating that the area just north of the school continues to develop at a rapid pace may continue to put additional enrolment pressures on the school population.</li> <li>○ There has been an extreme influx of students in the English as a Second Language program to Northwood</li> </ul> </li> <li>• West Gate Public School which opened in September 2014, was a consolidation of J.E. Benson Public School and Dr. H. D. Taylor Public School. <ul style="list-style-type: none"> <li>○ Eight portables exist on site to accommodate the increased enrolment of over 700 students.</li> <li>○ With the school being over capacity, a boundary adjustment was completed in the 2018/2019 school year, to divert a portion of the catchment for West Gate to Dougall Public School however, growth at West Gate Public School is still expected to continue.</li> </ul> </li> </ul>
3	Addition for Legacy Oak Trail Public School	<ul style="list-style-type: none"> <li>• This business case is being submitted as a means to alleviate expected enrolment pressures at this school.</li> <li>• Residential development in the LaSalle Family of Schools area (to which Legacy Oak Trail belongs), is growing at a rapid pace.</li> <li>• The new school is expected to be full at its opening in September 2021.</li> </ul>
4	Addition for Talbot Trail Public School	<ul style="list-style-type: none"> <li>• This business case was initially submitted in 2019 as a means to alleviate enrolment pressures at this school.</li> <li>• While residential development in the Massey Family of Schools area (to which Talbot Trails belongs), is starting to slow compared with historical levels, there are still more than 1,000 new dwelling units expected to be constructed over the next 15 years.</li> <li>• The school continues to require portables and currently has seven on site.</li> <li>•</li> </ul>
5	Addition for Margaret D. Bennie Public School	<ul style="list-style-type: none"> <li>• This business case was initially submitted in 2019 as a means to alleviate enrolment pressures at this school.</li> <li>• With the closure of Mill Street Public School and the subsequent boundary adjustment, MDB increased their enrolment to near capacity together with the addition of an EarlyOn program and Special Education (GAINS) room.</li> <li>• MDB is also a candidate school for the International Baccalaureate Program (“IB”)</li> <li>• The school required one portable addition in September 2017. The 2018- 2019 school year brought an influx of students to MDB putting the population over 300, thus requiring an additional three portables. Currently, the school now has six portables.</li> </ul>

6	New replacement school for Marlborough Public School	<ul style="list-style-type: none"> <li>• The business case was initially submitted in 2019 based on the facility condition and high renewal needs at the school.</li> <li>• Marlborough Public School was constructed in 1929 with additions in 1950, 1956, 1959, 1965 and 1967.</li> <li>• Renewal needs identified for the existing building total \$10.6 million as identified in VFA. Of this total, \$4.2 million has been deemed high and urgent needs.</li> </ul>
7	New school for Gosfield North Public Elementary school	<ul style="list-style-type: none"> <li>• This business case was initially submitted based on the facility condition and high renewal needs at the school.</li> <li>• A Capital Priority submission was submitted for a new Gosfield North PS in both 2016, 2017 and 2019.</li> <li>• The school makes use of a temporary portapak that has existed for a number of years. It is in poor condition.</li> <li>• There is a high Facility Condition Index (FCI) of 48% for the permanent school building portion.</li> <li>• The school that has a stable and viable population.</li> <li>• Gosfield North Public School has renewal needs totaling \$4.0 million as identified through VFA. Of this total \$1 million is rated as high and urgent needs.</li> </ul>

**Capital Priority Business Cases  
2019**

Rank	Project Name	Rationale
1	New Forest Glade Public School	<ul style="list-style-type: none"> <li>• Forest Glade PLC was purchased by the Board in 2004 to address over-crowding concerns at Forest Glade Public School.</li> <li>• A boundary adjustment between Forest Glade and Tecumseh Vista has increased enrolment due to the implementation of French Immersion.</li> <li>• The Board of Trustees in 2018 approved the submission of a business case to consolidate the two schools into a single building on the Forest Glade site.</li> <li>• Consolidation of the two schools has the following benefits: <ul style="list-style-type: none"> <li>○ Elimination of deferred renewal needs totaling \$9.7 million;</li> <li>○ Consolidation of the school community in one building;</li> <li>○ Proper student drop-off and bus bay facilities on the new site; and</li> <li>○ Elimination of open concept classroom design.</li> </ul> </li> </ul>
2	New elementary school in West Windsor	<ul style="list-style-type: none"> <li>• This business case was submitted to alleviate enrolment pressures at Northwood and West Gate.</li> <li>• Northwood School continues to experience growth beyond its capacity and enrolment projections indicate sustained growth. <ul style="list-style-type: none"> <li>○ Ten portables exist on the site that are taking away green space from the students.</li> <li>○ Census data indicating that the area just north of the school continues to develop at a rapid pace may continue to put additional enrolment pressures on the school population.</li> <li>○ There has been an extreme influx of students in the English as a Second Language program to Northwood</li> </ul> </li> <li>• West Gate Public School which opened in September 2014, was a consolidation of J.E. Benson Public School and Dr. H. D. Taylor Public School. <ul style="list-style-type: none"> <li>○ Eight portables exist on site to accommodate the increased enrolment of over 700 students.</li> <li>○ With the school being over capacity, a boundary adjustment was completed in the 2018/2019 school year, to divert a portion of the catchment for West Gate to Dougall Public School however, growth at West Gate Public School is still expected to continue.</li> </ul> </li> </ul>
3	New elementary school in Lakeshore	<ul style="list-style-type: none"> <li>• This business case was submitted as a means to alleviate enrolment pressures at Lakeshore Discovery and Belle River Public Schools.</li> <li>• Growth in the Lakeshore Discovery French Immersion program, and the area in general, continues to intensify. The opening of Tecumseh Vista Academy and then the boundary change with Belle River PS provided some relief.</li> <li>• Lakeshore leads county towns in total new residential permits and has rebounded to the same levels as in 2006, prior to the recession. <ul style="list-style-type: none"> <li>○ Currently, the greatest activity is in the area immediately surrounding Lakeshore Discovery School.</li> <li>○ Two additional portables were added in September 2015, September 2017 and September 2018, totaling ten portables on site at the start of the current academic year.</li> </ul> </li> </ul>
4	New replacement school for Marlborough Public School	<ul style="list-style-type: none"> <li>• The business case was submitted based on the facility condition and high renewal needs at the school.</li> <li>• Marlborough Public School was constructed in 1929 with additions in 1950, 1956, 1959, 1965 and 1967.</li> <li>• Renewal needs identified for the existing building total \$9.6 million as identified in VFA. Of this total, \$6 million have been deemed high and urgent needs.</li> </ul>
5	Addition for Margaret D. Bennie Public School	<ul style="list-style-type: none"> <li>• This business case was submitted as a means to alleviate enrolment pressures at this school.</li> <li>• With the closure of Mill Street Public School and the subsequent boundary adjustment, MDB increased their enrolment to near capacity together with the addition of an EarlyOn program and Special Education (GAINS) room.</li> <li>• The school required one portable addition in September 2017. The 2018- 2019 school year brought an influx of students to MDB putting the population over 300, thus requiring an additional three portables.</li> </ul>
6	Addition for Talbot Trail Public School	<ul style="list-style-type: none"> <li>• This business case was submitted as a means to alleviate enrolment pressures at this school.</li> </ul>

		<ul style="list-style-type: none"> <li>• While residential development in the Massey Family of Schools area (to which Talbot Trails belongs), is starting to slow compared with historical levels, there are still more than 1,000 new dwelling units expected to be constructed over the next 15 years.</li> <li>• The school continues to require portables and currently has 7 on site.</li> </ul>
7	New school for Gosfield North Public Elementary school	<ul style="list-style-type: none"> <li>• This business case was submitted based on the facility condition and high renewal needs at the school.</li> <li>• A Capital Priority submission was submitted for a new Gosfield North PS in both 2016, 2017.</li> <li>• The school makes use of a temporary portapak that has existed for a number of years. It is in poor condition.</li> <li>• There is a high Facility Condition Index (FCI) of 46% for the permanent school building portion.</li> <li>• The school that has a stable and viable population.</li> <li>• Gosfield North Public School has renewal needs totaling \$4.6 million as identified through VFA. Of this total \$1.4 million is rated as high and urgent needs.</li> </ul>

**Capital Priority Business Cases  
2017 – Child Care and Family Centre (Early ON)**

Rank	Project Name	Rationale
n/a	Essex Public School	<ul style="list-style-type: none"> <li>• There was an identified need in the community due to fire loss of existing child care facility.</li> <li>• Relocation of existing child care into the school was supported by the City of Windsor – Community Services</li> </ul>
n/a	New Giles Public School	<ul style="list-style-type: none"> <li>• New child care spaces were supported by the City of Windsor – Community Services</li> </ul>

**Capital Priority Business Cases  
2017**

Rank	Project Name	Rationale
1	Eastwood Public School (school consolidation)	<ul style="list-style-type: none"> <li>• The Board of Trustees approved a PARC for the Forest Glade family of schools due to low utilization rates in several schools and high renewal needs.</li> <li>• The Board of Trustees approved the consolidation of Eastwood and Parkview Public School and the submission of a business case for a new school.</li> <li>• A school consolidation would eliminate \$10 million in renewal needs and eliminate the open concept classroom design.</li> </ul>
2	Forest Glade Public School (school consolidation)	<ul style="list-style-type: none"> <li>• Forest Glade PLC was purchased by the Board in 2004 to address over-crowding concerns at Forest Glade Public School.</li> <li>• The Board of Trustees approved the submission of a business case to consolidate the two schools into a single building on the Forest Glade site after the completion of the PARC in this area.</li> <li>• The business case provided for the following benefits: <ul style="list-style-type: none"> <li>○ Elimination of deferred renewal needs totaling \$9.7 million;</li> <li>○ Consolidation of the school community in one building; and</li> <li>○ Proper student drop-off and bus bay facilities on the new site</li> </ul> </li> </ul>
3	Queen Elizabeth Public School (replacement school)	<ul style="list-style-type: none"> <li>• The Board of Trustees approved a PARC for the Leamington family of schools due to low utilization rates in five schools and high renewal needs.</li> <li>• Enrolment was expected to decline over the next decade in this area and the combined utilization rate for the schools in this area was 77%.</li> <li>• The renewal needs for all the buildings in this area were high.</li> <li>• The Board of Trustees approved the closure of Mill Street Public School, the re-allocation of these students to Queen Elizabeth, MD Bennie, Mount Carmel and Gore Hill Public Schools and the submission of a business case for a new school for Queen Elizabeth.</li> <li>• The benefit of this business case would be the elimination of \$10 million in renewal needs and eliminate the open concept classroom design.</li> </ul>
4	Queen Elizabeth Public School (addition)	<ul style="list-style-type: none"> <li>• See Above - Alternative Option should new school not be supported.</li> </ul>
5	Gosfield North / Central Public Schools	<ul style="list-style-type: none"> <li>• Gosfield North is a rural school with a majority of its students being bussed.</li> <li>• The school population has been consistent for many years and will continue to be stable for the next 10-15 years.</li> <li>• Many of the surrounding schools have been closed (Sun Parlor, Ruthven) or will be closed in the near future (Jack Miner Public School, Kingsville Public School).</li> </ul>

		<ul style="list-style-type: none"> <li>• The two remaining elementary schools (Colchester North and Essex Public) have consistent enrolment projections above 85% for the foreseeable future.</li> <li>• For the 2016/2017 school year, Gosfield North will have an FCI of 58.88% however, by the 2021/2022 school year, the FCI will be 74.33%. <ul style="list-style-type: none"> <li>◦ The existing temporary portapac, which is used by the school was constructed in the early 1990's and, due to its wood construction has extensive renewal and safety needs. This includes flooring, HVAC, roofing and structural issues.</li> </ul> </li> <li>• The Board of Trustees supported the submission of a business case based on school condition.</li> </ul>
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**Capital Priority Business Cases  
2017 – School Consolidation**

Rank	Project Name	Rationale
1	Belle River District High School	<ul style="list-style-type: none"> <li>• This school was at 67% capacity with high facility renewal needs.</li> <li>• The existing building had over \$23 million in renewal needs and the school was not fully accessible.</li> <li>• It would have been the last secondary school in the county to be replaced.</li> <li>• The Board of Trustees supported the submission of a business case to right size the existing facility.</li> </ul>
2	New school for Giles Public School	<ul style="list-style-type: none"> <li>• Business Case for new family center was supported by the City of Windsor Consolidated Municipal Services Manager.</li> <li>• The Board of Trustees approved the submission of a business case for a new EarlyON Center.</li> </ul>
3	Roseland Public School	<ul style="list-style-type: none"> <li>• It was discovered that the exterior walls of the 1928 and 1948 additions were compromised and the flooring structural system was also unsound.</li> <li>• During renewal work, it was discovered that the wooden construction used to construct the original building and two subsequent additions had degraded to the point that repair was no longer a viable option and required full replacement.</li> <li>• A business case was submitted to right-size the replacement addition based on enrolment projections.</li> </ul>

**Capital Priority Business Cases  
2016**

Rank	Project Name	Rationale
1	Amherstburg District High School / Western Secondary School	<ul style="list-style-type: none"> <li>• General Amherst High School's (GAHS) enrolment was projected to continue its decline with no stabilization of the student population for the next 10 years.</li> <li>• GAHS had 505 empty spaces and the utilization rate at GAHS was expected to drop below 50% by 2025.</li> <li>• Western's pattern of declining enrolment would see utilization rates hover around 50% for the next 10 years.</li> <li>• In total, these two schools had 820 empty spaces.</li> <li>• 62% of the existing infrastructure for these two buildings was constructed over 50 years ago, with another 37% constructed over 40 years ago.</li> <li>• Renewal needs were identified totaling over \$16 million and was projected to be over \$45 million in 5 years.</li> <li>• The Board of Trustees approved a PARC for this area and subsequently approved the consolidation of these two school communities in a new school on a new site.</li> <li>• The Board of Trustees also approved the submission of a business case based on school consolidation.</li> </ul>
2	Kingsville JK – 12	<ul style="list-style-type: none"> <li>• Ministry of Education requested business cases related to Child Care and Family Support Programs.</li> <li>• The Board proposed an addition to the new Kingsville JK-12 to accommodate the ACCESS (Access County Community Support Services) program in its entirety. <ul style="list-style-type: none"> <li>◦ The 5,000 square foot space would be able to house the following programs: Ontario Early Years, Be Back Soon Program, ACCESS Nutrition Program, Offices for Counselling and Itinerant staff to provide additional programming through ACCESS.</li> <li>◦ The adjacency of the program with the Kingsville JK-12 would provide seamless programming and assistance opportunities for the parents and students of the school community and present Kingsville JK-12 as a true leader in the province for an exemplar "community hub".</li> </ul> </li> <li>• Business case was submitted with the full support of the Consolidated Municipal Services Manager.</li> </ul>
3	Prince Andrew Public School (replacement school)	<ul style="list-style-type: none"> <li>• Prince Andrew Public School was not ideally situated to assist with the anticipated growth in Lasalle and is located in a rural area where no growth is anticipated nor planned for by the municipality. The rural location of the school has also created site servicing issues.</li> <li>• The school has two septic systems which were installed in 1971 and 1995, with one serving the permanent school (1971) and the other serving the non-permanent portapac (1995). <ul style="list-style-type: none"> <li>◦ Both septic systems are past their useful life and have been identified by Ministry assessors as a replacement renewal need in 2015.</li> <li>◦ The size of the school population prohibits the replacement of the septic system with a like-for-like replacement requiring an application to the Ministry of the Environmental for approval of a sewage treatment plant.</li> </ul> </li> <li>• The backlog of Prince Andrew Public School renewal needs for 2016 was \$5.3 million and was expected to increase to \$6.2 million by 2021.</li> <li>• The renewal needs of the non-permanent portapack are not factored into the school renewal needs.</li> <li>• The Board of Trustees supported the submission of a business case based on School Condition</li> </ul>
4	Gosfield North / Central Public Schools	<ul style="list-style-type: none"> <li>• Gosfield North is a rural school with a majority of its students being bussed.</li> <li>• The school population has been consistent for many years and is expected to continue to be stable for the next 10-15 years.</li> <li>• Many of the surrounding schools have been closed (Sun Parlor, Ruthven) or will be closed in the near future (Jack Miner Public School, Kingsville Public School).</li> <li>• The two remaining elementary schools (Colchester North and Essex Public) have consistent enrolment projections above 85% for the foreseeable future.</li> <li>• For the 2016/2017 school year, Gosfield North will have an FCI of 58.88% however, by the 2021/2022 school year, the FCI will be 74.33%.</li> <li>• The existing temporary portapac, which is used by the school was constructed in the early 1990's and, due to its wood construction has extensive renewal and safety needs. This includes flooring, HVAC, roofing and structural issues.</li> <li>• The Board of Trustees supported the submission of a business case based on School Condition.</li> </ul>



