

SPECIAL BOARD MEETING – PUBLIC SESSION

TUESDAY, JUNE 10, 2025

BOARD ROOM

451 PARK STREET WEST, WINDSOR

6:00 P.M.

AGENDA

A. CALL TO ORDER

B. ATTENDANCE

C. APPROVAL OF AGENDA

ACKNOWLEDGEMENT OF TRADITIONAL LANDS AND WATER

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 (Len-eh) Lenape (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 Huron/Wendat (Wen-dat) Peoples and the Three Fires Confederacy Ojibwe (Oh-jib-way), Odawa (Oh-dah-wah), Potawatomi (Paw-taw-watt-oh-me). We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis.

D. NEW BUSINESS

- Page 1 – 113 D.1 **Investigator's Final Report Regarding Code of Conduct Complaints Alleging Breaches**

RECOMMENDATION:

TO BE DETERMINED BY TRUSTEES

- Page 114-297 D.2 **Investigator's Final Report Regarding Code of Conduct Complaints Alleging Breaches**

RECOMMENDATION:

TO BE DETERMINED BY TRUSTEES

E. ADJOURNMENT

NEXT SCHEDULED MEETING:

Regular Meeting of the Board, Tuesday, June 17, 2025

Chairperson – Gale Simko-Hatfield
Vice-Chairperson – Connie Buckler

Director of Education – Vicki Houston
Executive Assistant – Melissa LeBoeuf



Report to:

Greater Essex County District School Board

April 17, 2025

**RE: Trustee Cathy Cooke,
Trustee Code of Conflict Investigation**

Prepared by:

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1. Introduction and Mandate

On June 17, 2024, the Greater Essex County District School Board (“the Board”) retained Rubin Thomlinson LLP to conduct an impartial investigation into an alleged breach of the Trustee Code of Conduct¹ by a member of the Board, Trustee Cathy Cooke.

Our mandate under the Code of Conduct is to conduct a formal inquiry, to outline the findings of fact respecting the events of April 2, 2024, and to provide a recommendation or opinion to the Board on whether the Code of Conduct has been breached.

We confirm that we carried out the investigation impartially and that we reached the findings in this report independently, without interference from the client.

2. The Parties

a) Board of Trustees

This investigation does not arise from a specific complaint from an individual trustee, but rather from a motion passed by the Board, on June 4, 2024, that an investigator be appointed to investigate the conduct of Trustee Cathy Cooke in relation to and/or arising out of the Special Public Meeting of the Board held on April 2, 2024.

b) Trustee Cathy Cooke

Trustee Cooke has been a school trustee since 2018. She represents several wards in the City of Windsor.

¹ Appendix A: Trustee Code of Conduct, Reference No R-GV-06.

3. Conduct of the Investigation

The background to this investigation, as set out below, was a very public controversy respecting the naming of a new school in Kingsville, Ontario, in 2024.

This investigation is respecting the conduct of Trustee Cooke on April 2, 2024, during one of several meetings held respecting the naming of the school. The conduct in question was captured on video, included a video recording of the Board of Trustees Special Public Meeting of April 2, 2024, and a video of Trustee Cooke speaking with the media shortly after the meeting.

I interviewed the Chair of the Board, Gale Simko Hatfield, on June 19, 2024, via videoconference.

On July 5, 2024, I sent Trustee Cook a letter, setting out the specific excerpts from the Special Board Meeting of April 2, 2024, and her subsequent media interview, which may have amounted to a breach of the Code of Conduct.² In particular, I set out the statements she made during the meeting, and the statements she made to the media after the meeting, which may have amounted to a contravention of a number of sections of the Code of Conduct, including making personal or disparaging comments about her fellow trustees, discrediting the integrity of the Board, and undermining the implementation of a resolution of the Board.

Due to summer schedules, I was not able to meet with Trustee Cooke until August. I interviewed Trustee Cooke on two dates, August 9, 2024, and August 16, 2024; the original interview was cut short due to technical

² Appendix B: July 5, 2024 – Letter to Trustee Cathy Cooke.

issues, but we were able to reschedule the following week. Trustee Cooke subsequently contacted me on September 17, 2024, and provided some additional background documentation respecting the renaming of the school.

On September 19, 2024, I was advised by Chair Hatfield that another related Code of Conduct issue had arisen, respecting another trustee, and was asked to also investigate this matter as well. This subsequent complaint was connected to the present investigation, in that both were directly related to the naming of the school, and I recommended to the Chair that the two reports be issued at the same time, though recognizing that this would result in a delay in the report being issued.³ The second report was concluded in April 2025.

As part of both this and the subsequent investigation, I conducted the following two interviews:

- Trustee Julia Burgess, October 29, 2024.
- Scott Scantlebury, former Public Relations Officer for the Board, November 12, 2024.

To put the events of April 2, 2024, in context, it was also necessary for me to review the background to the school naming controversy, including evidence relating to a number of meetings where the naming of the school was addressed, and the agendas, minutes, and video recordings of several Board meetings, in particular, the Board meeting of February 20, 2024, March 19, 2024, and April 2, 2024, where the Board considered the naming of the new school. It also included a review of a report of the Ontario

³ The time between the interviews and the issuance of this report were, as such, delayed while the related investigation was conducted.

Ombudsman dated June 12, 2024,⁴ which addressed a number of complaints brought respecting the process followed for the naming of the new school. I also reviewed media reports, correspondence from trustees, members of the public, and politicians respecting the controversy over the naming of the school.

After conclusion of the related report, I provided Trustee Cooke with a draft copy of this report on April 1, 2025, including my findings of fact, in accordance with the process under the Trustee Code of Conduct. She provided her feedback on April 10, 2025, which was considered in completing this report.

During the course of all of my interviews, as is my practice, I advised all individuals of their obligation to maintain the confidentiality of all matters discussed, including not only the information they communicated to me, but also the subject-matter of my questions.

4. Evidence and Findings of Fact

As explained above, in order to put Trustee Cooke's actions on April 2, 2024, in context, I also reviewed the background information respecting the process undertaken by the Board for the naming of the new school. The process around the naming of the school was, however, publicly quite controversial, and included considerable misinformation.

Our mandate is only to determine whether Trustee Cooke's conduct, on April 2, 2024, amounted to a breach of the Code of Conduct. As set out in subsections a) to e), below, I have set out the background to the naming process, based on the evidence collected. This evidence is not in dispute. .

⁴ Appendix C: June 12, 2024 – Ombudsman's Report.

When making findings of fact in this investigation, the standard of proof I have used is the balance of probabilities, which is the standard used in human rights and civil matters. Essentially, I have determined what is more likely than not to have occurred.

a) New K-12 School

A new kindergarten to Grade 12 school (“K-12 school”) was planned to replace a number of elementary and secondary schools from various communities in the southern part of Essex County and the Township of Pelee. Its catchment area included Kingsville, Colchester, Harrow, parts of Leamington, and Pelee Island. The new school officially opened in September 2024, and is located in Kingsville, the largest community within the catchment area.

In the fall of 2023, in accordance with the Board’s Naming Policy Regulation,⁵ a Naming Committee comprised of trustees, Board staff, students, and community representatives, was formed (the “Committee”). The Committee was chaired by Trustee Julia Burgess. As the majority of students in the catchment area came from Kingsville, Kingsville residents had a majority on the Committee.

The Board practice in naming K-12 schools was to call them either an “Academy” or a “District School,” along with a unique name that met the criteria set out in the Naming Policy Regulation.

The evidence indicates that there was a strong view amongst many residents that the new school should include “Kingsville” in the name. Some residents from other communities in the catchment area, including Harrow

⁵ Appendix D: Naming and Renaming of Board Facilities Regulation, No: R-PL-01.

and Colchester, took the position that when the planning for the new school had begun many years earlier, they were assured that no names from any of the existing schools would be considered, out of respect for the fact that the new school was amalgamating schools from a number of different communities in different municipalities. However, nine years later, when the new school name was actually being considered, there was apparently no record to confirm that such representations had been made.⁶

Over 600 names were submitted for consideration.⁷ The Committee met several times, and considered many of the names. Ultimately, the Committee voted to recommended two names to the Board: Kingsville District Academy and Greater Kingsville Academy.