**Capital Priority Business Cases  
2016 – School Consolidation**

Rank	Project Name	Rationale
1	Kingsville JK – 12	<ul style="list-style-type: none"> <li>• Board Decision through an Accommodation Review (see above)</li> </ul>
2	Amherstburg District High School / Western Secondary School	<ul style="list-style-type: none"> <li>• Board Decision through an Accommodation Review (see above)</li> </ul>

**Capital Priority Business Cases  
2015**

Rank	Project Name	Rationale
1	New school for Giles Public School	<ul style="list-style-type: none"> <li>• The renewal needs for the school were high.</li> <li>• The Board of Trustees supported the submission of a business case based on facility condition.</li> </ul>
2	New school for D M Eagle	<ul style="list-style-type: none"> <li>• Board decision through an Accommodation Review.</li> </ul>
3	Permanent addition for D M Eagle	<ul style="list-style-type: none"> <li>• Board decision through an Accommodation Review (alternate to a replacement school).</li> </ul>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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**DATE:** May 18, 2021

**TO:** The Chairperson and Trustees of the  
Greater Essex County District School Board

**FROM:** E. Kelly  
Director of Education

S. Armstrong  
Superintendent of Business

T. Awender  
Superintendent of School Development and Design

**SUBJECT:** Approval of School Space Templates for four (4) Capital Priorities Business Cases

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**AIM:**

To seek Board approval for the School Space Templates for four Capital Priorities Business Cases as requested by the Ministry of Education (“the Ministry”) in memo “2021: B05 – Launch of 2020-21 Capital Priorities Program, including Child Care Capital Funding” dated March 24, 2021

**BACKGROUND:**

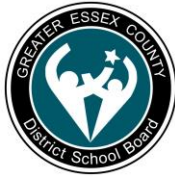
The Capital Priorities Program provides school boards with an opportunity to identify and address their most urgent pupil accommodation needs, in 5 categories:

- Accommodation pressures;
- Replacing schools in poor condition;
- Supporting past consolidation decisions;
- Providing facilities for French-language rights holders in under-served areas; and
- Creating child care spaces in schools.

School boards were invited to identify and address their ten most urgent pupil accommodation needs for Ministry funding consideration. The projects submitted are expected to be completed and open no later than the 2024-25 school year and must be ranked in priority.

The deadline for submission of the Capital Priorities Program projects to the Ministry is May 21, 2021.

Typically, as an initial first step in the capital planning process for any approved capital project, the Board is required to seek Ministry approval of a “School Space Template” for the project. This document details information about the types of spaces, along with proposed square footage of those spaces, for the new school. The purpose of the School Space Template is to ensure that the Board is designing and constructing the new school within Ministry Benchmarks for capacity and square footage.



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

The Board's Administrative Procedure AP-BA-35 - "*Facility Requirement Capital Planning*" requires Board approval of the school space template prior to submission to the Ministry. This ensures Board input into school programming.

The Ministry has undertaken a review of its Capital Accountability Process to identify opportunities to expedite responses to school boards and is taking an agile approach to implementing the various elements of the new process with a view to test, learn and adapt the processes to improve outcomes. Based on recommendations from the LEAN Review of the Capital Approval Process, school boards have the option to submit the school space template for Ministry approval as part of the Capital Priorities Program submissions, as it pertains only for new school build projects.

Administration is requesting Board approval for the submission of School Space Templates for four new school projects, in conjunction with the Ministry's 2021 Capital Priorities Program:

- New Replacement School for Forest Glade Public School and Forest Glade Primary Learning Centre;
- New Elementary School in South West Windsor;
- New Replacement School for Marlborough Public School;
- New Replacement School for Gosfield North Public School.

### SCHOOL SPACE TEMPLATE:

The template requires specified input by the Board, including the expected enrolment (On-the-Ground Capacity or "OTG"), the type and quantities of rooms, the square footage of each room and the "gross up added" which is additional square footage for hallways etc. The rooms that are loaded and contribute to the OTG must align with the approved capacity. The total square footage must align to the Ministry's allowable square footage for the approved capacity.

#### New Replacement School for Forest Glade Public School and Forest Glade Primary Learning Centre

The Capital Priorities Business Case is requesting a new replacement school with a capacity of 657 pupil places and a maximum square footage of 70,439 (6,544 sm). Based on those parameters, the school will be designed with the following:

Type of Room	Loading	Quantity	Total Size	Total Capacity
Kindergarten	26	6	7,200	156
Classroom	23	19	14,250	437
Art Room	23	1	1,050	23
Science Room	23	1	1,050	23
Special Education	9	2	2,400	18
Music Instrumental	0	1	1,200	0
Resource Area	0	4	1,400	0
Gymnasium	0	1	6,570	0
Library	0	1	3,000	0
<b>Total Capacity</b>				<b>657</b>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### New Elementary School in South West Windsor

The Capital Priorities Business Case is requesting a new school with a capacity of 536 pupil places and a maximum square footage of 58,556 (5,440 sm). Based on those parameters, the school will be designed with the following:

Type of Room	Loading	Quantity	Total Size	Total Capacity
Kindergarten	26	4	4,800	104
Classroom	23	16	12,000	368
Art Room	23	1	1,050	23
Science Room	23	1	1,050	23
Special Education	9	2	2,400	18
Music Instrumental	0	1	1,200	0
Resource Area	0	4	1,400	0
Gymnasium	0	1	5,500	0
Library	0	1	2,310	0
<b>Total Capacity</b>				<b>536</b>

### New Replacement School for Marlborough Public School

The Capital Priorities Business Case is requesting a new school with a capacity of 490 pupil places and a maximum square footage of 54,067 (5,023 sm). Based on those parameters, the school will be designed with the following:

Type of Room	Loading	Quantity	Total Size	Total Capacity
Kindergarten	26	4	4,800	104
Classroom	23	14	10,500	322
Art Room	23	1	1,050	23
Science Room	23	1	1,050	23
Special Education	9	2	2,400	18
Music Instrumental	0	1	1,200	0
Resource Area	0	3	1,050	0
Gymnasium	0	1	5,125	0
Library	0	1	2,000	0
<b>Total Capacity</b>				<b>490</b>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### New Replacement School for Gosfield North Public School

The Capital Priorities Business Case is requesting a new school with a capacity of 409 pupil places and a maximum square footage of 46,565 (4,326 sm). Based on those parameters, the school will be designed with the following:

Type of Room	Loading	Quantity	Total Size	Total Capacity
Kindergarten	26	3	3,600	78
Classroom	23	12	9,000	276
Art Room	23	1	1,050	23
Science Room	23	1	1,050	23
Special Education	9	1	1,200	9
Music Instrumental	0	1	1,200	0
Resource Area	0	2	700	0
Gymnasium	0	1	5,000	0
Library	0	1	2,208	0
<b>Total Capacity</b>				<b>409</b>

All special education rooms will be designed with some flexibility to ensure that they can accommodate changes in the population.

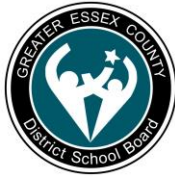
### RECOMMENDATION:

**THAT, SUBJECT TO APPROVAL BY THE MINISTRY OF EDUCATION, THE BOARD APPROVE THE SCHOOL SPACE TEMPLATES FOR THE FOUR (4) NEW SCHOOL CAPITAL PRIORITIES SUBMISSIONS FOR THE FOLLOWING:**

- **A NEW REPLACEMENT SCHOOL FOR FOREST GLADE PUBLIC SCHOOL AND FOREST GLADE PRIMARY LEARNING CENTRE;**
- **A NEW ELEMENTARY SCHOOL IN SOUTH WEST WINDSOR;**
- **A NEW REPLACEMENT SCHOOL FOR MARLBOROUGH PUBLIC SCHOOL; and**
- **A NEW REPLACEMENT SCHOOL FOR GOSFIELD NORTH PUBLIC SCHOOL.**

### Attachment:

New Forest Glade Replacement School Space Template  
New School in South Windsor School Space Template  
New Replacement for Marlborough School Space Template  
New Replacement for Gosfield North School Space Template



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### School Space Template New Replacement School for Forest Glade Public School and Forest Glade Primary Learning Center

Instructional Space Elementary (JK-8)	#	Size		Floor Area		Load	OTG
		m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>		
Kindergarten	6	111	1,200	669	7,200	26	156
Classroom	19	70	750	1,324	14,250	23	437
Art Room	1	98	1,050	98	1,050	23	23
Science Room	1	98	1,050	98	1,050	23	23
Music Vocal		-	-	-	-	23	-
Computer Laboratory		-	-	-	-	23	-
Technical/Vocational		-	-	-	-	23	-
Special Education Area	2	111	1,200	223	2,400	9	18
Resource Area - Loaded (400-699 sf)		-	-	-	-	12	-
Resource Area - Unloaded (<400 sf)	4	33	350	130	1,400	-	-
Musical Instrumental	1	111	1,200	111	1,200	-	-
Gymnasium Area and Stage	1	610	6,570	610	6,570		
Change Rooms	2	37	400	74	800		
Library	1	279	3,000	279	3,000		
General Purpose		-	-	-	-		
<b>Total GFA and OTG of Elementary Instructional Area</b>				<b>3,616</b>	<b>38,920</b>		<b>657</b>

Operational Areas	Per Pupil		Floor Area	
	m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>

General Office	149	1,600
Guidance Area	-	
Cooperative Education Office	-	
Staff Lounge	-	
Kitchen/Servery	20	210
Custodial Areas	104	1,117
Staff Room and Teacher Work Rooms	134	1,445
Meeting Room	21	230
Academic Storage	61	657
Washrooms	195	2,102
Gymnasium Storage	43	460
Mechanical Spaces	352	3,791

Total GFA of Operational Area	1,079	11,612
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Total Instructional Elementary (from above)	3,616	38,920
Total Instructional Secondary (from above)	-	-

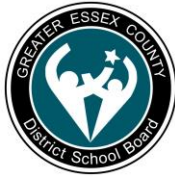


# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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Total Operational Area		1,079	11,612
Total Operational and Instructional		4,695	50,532
Gross Up Added	38%	1,784	19,202
<b>Gross Floor Area</b>		<b>6,479</b>	<b>69,734</b>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### School Space Template New School in South West Windsor

Instructional Space Elementary (JK-8)	#	Size		Floor Area		Load	OTG
		m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>		
Kindergarten	4	111	1,200	446	4,800	26	104
Classroom	16	70	750	1,115	12,000	23	368
Art Room	1	98	1,050	98	1,050	23	23
Science Room	1	98	1,050	98	1,050	23	23
Music Vocal		-	-	-	-	23	-
Computer Laboratory		-	-	-	-	23	-
Technical/Vocational		-	-	-	-	23	-
Special Education Area	2	111	1,200	223	2,400	9	18
Resource Area - Loaded (400-699 sf)		-	-	-	-	12	-
Resource Area - Unloaded (<400 sf)	4	33	350	130	1,400	-	-
Musical Instrumental	1	111	1,200	111	1,200	-	-
Gymnasium Area and Stage	1	511	5,500	511	5,500		
Change Rooms	2	37	400	74	800		
Library	1	215	2,310	215	2,310		
General Purpose		-	-	-	-		
<b>Total GFA and OTG of Elementary Instructional Area</b>				<b>3,020</b>	<b>32,510</b>		<b>536</b>

Operational Areas	Per Pupil		Floor Area	
	m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>

General Office	149	1,600
Guidance Area	-	
Cooperative Education Office	-	
Staff Lounge	-	
Kitchen/Servery	20	210
Custodial Areas	85	911
Staff Room and Teacher Work Rooms	110	1,179
Meeting Room	21	230
Academic Storage	50	536
Washrooms	159	1,715
Gymnasium Storage	43	460
Mechanical Spaces	287	3,093

Total GFA of Operational Area			923	9,934
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Total Instructional Elementary (from above)			3,020	32,510
Total Instructional Secondary (from above)			-	-



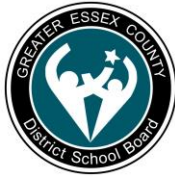


# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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Total Operational Area		923	9,934
Total Operational and Instructional		3,943	42,444
Gross Up Added	38%	1,498	16,129
<b>Gross Floor Area</b>		<b>5,442</b>	<b>58,573</b>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### School Space Template New Replacement School for Marlborough Public School

Instructional Space Elementary (JK-8)	#	Size		Floor Area		Load	OTG
		m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>		
Kindergarten	4	111	1,200	446	4,800	26	104
Classroom	14	70	750	975	10,500	23	322
Art Room	1	98	1,050	98	1,050	23	23
Science Room	1	98	1,050	98	1,050	23	23
Music Vocal		-	-	-	-	23	-
Computer Laboratory		-	-	-	-	23	-
Technical/Vocational		-	-	-	-	23	-
Special Education Area	2	111	1,200	223	2,400	9	18
Resource Area - Loaded (400-699 sf)		-	-	-	-	12	-
Resource Area - Unloaded (<400 sf)		-	-	-	-	-	-
Musical Instrumental	1	111	1,200	111	1,200	-	-
Gymnasium Area and Stage	1	527	5,675	527	5,675		
Change Rooms	2	37	400	74	800		
Library	1	232	2,500	232	2,500		
General Purpose		-	-	-	-		
<b>Total GFA and OTG of Elementary Instructional Area</b>				<b>2,785</b>	<b>29,975</b>		<b>490</b>

Operational Areas	Per Pupil		Floor Area	
	m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>

General Office	141	1,519
Guidance Area	-	
Cooperative Education Office	-	
Staff Lounge	-	
Kitchen/Servery	20	210
Custodial Areas	77	833
Staff Room and Teacher Work Rooms	100	1,078
Meeting Room	21	230
Academic Storage	46	490
Washrooms	146	1,568
Gymnasium Storage	43	460
Mechanical Spaces	264	2,837

Total GFA of Operational Area	857	9,225
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Total Instructional Elementary (from above)	2,785	29,975
Total Instructional Secondary (from above)	-	-

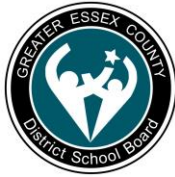


# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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Total Operational Area		857	9,225
Total Operational and Instructional		3,642	39,200
Gross Up Added	38%	1,384	14,896
<b>Gross Floor Area</b>		<b>5,026</b>	<b>54,096</b>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

### School Space Template New Replacement School for Gosfield North Public School

Instructional Space Elementary (JK-8)	#	Size		Floor Area		Load	OTG
		m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>		
Kindergarten	3	111	1,200	334	3,600	26	78
Classroom	12	70	750	836	9,000	23	276
Art Room	1	98	1,050	98	1,050	23	23
Science Room	1	98	1,050	98	1,050	23	23
Music Vocal		-	-	-	-	23	-
Computer Laboratory		-	-	-	-	23	-
Technical/Vocational		-	-	-	-	23	-
Special Education Area	1	111	1,200	111	1,200	9	9
Resource Area - Loaded (400-699 sf)		-	-	-	-	12	-
Resource Area - Unloaded (<400 sf)	2	33	350	65	700	-	-
Musical Instrumental	1	111	1,200	111	1,200	-	-
Gymnasium Area and Stage	1	465	5,000	465	5,000		
Change Rooms	2	37	400	74	800		
Library	1	205	2,208	205	2,208		
General Purpose		-	-	-	-		
<b>Total GFA and OTG of Elementary Instructional Area</b>				<b>2,398</b>	<b>25,808</b>		<b>409</b>

Operational Areas	#	Per Pupil		Floor Area	
		m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>

General Office		118		1,268	
Guidance Area		-			
Cooperative Education Office		-			
Staff Lounge		-			
Kitchen/Servery		20		210	
Custodial Areas		65		695	
Staff Room and Teacher Work Rooms		84		900	
Meeting Room		21		230	
Academic Storage		38		409	
Washrooms		122		1,309	
Gymnasium Storage		43		460	
Mechanical Spaces		219		2,360	

Total GFA of Operational Area				728	7,841
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Total Instructional Elementary (from above)				2,398	25,808
Total Instructional Secondary (from above)				-	-

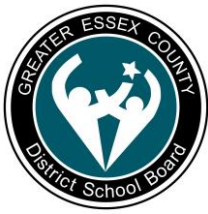


# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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Total Operational Area		728	7,841
Total Operational and Instructional		3,126	33,649
Gross Up Added	38%	1,188	12,787
<b>Gross Floor Area</b>		<b>4,314</b>	<b>46,436</b>



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD MEMORANDUM

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**TO:** CHAIRPERSON AND MEMBERS OF THE BOARD

**FROM:** Jeff Hillman, Superintendent of Education,  
Erin Kelly, Director of Education

**SUBJECT:** School Year Calendar 2021 - 2022

**DATE:** May 18, 2021

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Please find attached a copy of the final draft of the 2021 – 2022 School Year Calendar for the schools in the Greater Essex County District School Board.

In the development of the School Year Calendar, consideration has been given to:

- consultation with the coterminous boards;
- the requirement that, whenever possible, all partner boards in our transportation consortium have a common calendar to minimize additional busing costs;
- the requirement that, whenever possible, the elementary and secondary panels have a common calendar to minimize additional busing costs;
- consideration of significant religious and cultural holidays; and
- consultation within the Greater Essex County DSB, e.g. local union presidents.

The 2021 – 2022 School Year Calendar reflects these considerations.

## **Recommendation**

**THAT THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD APPROVE THE SCHOOL YEAR CALENDARS FOR 2021 – 2022 AS SUBMITTED BY THE SCHOOLS UNDER ITS JURISDICTION.**

Enclosures

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## **Background Information**

School year calendars are completed in accordance with the Education Act - Regulation 304, School Year Calendar, and Policy/Program Memoranda 151, Professional Activity Days. The Ministry provides a calendar template that outlines school start dates, statutory holidays, holiday breaks (Christmas and March), and school year end. Boards who choose to make changes to this Ministry template must follow a 'Modified Calendar' approval process. The proposed 2021 – 2022 GECDsB school year calendars are 'Regular Calendars' that follow the Ministry template.

School boards have flexibility in the placement of Professional Activity Days within the Ministry calendar template. Placement of these days is influenced by PPM 151, for example what learning must take place prior to student start up, as well as the collective agreements of elementary and secondary staff. Contractual obligations can include both the content (e.g. Health and Safety training) and placement (e.g. Assessment Days connected to Report Card submission deadlines) of Professional Activity Days.

Calendar planning takes place with our coterminous boards to create consistency in calendars across districts to maximize efficiency within our transportation consortium. Reducing the number of days where one board has a PA Day, but others don't, creates significant savings to all boards. The proposed 2021 – 2022 GECDsB school year calendars have 100% alignment with our coterminous boards.

Secondary school student schedules in the proposed 2021 – 2022 GECDsB school year calendars are presented in a semestered format. We are planning for both semestered and quadmestered scenarios. Please note, that this scheduling decision does not impact the approved school year calendar as it does not change the school year start and end dates, nor the placement of holidays and Professional Activity Days.



The 2021-2022 calendar provides for 196 possible school days between September 1st, 2021 and June 30th, 2022. The school year shall include a minimum of 194 school days of which three must be designated as professional activity days with respect to specific provincial education priorities as outlined in the Policy/Program Memoranda 151 and up to four extra days may be designated by the board as professional activity days. The remaining school days shall be instructional days. The boards may designate up to ten instructional days as examination days.

### **September 2021**

- Monday, September 6 is Labour Day. All schools are closed.
- There are 21 instructional days between Wednesday, September 1 and Thursday, September 30.

### **October 2021**

- Monday, October 11 is Thanksgiving Day. All schools are closed.
- There are 20 instructional days between Friday, October 1 and Friday, October 29.

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## **November 2021**

- There are no school holidays in November.
- There are 22 instructional days between Monday, November 1 and Tuesday, November 30.

## **December 2021**

- The Christmas vacation is from December 20 to December 31. All schools are closed.
- There are 13 instructional days between Wednesday, December 1 and Friday, December 17.

## **January 2022**

- There are no school holidays in January.
- There are 21 instructional days between Monday, January 3 and Monday, January 31.

## **February 2022**

- Monday, February 21 is Family Day. All schools are closed.
- There are 19 instructional days between Tuesday, February 1 and Monday, February 28.

## **March 2022**

- The March break is from Monday, March 14 to Friday, March 18. All schools are closed.
- There are 18 instructional days between Tuesday, March 1 and Thursday, March 31.

## **April 2022**

- Friday, April 16 is Easter Friday. Monday, April 19th is Easter Monday. All schools are closed.
- There are 19 instructional days between Friday, April 1 and Friday, April 29.

## **May 2022**

- Monday, May 23 is Victoria Day. All schools are closed.
- There are 21 instructional days between Monday, May 2 and Tuesday, May 31.

## **June 2022**

- There are no school holidays in June.
- There are 22 instructional days between Wednesday, June 1 and Thursday, June 30.





# GECDSB School Year Calendar 2021-2022: ELEMENTARY STUDENTS

Month	Number of Instructional Days	Number of PA Days	1 <sup>st</sup> Week					2 <sup>nd</sup> Week					3 <sup>rd</sup> Week					4 <sup>th</sup> Week					5 <sup>th</sup> Week				
			M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
September 2021	18	2			1 PE	2 PE	3 B	6 H	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	
October 2021	20	0					1	4	5	6	7	8	11 H	12	13	14	15	18	19	20	21	22	25	26	27	28	29
November 2021	21	1	1	2	3	4	5	8	9	10	11	12 PE	15	16	17	18	19	22	23	24	25	26	29	30			
December 2021	13	0			1	2	3	6	7	8	9	10	13	14	15	16	17	20 B	21 B	22 B	23 B	24 B	27 H	28 H	29 B	30 B	31 B
January 2022	20	1	3	4	5	6	7	10	11	12	13	14 PE	17	18	19	20	21	24	25	26	27	28	31				
February 2022	18	1		1	2	3	4	7	8	9	10	11	14	15	16	17	18 PE	21 H	22	23	24	25	28				
March 2022	18	0		1	2	3	4	7	8	9	10	11	14 B	15 B	16 B	17 B	18 B	21	22	23	24	25	28	29	30	31	
April 2022	19	0					1	4	5	6	7	8	11	12	13	14	15 H	18 H	19	20	21	22	25	26	27	28	29
May 2022	21	0	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23 H	24	25	26	27	30	31			
June 2022	19	2			1	2	3	6	7	8	9	10 PE	13	14	15	16	17	20	21	22	23	24	27	28	29 PE	30	
<b>TOTAL</b>	<b>187</b>	<b>7</b>	<b>H: Statutory Holiday</b> <b>PE: Professional Activity Day</b> <b>B: Board Designated Holiday</b>																								

# GECDSB School Year Calendar 2021-2022: SECONDARY STUDENTS



Month	Number of Instructional Days	Number of PA Days	Number of Scheduled Exam Days	1 <sup>st</sup> Week					2 <sup>nd</sup> Week					3 <sup>rd</sup> Week					4 <sup>th</sup> Week					5 <sup>th</sup> Week				
				M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
September 2021	18	2	0			1 PS	2 PS	3 B	6 H	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	
October 2021	20	0	0					1	4	5	6	7	8	11 H	12	13	14	15	18	19	20	21	22	25	26	27	28	29
November 2021	21	1	0	1	2	3	4	5	8	9	10	11	12 PS	15	16	17	18	19	22	23	24	25	26	29	30			
December 2021	13	0	0			1	2	3	6	7	8	9	10	13	14	15	16	17	20 B	21 B	22 B	23 B	24 B	27 H	28 H	29 B	30 B	31 B
January 2022	21	0	4	3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26 E	27 E	28 E	31 E				
February 2022	17	2	1		1 E	2 PS	3	4	7	8	9	10	11	14	15	16	17	18 PS	21 H	22	23	24	25	28				
March 2022	18	0	0		1	2	3	4	7	8	9	10	11	14 B	15 B	16 B	17 B	18 B	21	22	23	24	25	28	29	30	31	
April 2022	18	1	0					1	4	5	6	7	8	11	12	13	14	15 H	18 H	19	20	21	22	25	26	27	28	29 PS
May 2022	21	0	0	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23 H	24	25	26	27	30	31			
June 2022	20	1	5			1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22 E	23 E	24 E	27 E	28 E	29 PS	30	
<b>TOTAL</b>	<b>187</b>	<b>7</b>	<b>10</b>	<b>H: Statutory Holiday</b> <b>B: Board Designated Holiday</b> <b>PS: Professional Activity Day</b> <i>Drat: 2021 05 04</i>																								



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD MEMORANDUM

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**TO: THE CHAIRPERSON AND MEMBERS OF THE BOARD**

**FROM: ERIN KELLY, DIRECTOR OF EDUCATION  
TODD AWENDER, SUPERINTENDENT OF EDUCATION**

**SUBJECT: SCHOOL NAMING COMMITTEE FOR THE NEW SCHOOL IN FOREST GLADE**

**DATE: MAY 18, 2021**

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**Background:**

A Naming Committee must be established (R-PL-01) to provide suggestions of permanent names for the new school in Forest Glade – budget and design approved December 10, 2019.

In accordance with the Policy and Regulation, “Naming and Renaming of Board Facilities” the Board of Trustees and the Director of Education determine the committee.

Communication was shared within the school community and with the general public soliciting applications for the naming committee.

Each committee shall consist of, but not limited to:

- Two members of the Board of Trustees including the area Trustee(s) whenever possible, appointed by the Board (one shall act as Chair)
- The Director of Education
- One school administrator or manager
- Two staff members
- Two school council members from each school involved
- Two student representatives (elementary student accompanied by parent/guardian)
- Two community representatives who are public school supporters
- The Superintendent of School Development and Design
- The area Superintendent
- The Public Relations Officer (non-voting member and advisor to the committee)

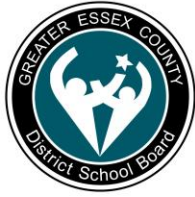
It is determined that the committee is to be comprised as follows:

- Gale Hatfield and Cathy Cooke, Area Trustees
- Erin Kelly, Director of Education
- Tracey Rilett and Nick Arundine, Principals and Blake Vickers, Vice Principal
- Christine Trudell-Conklin, Fiona Debono, Beth Adlam, Felicca Campbell, School Council Members
- Rebekah Lemon, Alaa Ebrahim, Alex Neopaney, Pratikshva Sigdel, Student Representatives
- Mario Spagnuolo, Community Representative
- Anita Adamo, Stacey Uttley, Sandra Peters, Jason James, Staff Representatives
- Todd Awender, Superintendent of School Development and Design
- Jeff Hillman, Area Superintendent
- Scott Scantlebury, Public Relations Officer

**RECOMMENDATION:**

**THAT THE BOARD APPROVE THE APPOINTMENT OF THE MEMBERS FOR THE NEW SCHOOL IN FOREST GLADE NAMING COMMITTEE.**

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# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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**DATE:** May 18, 2021

**TO:** The Chairperson and Trustees of the  
Greater Essex County District School Board

**FROM:** E. Kelly  
Director of Education

S. Armstrong  
Superintendent of Business

S. Maheux  
Manager of Financial Services

**SUBJECT:** Short Term Financing of Capital Projects

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**AIM:**

To gain Board approval for a by-law authorizing the short-term borrowing of \$20,000,000 from the Royal Bank of Canada for the period July 1, 2021 to June 30, 2022 at the prevailing Bankers Acceptance Rate plus 50 basis points.

**BACKGROUND:**

Short-term interest costs on approved capital projects are funded by the Ministry of Education. This borrowing is due to the construction costs related to a new Kingsville K-12, a new Legacy Oak Trail Public School, a new James L Dunn Public School, a new Dual Campus High School in Amherstburg, a new school consolidation of Eastwood Public School and Parkview Public School, new North Shore French Immersion Public School, new COVID-19 Resilience Infrastructure Stream, School Condition Improvement projects, child care retrofits and additions, and Full-Day Kindergarten capital costs that have not yet been funded.

Short-term borrowing may be required until the costs can be financed through the Ministry of Education. The Board's current short-term financing arrangement expires June 30, 2021.

**RECOMMENDATION:**

**THAT THE BOARD APPROVE THE ATTACHED BORROWING BY-LAW #38.**

Attachment

**Greater Essex County District School Board**  
**Borrowing By-Law # 38**

Under the provisions of Board Policy BA-2, Borrowing and Investing of Funds, the undersigned is authorized to make provisions for temporary financing for the following capital projects – a new Kingsville K-12, a new Legacy Oak Trail Public School, a new James L Dunn Public School, a new Dual Campus High School in Amherstburg, a new school consolidation of Eastwood Public School and Parkview Public School, new North Shore French Immersion Public School, new COVID-19 Resilience Infrastructure Stream, School Condition Improvement projects, child care retrofits and additions, and Full-Day Kindergarten capital expenditures, in the amount of \$20,000,000, interest rate of prevailing Bankers Acceptance plus 50 basis points.