The naming of a school is ultimately the responsibility of the Board. Under paragraph 7 of the Naming Policy Regulation, trustees are not required to accept the recommendations of a Name Selection Committee, and may propose alternative names. There is no obligation on the Board to go back to the Committee should the Board choose not to adopt the recommendations.

b) February 20, 2024: Private Session Meeting

The naming of the new school was on the agenda for the Board meeting of February 20, 2024, as follows:

a. NEW BUSINESS

⁶ Appendix E: March 19, 2024 – Board Meeting Minutes, page 9.

⁷ February 20, 2024: Public Board Meeting video, <https://www.youtube.com/watch?v=CWU8wVgJEjA>, at 1:13:50-59.

Pages 9-10 L.2 Approval of Name for New School in the
Town of Kingsville

RECOMMENDATION:

TO BE DETERMINED BY THE BOARD OF TRUSTEES.

Attached to the agenda was a memo, from Trustee Burgess, setting out the details of the Committee, and the Committee's recommendations for the name of the new school, which, as noted above, were Kingsville District Academy or Greater Kingsville Academy.⁸

Immediately prior to the Board meeting on February 20, 2024, a private session meeting of the Board was held. According to the Ombudsman's report, this meeting was later the subject of many complaints raising concerns that there may have been an improper discussion of the new school name or naming process.

The Ombudsman's report noted that, according to the minutes of the private session, a trustee had "provided an overview of how the Naming Committee was selected and how input was gathered," but was redirected by the Chair to limit comments to matters which could be discussed in closed session. The Ombudsman concluded that the Board then proceeded to discuss personal matters about identified individuals. The Ombudsman's report concluded, "These discussions revealed information that was of a personal nature. The discussion was not about what the school should be named, and specific options were not canvassed." The conclusion in the Ombudsman's report stated:

My review confirmed the Board of Trustees acted in
accordance with the School Board's policies, regulations,

⁸ Appendix F: February 20, 2024 – Board Meeting Agenda, pages 9-10.

and the Governance By-laws respecting the processes and procedures for naming the new kindergarten to grade 12 school.

In addition, my Office found that the Committee of the Whole's *in camera* discussions on February 20, 2024, fit within the *Education Act*'s exception for intimate, personal or financial information respecting a specifically identified individual.

Trustee Cooke was not present for either of the closed session or public session meetings of February 20, 2024.⁹

c) February 20, 2024: Public Board Meeting

When Trustee Burgess spoke to the school naming recommendation, according to the minutes of the Board meeting of February 20, 2024,¹⁰ and as reflected in the recording of the meeting,¹¹ she indicated this was a “controversial Committee,”¹² that it involved remembering previous and current school closures, that the process had been “heart wrenching and difficult,” and had been a “hot topic” of discussion in the communities falling within the school’s catchment area.

Trustee Burgess said at the meeting that calling the school “Kingsville” would have been appropriate if it was one town and one school, but as the catchment area goes beyond the Town of Kingsville, and in light of the grief from other communities respecting the closing of their high school some years earlier, it was appropriate to consider a name that reflected the broader catchment area, rather than only one community. Trustee Burgess

⁹ Appendix G: February 20, 2024 – Board Meeting Minutes, page 1. This is also reflected on the minutes of the February 20, 2024 – Private Session Minutes, which are not included here given their confidential nature.

¹⁰ Appendix G: February 20, 2024 – Board Meeting Minutes, pages 3-5.

¹¹ February 20, 2024: Public Board Meeting video, (note 6, above), at 0:48:30.

¹² *ibid.*, at 0:50:36.

indicated that she would be relying on paragraph 7 of the Regulation, and proposed an alternative name for the school.

Trustee Burgess then brought forward a motion to name the school “Erie Migration Academy.” She distributed a one-page rationale for why she chose this name.¹³ Trustee Burgess said at the meeting that the name “Erie Migration Academy” was not specifically considered by the Committee, but both the words “Erie” and the word “Migration” were included as part of some of the names suggested.¹⁴ Trustee Burgess recognized that her choice to propose an alternative would be “contentious.”

After Trustee Burgess explained the rationale behind the name she was putting forward, the trustees had an opportunity to discuss the matter. Several trustees expressed their support for the name. Trustee Armstrong, who was attending by telephone, also had an opportunity to speak, and expressed her view that, as the Committee had recommended names for the school, she was uncomfortable going against the names put forward. She expressed her concern that adopting the name proposed by Trustee Burgess would breed mistrust.¹⁵

Trustee Burgess acknowledged that there would be a negative reaction. Trustee Armstrong responded,¹⁶ asking why the name was not brought up before, and only brought up at the 11th hour. Trustee Armstrong also said, “I

¹³ Appendix H: February 20, 2024 – Burgess motion to name school Erie Migration Academy.

¹⁴ The eight names on the short-list considered by the Committee which contained either “Erie” or “Migration” had included the names Kingsville Migration Academy, Erie District Academy, and Lake Erie Migration Academy.

¹⁵ February 20, 2024: Public Board Meeting video, (note 7, above), at 01:12:30.

¹⁶ *ibid*, at 01:15:18.

do like the name, it sounds great,” but again expressed her concern that the Board was not respecting what the Committee had put forward.

Trustee McKinley then spoke up, noting that she felt that respecting the community did not mean simply following the majority from Kingsville who wanted their town’s name, but also meant considering the view of those from communities outside Kingsville.

Trustee Linda Qin also spoke up, expressing the same concerns as Trustee Armstrong, saying that it was not prudent to rush to decide the name, and suggested that this proposed name should first go back to the Committee.

Trustee Burgess stated that she would not support sending the matter back, or deferring the decision, as the matter had already been discussed at length, and that deferring would delay other important decisions, such as branding, colours, and mascots.

Trustee Armstrong spoke up again, when the Chair indicated they were going to a vote,¹⁷ and stated that because of the mistrust it would breed, and because it did not respect all the work that was done, she would not be supporting the motion. Trustee Qin also voted against. The remaining trustees present voted in favour of the motion to name the school “Erie Migration Academy.” Two members, Trustee Cooke and Trustee LeClair, were absent from the Board meeting of February 20, 2024, and as such did not take part in the vote.¹⁸

Trustee Burgess also gave notice that, at the next public Board meeting after February 20, 2024, she would be bringing a motion to refer the Naming and Renaming Policy and Regulation back to the Policy Committee for

¹⁷ *ibid*, at 01:28:57.

¹⁸ Appendix G: February 20, 2024 – Board Meeting Minutes, pages 3-5, 1.

reconsideration and review, to address shortcomings in the process which had emerged during the recent consultation. She did so at the Board Meeting of March 19, 2024, where the motion passed.¹⁹

d) Reaction to Name

There was considerable negative public response to the name chosen, in particular to the fact that the Board had not adopted one of the two “Kingsville” names recommended by the Committee.

Concerns also arose that the acronym for the name “Erie Migration Academy” was, according to an entry in the crowdsourced website [urbandictionary.com](https://www.urbandictionary.com), a reference to a sexual act. There were some references in the media around concerns that the vulgar acronym could lead to bullying.

There were also public letters from various Kingsville area politicians. The local MPP, Anthony Leardi, wrote a letter which was published in the *Kingsville Times*; Trustee Burgess publicly responded,²⁰ defending the choice of name in considerable detail. The former mayor of Kingsville, Nelson Santos, also wrote a letter to the Board. Mr Santos indicated that he had heard from many residents unhappy with the decision not to accept the Committee’s recommendations, and expressed his hope that the Board would send the matter back to the Committee.²¹

¹⁹ Appendix E: March 19, 2024 – Board Meeting Minutes, page 8.

²⁰ Appendix I: February 2024 – Correspondence between A. Leardi, MPP, and Trustee Burgess.

²¹ Appendix J: February 22, 2024 - email from N. Santos to Board of Trustees.

e) March 19, 2024: Public Board Meeting

At the next Board meeting on March 19, 2024, a motion was put forward by Trustee Armstrong to add an agenda item for a vote to rescind the decision to name the school “Erie Migration Academy.”²² The motion was defeated.²³

Several community members spoke to the name of the new school, including presentation of a petition from individuals not happy with the name selected by the Board.²⁴

Later in the meeting of March 19, 2024, Trustee Armstrong raised some further questions about the naming process, and there was some additional discussion in the meeting about the name.²⁵ Trustee Armstrong then brought a further motion, to include for consideration at the next Board meeting, that the Board rescind the name “Erie Migration Academy,” and replace the name with one suggested by the Committee that had a thoroughly vetted acronym.²⁶ The motion was ruled out of order by Chair Hatfield, on the basis that it repeated the motion to rescind the name already made by Trustee Armstrong at the beginning of the meeting.

Trustee Qin indicated that she would bring a motion at the next Board meeting to examine the naming procedure of the new school. At the next regular Board meeting, held on April 16, 2024, the motion was ruled out of order.

²² March 19, 2024: Board Meeting video, <https://www.youtube.com/watch?v=pZUL2ytXtOk>, at 0:02:45.

²³ Appendix E: March 19, 2024 – Board Meeting Minutes, page 2.

²⁴ Appendix E: March 19, 2024 – Board Meeting Minutes, page 7.

²⁵ March 19, 2024: Board Meeting video, (note 21, above), at 02:12:48.

²⁶ *ibid*, at 02:24:50.

f) April 2, 2024: Special Board Meeting

i. Announcement of Meeting

Based on the documentary evidence, I find that, in light of the public concern, Chair Hatfield gave the Trustees notice of a Special Board meeting to be held on April 2, 2024, to address the concerns about the acronym.²⁷ The only substantive item on the agenda²⁸ for the special meeting on April 2, 2024, was as follows:

D. SCHOOL NAME

RECOMMENDATION:

TO AMEND THE PREVIOUSLY ADOPTED MOTION (AGENDA ITEM L.2, FEBRUARY 20, 2024) THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE “ERIE MIGRATION ACADEMY” BY STRIKING “ACADEMY” AND INSERTING “DISTRICT SCHOOL”.

ii. Trustee Cathy Cooke

Trustee Cooke indicated that, going into the Special Board Meeting of April 2, 2024, it appeared to her that the community consultation had been ignored by Trustee Burgess and the majority of the Board who voted in favour of the name.

Trustee Cooke said she understood that the Board did not have to adopt one of the names put forward by the Committee, and that under the Board’s Naming Policy and regulations, it was open to Trustee Burgess to put forward an alternate name. However, Trustee Cooke made it clear that she

²⁷ Appendix K: March 29, 2024 - Special Board Meeting Notice.

²⁸ Appendix L: April 2, 2024 - Special Board Meeting Agenda.

felt that, just because they could do this, did not mean that they should, and that she believed the appropriate thing would have been to take the name Trustee Burgess had proposed back to the Committee. Instead, Trustee Cooke felt that the message Trustee Burgess and the majority of the Board had conveyed to the members of the Committee, including students, was that their ideas and opinions did not matter, and that the consultation was only for show. Trustee Cooke said in her interview that she felt that Trustee Burgess had “shut down the Community voice.” I accept that this was her belief at the time, as I have no reason to disbelieve her.

Trustee Cooke also made it clear that she was not challenging the name itself, and in fact had no issue with the school being called “Erie Migration,” nor with the proposed change set out in the agenda for the special meeting of April 2, 2024.

iii. Special Board Meeting of April 2, 2024

In this section, I have made the findings of fact about what transpired at the meeting based on my review of the video recording of the special board meeting of April 2, 2024. Where relevant, I have also summarized Trustee Cooke’s explanations for why she made certain statements.

The meeting of April 2, 2024, was chaired by the Vice-Chair, Christie Nelson. Also present, by telephone, was a parliamentarian, Lori Lukinuk, to assist the Board in case of procedural questions. A video of the meeting is available online.²⁹

²⁹ April 2, 2024: Special Board Meeting video, <https://youtu.be/bQ7JmyXMr84?si=Tkw6ysKXCuGEu5GF>, starting at 0:01:00.

The Vice-Chair read the above recommendation. Trustee Burgess moved in favour of the above recommendation, and it was seconded by Trustee McKinley.³⁰

Trustee Cooke raised a question respecting who had brought in the recommendation to change the name. She specifically asked whether the recommendation had been brought in by Trustee Burgess, or by Trustee Hatfield, or Vice Chair Nelson, who was chairing the meeting.

In our interview, Trustee Cooke noted that the agenda for the special meeting of April 2, 2024, was listed as a “recommendation,” which, as noted above, I confirmed was the case. She said that usually, in Board meeting agendas, the name of the Board member putting the matter forward would be listed, but that there was no name indicating where the recommendation was coming from. Trustee Cooke said she felt it was important to know on whose recommendation the issue was being considered, which is why she raised her question at meeting, after the motion to change the name was put forward by Trustee Burgess. She took the position that this was a legitimate question to ask in the circumstances.

When Trustee Burgess raised a point of order with the Vice-Chair that this was not a question of clarification, Trustee Cooke responded, directly to Trustee Burgess, “There is a question of clarification, Trustee Burgess, I’d like to know who brought the recommendation in.” Trustee Burgess said, “Please speak through the Chair – Madame Chair.”³¹ Trustee Cooke corrected herself, and continued, stating, “Through the Chair, I would like

³⁰ *ibid*, at 00:03:27.

³¹ Under parliamentary procedure and Roberts Rules of Order, which govern the procedure followed at Board meetings, members do not converse directly with each other, but must pose questions or make comments through the chair of the meeting, in this case, Vice-Chair Nelson.

to know who brought the recommendation in? And I have a right to know. We have a right to know.”

Trustee Cooke acknowledged that she did address Trustee Burgess directly, rather than through the chair as is expected based on the Rules of Order, but noted that she corrected herself and did put her question through the chair. She expressed her opinion that such a minor procedural error should not be considered a breach of the Trustee Code of Conduct.

In response to Trustee Cooke’s question of who brought the recommendation in, Ms Lukinuk advised, “The one member is not in order. I think the question has been answered, you have a maker of the motion and that’s who is about to speak to it. So, Madam Chair, I would advise you to move on.” Trustee Cooke then stated, “So what I’m hearing is, just to clarify, Trustee Burgess brought this in then.” Trustee Cooke did not pursue the matter further during the meeting.

In her interview, Trustee Cooke indicated that she felt her question was not properly understood by the parliamentarian. Trustee Cooke indicated that her follow-up statement, that the recommendation was coming from Trustee Burgess, was simply to clarify what the parliamentarian had just said.

Trustee Burgess then spoke to the motion, explaining that, though the previous name, Erie Migration Academy, had been vetted, the vulgar acronym had been missed. She acknowledged that they “don’t want our students, staff, or community to be involved in the bullying that is associated with a vulgar acronym.”³²

³² April 2, 2024, Special Board Meeting video, (note 29, above), at 00:07:18.

Trustee Burgess then brought a second motion to immediately call the question,³³ which, as explained by the parliamentarian, if passed, meant that there would be no debate on the original motion to change the name.

The motion to immediately call the question carried with a vote of seven in favour and three opposed,³⁴ meeting the required two-thirds vote.

Vice-Chair Nelson then called for a vote on the original motion to strike the word “Academy” and insert “District School.” The vote carried, also by seven to three.³⁵ There was, as such, no debate or discussion on the motion to amend the name of the school.