WHEREAS, the Greater Essex County District School Board in the Province of Ontario (herein called “the Board”), deems it necessary to borrow the sum of \$20,000,000 to temporarily finance capital expenditures for a new Kingsville K-12, a new Legacy Oak Trail Public School, a new James L Dunn Public School, a new Dual Campus High School in Amherstburg, a new school consolidation of Eastwood Public School and Parkview Public School, new North Shore French Immersion Public School, new COVID-19 Resilience Infrastructure Stream, School Condition Improvement projects, child care retrofits and additions, and Full-Day Kindergarten capital expenditures until such a time as permanent financing is provided by the Ministry of Education.

AND WHEREAS, the amount authorized to be borrowed by this agreement together with any borrowings heretofore made by the Board under Section 243 of the Education Act that have not been repaid does not exceed the amount of the estimated current revenues (excluding such revenues derivable or derived from the sale of assets, current borrowings or issues of debentures or from a surplus including arrears of taxes and proceeds from the sale of assets or revenues from education development charges) of the Board as set forth in the estimates for the year 2021-2022 less the amount of the current revenue for the current year already received or collected.

THEREFORE:

1. For the purposes aforesaid the Board borrow from ROYAL BANK OF CANADA (herein called “the Bank”) the sum of \$20,000,000 by way of Bankers Acceptance loans or other banking facilities with borrowings under this facility payable by the Board not later than June 30, 2022, and bearing interest at the rate of prevailing Bankers Acceptance rates plus 50 basis points, as well after as before maturity, default and judgment, with interest on overdue interest at the same rate as the principal.
2. The Treasurer of the Board, together with the Chairperson of the Board or Vice-Chairperson of the Board be and are authorized and empowered for and on behalf of the Board to sign such promissory notes as may be necessary and to affix thereto the Board’s corporate seal;
3. The Treasurer of the Board is authorized and directed to apply in the payment of all or any sums borrowed as aforesaid, together with interest thereon, all or any of

the current revenues (as hereinbefore defined) of the Board collected or received by the Board and all or any monies which may lawfully be applied for such purpose;

4. The Treasurer of the Board is authorized and directed to furnish to the Bank at the time any amount is borrowed under this agreement a statement showing the amount of the estimated revenues of the current year not yet collected, or where the estimates for the current year have not been adopted, a statement showing the estimated revenues of the Board as set forth in the estimates adopted for the next preceding year and the amount of the revenues of the current year already collected, and also showing the total of any amounts borrowed under Section 243 of the Education Act in the current year that have not been repaid; and
5. The Bank shall not be bound to establish the necessity of the borrowings authorized by this agreement of their application for the purposes aforesaid and may rely on a certified copy of this agreement as proof that the borrowing is validly authorized and on any statement furnished by the Treasurer of the Board under paragraph 4 of this agreement as proof of the facts stated therein.

As witness the corporate seal of the Board this \_\_\_\_\_(date).

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Erin Kelly  
Director

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Alicia Higgison  
Chairperson of the Board



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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**DATE:** May 18, 2021

**TO:** The Chairperson and Trustees of the Greater Essex County District School Board

**FROM:** E. Kelly  
Director of Education

V. Houston  
Superintendent of Human Resources

**SUBJECT:** Employee Conflict of Interest Policy and Regulation HR-08

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**AIM:**

To gain Board approval for the Policy and Regulation Employee Conflict of Interest HR 08

**BACKGROUND:**

Legal counsel has been consulted regarding the potential change of the word “adopted” to “dependent”. They have advised that the word “adopted” remain as is. A change to the word “dependent” has implications.

**RECOMMENDATION:**

**THAT THE BOARD APPROVE POLICY EMPLOYEE CONFLICT OF INTEREST P-HR-08 AS PRESENTED; and  
THAT THE BOARD APPROVE REGULATION EMPLOYEE CONFLICT OF INTEREST R-HR-08 AS PRESENTED.**

Attachment

- Policy: Employee Conflict of Interest P-HR-08
- Regulation: Employee Conflict of Interest R-HR-08



**POLICY: EMPLOYEE CONFLICT OF INTEREST**

REFERENCE NO: P-HR-08

**PURPOSE**

This policy is intended to establish parameters and guidelines for employees regarding potential or actual conflict of interest situations. This policy is to be read in conjunction with the Employee Conflict of Interest Regulation.

**SCOPE**

This Policy and the corresponding Employee Conflict of Interest Regulation applies to all full-time, part-time, contract, term, regular and casual employees of the Greater Essex County District School Board (the "Board").

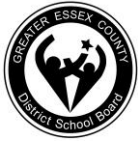
**POLICY STATEMENT**

The employees of the Greater Essex County District School Board occupy positions of great public trust and confidence. They are expected to discharge their duties and responsibilities professionally, efficiently and impartially.

The onus is on each employee to anticipate and to avoid conflicts of interest. It is important to avoid situations of real conflicts of interest but also to avoid being placed in the position that could be perceived by others as being in conflict with the Board's interests.

Employees must take all reasonable steps to ensure that their private and personal interests do not conflict or appear to conflict with their duties and responsibilities with the Board. Every employee has an obligation to promptly disclose any actual, potential, or perceived conflicts of interest to their principal or manager and to abide by all directions given by the Board to resolve any actual or perceived conflicts of interest.





**REGULATION: EMPLOYEE CONFLICT OF INTEREST**

REFERENCE NO: R-HR-08

**SCOPE**

This Regulation and the corresponding Employee Conflict of Interest Policy applies to all full-time, part-time, contract, term, regular and casual employees of the Greater Essex County District School Board (the "Board").

**DEFINITIONS:**

**Employee** refers to all persons who are currently engaged in active employment with the Greater Essex County District School Board, regardless of employment status (e.g. full-time, part-time, regular, casual, term, contract).

**Conflict of Interest** (financial) is defined as any direct or indirect interest in, connection with, or benefit from, outside activities, especially business activities in which involvement might adversely affect the Board or benefit the employee directly or indirectly as a result of the employee's position or connection with the Board. Employees must remain free of any such obligation, interest or distraction that may adversely affect or interfere with the employee's judgment and/or objectivity in the performance of duty as an employee of the Board.

**Conflict of Interest** (hiring, promotion, and supervision projects) is defined as a situation where there may be the perception of impaired judgement between a person in authority or influence over such practices and another person due to a familial or other relationship.

**Conflict of Interest** is any situation where an employee's personal or financial interests (or the employee's family or close business associates) may be incompatible or in conflict with the interests, priorities, or mission of the Board or where there is a reasonable basis for the perception of such conflict. A Conflict of Interest also includes a situation in which access to or quality of service rendered by an employee is affected by any form of favouritism or special arrangement between an employee and another party, including a student or the student's family.

**Family member** ~~shall have the same meaning for financial conflict of interest as discussed in the Municipal Conflict of Interest Act, and~~ includes a spouse (including 'common law' spouse, and same-sex partners), parent, guardian, and child (including an adopted child and a child for whom the employee has demonstrated a settled intention to treat as a child of ~~his/her~~ **their** family).

**Any Family member** shall be defined to include family member as outlined above as well as any relative not mentioned above, ~~where there may be perception of impaired judgement due to the relationship (eg including but not limited to a brother, sister, niece/nephew, aunt/uncle, grandparent ,or other family member with whom the employee has a direct relationship).~~

**GENERAL PRINCIPLES**

1. No employee or family member shall have a controlling interest, direct or indirect, in any supplier of the Board that might:

Policy: HR-08

Administrative Procedure: HR-AP-14

Page 1 of 4

Effective Date: 2005 01 09

Last Revision Date:

Review Date: 2020 02 25

Next Review Year: 2025 02 25

- a) produce personal or pecuniary gain for an employee at the expense of the Board;
- b) detract from the time and energy which such employee ought to devote to ~~his or her~~ **their** duties on behalf of the Board;
- c) ~~cause embarrassment to the Board~~ negatively impact the reputation of the Board; or,
- d) leave the employee open to pressure that might affect the interest of the Board.

2. The following legislation or professional standards govern the conduct of the employees of the Board:

- The Education Act, 1998, Section 217: applicable to all Board employees (see Appendix A)
- Policy of the Ontario Teachers' Federation, Section III, Professional Ethics: applicable to all members of the Teachers' Federations.

3. Employees who fail to comply with the terms of the Conflict of Interest Policy and this Regulation may be subject to disciplinary action up to and including discharge.

### Employee Responsibilities

21. It is imperative that eEmployees must always be seen as actingact in the best interests of the public they serve, and ensure they do not compromise themselves in the discharge of their duties by soliciting, accepting, or offering to accept, directly or indirectly, any benefit. "Benefit" includes but is not limited to gifts, rewards, coupons, bonuses, incentives, remuneration, compensation, favours (which exceed the bounds of normal social courtesies) for personal or private-pecuniary gain. In addition, anyaddition, any benefit occurring from or resulting from student purchases promoted by an employee -staff member and/or in which a staff member an employee acted in any capacity as agent or otherwise are the exclusive property of the Board and must be used for school purposes.

2. No staff memberemployee shall use their position, Board or theresources of the Board(including, but not limited to, the Board's equipment, facilities, time, technology, learning platforms and e-mail system) or Board relationships for personal or private-pecuniary gain for themselves or any family member. An exception is made for teachers who chaperone field trips and have trip costs paid by others, which is allowed. Specifically, the following legislation or professional standards govern the conduct of the employees of the Board:

The Education Act, 1998, Section 217: applicable to all Board employees (see Appendix A)

Policy of the Ontario Teachers' Federation, Section III, Professional Ethics: applicable to all members of the Teachers' Federations.

3. In extension of the foregoing, it is the policy of the Greater Essex County District School Board that no employee or family memberEmployees shall not accept any gift, reward, benefit or favour that could reasonably be construed as an incentive to encourage the for the recipient employee to use his or her their position to influence with pupils, parents, guardians, staff or other persons associated with the Board, for the purpose of: to patronize a business or to provide preferential treatment for another individual, organization, or business.

Employees may accept incidental gifts, customary hospitality, or other benefits of nominal value that are considered a common expression of social courtesy and that do not cause suspicion about their objectivity and impartiality.

- a) patronizing any commercial enterprise;
- b) obtaining preferential treatment for persons, agents or organizations in their dealings with the Board, including suppliers, consultants and contractors.

4. Employees should ensure that they do not place themselves in a position where their working relationships are affected by personal or financial interests or family relationships. Employees shall not, in carrying out their duties with the Board, give preferential treatment to any family members, personal friends, or to organizations in which the employee's relatives or friends have an interest, financial or otherwise.
5. Employees shall not, without the written consent of the Board, engage in outside work (whether voluntary or for payment) that interferes with the performance of their duties with the Board or that otherwise gives rise to an actual or perceived conflict of interest. Employees must disclose all outside work with the potential to cause a conflict of interest.
6. Employees are responsible for identifying and disclosing a possible or real conflict of interest to their principals, managers, or supervisors.

### Board Responsibilities

1. The Board is responsible for overseeing compliance with this policy, and supporting principals, managers, and supervisors in its implementation.
2. The ~~Greater Essex County District School~~ Board will be judicious in hiring and placing employees in the various locations.
3. The Board will ensure that all employees are aware of this policy and that this policy is made available to all Board employees.

### Employment of Family Members

51. It is the expectation that family members should not report directly to another family member. Family members in this instance extends to "any" family member as defined above.
2. Employees are not permitted to manage or supervise family members in situations where a reporting relationship exists and where the superior has influence, input, or decision-making power over the family member.

## APPENDIX A

### SECTION 217, THE EDUCATION ACT

1. **Promotion or sale of books, etc., by employees of board or Ministry to board, pupil, etc., prohibited** – No teacher, supervisory officer or other employees of a board or of the Ministry shall, for compensation of any kind other than ~~his or her~~ **their** salary as such employee, promote, offer for sale or sell, directly or indirectly, any book or other teaching or learning materials, equipment, furniture, stationery or other article to any board, provincial school or teachers' college, or to any pupil enrolled therein.
2. **Exception for authors** – Subsection (1) does not apply to a teacher, supervisory officer or any other employee in respect of a book or other teaching or learning materials of which ~~he or she is~~ **they are** an author where the only compensation that ~~he or she~~ **they** receives in respect thereof is a fee or royalty thereon.

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3. **Employment of employee of board or Ministry to promote sale of books, etc., to board, pupil, etc., prohibited** – No person or organization or agent thereof shall employ a teacher, supervisory officer or other employee of a board or of the Ministry to promote, offer for sale or sell, directly or indirectly, any book or other teaching or learning materials, equipment, furniture, stationery or other article to any board, provincial school or teachers' college, or to any pupil enrolled therein, or shall, directly or indirectly, give or pay compensation to any such teacher, supervisory officer or employee for such purpose.
  4. **Penalty** – Every person who contravenes any provision of subsection (1) or (3) is guilty of an offence and on conviction is liable to a fine or not more than \$1,000.

DRAFT



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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**DATE:** May 18, 2021

**TO:** The Chairperson and Trustees of the Greater Essex County District School Board

**FROM:** E. Kelly  
Director of Education

S. Armstrong  
Superintendent of Business

**SUBJECT:** Updated Policy and Regulation BA-01, Procurement

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**AIM:**

To gain Board approval for the Policy and Regulation (P/R-BA-01), Procurement.

**BACKGROUND:**

The Regulation reflects several changes as outlined below:

- Revisions to reflect the requirements under the Canada Free Trade Agreement ("CFTA") and the Canada-European Union Comprehensive Economic and Trade Agreement ("CETA"), which replace the procurement provisions of the Agreement on Internal Trade. The revisions were reviewed by legal counsel specializing in procurement.
- Revisions to reflect the implementation of Sparkrock as the Board's financial reporting system;
- Revisions to reflect changes in internal processes for a paperless purchasing system, supporting the Board's strategic priority related to environmental stewardship.

Minor wording changes within the body of the Policy and Regulation are also recommended to improve the flow of the documents.

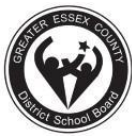
The Board's Policy Committee has reviewed the Policy and Regulation.

**RECOMMENDATION:**

**THAT THE BOARD APPROVE POLICY P-BA-01 PROCUREMENT AS PRESENTED; and**  
**THAT THE BOARD APPROVE REGULATION R-BA-01 PROCUREMENT AS PRESENTED.**

Attachment

- Policy
- Regulation



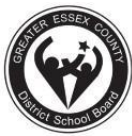
## Policy: Procurement

Reference No: P-BA-01

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It is the policy of the Greater Essex County District School Board (“Board”) to procure equipment, supplies and goods, services and construction necessary for the operation of schools and other offices in an environmentally responsible, efficient and cost-effective manner.

This policy, and related regulation and administrative procedure, applies to all staff involved in supply chain-related activities at the Board and governs how the Board conducts sourcing, contracting and purchasing activities.



## Regulation: Procurement

Reference No: R-BA-01

### 1. GENERAL

#### 1.1 OBJECTIVE

The Purchasing Department is a centralized service department whose main responsibility is the procurement of material, equipment, supplies and services, required by the Board.

The procurement of all goods and services is to be in compliance with this Policy, Regulation, Purchasing/Procurement Administrative Procedure AP-BA-12, the Expenses (Staff) Policy (P-BA-15), Regulation (R-BA-15) and Administrative Procedure (AP-BA-14) and the Hospitality Policy (P-BA-26), Regulation (R-BA-26) and Administrative Procedure (AP-BA-25).

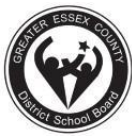
#### 1.2 APPROVAL AUTHORITY SCHEDULE (“AAS”) FOR PROCUREMENT OF GOODS AND SERVICES

1.2.1 Commitment Approval Authority Schedule for Goods and Non-Consulting Services (i.e. the person authorized to commit the organization to a purchase).

Designated employees from each school/department have access to ~~BAS~~ electronic purchase requisition function in Sparkrock Employee Centre. Each school/department has an assigned administrator(s) who reviews and approves the requisition before it is electronically forwarded to the Purchasing Department.

All procurement of goods and non-consulting services must be approved, prior to commencement, by an appropriate authority in accordance with the AAS below. Any non-competitive procurement of goods or non-consulting services must be approved, prior to commencement, by an authority one level higher than the AAS requirements for competitive procurement.

Functional Role	Who	Total Amount
Requisition input in <del>BAS</del> <u>Sparkrock Employee Centre</u>	Designated staff at each school/department	Requests are electronically forwarded to school <u>Principal</u> or department administrator for approval
Requisition approval	<del>BAS</del> Administrator or Designate – responsible for the budget within certain accounts	Within approved budget



## Regulation: Procurement

Reference No: R-BA-01

### 1.2.2 Commitment Approval Authority Schedule for Consulting Services

Prior to commencement, any procurement of consulting services must be approved in accordance with the AAS below.

Procurement Method	Procurement Value	Approval Authority
Invitational Competitive	\$0 to \$99,999	AAS as noted in 1.2.1
Open Competitive	Any value	AAS as noted in 1.2.1
Non-competitive (Exemption-based only)	\$0 to \$999,999	Director or Delegate
Non-competitive (Exemption-based only)	\$1,000,000 or more	Board of Trustees

### 1.2.3 Signing Authority – Procurement Documents.

As per the Board Governance By-Laws, Appendix 1.

## 1.3 LIMITATIONS

The Purchasing Department is not responsible for the purchase of real estate, insurance, negotiating leases for real estate or permanent buildings or those services that are exempt from the procurement provisions of the [Agreement on Internal Trade- Canadian Free Trade Agreement \(“CFTA”\)](#), [The Canada-European Union Comprehensive Economic and Trade Agreement \(“CETA”\)](#) and the *Trade and Cooperation Agreement between Quebec and Ontario*. Documentation is required to support and justify an exemption.

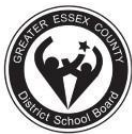
## 1.4 ETHICS AND CONFLICT OF INTEREST

The Employee Conflict of Interest Policy (HR-08) of the Greater Essex County District School Board (“Board”) along with this policy and regulation shall govern the rules and ethics to be practiced by any individual involved in purchasing or other supply chain-related activities such as planning, contracting, logistics and/or payment.

### **Personal Integrity and Professionalism**

All individuals involved with purchasing or other supply chain-related activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all supply chain activities within and between organizations, suppliers





## Regulation: Procurement

Reference No: R-BA-01

and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. All participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products. Board employees will not accept any gratuities, favours, direct or indirect payment that exceeds the bounds of normal social courtesies.

### **Accountability and Transparency**

Supply chain activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public money. All participants must ensure that public sector resources are used in a responsible, efficient and effective manner.

### **Compliance and Continuous Improvement**

All individuals involved in purchasing or other supply chain-related activities must comply with this Code of Ethics and the laws of Canada and Ontario. All individuals should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels, and to share leading practices.

The Board must consider any conflict of interest during procurement activities applicable to all employees, advisors, external consultants or suppliers. The Board requires any individual involved in supply chain-related activities to declare all actual or potential conflicts of interest. Where a conflict arises, it must be ~~evaluated~~devaluated, and an appropriate mitigating action taken as required.

All Purchase Order terms and conditions will contain the following statement. "The Education Act prohibits ~~any~~employees of a District School Board ("DSB") or Ministry of Education from selling any article to any DSB~~Board of Education~~".

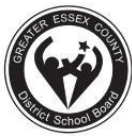
### **~~1.5~~ PERSONAL PURCHASES**

Under no circumstances shall employees make personal purchases in the name of the Greater Essex County District School Board.

Purchases shall not be delivered to the home address of the employee but must be delivered to a board location / address.

### **~~1.6~~ 1.5 UNAUTHORIZED PURCHASES**

Purchases made in the name of the Greater Essex County District School Board outside of the guidelines of this policy will be considered an obligation of the person making the purchase



## Regulation: Procurement

Reference No: R-BA-01

and not an obligation of the Board.

### 1-71.6 ENVIRONMENT

As far as practicable and financially feasible, all acquisitions of goods and services will be considered ~~in light of~~ with a goal to lessen any environmental impact. Products that have a high level of post-consumer recycled materials and that have the least harmful effect on the environment without significantly affecting the intended use of the product or service will be given priority.

All purchases for electrical equipment must be Canadian Standards Association (CSA) approved. CSA ensures products are tested for compliance with minimum energy efficiency levels.

### 1-81.7 TENDERED SUPPLIER

The Purchasing Department in consultation with other departments and/or school administrators will review the purchasing of all goods and services to determine whether or not it is in the best interest of the Board to tender goods and/or services that are not currently tendered. All tendered items shall be purchased from the tendered supplier.

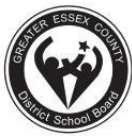
## 2. REGULATIONS

### 2.1 QUOTATIONS, TENDERS and REQUESTS FOR PROPOSALS

When determining the value of the good and/or service, the requisitioner, in collaboration with the Purchasing Department, shall consider the total value of the requirement, including anticipated changes, option years, etc., and include this information in the request for quote (RFQ), tender and/or request for proposal (RFP).

2.1.1 Goods, Non-Consulting Services and Construction: RFQs, tenders and RFPs shall be obtained as follows:

- i. \$0 to \$2,999 - Miscellaneous goods or non-consulting services to a value of \$2,999 may be purchased at the discretion of the requisitioner in accordance within the limitations defined in administrative procedure AP-BA-12.
- ii. \$3,000 to \$9,999 – Requires at least two (2) written quotes solicited and a purchase order issued in advance of obtaining the required goods or non-consulting services where possible/feasible as determined by and at the discretion of the Purchasing Department, except the Facility Services

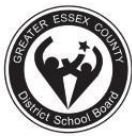


## Regulation: Procurement

Reference No: R-BA-01

Department (see [2.1.1 a\), b\) and c\)](#) below). [If unsure how to proceed or if the procurement is complex, contact the Purchasing Department in advance for guidance/assistance with the Request for Quote process.](#) Documentation related to quotes is to be forwarded to the Purchasing Department.

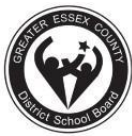
- a) Facility Services Department – Maintenance Work Orders (see Section 3)
- b) \$0 to \$4,999 – Goods or non-consulting services to a value of \$4,999 may be purchased at the discretion of the Facility Services Department requisitioner using a maintenance work order, in accordance within the limitations defined in administrative procedure AP-BA-12.
- c) \$5,000 to \$9,999 – Goods or non-consulting services valued between \$5,000 and \$9,999 require at least one (1) written quote solicited and a purchase order issued in advance of the purchase where possible/feasible as determined [and at the discretion of by](#) the Purchasing Department, within the limitations defined in administrative procedure AP-BA-12. Documentation related to the quote to be forwarded to the Purchasing Department with the [BAS2000-purchase](#) requisition number indicated.
- iii. \$10,000 - \$99,999 – Goods or non-consulting services valued between \$10,000 and \$99,999 require a purchase order and quotes solicited in advance of obtaining the required goods or non-consulting services. [Contact the Purchasing Department in advance for guidance/assistance with the Request for Quote process.](#) Solicit at least three (3) written quotations on suppliers' letterhead or the Board's RFQ Form where possible/feasible as determined by the Purchasing Department. Documentation related to quotes to be forwarded to the Purchasing Department. Use of the Board's RFQ Form is preferable to a quote on a supplier's letterhead as it contains the Board's terms and conditions. Formal tenders and RFPs may be issued at the discretion of the budget holder or the Supervisor of Purchasing and Supply.
- iv. \$100,000 and higher – Goods or non-consulting services valued at \$100,000 and higher require a formal tender or RFP [prepared by the Purchasing Department, in collaboration with the requisitioner.](#) [The process shall be](#) conducted as an open, competitive process in accordance with Ontario's various trade agreements. The Tender or RFP, agreement and purchase order must be issued in advance of obtaining the required goods or non-consulting services.



## Regulation: Procurement

Reference No: R-BA-01

- v. The overall value of procurement cannot be reduced in order to circumvent the procurement thresholds (i.e. dividing a single procurement into multiple, smaller dollar procurements).
  - vi. The Supervisor of Purchasing and Supply shall have the authority to negotiate, when it is determined that the best interests of the Board can be better served by negotiation rather than by formal tender. Negotiations shall be entered into only with the approval of the Superintendent of Business.
- 2.1.2 Consulting Services (the provision of expertise or strategic advice that is presented for consideration and decision-making): RFQs, tenders and RFPs shall be obtained as follows:
- i. \$0 to \$99,000 – Consulting services valued between \$0 and \$99,999 require a purchase order and quotes solicited in advance of obtaining the required services. Contact the Purchasing Department in advance for guidance/assistance with the Request for Quote process. Solicit at least three (3) written quotations on suppliers' letterhead or Board's RFQ Form where possible/feasible as determined by the Purchasing Department. The use of a Board RFQ Form subject to the Board's terms and conditions is preferable to a quote on a supplier's letterhead. Documentation related to quotes to be forwarded to the Purchasing Department. Formal tenders and RFPs may be issued at the discretion of the budget holder or the Supervisor of Purchasing and Supply.
  - ii. \$100,000 and higher – Consulting services valued at \$100,000 and higher require a formal Tender or RFP prepared by the Purchasing Department, in collaboration with the requisitioner. The process shall be conducted as an open, competitive process in accordance with Ontario's various trade agreements. The Tender or RFP, agreement and purchase order must be issued in advance of obtaining the required services.
  - iii. Note: Procurement of the following are exempt from the application of CFTA:
    - a) financial services respecting the management of government financial assets and liabilities (i.e. treasury operations), including ancillary advisory and information services, whether or not delivered by a financial institution;
    - b) health services or social services;
    - c) services that may, under applicable law, only be provided by licensed lawyers or notaries; or



## Regulation: Procurement

Reference No: R-BA-01

~~d) services of expert witnesses or factual witnesses used in court or legal proceedings.  
iii.iv. services that in Ontario may, by legislation or regulation, may be provided only by any of the following licensed professionals: medical doctors, dentists, nurses, pharmacists, veterinarians, engineers, land surveyors, architects, accountants, lawyers and notaries, does not constitute consulting services.~~

However, the Board should clearly delineate between professional services that provide expertise or strategic advice for consideration and decision-making (consulting services) and professional services that fall outside this scope. Refer to the administrative procedure Purchasing/Procurement Procedures Handbook AP-BA-12 for examples of consulting versus non-consulting services.

### 2.1.3 PROCEEDINGS AGAINST THE BOARD

The bidder must represent and warrants that at the time of the submission of a bid by the bidder and at the time of the awarding of the bid to the successful bidder, the bidder shall not, directly or indirectly, be a party to any actual, pending, or threatened suits, actions, litigation proceedings, arbitrations, alternative dispute resolutions, investigations or claims (the "Claim" or "Claims") by or against or otherwise involving the Board and the bidder. The bidder acknowledges that the Board may reject the bid in view of any Claim or Claims involving the Board and the bidder. The successful bidder may also be required, at the discretion of the Board, to sign a Certificate in a form satisfactory to the Board confirming that the successful bidder is not associated with any entity involved in any Claim or Claims with the Board.

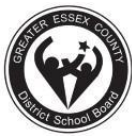
### 2.1.4 IDENTICAL BIDS

Under no circumstances will the awards be divided between the suppliers submitting the identical bids. The reason(s) for deciding on one supplier over another shall be clearly documented and kept on file in the Purchasing Department.

2.1.5 All tenders and RFPs shall be received by the Supervisor of Purchasing and Supply or designate.

2.1.6 A quarterly report shall be presented to the Board for all tenders and RFPs accepted in excess of \$250,000 before taxes.

2.1.7 For complex procurements tenders or RFPs less than \$100,000, bidders shall be allowed a minimum of ten (10) calendar days to respond, where possible. For procurements \$100,000 or more, bidders shall be allowed a minimum of fifteen (15) calendar days to respond. Consideration shall be made for providing suppliers a



## Regulation: Procurement

Reference No: R-BA-01

minimum response time of thirty (30) calendar days for procurements of high complexity, risk and/or dollar value.

Notwithstanding the above, if the CFTA applies, the Board must allow a reasonable period of time for bidders to prepare and submit responsive bids, considering:

- the nature and complexity of the procurement;
- the extent of subcontracting anticipated;
- the time necessary for transmitting tender documentation by non-electronic means;
- consistency with the Board's own reasonable needs.

Notwithstanding the above, if CETA applies, the timelines are as follows:

- the Board is required to allow bidders "sufficient time" to prepare bids, taking into account complexity, extent of subcontracting, and time to transmit non-electronic bid responses from abroad;
- pre-qualifications or selective solicitations – minimum of 25 days to respond to a request;
- for RFPs and Tenders ~~pre-qualification~~ (whether or not a pre-qualification was issued in advance ~~once-qualified~~) – minimum of 40 days from invitation to bid;

Reductions in above timelines for both pre-qualifications and open competitive requests:

- can reduce to not less than 10 days where there is a state of urgency which is "duly substantiated" and would make 40 days impractical;
- can reduce by 5 days for each one of the following circumstances:
  - where notice of intention to procure has been published by electronic means;
  - all tender documentation is available electronically, and;
  - the Board accepts electronic submissions;
- can reduce to 13 days where the procurement relates to commercial goods / services, and the notice of intention to procure and the bid documents are



## Regulation: Procurement

Reference No: R-BA-01

simultaneously published. Commercial goods/services means goods or services of a type generally sold or offered for sale in the commercial marketplace to, and customarily purchased by non-governmental buyers for non-governmental purposes.

Note: There may be prescribed circumstances where the above reductions do not apply.

CFTA will apply when the following monetary thresholds are met:

- \$100,000.00 or greater for goods or services, excluding construction;
- \$250,000.00 or greater for construction.

Note that these threshold amounts will be indexed for inflation starting in 2018 based on Industrial Product Price Index and will therefore be updated from time to time.

CETA will apply when the following monetary thresholds are met:

- \$366,355.00 or greater for goods or services, excluding construction;
- \$9,100,000.00 or greater for construction.

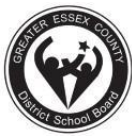
Note that these threshold amounts, updated in 2020, have been converted from international funds and will be indexed to inflation for future adjustments every 2 years and will therefore be updated from time to time.

Notwithstanding this, the closing date and time printed on each tender, or as modified by addenda, shall govern the closing and opening thereof.

The closing date will be set on a normal working day (Monday to Friday, excluding provincial and national holidays). Submissions delivered after the closing time will not be considered.