Vice-Chair Nelson then said, “Motion to adjourn?” then stated, “This meeting is adjourned,”³⁶ at which point Trustee Cooke and Trustee Armstrong rose and left the meeting room. However, the motion to adjourn had not yet actually been moved or voted on, which then took place while Trustee Cooke and Armstrong were leaving.

Trustee Cooke agreed she was being persistent in her questioning in the meeting, but she took the position that her persistence was not personal, demeaning, or disparaging of her fellow trustees, and rather that her comments were because she had concerns respecting the process that had been followed. She reiterated that her asking for clarification about the source of the recommendation was justified, given that who was bringing forward the recommendation had not been identified in the agenda.

³³ *ibid*, at 0:07:58.

³⁴ Though the student trustee also voted against both motions, a student trustee does not have a binding vote on the Board, pursuant to s 55(2) of the *Education Act*.

³⁵ Appendix M: April 2, 2024 – Minutes of Special Meeting.

³⁶ April 2, 2024, Special Board Meeting video, (note 29, above), at 0:11:44.

Trustee Cooke also indicated that she believed that the outcome of the votes at the meeting on April 2, 2024, had already been determined, and that the majority of the trustees knew this in advance. She noted, however, that she had not said this in the meeting. I noted to Trustee Cooke that the issue of whether the Board had followed the correct procedure was not within our mandate, and that the question of whether there were improper discussions respecting the naming of the school had already been raised in complaints to the Ontario Ombudsman, and that the Ombudsman's report concluded that the Board had acted in accordance with the Board's policies, regulations, and Governance By-laws.

iv. Talking to Media

A video of Trustee Cooke speaking after the meeting was posted to YouTube,³⁷ which she did not dispute was accurate, I find that, immediately after the Special Board Meeting of April 2, 2024, Trustee Cooke spoke to reporters and others present outside the meeting room, where she made the following statements:

"I am extremely disappointed, I am extremely frustrated, and I think this whole thing was a terrible mess. What they did tonight was shut everybody up. They didn't want trustees to talk. They didn't want to hear anything from anybody in the community, all they wanted to do was shove it through and that's what they did, and it was wrong, it's wrong to the trustees. But more than that, it's wrong to the community. And I am angry and I'm not staying tonight for the public meeting. This is just a mess, and Trustee Burgess did what she did, got it through."

"This was a planned thing, they knew exactly how they were going to do this tonight and that's what they did. I was told before by another trustee that it's going to be put on the

³⁷ <https://www.youtube.com/watch?v=vZ-hz7lvEJY&t=17s>

floor. It's going to be voted on and that's it. And that's exactly what happened. Everybody should get a say in this. This is a community school. This school does not belong to the Board. It does not belong to the trustees; it belongs to the community and that was taken away."

...

"This is an absolute disgrace."

...

"I am so disappointed at what happened tonight. It's, it's a mess, and it's wrong."

...

"I am disgusted at what just happened"

Trustee Cooke agreed that the video was of her speaking to the media. She reiterated her position that she was not criticizing or undermining the decision made to name the school "Erie Migration," nor were her criticisms about the specific motion put forward on April 2, 2024, to replace "Academy" with "District School." Her objection was about the overall process, not the result.

I pointed out that, in her statements to the media, Trustee Cooke's comments were specifically critical about "what *they* did," including a direct reference to Trustee Burgess. She acknowledged that by "they" she was referring to the trustees who had put forward and supported the motion.

Trustee Cooke also pointed out that, during the naming process, Trustee Burgess had also spoken to the press, and had given the impression that she was speaking on behalf of the Board. I noted that the issue raised in this

investigation was not speaking to the press, but speaking to the press to publicly undermine a decision of the Board.

Trustee Cooke's criticism of the Board was repeated in a number of media sources, including in local print media, the *Windsor Star*,³⁸ and on CTV television,³⁹ though the latter was edited and did not include Trustee Cooke mentioning Trustee Burgess' name. Based on these media reports, I find that there was a significant public backlash towards the Board for not choosing the name "Kingsville" for the new K-12 school, and for not adopting a recommendation of the Naming Committee. This is not in dispute.

Based on the video of Trustee Cooke speaking with the media, and based on her own admissions, I find that Trustee Cooke made a number of critical statements directed at Trustee Burgess, Trustee McKinley, and the trustees who voted in favour of the motions.

From Trustee Cooke's evidence, and from reviewing the video, I accept that her statements were, in part, objecting to the process followed in the Special Meeting of April 2, 2024, which proceeded to a vote without debate, and were also, in part, objecting to the overall process followed by the Board in naming the school, starting with the decision on February 20, 2024, to select a name that was not recommended by the Naming Committee.

g) Ombudsman Complaint

As note above, there were more than 300 complaints filed with the Ombudsman following the naming decision. The Ombudsman conducted

³⁸ <https://windsorstar.com/news/local-news/debate-shut-down-but-public-board-picks-new-name-for-kingsville-school>.

³⁹ <https://windsor.ctvnews.ca/trustees-storm-out-as-erie-migration-academy-name-changes-1.6831568>.

an investigation into the process, and concluded in its report of June 15, 2024, that the Board of Trustees had acted in accordance with its policies, regulations, and Governance By-laws in the school naming process, including at all the meetings discussed above. As noted, it is not within our mandate or jurisdiction to review the findings of the Ombudsman, and for the purposes of this investigation I accept the findings in the Ombudsman's report as settled.

5. Relevant Policies

As noted previously, I have been asked to provide a recommendation or opinion to the Board on whether Trustee Cooke breached the Code of Conduct. I have included excerpts from the Code of Conduct in this section, as these are relevant to the analysis at section 6 of this report, below,

a) Trustee Code of Conduct R-GV-06⁴⁰

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.

...

6. Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to GECD SB staff or fellow Trustees.

...

⁴⁰ Appendix A, note 1, above.

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

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 GECDSE.

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 GECDSE 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.

...

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 GECD SB.

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 GECD SB 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 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 GECD SB.

6. Opinion

In accordance with the process set out in the Trustee Code of Conduct, part of my role is to give an opinion or recommendation to the Board on whether there has been a breach of the Code of Conduct. I will consider first Trustee Cooke's conduct during the meeting of April 2, 2024, followed by her conduct in speaking to media immediately after the meeting.

a) Meeting of April 2, 2024

Based on my review of the video, and taking into consideration the explanations of Trustee Cooke, it is my opinion that her conduct, during the meeting, was not contrary to the Code of Conduct.

I identified four possible provisions of the Code of Conduct that her conduct may have contravened: 6, 14, 18, and 25, reproduced above.

i. Section 6

Section 6 requires that comments by trustees are issue-based and not personal, demeaning, or disparaging. Though persistent, and though she appeared somewhat exasperated, her questions were issue-based, respecting the source of the recommendation to change the name of the school. Trustee Cooke did specifically name Trustees Burgess, Chair Hatfield, and Vice-Chair Nelson, when asking if they were the ones who had put forward the recommendation; however, this was not personal, demeaning, or disparaging, but was directly related to her point of order. As such, in my opinion there was no breach of section 6 of the Code of Conduct.

ii. Section 14

I also cannot find that her raising this issue at the meeting could be considered to have discredited or compromised the integrity of the Board. What she was doing was raising a procedural issue, the matter was addressed through the procedural rules, and the meeting continued.

iii. Section 18

Section 18 requires trustees to act with decorum and respect. Trustee Cooke was, at worst, persistent in pursuing her issue, and appeared to be exasperated with the process during the meeting. I do not see her actions as being disruptive, nor, as noted above with respect to Section 6, disrespectful.