2.1.8 The Supervisor of Purchasing and Supply or designate shall be allowed discretion in making purchases when an item is urgently ~~needed~~needed, or an item is particularly specified.

2.1.9 Certain services and supply requirements that cannot be clearly specified or easily identified may be obtained by use of RFP. The RFP provides special procedures to procure on a competitive basis certain goods and services in which only an end result is known and where the method, specifications and technical details are unknown.



## Regulation: Procurement

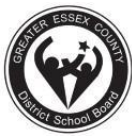
Reference No: R-BA-01

~~Also~~Also, in many cases the capability of the firm, its personnel, experience, past performance, level of expertise or other factors as noted in the RFP are important areas of the evaluation.

### 2.1.10 Requirements for formal tenders or RFPs:

- i. Evaluation criteria must be developed, reviewed and approved before the competitive process for RFP begins. These criteria are to be included in the competitive documents. The competitive documents must clearly outline mandatory, rated and other criteria that will be used to evaluate submissions, including the weight of each criterion. Maximum justifiable weighting must be allocated to the price/cost component of the evaluation criteria. The evaluation criteria are to be altered only by means of addendum to the RFP.
- ii. The Board will fully disclose the evaluation methodology and process to be used in assessing a supplier's submission.
- iii. Evaluation team members must be aware of the restrictions related to confidential information shared through the competitive process and refrain from engaging in activities that may create or appear to create a conflict of interest.
- iv. Evaluation team members must sign a conflict of interest declaration and non-disclosure of confidential information agreement.
- v. The evaluation team will complete an evaluation matrix rating each of the proponents. Records of evaluation scores will be auditable. Evaluators should be aware that everything they say or document must be fair, factual, fully defensible and may be subject to public scrutiny.
- vi. The Board must select only the highest ranked submission(s) that have met all mandatory requirements set out in the related procurement document. In responding to procurement documents, suppliers may sometimes propose alternative strategies or solutions to the Board's business needs. Unless expressly requested in the procurement documents, the Board must not consider alternative strategies or solutions proposed by a supplier.
- vii. When the Board bypasses the competitive process (i.e. due to limited tendering or





## Regulation: Procurement

Reference No: R-BA-01

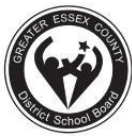
~~single sourcing, sole sourcing,~~ exempt services under the ~~Agreement on Internal Trade (AIT)~~ and the ~~Ontario-Quebec Procurement Agreement CFTA or CETA~~, or any other reason) formal documentation must be completed to support and justify the decision.

2.1.11 Procurements valued at \$100,000 or more are subject to all of the requirements listed above in section 2.1.10 as well as the following:

- i. Calls for competitive procurements shall be made through a designated electronic tendering system that is equally accessible to all Canadian suppliers.

If the CFTA applies, tender notices must be published electronically, which must include the following information:

- the name and address of the Board and other information necessary to contact the Board and obtain all relevant documents and their cost and terms of payment, if any;
- a brief description of the procurement;
- the nature and quantity (or estimated quantity) of the goods and services to be procured (unless those requirements are included in the tender documentation);
- the address and final date for the submission of tenders;
- the date, time and place for any public opening of tenders;
- a list and brief description of any conditions for participation of suppliers, including any requirements for specific documents or certifications to be provided by suppliers (unless those requirements are included in the tender documentation that is made available to all interested suppliers at the same time as the tender notice);
- a statement that the procurement is subject to Chapter 5 of the CFTA;
- the time-frame for the delivery of goods or services, or the duration of the contract;
- a description of any options (unless those requirements are included in the tender documentation);
- the procurement method that will be used, and whether it will involve



## Regulation: Procurement

Reference No: R-BA-01

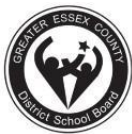
negotiation or electronic auction;

- if, pursuant to Article 508, the Board intends to select a limited number of qualified suppliers to be invited to tender, the criteria that will be used to select them and, if applicable, any limitation on the number of suppliers that will be permitted to tender (unless the criteria and other limitations are included in the tender documentation); and
- i. the language or languages in which tenders or responses to requests for prequalification may be submitted, if they may be submitted in a language other than that of the tender notice.
- ii. The method to resolve a tie score must be identified in the evaluation criteria of the RFP, including weighting, if applicable. Tie-break criteria are also subject to the rules of non-discrimination as defined in Ontario's Broader Public Sector ("BPS") Procurement Directive.
- iii. The Board will refrain from any discrimination or preferred treatment in awarding an agreement to a preferred supplier from the competitive process, unless justifiable based on the circumstances identified in Ontario's BPS Procurement Directive.
- iv. All addenda should be issued at least seven days prior to the closing date.
- v. Bid protest procedures for suppliers will be communicated in all competitive and procurement documents to ensure that any dispute is handled in a reasonable and timely fashion. The process will be compliant with the bid protest procedures as set out in the AIT-CFTA and the Ontario-Quebec Procurement Agreement, and if applicable, the CETA.

The Government introduced the centralization of Procurement for BPS organizations effective March 18, 2019. At that time, Interim Measures were introduced that included a set of rules designed to support consistency in procurement-related decisions and collection of data during the transition to a centralized procurement model.

- i. In-Scope - The Measures apply to new procurements of goods and services (consulting and non-consulting) valued at \$100,000 or higher.
- ii. Out-of-Scope - The Measures do not apply:
  - Where procurement is related to construction work. This includes any consulting services that are included in the procurement of construction work.
  - Where procurement is related to goods acquired solely for resale.

iii. Vendor of Record (VOR) Arrangements



## Regulation: Procurement

Reference No: R-BA-01

BPS organizations must use existing VOR arrangements whenever possible and appropriate, regardless of the value of the procurement.

A VOR arrangement could be an Enterprise Vendor of Record arrangement managed by MGCS, or any other arrangement available to the organization.

Contract Term - Any new contract, including any extensions, must not exceed two years.

Operational Flexibility - In limited and exceptional circumstances, BPS organizations may find that it is not possible or appropriate to:

- Use a VOR arrangement that is available to the organization; and/or
- Restrict contract duration to two years.

In these situations, BPS organizations must complete a Procurement Rationale Report and submit it to the funding ministry at least 45 calendar days before the procurement is released to the vendor community.

✦ Note that submission of the form does not change the authority of the organization to proceed with the procurement. For clarity, once the report is submitted, the organization can proceed with the procurement.

### 2.2 **AGREEMENT TO BOND/PERFORMANCE/~~BID~~ BOND**

The Supervisor of Purchasing and Supply may call for an Agreement to A Bid Bond and/or Performance Bond or other security in conjunction with any Tender or RFP regardless of dollar value.

### 2.3 **TENDER RECEIVING and OPENING**

2.3.1 Tenders will be received electronically, by electronic bidding website or by email. , when received in hard copy, shall be delivered, unopened, to the Supervisor of Purchasing and Supply. Tenders may be received electronically, by email or electronic bidding website, at the discretion of the Supervisor of Purchasing and Supply.

2.3.12.3.2 Electronic tenders will be opened after the closing date/time by one member of the Purchasing department and one other Board witness via a video conferencing platform or other means as approved by the Supervisor of Purchasing and Supply. Documentation on the two Board employees who witnessed the tender opening will be saved in the electronic tender file.

2.3.3 At the discretion of the Supervisor of Purchasing and Supply, Tenders may be received in hard copy and shall be delivered, unopened.

2.3.2i. If All tenders are received in hard copy, they shall be date and time stamped when received, either by the Office Services Department, the Reception Desk, or the Purchasing Department. Hard copy tenders shall be opened by one member of the Purchasing department and one other Board witness.



## Regulation: Procurement

Reference No: R-BA-01

~~2.3.3~~ 2.3.4 The Supervisor of Purchasing and Supply shall keep all tenders, unopened until the time for the scheduled opening, in a secure file or secure electronic location, as applicable, for each tender.

~~Tenders shall be opened by the Supervisor of Purchasing and Supply or designate and at least one other witness.~~

~~2.3.4~~

2.3.5 ~~Unofficial~~ Tender results will be provided ~~openings may be open~~ to concerned parties, either through the electronic bidding website, by e-mail or ~~as detailed~~ allowed for in the Tender document.

2.3.6 The Supervisor of Purchasing and Supply or designate shall ensure copies of bid documents, bids and other information pertinent to the tender is saved ~~the names of the suppliers on an appropriate tender folder and/or in an electronic~~ Tender file in the Purchasing shared drive. ~~This folder and/or~~ The electronic ~~Tender file in the Purchasing shared drive shall include information related to be annotated with the reason~~ any tender that i ~~was~~ declared invalid.

2.3.7 The Supervisor of Purchasing and Supply or designate shall ensure that the tender submission conforms to all stipulated conditions. Such conditions include:

- i. Tender is received on time.
- ii. Required ~~bid bond, and~~ agreement to bond and/or certified cheque is affixed to the exterior of the tender envelope and/or any other stipulated conditions of the tender call are fulfilled ~~was as specified~~.
- iii. ~~Tender envelope is sealed closed or electronic~~ Bid i ~~was received in accordance with the Tender document~~.

~~2.3.7~~ ~~At the tender opening each tender opened shall be signed by the Supervisor of Purchasing and Supply or designate and the other witness present. The tender shall be annotated as to date and time opened.~~

~~Any circumstances or conditions that might invalidate the tender shall be listed. Bids will automatically be rejected under the following circumstances:~~



## Regulation: Procurement

Reference No: R-BA-01

~~viii. Bid is late (by any amount of time).~~

~~x. Bid security:~~

- ~~) Bid bond is missing one of the following: the corporate seal to bind the bonding company, signature of the Bidder, corporate seal to bind the bonding company or signature of the bonding company.~~
- ~~) Agreement to bond is missing one of the following: the corporate seal to bind the bonding company or signature of the bonding company.~~
- ~~) Security is in form other than specified.~~

~~xvi. Bid is not signed.~~

~~xviii.iv. Required Pricing or Total Stipulated Sum (where as applicable) is illegible or not entered.~~

2.3.8 During the subsequent evaluation process, the tenders shall be checked, if required, by the head of the department concerned, as well as the Supervisor of Purchasing and Supply or designate, to ensure that all items have been included, and that there are no restrictive clauses written on the tenders or any attached supporting document. Other bid irregularities shall be governed by the following:

- i. Qualified bids. Bids that are qualified or restricted by an attached statement will be acceptable subject to the effect that the qualification has upon the bid.
- ii. Partial bids are acceptable unless otherwise specified in the tender documents.
- iii. Bids containing minor clerical errors or omissions may be deemed acceptable by the Board. Should the Board request clarification the bidder must respond to the Board in the manner and time frame requested. Should the Board request clarification the bidder must respond to the Board in the manner and time frame requested.

~~iv. Uninitialled Uninitialed minor changes to the bid may be deemed acceptable by the Board.~~



## Regulation: Procurement

Reference No: R-BA-01

~~Should the Board request clarification the bidder must respond to the Board in the manner and time frame requested.~~

~~v.~~iv. Notwithstanding anything herein to the contrary, if any Bid contains technical errors or omissions which the Board, in its sole and unfettered discretion deems to be minor, the said Bidder may be asked by the Board to acknowledge and/or clarify those minor technical errors or omissions prior to the award of the Agreement. For greater certainty, the Board may afford an opportunity to a Bidder to correct unintentional errors of form between the opening of Bids and the awarding of the Contract, and if it does so, the Board shall afford the same opportunity to all Bidders.

2.3.9 The following procedure shall govern interpretation of price information:

i. When a unit price is requested, the unit price quoted shall govern regardless of extension.

ii. When a total price is requested, the total price quoted shall govern the award.

~~iii.~~iii. Or as prescribed in the bid document, if different from ~~ii~~ and ii, above.

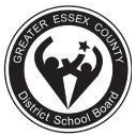
2.3.10 New construction contracts over five hundred thousand dollars (\$500,000), before taxes will be submitted to the Board for approval in a timely manner and in advance of the immediate need to start the project.

2.3.11 The head of the department or official concerned shall be invited to the electronic ~~notified of the time of~~ tender opening, in order that they may be in attendance.

2.3.12 Any company that fails to return a bid after two successive invitations to bid, may be removed from the Board's approved bidders' list.

2.3.13 Any company that fails to honour specifications or for any other competent reason, except for circumstances beyond their control, shall be removed from the Board's approved bidders' list for a minimum period of two (2) years. They may re-apply to be considered for the Board's approved bidders' list after two (2) years.

2.3.14 Should any problems or concerns arise with respect to a Supplier (including but not limited to supplier performance), the Board may notify the supplier in writing,



## Regulation: Procurement

Reference No: R-BA-01

identifying any such problems or concerns and requiring the supplier to rectify any such problems or concerns within a time limit specified by the Board in such notice. If the supplier does not rectify such problems or concerns to the satisfaction of the Board within the time limit specified by the Board in such notice, the Board at its sole and unfettered discretion may remove said supplier from the Board's approved bidder's list on a temporary or permanent basis. If the supplier has been removed permanently, the Board is under no obligation to accord any further business opportunities to that said supplier. The reinstatement of any such supplier shall, at all times, be in the sole and unfettered discretion of the Board.

### 2.4 REQUEST FOR PROPOSALS (RFPs)

The call for proposals and receipt thereof shall be handled in the same manner as for tenders. A public opening may be held for the purpose of acknowledging the on time receipt of the proposals and the identification of the proponents.

The evaluation committee shall follow the requirements outlined in sections 2.1.9 and 2.1.10 of this Regulation as applicable.

### 2.5 PRE-QUALIFICATION OF BIDDERS

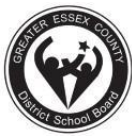
The Board may, at its option, pre-qualify bidders prior to issuing tenders or RFPs.

A request to pre-qualify suppliers for future bid opportunities shall contain specific language to disclaim any obligation on the part of the Board to actually call on any supplier as a result of the pre-qualification to supply such materials or services.

A response to a Request for Information (RFI) or a Request for Expressions of Interest (RFEI) will not pre-qualify a potential supplier and will not influence their chances of being the successful proponent of any subsequent opportunity.

If the CFTA applies, the Board may limit tenders or RFPs to prequalified suppliers, provided invitations are published in a tender notice annually on the designated website which is to include criteria (unless included in the qualification document); a statement that only suppliers on the list will receive further notice of procurement and the period of validity of the list or in the absence thereof, the method by which notice of termination will be given. If the term is 3 years or less, the Board only needs to publish one at the outset, provided that notice of the term and no further publication is given. If there is to be a restrictive number of suppliers, it must be so stated along with the criteria for selection. Pre-qualifications can include standing arrangements as long as the notice or documents state how subsequent purchases will be made from a supplier.

If CETA applies, there are requirements allowing new suppliers to be pre-qualified



## Regulation: Procurement

Reference No: R-BA-01

notwithstanding the period of validity.

### 2.6 NON-COMPETITIVE PROCUREMENT

Non-competitive procurement may only be used in situations outlined in the exemption, exception, or non-application clauses of the CFTA or other trade agreements. Supporting documentation must be completed and approved by the Superintendent of Business, or the Manager of Financial Services or the Supervisor of Purchasing and Supply.

Where a non-competitive procurement is required due to an urgent situation, such as Facility Services emergencies, the urgency must be documented and justified in writing for support.

In certain unique circumstances, where the Board wishes to procure goods or non-consulting services from one supplier/contractor in order to meet requirements, supporting documentation to support single sourcing or sole sourcing limited tendering must be completed and approved.

See administrative procedure AP-BA-12 for circumstances supporting non-competitive procurement.

Note: Change orders and/or extensions to an agreement that were not allowed for in the original request / bid document to suppliers are considered non-competitive procurement.

### 2.7 EXECUTING AGREEMENTS UNDER THE COMPETITIVE PROCESS (\$100,000 and higher)

2.7.1 The agreement between the Board and the successful supplier will be defined formally in a signed written agreement before the provision of the goods, services or construction commences. When executing the agreement, where possible/feasible, the Board will obtain the supplier signatures before obtaining the Board's signature. In situations where an immediate need exists for goods or services and the Board and the supplier are unable to finalize an agreement, a letter of intent, memorandum of understanding or interim purchase order may be used. This will allow for the immediate needs to be met, while final negotiations take place towards finalizing the agreement.

2.7.2 The agreement will be finalized using the form of agreement that was released with the procurement document.





## Regulation: Procurement

Reference No: R-BA-01

2.7.3 All agreements will include appropriate cancellation or termination clauses.

2.7.4 The terms of the agreement and any options to extend the agreement will be set out in the procurement document. Changes to the term of the agreement may change the procurement value. Prior written approval by the appropriate approval authority is necessary before changing agreement start and end dates. Extensions to the term of agreement beyond what is set out in the procurement document are considered non-competitive procurements and the Board will seek appropriate approval authority prior to proceeding.

### 2.8 AWARDING AGREEMENTS UNDER THE COMPETITIVE PROCESS (\$100,000 and higher)

2.8.1 The Board will post, in the same manner as the procurement documents were posted, the name(s) of the successful supplier(s). Agreement award notification must occur only after the agreement between the successful supplier and the Board has been executed. The agreement award notification must include the agreement start and end dates, including any options for extension.

2.8.2 The [bid document will advise Board will inform](#) all suppliers who participated in the procurement process of their entitlement to a debriefing.

### 2.9 LEASE AGREEMENTS

All leases with an annual cost in excess of \$250,000 before taxes per year will be submitted to the Board for approval.

### 2.10 DISCLOSURE OF PRICE FOR TENDERS

2.10.1 All suppliers submitting bids [will be provided with the bid results in accordance with and as detailed in the tender document, and any interested persons shall be freely admitted to any tender opening.](#)

2.10.2 The name of a successful bidder and the accepted price is public knowledge, once the award is made and a purchase order issued.

2.10.3 Under no circumstances shall tender documents be removed from the Purchasing Department without the approval of the Supervisor of Purchasing and Supply.

~~2.10.3~~ 2.10.4 [In some cases, in respect for the confidentiality of Supplier pricing and/or fees, the Board may indicate in the bid document that it is the Board's intention to keep pricing confidential.](#)



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## Regulation: Procurement

Reference No: R-BA-01

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### 2.11 INFORMATION GATHERING

Where results of informal supplier or product research are insufficient, formal processes such as an RFI or RFEI may be used if warranted.

A response to an RFI or RFEI must not be used to pre-qualify a potential supplier and must not influence the chances of the participating suppliers from becoming the successful proponent in any subsequent opportunity.

### 3. MAINTENANCE WORK ORDERS

The nature of work performed by maintenance personnel is such, that at times materials and/or services required to complete a job, are not immediately available on the site or from stock. To enable the work to be completed with a minimum of disruption and expense, the use of Maintenance Work Orders has been an accepted means of enabling personnel to obtain urgent supplies and/or services from a supplier in a location convenient to the job site.

Purchases from any one supplier, to a value of four thousand nine hundred and ninety-nine (\$4,999) may be made, using Maintenance Work Orders.

Purchases equal to or greater than five thousand dollars (\$5,000) must follow the requirements in clause 2.1.1. A purchase order must be issued.

Exceptions to the above are permissible when in a situation arising after regular business hours, emergency repairs to plant equipment or the temporary securing of a building becomes necessary. In such circumstances, and where the cost is estimated to be five thousand dollars (\$5,000) or higher, arrangements may be made with suppliers to provide necessary materials, or undertake required repairs, but in such circumstances Maintenance Work Orders shall not be used. On resumption of regular business hours, the Purchasing Department shall be notified of any purchases made, and a regular purchase order shall then be issued upon receipt of a requisition from the Facility Services Department.

### 4. PROCUREMENT DOCUMENTS

Requisitions for all materials, supplies and services shall be processed in a form and manner prescribed by the Purchasing Department.

All ~~Purchase Orders and other relevant~~ Procurement documentation shall be kept in accordance with Administrative Procedure BA-AP-20, Records Management.



## Regulation: Procurement

Reference No: R-BA-01

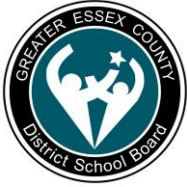
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**5. PURCHASING CARDS**

The Board has entered into an agreement to provide a Purchasing Card Service. These cards will be provided to specific personnel. Usage of the card will be for purchase of goods and services within Board approved limits as per Administrative Procedure BA-AP- 10, Purchasing/Credit Card Program. Each cardholder will receive a monthly statement and will be responsible for reconciliation of their statement on a monthly basis.

**6. SURPLUS FURNITURE AND EQUIPMENT**

The Supervisor of Purchasing and Supply shall be responsible for the sale or disposal of surplus or obsolete furniture and equipment.



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD MEMORANDUM

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**DATE:** May 18, 2021

**TO:** Chairperson and Members of the Board of Trustees of the  
Greater Essex County District School Board

**FROM:** Erin Kelly, Director of Education

**SUBJECT:** Policy and Regulation: Interim/Acting Director of Education

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**AIM:**

To gain approval for the Policy and Regulation: Interim/Acting Director of Education

**BACKGROUND:**

The Policy and Regulation: Interim/Acting Director of Education was reviewed as part of our cyclical review of GECDSD Policies and Regulations.

The draft revisions were presented at the December 8<sup>th</sup> Board Meeting. A motion was passed to refer the Regulation back to the Policy Committee to discuss the members of the Leadership Advisory Committee as noted in #3 in the Regulation.

As a result of further discussion the Leadership Advisory Committee shall consist of the Chairperson of the Board, Vice-Chairperson of the Board, Chairperson of Education Committee and the Chairperson of Operations and Finance Committee.

The Policy Committee approved the policy and regulation at its May 3, 2021 meeting.

**RECOMMENDATION:**

**THAT THE BOARD APPROVE THE POLICY INTERIM/ACTING DIRECTOR OF EDUCATION AS PRESENTED, AND**

**THAT THE BOARD APPROVE THE REGULATION INTERIM/ACTING DIRECTOR OF EDUCATION AS PRESENTED.**

**Attachment**

### **POLICY: Interim / Acting Director of Education**

REFERENCE NO: P-AD-27

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The Greater Essex County District School Board has the responsibility to provide educational programs and services of the highest quality to meet the needs of all pupils. The Board recognizes the critical value of strong leadership to the provision of programs and services and in ensuring that our school system is at all times providing a safe and supportive environment for students and staff.

In order to meet legal requirements, and in order to ensure clarity and continuity of leadership and decision-making at the most senior level of the organization, the Board shall have a clear identification of its Director of Education/Secretary of the Board at all times.



## REGULATION: Interim/Acting Director of Education

Reference No: R-AD-27

### **DEFINITIONS:**

- (a) **Acting Director** means a Supervisory Officer who is identified to fulfill the role and responsibilities of the Director of Education for the Board until either the Director is able to resume those duties or an Interim Director of Education is appointed.
- (b) **Interim Director** means a Supervisory Officer who is identified by the Board to fulfill the role and responsibilities of the Director of Education for the Board for an interim period of time until a new Director of Education is appointed.

To ensure clarity and continuity of leadership responsibility, as well as decision-making authority, the Board shall assign the responsibilities associated with the role of the Director of Education/Secretary of the Board to a person other than the Director of Education/Secretary of the Board in accordance with the following circumstances and procedures.

1. In advance of each school year, the Director of Education/Secretary of the Board shall prepare a report identifying a Superintendent as the "Acting Director" for each month of the year.
2. For any day-to-day absence of the Director of Education/Secretary of the Board, the "Acting Director" in charge shall be the designated Superintendent for the month unless otherwise determined in advance by the Director of Education/Secretary of the Board.
3. A Leadership Advisory Committee will be established and shall consist of the Chairperson, of the Board, and Vice-Chairperson of the Board, ~~and the Chairperson of Education Committee and the Chairperson of Operations and Finance Committee, Superintendent of Business/Treasurer, or the Executive to the Director of Education.~~ In the event of a sudden inability of the Director of Education/Secretary of the Board to fulfill his/her role for an extended period, the Leadership Advisory Committee shall become active. The role of this Leadership Advisory Committee is to direct the succession process in accordance with this Regulation, and, at the call of the Chair or Acting Director, to provide advice with respect to any leadership issues.
4. In the event of an inability of the Director of Education/Secretary of the Board to perform his/her duties for an extended period of time, if known in advance:
  - 4.1 The Director of Education/Secretary of the Board, Chair and Vice-Chair of the Board shall meet to discuss the circumstances and timelines, and shall make a recommendation and seek direction from the Board to either:
    - 4.11 identify and recommend to the Board the appointment of an existing supervisory officer of the Board to the position of Acting Director of Education/Secretary of the Board; or

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- 4.12 invite expressions of interest from current supervisory officers of the Board and initiate a selection process for the Board to identify the Acting Director of Education/Secretary of the Board.
5. In the event of an inability of the Director of Education/Secretary of the Board to perform his/her duties for an extended period of time, not known in advance:
- 5.1 The monthly “Acting Director” shall temporarily assume the position until an Acting Director of Education/Secretary of the Board is appointed.
- 5.2 The Leadership Advisory Committee of the Board, as identified in this Regulation, shall meet to make a recommendation and seek direction from the Board to either:
- 5.2.1 identify and recommend to the Board the appointment of an existing supervisory officer of the Board to the position of Acting Director of Education/Secretary of the Board to act until the Director of Education/Secretary of the Board is able to resume his/her duties; or
- 5.2.2 invite expressions of interest from current supervisory officers of the Board and initiate a selection process for the Board to identify the Acting Director of Education/Secretary of the Board to act until the Director of Education/Secretary of the Board is able to resume his/her duties..
6. In the event that the Director of Education/Secretary of the Board is suddenly unable to fulfill his/her duties on a permanent basis:
- 6.1 The monthly “Acting Director” shall temporarily assume the position until an Interim Director is appointed.
- 6.2 The Leadership Advisory Committee of the Board, as identified in this Regulation, shall meet to make a recommendation and seek direction from the Board to either:
- 6.2.1 identify and recommend to the Board the appointment of an existing supervisory officer of the Board to the position of Interim Director of Education/Secretary of the Board to act until a new Director of Education/Secretary of the Board is appointed; or
- 6.2.2 invite expressions of interest from current supervisory officers of the Board and initiate a selection process for the Board to identify the Interim Director of Education/Secretary of the Board to act until a new Director of Education/Secretary of the Board is appointed..
- 6.3 The Board shall forthwith initiate its search and/or process to identify and appoint a new Director of Education/Secretary of the Board. [As per Policy and Regulation: Recruiting and Hiring of the Director of Education \(P-GV-04, R-GV-04\).](#)



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

## MEMORANDUM

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**DATE:** May 18, 2021

**TO:** The Chairperson and Trustees of the Greater Essex County District School Board

**FROM:** Trustee Cipkar  
Chairperson of the Policy Committee

**SUBJECT:** Updated Policy and Regulation: Trustee Code of Conduct

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**AIM:**

To gain Board approval for the Policy and Regulation: Trustee Code of Conduct.

**BACKGROUND:**

The Trustee Code of Conduct Subcommittee met 3 times since this matter was referred back to the Policy Committee, once in July (2020), once in November (with Sheila MacKinnon), and the final meeting in March of 2021.

Our first meeting involved compiling a list of questions and items to bring to S. MacKinnon for the Board to get legal opinion on. Our second meeting involved hearing her responses and having a discussion with S. MacKinnon. She provided commentary and a list of track changes that the Policy Committee reviewed in January 2021. We decided to have a final subcommittee meeting to make a final determination on suggested changes. This is the draft that is before the Board of Trustees

Subcommittee members included:

Trustee Cipkar (Chair), Trustee Burgess, Trustee Higgison, Trustee Omstead

Also in attendance: Trustee Qin, Trustee Halberstadt

**RECOMMENDATION:**

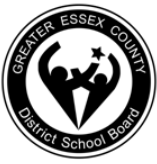
**THAT THE BOARD APPROVE POLICY TRUSTEE CODE OF CONDUCT AS PRESENTED; and**

**THAT THE BOARD APPROVE REGULATION TRUSTEE CODE OF CONDUCT AS PRESENTED.**

Attachment

- Policy
- Regulation





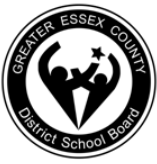
**POLICY: Trustee Code of Conduct**

REFERENCE NO: P-GV-06

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A Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.

A Code of Conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the performance of their responsibilities. The policy and regulation deals with acceptable and respectful behaviours.



## **REGULATION: Trustee Code of Conduct**

REFERENCE NO: R-GV-06

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### **DEFINITIONS**

In this regulation, except where otherwise provided in this regulation,

- “Board” means GECDSB Board of Trustees;
- “Chair” means Chairperson of the Board of Trustees;
- “Code” or “Code of Conduct” means GECDSB Trustee Code of Conduct;
- “Trustee(s)” means Trustee(s) of the Board or School Board Members, and student trustees;
- “Vice-Chair” means Vice-Chairperson of the Board of Trustees.

### **OUR VALUES**

1. The Greater Essex County District School Board, in partnership with the community, provides learning opportunities which support, challenge, and inspire all students to achieve their full potential and enable them to participate meaningfully in their communities.

Trustee behaviour should be guided by the following values:

- All students can learn.
- A safe, stimulating, caring and welcoming environment, which accommodates individual students’ learning styles and needs, promotes and facilitates the learning process.
- Planned, comprehensive programs and services enrich the lives of learners.
- Skilled, caring and motivated employees make a positive difference in the lives of our students and are essential to our success and our future.
- Family and community interaction with the school promotes and enhances student success.
- Embracing diversity and inclusivity is the foundation of equity in public education.

- Celebrating creativity strengthens our school system and enriches all of us.
- Open, honest, and transparent communication builds trust and commitment.
- Effective planning and fiscally responsible decisions are necessary to direct our resources to maximize the learning process.
- We are accountable for our decisions.

**APPLICATION**

2. This Trustee Code of Conduct and the Enforcement Procedures apply to all Trustees, including the Chair of the Board, and student trustees.

**TRUSTEE CODE OF CONDUCT**

***Integrity and Dignity of Office***

3. Trustees shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board.
4. Trustees shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students.
5. Trustees, as leaders, must uphold the dignity of the office and conduct themselves in a professional manner, especially when attending GECDSB events, or while on GECDSB property.
6. Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to GECDSB staff or fellow Trustees.
7. Trustees are encouraged to participate in Trustee development opportunities to enhance their ability to fulfill their obligations.