Trustee Cooke did, technically, leave prior to the adjournment motion. Though walking out of a meeting could be found to be contrary to section 18, in the present case, Vice-Chair Nelson had already announced (albeit prematurely) that “this meeting is adjourned.” In these circumstances, I would not consider Trustee Cooke having walked out as a breach of the Code of Conduct.

iv. Section 25

Section 25 requires trustees to comply with Board policies, procedures, By-Laws, and Rules of Order. Though, technically, Trustee Cooke did not follow the Rules of Order when she addressed Trustee Burgess directly, when directed to speak through the Chair, she immediately corrected herself. I note that, under s. 49 of the Code of Conduct, no sanction should be imposed for a contravention of the Code of Conduct that was trivial. Addressing another trustee directly, though technically not following the Rules of Order, is a trivial breach, particularly where it was immediately corrected. In my opinion, this should not be treated as a breach of the Code of Conduct.

b) Media interview

Based on my review of the video, and taking into consideration the explanations of Trustee Cooke, it is my opinion that her statements during the media interview were contrary to the Code of Conduct.

In my opinion, Trustee Cooke has contravened sections 6, 14, 23, and 24 of the Code of Conduct.

i. Section 6

Section 6, as noted above, requires trustees to ensure their comments are issue-based and not personal, demeaning, or disparaging. Trustee Cooke's comments painted her fellow trustees in a very negative light; she referred to "what **they** did" as "wrong," "an absolute disgrace," "a mess," and that she was "disgusted at what just happened." Though Trustee Cooke maintained that her comments were about the process, and not about the decision, nor that her comments were personal, the clear meaning that came across in the interview was that she was strongly criticizing the trustees who had put forward the motion, and those who supported it. A trustee may have their own negative opinions of their fellow trustees; however, the Code of Conduct is clear that these are not matters a trustee may air in public.

In my opinion, Trustee Cooke's comments to the media were personal, demeaning, and disparaging of her fellow trustees, and her statements as such contravened Section 6 of the Code of Conduct.

ii. Section 14

Section 14 prohibits conduct that would discredit or compromise the integrity of the Board.⁴¹ Trustee Cooke’s statements to the media were highly critical of the actions taken by her fellow trustees, and in the process by which the decision on naming the school was made. Her statements clearly suggested that the Board was acting improperly. In my opinion, Trustee Cooke’s statement to the media was discrediting the integrity of the Board, contrary to Section 14 of the Trustee Code of Conduct.

iii. Sections 23 & 24

Sections 23 and 24 are related, addressing the obligation of a trustee to uphold, and to not undermine, the implementation of any Board resolution once passed.

Trustee Cooke claims she was not objecting to the name chosen by the Board, but rather, she was objecting to the process by which the name was adopted. She took the position, as such, that her comments to the media were not undermining the Board’s decision.

I disagree. Section 24 allows a trustee to “respectfully state their position on a resolution provided it does not in any way undermine the implementation of the resolution.”

⁴¹ I note that Section 3 of the Code of Conduct is closely related to Section 14. Section 3 requires trustees to act “in a manner that will inspire public confidence in the abilities and integrity of the Board.” Section 14 is similar, but framed as a prohibition on conduct that would discredit or compromise the integrity of the Board. For the purposes of this report, there is little practical difference between the two, and a breach of Section 14 implies a failure to meet the aspirational goals of Section 3.

First, Trustee Cooke's statements to the media were not respectful; as noted above, in my view they were dismissive of and accusatory towards Trustee Burgess and the other trustees who supported the resolution.

In *Kaplan-Myrth v Ottawa Carlton District School Board*,⁴² the Ontario Divisional Court addressed a not dissimilar situation of a trustee criticizing her fellow trustees to the media. The Court noted, at paragraphs 31-32:

[31] . . . The conduct of concern was how the Applicant raised the issue, not that she raised it or whether it was true or not. Page 178 of the IC's report states:

[t]he manner in which she conveyed her concerns to staff was accusatory, and this is problematic. Trustee Kaplan-Myrth could have contacted the Director of Education or the Executive Officer to ask if they were aware of what was disclosed to the media and by whom; however, it was inappropriate for her to send out a memorandum broadly in which she accused staff of unlawfully disclosing her information to media outlets.

[32] As was the case for much of the case against the Applicant, the issue was not the substance of the views she wished to address, but the manner in which she did so: as a Trustee she was required to observe standards of civility while advancing her views and concerns. . . .

Second, despite her position that she did not actually object to the name, and was only challenging the process, this was not a distinction she made in her statement to the media. The media reported the incident as part of the broader negative public reaction to the name itself, not simply the process. By publicly criticizing the process, Trustee Cooke was fueling the public objection to the name chosen, and as such was undermining the decision of

⁴² *Kaplan-Myrth v Ottawa Carlton District School Board*, [2024 ONSC 4280](#) (Div Ct).

the Board. In my view, Trustee Cooke's statements to the media were undermining the decision of the Board respecting the new school name, and were in contravention of sections 23 and 24 of the Trustee Code of Conduct.

7. Conclusion

For the above reasons, my opinion is that Trustee Cooke did not contravene the Trustee Code of Conduct during the meeting of April 2, 2024.

I am also of the opinion, however, that, in her statements made after the meeting, she engaged in conduct contrary to Sections 6, 14, 23, and 24 of the Trustee Code of Conduct.

Date: April 17, 2025



Per: Bruce Best
RUBIN THOMLINSON LLP

Appendix A

GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

Regulation: Trustee Code of Conduct

Reference No: R-GV-06

DEFINITIONS

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

- “Board” means GECD SB Board of Trustees;
- “Chair” means Chairperson of the Board of Trustees;
- “Code” or “Code of Conduct” means GECD SB 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 legislation¹
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 GECD SB.
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 GECD SB 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 GECD SB.
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 GECD SB.
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 GECD SB 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.

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 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. 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 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 the Trustee 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 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 GECDSD 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.
- 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 may be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision may 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;
 - 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
 - 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.
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 shall not participate in the deliberations 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.

Appendix B



Reply to: Bruce M R Best
Direct: 416-597-5746
Email: bbest@rubinthomlinson.com
www.rubinthomlinson.com

July 5, 2024

PRIVATE AND CONFIDENTIAL

Cathy Cooke, Trustee

Greater Essex County District School Board

Sent by email: cathy.cooke@publicboard.ca

Dear Trustee Cooke:

Re: Code of Conduct Investigation

I am a lawyer with the firm of Rubin Thomlinson LLP. We have been retained by the Greater Essex County District School Board to conduct an impartial investigation to determine whether your actions or statements at and following a Special Board Meeting on April 2, 2024, may amount to a breach of the Greater Essex County District School Board Trustee Code of Conduct.

Attached to this letter is a list of the specific allegations which give rise to this investigation. I have also attached a copy of the Trustee Code of Conduct. We can also provide you with a copy of a video recording of the events giving rise to this investigation, from which the specific quotes included below are drawn.

You may respond to the allegations in a meeting with me, in writing, or both.

If you wish to meet with me, please contact my investigation assistant, Rachel Cardozo, at rcardozo@rubinthomlinson.com or 416-847-1810 at your earliest convenience to schedule an interview.

If you wish to respond in writing, I would ask that you do so within ten days of this letter. If you require more time, please let me know.

When we talk, I will ask you whether there is anyone else with whom I should speak who may have information relevant to the investigation. I may contact

these individuals in connection with the investigation. No findings will be made in this matter until I have had an opportunity to speak with all relevant individuals.

This is a confidential investigation, which will be conducted in private, in accordance with the procedure set out in the Trustee Code of Conduct. Please keep confidential the fact of this investigation, and the information that you discuss with me during the interview. Further, please do not ask individuals if they have participated in this process, or about the contents of their discussions with me.

It is part of our practice to audio record all of our interviews to assist us with notetaking and ensure that we have an accurate record of the evidence. The recording will not be shared with anyone unless we are required by law to produce it.

I will make every effort to conclude this investigation as quickly as possible. If you have any questions about this process, please do not hesitate to contact me.