***Avoidance of personal advantage and conflict of interest***

8. No Trustee shall accept a gift from any person or entity that has dealings with the GECDSB if a reasonable person might conclude that the gift could influence the Trustee when performing their duties to the GECDSB. However, this does not, for example, preclude a Trustee from accepting a free ticket or admission to a charitable event or professional development event. Please refer to the Procurement Policy and Regulation BA-01.

9. A Trustee shall not use their office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
10. No Trustee shall use their office to obtain employment with the GECDSB for the Trustee or a family member.

***Compliance with Legislation***

11. A Trustee shall discharge their duties in accordance with the *Education Act* and any regulations, directives or guidelines thereunder and comply with the *Municipal Freedom of Information and Protection of Privacy Act*, and any other relevant legislation<sup>1</sup>
12. Every Trustee shall uphold the letter and spirit of this Code of Conduct.
13. Every Trustee shall respect the roles and duties of the individual Trustees, Board of Trustees, the Director of Education and the Chair and Vice-Chair.

***Civil Behaviour***

14. No Trustee shall engage in conduct during meetings of the Board of Trustees or committees of the Board of Trustees, and at all other times that would discredit or compromise the integrity of the GECDSB.
15. A Trustee shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee.
16. When expressing individual views, Trustees shall respect the differing views of other Trustees, staff, students and the public.
17. All Trustees shall endeavour to work with other Trustees and staff of the GECDSB in a spirit of respect, openness, courtesy, and co-operation.
18. Trustees shall at all times act with decorum and shall be respectful of other Trustees of the Board, staff, students and the public.

***Respect for Confidentiality***

19. Every Trustee shall keep confidential any information disclosed or discussed at a meeting of the Board of Trustees or committee of the Board of Trustees, or part of a meeting of the Board or committee of the Board, that was closed to the public, and keep confidential the substance of deliberations of a meeting closed to the public, unless required to divulge such information by law or authorized to do so.
20. No Trustee shall use confidential information for either personal gain or to the detriment of the GECDSB.
21. Trustees shall not divulge confidential information, including personal information about an identifiable individual or information subject to solicitor-client privilege that a Trustee becomes aware of because of their position, except when required by law or to do so.

***Upholding decisions***

22. All Trustees shall accept that authority rests with the Board of Trustees, and that a Trustee has no individual authority other than that delegated by the GECDSB.
23. Each Trustee shall uphold the implementation of any resolution after it is passed by the Board of Trustees. A proper motion for reconsideration or rescission, if permitted by the Rules of Order, can be brought by a Trustee.
24. A Trustee should be able to explain the rationale for a resolution passed by the Board of Trustees. A Trustee may respectfully state their position on a resolution provided it does not in any way undermine the implementation of the resolution.
25. Each Trustee shall comply with GECDSB policies, procedures, By-Laws, and Rules of Order.
26. The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair of the Board or Board to do so. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board of Trustees or the GECDSB.

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**ENFORCEMENT PROCEDURES OF TRUSTEE CODE OF CONDUCT**

***Identifying a Breach of the Code of Conduct***

27. A Trustee who has reasonable grounds to believe that a Trustee has breached the Code of Conduct may bring the alleged breach to the attention of the Board of Trustees. This is done through the Chair or Vice-Chair. (See sections 31 and 32 below).
28. Any allegation of a breach of the Code must be brought to the attention of the Chair or Vice-Chair no later than six (6) weeks after the breach comes to the knowledge of the Trustee reporting the breach. Notwithstanding the foregoing, in no circumstance shall an inquiry into a breach of the Code be undertaken after the expiration of six (6) months from the time the contravention is alleged to have occurred.
29. Any allegation of a breach of the Code of Conduct shall be investigated following the *Informal* and/or *Formal* Complaint Procedures below, as the case may be.
30. It is expected that whenever possible, allegations of a breach of the Code of Conduct by a Trustee shall be investigated following the Informal Complaint Procedure. It is recognized that from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to an alleged breach of the Code is to assist both the complainant and the Trustee against whom the allegation has been made, to understand their obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the *Formal Complaint Procedure*.

***Chair/Presiding Officer***

31. The Code of Conduct applies equally to the Chair. In the case of an allegation ~~of a breach of the Code by that~~ the Chair breached the Code of Conduct, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair.
32. Each year two alternate Trustees shall be chosen to be used when circumstances warrant that one or both Trustees are needed in place of the Chair and/or Vice- Chair of the Board to carry out any of the duties required under this Code of Conduct and Enforcement Procedures. In no circumstance shall the Trustee who brought the complaint of a breach of the Code of Conduct be involved in conducting any Formal Inquiry into the complaint, except if it does not

involve them personally and they are simply bringing an alleged breach of the Code of Conduct to the attention of the Board. ~~The Striking Committee will determine the members who will fill this role annually, at the first meeting following the Organizational Meeting of the Board.~~ These alternate Trustee members shall be comprised of the Chairs of the Standing Committees, first alternate being the Chair of the Education Committee, second alternate being the Chair of the Operations and Finance Committee.

33. Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to *expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting*. For greater certainty, this may be done at the sole discretion of the Chair or Presiding Officer, as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code.
34. The Chair or Presiding Officer of any meeting of the Board or committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.
35. The Chair or Presiding Officer shall follow the special rules of order and/or the adopted Rules of Order and meeting procedures contained in any Policy or By-Law of the GECDSB. A breach of a rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the Enforcement Procedures of the Trustee Code of Conduct, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

### ***Informal Complaint Procedure***

36. The Chair on their own initiative, or at the request of a Trustee (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee who is alleged to have breached the Code, to discuss the breach. If the Chair is alleged to have breached the Code or the Chair alleges another Trustee breached the Code and the Chair has some personal involvement in the alleged breach then the Vice-Chair will conduct the informal complaint procedure. (See sections 31 and 32)

The purpose of the meeting is to bring the alleged breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private, and restorative justice practices are encouraged.

37. The remedial measures may include, a warning, ~~an apology~~, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation *Professional Development Program for School Board Trustees*. If the Chair and the Trustee alleged to have breached this Code cannot agree on a remedy or if the informal complaint procedure has not been concluded within two weeks of the first meeting with the Trustee who is alleged to have breached the Code of Conduct, then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the Formal Complaint Procedure below.

### **Formal Complaint Procedure**

38. A Trustee who has reasonable grounds to believe that another Trustee has breached the Code of Conduct may bring the breach to the attention of the Board by first providing to the Chair, a written, signed complaint setting out the following:
- a) the name of the Trustee who is alleged to have breached the Code;
  - b) the alleged breach or breaches of the Code;
  - c) information as to when the breach came to the Trustee's attention;
  - d) the grounds for the belief by the Trustee that a breach of the Code has occurred; and
  - e) the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach. Except as provided below, if a written complaint is filed with the Chair then a formal inquiry shall be undertaken, unless the complainant subsequently withdraws the complaint or agrees that the complaint may be dealt with in accordance with the Informal Complaint Procedure.
39. In an election year for Trustees, a code of conduct complaint respecting a Trustee who is seeking re-election shall not be brought during the period commencing two months prior to election day and ending after the first Board of Trustees meeting after the new term of office of the Board of Trustees commences. If the Trustee accused of a breach of the Code is not re-elected, no inquiry into the alleged breach of the Code by that Trustee shall be undertaken. The limitation period for bringing a complaint shall be extended as necessary.



40. The Chair shall provide to all the Trustees alleged to have breached the Code a confidential copy of the formal complaint within ten (10) days of receiving it. The Chair shall advise the Board of Trustees that a formal complaint has been received and the general nature of it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board of Trustees for a decision as to whether or not the Trustee has breached this Code.

### ***Refusal to Conduct Formal Inquiry***

41. If the Chair and Vice-Chair of the Board are of the opinion that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, they shall prepare a confidential report to all the Trustees of the Board stating their opinion and the rationale for it. Prior to finalizing the confidential report, Greater Essex County District School Board legal counsel, as retained through the Director of Education or Delegate Designate, shall be consulted. The Trustee who is alleged to have breached the Code of Conduct shall not vote on the resolution. If the opinion is adopted by the Board of Trustees a formal inquiry shall not be conducted.
42. If the Chair and Vice-Chair cannot agree on the above then a full formal inquiry shall be conducted.
43. If an allegation of a breach of the Code of Conduct with respect to non-compliance with a more specific GECD SB Policy that has its own separate complaint procedure, the allegation shall be processed under that procedure.

### ***Steps of Formal Inquiry***

44. If a formal inquiry of an alleged breach of the Code of Conduct is undertaken, it shall be done by the Chair and Vice-Chair, or any two of the Chair, Vice-Chair and the alternate Trustees, or an outside consultant chosen by the Chair and Vice-Chair in consultation with the Director of Education, or Designate.
45. Regardless of who undertakes the formal inquiry the following steps shall be followed.

The *Statutory Powers Procedure Act* does not apply to anything done regarding the enforcement of this Code of Conduct. No formal trial-type hearing will be conducted.

- a) Procedural fairness shall govern the formal inquiry. The formal inquiry will be conducted in private.
- b) The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct.
- c) The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations both in a private meeting with the person(s) undertaking the formal inquiry and in writing.
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- d) It is expected that the formal inquiry will be conducted within 90 calendar days of the receipt of the written response to the complaint. If a longer period of time is required to complete the inquiry, the reason for the extension shall be explained in the final report to the Board. The Trustee who is alleged to have breached the Code of Conduct shall provide a written response to the allegations within 10 days of receiving the written allegation, or such extended period of the time as the investigators deem appropriate in the circumstance.
- e) If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in their absence.
- f) Once the formal inquiry is complete, the investigators shall provide a confidential draft copy of their report containing the findings of fact to the Trustee who is alleged to have breached the Code of Conduct and the Trustee who brought the complaint for their written comment to the investigator (s). The purpose of providing the draft report to the parties is to ensure no errors of fact are contained in it. The two Trustees shall have ten (10) days (or such reasonable period of time as deemed appropriate by the investigators) from the receipt of the draft report to provide a written response.
- g) The final report shall outline the finding of facts, and a recommendation or opinion as to whether the Code of Conduct has been breached.
- h) If the Chair and Vice-Chair when conducting the formal inquiry cannot agree on the final finding of facts, it shall be referred to an internal Trustee committee consisting of the Chair, Vice-Chair, Chair of Education

Committee, Chair of Operations and Finance and the Chair of the Policy Committee.

- i) If the committee referred to in section 45(h) cannot reach a majority decision, it shall be referred to an outside investigator to complete the formal inquiry.

### ***Suspension of Formal Inquiry***

- 46. If the investigators, when conducting the formal inquiry, discover that the subject-matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another *Act*, the formal inquiry shall be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the rest of the Board of Trustees.

### ***Decision***

- 47. The final report shall be delivered to the Board of Trustees, and a decision by the Board of Trustees as to whether or not the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical, but not to exceed six months after receipt of the final report by the Board of Trustees.
- 48. Trustees shall consider only the findings and recommendations in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter.
- 49. If the Board of Trustees determines that there has been no breach of the Code of Conduct or that a contravention occurred, although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed.
- 50. The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a complaint investigated in accordance with the Formal Complaint Procedure must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees present and voting.

51. Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board of Trustees during which a breach or alleged breach of the Code of Conduct is considered, ~~may~~ be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) and section 207 (2.1) being:
- a) the security of the property of the GECDSB;
  - b) the disclosure of intimate, personal or financial information in respect of a Trustee or committee, an employee or prospective employee of the GECDSB or a pupil or their parent or guardian;
  - c) the acquisition or disposal of a school site;
  - d) decisions in respect of negotiations with employees of the GECDSB; ~~or~~
  - e) litigation affecting the GECDSB;
  - f) a matter in which the GECDSB appointed legal counsel has advised a strong indication of probable litigation or an investigation by the Ontario Ombudsman, which may affect the GECDSB; and
  - e)g) an ongoing investigation by the Ontario Ombudsman affecting the GECDSB.-
52. The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction. The Trustee who brought the complaint to the attention of the Board of Trustees may vote on those resolutions.
53. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, ~~and shall not be required to answer any questions at that meeting.~~ and shall not be required to answer any questions at that meeting.
54. The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below in section 59 (b) after these decisions have been made.

**Sanctions**

School Boards that have First Nation Trustees appointed to their board should have regard for Ontario Regulation 462/97 *First Nations Representation on Boards*. (See appendix 1)

55. If the Board of Trustees determines that the Trustee has breached the Code of Conduct, the Board of Trustees may impose one or more of the following sanctions:
  - a) Censure of the Trustee.
  - b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
  - c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.
56. The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.
57. A Trustee who is barred from attending all or part of a meeting of the Board of Trustees or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.
58. The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the *Education Act* regarding absences from meetings.

**Reconsideration**

59. If the Board determines that a Trustee has breached the Code of Conduct the Board shall,
    - a) give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board
-

- b) the notice shall inform the Trustee that they may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least fourteen (14) days after the notice is received by the Trustee; and
  - c) consider any written submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.
60. If the Board revokes a determination, any sanction imposed by the Board is revoked.
61. When the Board makes a determination, it shall, within the fourteen (14) days above, confirm, vary or revoke the sanction.
62. If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.
63. The decision of the Board to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees present and voting. The resolutions shall be recorded in the minutes of the meeting, together with the reasons for confirming or revoking a determination. The Board of Trustees shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.
64. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but ~~may shall~~ not participate in the deliberations. ~~and shall not be required to answer any questions at that meeting.~~ and shall not be required to answer any questions at that meeting.
65. If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

Footnotes

1. Please note that the Ministry of Education's proposed provincial provisions to be included in a Regulation includes "and comply with the *Municipal Conflict of Interest Act*." Before the Regulation is passed, OPSBA hopes to discuss with the Ministry deleting the reference to the *Municipal Conflict of Interest Act* for the following reason. If compliance with the *Municipal Conflict of Interest Act* remains as part a part of a Trustee Code of Conduct, and an allegation is made that a Trustee has breached that *Act*, then it would require a Board to make a legal determination and finding as to whether or not a Trustee has breached that *Act*. This finding could seriously prejudice a Trustee in a subsequent court application brought by a ratepayer pursuant to that *Act*. Because the *Municipal Conflict of Interest Act* has an enforcement procedure, any allegation of a breach of that *Act* should be dealt with only under that *Act*.

**ACKNOWLEDGEMENT AND UNDERTAKING**

I confirm that I have read, understand and agree to abide by this Trustee Code of Conduct and the Enforcement Procedures.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 1

Ontario Regulation 462/97 *First Nations Representation on Boards* provides that appointed First Nation Trustees are deemed to be elected members of the board. While this means that a Trustee Code of Conduct and the Enforcement Procedures would apply equally to First Nation Trustees, school boards should have regard for the fact that the Regulation expressly provides that First Nation Trustees represent the interests of the First Nation students of that school board. School boards should consider taking this fact into consideration when imposing any sanction for a breach of the Code of Conduct by a First Nation's Trustee. For example, the Board should consider this fact when considering a sanction of barring a First Nation's Trustee from a board or committee meeting. If a matter to be considered at a meeting engages the interest of First Nation students then is a sanction to exclude a First Nation's Trustee from that meeting appropriate? As a result, school boards with First Nation Trustees may consider adding a provision to their Trustee Code of Conduct that provides for a consideration of the role of a First Nation's Trustee when imposing any sanction for a breach of the Code of Conduct.