Yours truly,

RUBIN THOMLINSON LLP



Bruce Best

Alleged Breach of Trustee Code of Conduct

1. During the Special Board Meeting of April 2, 2024, during consideration of a motion by Trustee Julia Burgess to change the name of a school from “Erie Migration Academy” to “Erie Migration District School,” you raised a question, out of order, respecting who had brought in the recommendation to change the name. You specifically asked whether the recommendation had been brought in by Trustee Burgess, or by Trustee Hatfield, or the Chair of the meeting, Trustee Nelson.

When Trustee Burgess raised a point of order that this was not a question of clarification, you responded, directly to Trustee Burgess, “there is a question of clarification, Trustee Burgess, I’d like to know who brought the recommendation in.”

When directed to speak through the Chair, you stated “I would like to know who brought the recommendation in? And I have a right to know. We have a right to know.”

After Lori Lukinuk, a parliamentarian retained by the Board, advised the Chair that your question was not in order, and advising the Chair to move on, you continued pursuing the issue, stating “So what I’m hearing is, just to clarify, Trustee Burgess brought this in then.”

Your actions / statements during the above meeting may be in contravention of the obligation of a Trustee under Sections 6, 14, 18, and / or 25 of the Trustee Code of Conduct.

2. After the Special Board Meeting of April 2, 2024, you made the following public statements outside the meeting room to reporters and others present, which have been widely covered in the media:

“I am extremely disappointed, I am extremely frustrated, and I think this whole thing was a terrible mess. What they did tonight was shut everybody up. They didn’t want trustees to talk. They didn’t want to

hear anything from anybody in the community, all they wanted to do was shove it through and that's what they did and it was wrong, it's wrong to the trustees. But more than that, it's wrong to the community. And I am angry and I'm not staying tonight for the public meeting. This is just a mess, and Trustee Burgess did what she did, got it through.

"This was a planned thing, they knew exactly how they were going to do this tonight and that's what they did. I was told before by another trustee that it's going to be put on the floor. It's going to be voted on and that's it. And that's exactly what happened. Everybody should get a say in this. This is a community school. This school does not belong to the Board. It does not belong to the trustees, it belongs to the community and that was taken away."

. . .

"This is an absolute disgrace."

. . .

"I am so disappointed at what happened tonight. It's, it's a mess, and it's wrong."

. . .

"I am disgusted at what just happened"

The above actions / statements may be in contravention of one or more of Sections 3, 6, 11, 14, 16, 18, 23, and 24 of the Trustee Code of Conduct, and / or the duties of a Trustee under section 218.1 of the *Education Act*.

Appendix C



J. Paul Dubé, Ombudsman

BY E-MAIL

June 12, 2024

Vicki Houston
Director of Education
Greater Essex County District School Board
451 Park Street West, P.O. Box 210
Windsor ON N9A 6K1

Dear Director Houston:

Re: School naming process complaints

My Office received more than 300 complaints that raised concerns about the Greater Essex County District School Board's process for naming a new kindergarten to grade 12 school located in Kingsville. In addition, many of these complaints raised concerns that during closed meetings on February 20, March 19, April 2, and April 16, 2024, the Committee of the Whole may have improperly discussed the name or naming process for the new school.

I am writing to share the outcome of my review of these complaints.

Ombudsman's role and authority

The Ontario Ombudsman has oversight of hundreds of public sector bodies, including provincial government organizations, municipalities, and publicly funded universities. Since September 1, 2015, my Office has the authority to review and investigate complaints about the administrative conduct of school boards, including complaints concerning meetings held by a board of trustees or a committee of a board. You can read my previous decisions on, and interpretations of, the *Education Act*'s open meeting rules here: www.ombudsman.on.ca/what-we-do/topics/education/investigations-and-reviews-school-board-meetings.

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The Ombudsman's mandate also includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: www.ombudsman.on.ca/have-a-complaint/who-we-oversee.

In addition, my Office is the closed meeting investigator for more than half of Ontario's 444 municipalities. As the province's default closed meeting investigator, my Office is responsible for determining whether a municipality has complied with the open meeting requirements outlined in the *Municipal Act, 2001*.¹

My Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of municipal closed meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. While the open meeting requirements in the *Municipal Act* differ from those in the *Education Act*², school boards can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/digest.

Ombudsman review

In response to the complaints we received, my Office reviewed relevant portions of the School Board's website, its Governance By-Laws, and various School Board policies and regulations, including the Trustee Code of Conduct regulation, the Public Concerns regulation, and the Naming and Renaming of Board Facilities policy and regulation. We also reviewed the open and closed meeting agendas, reports, and minutes, as well as the public video recordings of the Board of Trustees' February 20, March 19, April 2, and April 16, 2024 meetings. We spoke with the Director of Education, the Executive Assistant to the Director of Education, and the Chair of the Board of Trustees.

¹ SO 2001, c 25

² RSO 1990, c E.2

School naming process

My Office received various complaints that raised concerns about the process for selecting a name for the new school located in Kingsville, including with respect to the conduct of individual trustees, public participation at public meetings, and the procedures followed at meetings held by the Board of Trustees.

The School Board has adopted a policy to govern the process for naming and renaming schools, called P-PL-01: Naming and Renaming of Board Facilities (the “Naming and Renaming Policy”). This Policy states that the Board of Trustees is responsible for approving the names of all new and amalgamated schools within the School Board, as well as for renaming schools and School Board facilities. Specific details regarding the establishment of a Naming Committee, the criteria for the naming of schools and board facilities, and recommendations for a consultative process are set out in Board Regulation R-PL-01: Naming and Renaming of Board Facilities (the “Naming and Renaming Regulation”).

Consistent with this Policy and Regulation, the School Board established a Naming Committee for this new school. Committee members voted on their top choices for a name, and the Committee submitted its top two names to the Board of Trustees (the “Board”) for its consideration.

On February 20, 2024, the Board of Trustees held a public meeting where the topic of school naming was discussed. During this portion of the meeting, the trustee who chaired the Naming Committee suggested an alternative name for the school, as allowed for in the Naming Regulation. This trustee brought forward a motion, which was seconded by another trustee, to name the new school “Erie Migration Academy.” Trustees discussed and debated the motion before voting on it. A majority of the members of the Board voted in favour of this motion, and the motion passed.

Members of the public subsequently raised various concerns with the School Board, including about the acronym for the school’s name. At a public meeting held on March 19, 2024, the Board passed a motion to refer both the Naming and Renaming Policy and a related regulation back to the Board’s Policy Committee for reconsideration and review. We understand that the Policy Committee is currently reviewing the Policy and Regulation.

On April 2, 2024, the Board of Trustees held a special meeting where it passed a motion to change the name of the school to “Erie Migration District School.”

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On April 17, the Chair of the Board of Trustees released a public statement that noted that the new school's name choice had been discussed, debated, and voted on by a majority of trustees on two occasions. The Chair stated that the school's naming process had concluded.

Analysis

My review confirmed that the Board of Trustees acted in accordance with the School Board's policies, regulations, and the Governance By-laws with respect to the processes and procedures for naming this new school.

With respect to the concerns raised about the conduct of individual trustees, my Office is not responsible for examining the conduct of democratically elected officials. Rather, these concerns can be raised through the process outlined in Public Concerns Regulation R-AD-52, which states that complaints about a trustee should be made to the Chair of the Board, and complaints about the Chair should be made to the Vice-Chair. My Office will be providing this referral information to individuals who raised concerns about trustee conduct.

February 20, 2024 closed meeting

Many complaints raised concerns that on February 20, 2024, the Committee of the Whole may have improperly discussed the new school's name and/or naming process in closed session.

The Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building on February 20, 2024 beginning at 6:00 p.m. The closed meeting agenda states that the Committee of the Whole went into closed session to discuss a "personnel" matter, and the open meeting minutes explained that the Board was relying on section 207(2)(b) of the *Education Act* to discuss "the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian."

According to the closed meeting minutes, a trustee "provided an overview of how the Naming Committee was selected and how input was gathered." The Chair told us that she interrupted the trustee during this part of the meeting and directed the trustee to limit their comments to topics that could be discussed in closed session, such as personal matters involving staff members. The Board proceeded to discuss personal matters about identified individuals,

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including various individuals' personal feelings and concerns. The Board of Trustees subsequently returned to open session, and publicly discussed the school naming process before passing a resolution to name the school "Erie Migration Academy."

Analysis

Section 207(1) of the *Education Act* states that all meetings of a board of trustees and a committee of the board shall be open to the public. Section 207(2) allows for meetings of a committee of a board, including a committee of the whole board, to be closed to the public where the subject matter under consideration involves:

- a. the security of the property of the board;
- b. the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
- c. the acquisition or disposal of a school site;
- d. decisions in respect of negotiations with employees of the board; or
- e. litigation affecting the board.

A meeting of a board of trustees or a committee of the board must also be closed when discussing an ongoing investigation respecting the board under the *Ombudsman Act*.³

Section 207(2)(b) allows a meeting to be closed to the public when the subject matter under consideration involves the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian. The *Education Act* does not define "personal information" for the purposes of this section 207(2)(b).

³ s 207(2.1).

In the municipal context, I have noted that information about an individual in their professional capacity may qualify as personal information if it reveals something of a personal nature.⁴ For example, my Office has found that discussion of harassment allegations and an individual's personal concerns about their work environment fit within the exception for personal matters about an identifiable individual.⁵

My Office's review found that during the closed session, the Committee discussed personal matters about identified individuals, including staff members and members of the Naming Committee. These discussions revealed information that was of a personal nature. The discussion was not about what the school should be named, and specific options were not canvassed. Accordingly, this discussion fit within the exception for intimate, personal or financial information respecting a specifically identified individual.

Further closed meetings

Some complaints also raised concerns that the Committee of the Whole may have improperly discussed the new school's name or the naming process in closed session on March 19, April 2, and April 16, 2024.

On March 19, the Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building beginning at 4:00 p.m. Our review found that during the meeting the name and/or naming process was briefly raised twice. The school name and the naming process itself were not discussed, although they were indirectly referenced in the context of other discussions.

On April 2, the Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building beginning at 5:00 p.m. Our review did not find any evidence to suggest that the Committee discussed the school name or the naming process in this closed session.

⁴ *Nipissing (Township of) (Re)*, 2023 ONOMBUD 2 at para 23, online: <<https://canlii.ca/t/jv6ch>>.

⁵ *Amherstburg (Town of)*, 2015 ONOMBUD 33 at para 44, online: <<https://canlii.ca/t/gtp7d>>.

On April 16, the Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building beginning at 6:30 p.m. Our review found that the Committee briefly referenced my Office's review of complaints relating to the naming process. However, the Committee did not discuss the school's name or the naming process.

Conclusion

My review confirmed that the Board of Trustees acted in accordance with the School Board's policies, regulations, and the Governance By-laws respecting the processes and procedures for naming the new kindergarten to grade 12 school.

In addition, my Office found that the Committee of the Whole's *in camera* discussions on February 20, 2024, fit within *the Education Act's* exception for intimate, personal or financial information respecting a specifically identified individual. We also determined that the Committee of the Whole did not discuss the substance of the school name or the naming process in closed session on March 19, April 2, or April 16, 2024.

I would like to thank the School Board for its co-operation during my review. You have confirmed that this letter will be included as correspondence at an upcoming Board of Trustees meeting.

Sincerely,



Paul Dubé
Ombudsman of Ontario

Cc: Gale Simko-Hatfield, Chair, Board of Trustees

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Appendix D

Greater Essex County District School Board

Regulation: Naming and Renaming of Board Facilities

Reference No: R-PL-01

1. When a building or facility is to be named:

When selecting a name for a new school (or while renaming a currently operating school or board facility) the objective is to reflect excellence in public education, the diversity of our region, and a safe, positive and welcoming school environment – while highlighting the expressed values of the GECDSB and its character education principles

The primary interest in the name of any school or Board facility is retained by the Board. A name is a primary branding element and allows the Board to promote its objectives in the community and communicate its mission, vision and values. Appropriate branding also assists the Board in the development of a strong identity for the school community.

A school name should be distinctive and readily identifiable as a public school within the Greater Essex County District School Board.

Generationally, the nature and identity of communities, in which any school exists, changes. Schools are built to overlap generations. Naming schools based on the character of a community as it is currently constituted, or once was, will not always be relevant to the present residents or users.

Ideas (concepts) – based on the Board's ongoing, foundational, operational and philosophical criteria are encouraged to be the fundamental consideration of a new, or revised, school name.

Names to be considered should be thoroughly examined so as not to perpetuate or represent a legacy of discrimination, oppression or harm to members of this or any GECDSB school community.

The Director of Education along with the area Superintendent will bring forward to the Board of Trustees a report requesting a Naming Committee be established once land has been purchased and the design and budget have been approved.

2. Through a media release, social media and communication to the school community, an appeal for applicants for the committee will be solicited. Once the applications are received the area Trustees and Director of Education will determine the makeup of the committee. (See Appendix A for application.)

The Naming Committee shall, where applicable, consist of at least:

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

* A staff appointed recording secretary will be provided to the committee

NOTE: In the case of a non-school facility the membership may vary.

3. The committee will hold a minimum of two (2) meetings which will be open to the public to attend, but not to provide any direct input at that time.

The Public Relations Officer will collect historical/cultural information on the area, community and neighbourhood in which the building or facility will be/is located. The report will help establish suggestions of concepts, names and/or themes for the committee to discuss. It will be provided to all members of the committee prior to the first official meeting.

4. Following the guidelines set out in this regulation for the selection of a school / facility name, community input will be sought through an open survey, which will be promoted through a variety of mediums (i.e. News Release, on social media platforms, websites, etc). A summary report will be provided to members of the committee prior to their first meeting which will also include previously proposed vetted district names.
5. The purpose of the first meeting will be for the committee to review the information provided and, if desired, ask questions of the Public Relations Officer for clarification. Members will then assess any ideas/suggestions which have already come forward or provide one of their own. A list of potential names will be created.
6. The list will then be reviewed through an equity lens and for propriety and adherence to the GECD SB name selection criteria. Consultation will take place with, but not limited to various GECD SB advisory committees. All appropriate names will then be submitted to focus groups of students and/or staff and/or community members for their impressions and preferences. The results of these sessions will be summarized and provided to the committee prior to their second meeting.

At its second meeting the committee will select a minimum of 2 and a maximum of 4 possible names that will be forwarded to the Board of Trustees for their consideration.

Naming Criteria:

Must be distinctive and appropriate with an emphasis on, but not limited to:

- Local historical events;
- Geography;
- Culture;
- Traditions of the community; or
- Representations of diversity.

Careful consideration should be given before naming a school or board facility after an individual. No school or facility names will cause harm to any member of the GECDsB community based on grounds protected under the Ontario Human Rights Code. No school or facility will be named after a living person (persons).

7. At a public meeting of the Board of Trustees, the area Superintendent will present a report on the deliberations and actions of the Name Selection Committee. This will also include the short list of suggested names. Trustees will then vote to choose one of the suggestions or provide an alternative.
8. Following the selection of a name, the school community will then be engaged in a process to determine its branding elements (colours, logo, mascot and motto). The Public Relations Officer and area Superintendent will supervise the proceedings to ensure that they conform to the GECDsB standards for justice, equity, inclusion, and diversity as well as for distinctiveness and marketability.
9. All meeting notes on the determination of a school name or renaming of a school are to be kept in the school archives.

Renaming of Existing Schools and/or Facilities

10. School names across the district are to be reviewed every 5 years to allow for evolving and enlightened understanding of justice, inclusion, equity, and diversity to be considered.

If there is a concern of a school name prior to the review date, concerned members of the school community or general community should complete the School Naming Request Form (see Appendix D).

See Appendix B for a list of current and former school names and themes in the GECDsB.

11. Should the Board pass a motion to proceed, an ad hoc naming committee will be established, in accordance with this policy and regulation.

The naming of internal facilities is the responsibility of the school community. The school will consider the Naming Criteria as listed in #6.

Appendix A: Application to Serve on the Greater Essex County District School Board's Naming and Renaming of Board Facilities Committee

Appendix B: List of current and former school names and themes in the GECDsB

Appendix C: Script/Guide for Chair of the Naming Committee

Appendix D: School Renaming Request Form

Appendix E

MINUTES OF THE PUBLIC MEETING OF THE GREATER ESSEX COUNTY DISTRICT
SCHOOL BOARD HELD ON MARCH 19, 2024 IN THE BOARD ROOM, 451 PARK STREET
WEST, WINDSOR, ONTARIO.

PRESENT:

G. Hatfield (Chairperson of the Board)	C. Nelson (Vice-Chairperson of the Board)
N. Armstrong	S. Cipkar
J. Burgess	C. Cooke
R. Le Clair	K. McKinley
L. Qin	

STUDENT TRUSTEES:

C. Pyne	S. Muhammad
---------	-------------

REGRETS:

C. Buckler

ADMINISTRATION:

V. Houston (Director of Education)	
S. Armstrong	T. Awender
J. Bell	K. Bryant
C. Boulay	S. Duben
C. Howitt	C. Mills
R. Roberts	

RECORDER:

M. LeBoeuf

A. CALL TO ORDER

Chairperson Hatfield called the meeting to order at 4:00 p.m.

B. ATTENDANCE

Chairperson Hatfield noted that Trustee Buckler had sent regrets.

There was consensus from trustees to move Approval of the Agenda to 7:00 p.m when public session reconvenes.

C. CONVENE TO PRIVATE SESSION

Moved by Trustee Le Clair
Seconded by Trustee Nelson

TO MOVE INTO PRIVATE SESSION.

The vote was called and it

CARRIED.

PUBLIC SESSION RECONVENED AT 7:00 P.M.

D. APPROVAL OF AGENDA

D.1 Approval of Agenda

Moved by Trustee Le Clair
Seconded by Trustee Cipkar

Student Trustee Pyne requested a motion be put on the floor to rescind something previously adopted that being the name chosen for the new K-12 school on Jasperson Road in Kingsville.

Moved by Trustee Armstrong
Seconded by Trustee Qin

TO RESCIND SOMETHING PREVIOUSLY ADOPTED THAT BEING THE NAME
CHOSEN FOR THE NEW K-12 SCHOOL ON JASPERSON ROAD IN KINGSVILLE.

The vote was called and it was DEFEATED.

Moved by Trustee Le Clair
Seconded by Trustee McKinley

THAT THE AGENDA BE APPROVED AS PRESENTED.

The vote was called and it CARRIED.

Trustee Le Clair read the approved GECD SB Land Acknowledgement.

Special Order of the Day

Director Houston read a heartfelt tribute to Tina Kimball former secretary from North Star High School and Emma Devin, former student from Belle River District High School.

E. DECLARATION OF CONFLICT OF INTEREST

Nil.

F. ACTIONS OF COMMITTEE OF THE WHOLE PRIVATE SESSION

Moved by Trustee Le Clair
Seconded by Trustee Cooke

F.1 THAT ITEMS F.1 – F.5 MATTER OF NEGOTIATIONS FROM THE MARCH 19TH,
2024 PRIVATE SESSION MEETING BE APPROVED.

The vote was called and it CARRIED.

G. Public Meetings

Chairperson Hatfield noted that the Greater Essex County District School Board is proposing to enact an Education Development Charges By-Laws that will apply to the development of land in the County of Essex and the Township of Pelee. The new by-law is required because the current by-law of the Board, which was passed in 2019, is scheduled to expire at the close of business on April 21, 2024.

The Board will be conducting two public meetings this evening as part of the process of passing the new by-law. The first public meeting will deal with a review of the current EDC policies of the Board as reflected in its EDC by-laws. The second public meeting will address the proposed by-law that the Board anticipates passing at our meeting on April 2, 2024. The *Education Act*, which is the legislation that governs EDCs, requires that the Board convene the two public meetings before passing a new by-law.

The primary purpose of any Board in implementing education development charges is to provide a source of funding for new school sites. These are not funded by a grant under the Province's funding model.

The EDC calculation is based on new pupils that will be generated by housing units within the by-law area, for which building permits will be issued over the fifteen-year planning period and for which additional school accommodation is required.

We are seeking input from the public tonight and will give consideration to their submissions prior to the passage of the new Education Development Charges By-Law.

The Board will likely be giving final consideration to the passage of the EDC By-Law at the Board meeting scheduled for Tuesday April 2, 2024, subject to receiving approval from the Ministry.

We will begin the proceedings with the policy review public meeting followed by the public meeting for the proposed by-law. The consultant and the lawyer for the Board will make presentations in the meetings. Members of the public will also be invited to address the Board.

G.1 Education Development Charges (EDCs) Policy Review

Chair Hatfield noted that the presentations will commence with Jack Ammendolia of Watson and Associates, the Board's economic consultant.

Mr. Ammendolia noted that the board has existing policies in place. EDCs are a mechanism for school boards to pay for new school sites as a result of residential growth. These policies are only contained in the EDC By-law itself. School boards typically try to collect 100% of education land costs however exemptions in the EDC by-laws may result in less than 100% of land costs being collected. There are two types of exemptions, statutory and non-statutory. Statutory exemption is determined through the legislation and a non-statutory exemption is a 'voluntary' exemption (e.g. downtown BIA). There are two jurisdictions the EDC applies to: Essex County/Township of Pelee and City of Windsor. The existing EDC by-law applies only to the County of Essex/Township of Pelee portions of the school board but is applied in a uniform way across the jurisdiction of the by-law. This means that the charge is the same for all residential developments in the County. School boards can allocate up to 40% of their EDC to non-residential development. The average around the Province is approximately 10% but ranges from 0% to the mid-20s. The GECDSB has an EDC that is 100% residential. School boards can have one rate that applies to all types of residential development in the same way or the school board can have different rates depending on the type of residential development. All the EDC by-laws in Ontario are applied uniformly, like the GECDSB.

Chairperson Hatfield asked if there were any delegates who would like to speak.

Speakers

- Trustee Le Clair questioned what the advantage or disadvantage is of having something in the range that is allowable for non-residential development. Mr. Ammendolia noted that it is 100% of the residential development that produces pupils. Over the years the discussion around non-residential development

contributing to EDCs has been discussed with the Development Committee. It recognizes that residential development bares most of the cost but it should be recognized that non-residential development drives residential development. Mr. Ammendolia noted that he has not heard any significant feedback from the development community so there is no reason to change.

Chairperson Hatfield adjourned the meeting at 7:25 p.m. and called from the commencement of the Proposed by-law meeting.

G.2 Education development Charges (EDCs) Background Study and Successor By Law

Chairperson Hatfield noted that the public meeting concerning the proposed by-laws and the background study would commence.

She noted that during this public meeting we will be inviting our consultant to give an overview of the process and methodology supporting the proposed charges. Brad Teichman will also explain briefly the text of the by-laws.

Mr. Ammendolia was asked to make a presentation on the proposed education development charges.

- Mr. Ammendolia noted that there are two existing by-laws, one covers the City of Windsor and the other the County of Essex/Township of Pelee. The charges are uniform across the by-law areas and are imposed on residential development. The by-laws were passed in 2019 and amended in 2022. The by-laws have a maximum term of 5 years. The City of Windsor EDC by-law will not be renewed when it expires. It was noted that not all school boards qualify for EDCs. There are things a school board has to do before a Board of Trustees can consider a new by-law. A new background study needs to be prepared. EDC study must be made available to the public at least 2 weeks before the 1st meeting. Two public meeting must be held prior to passing a new EDC. EDC background study must be approved by the Ministry of Education. This is in process.
- The calculation of EDC's is very prescriptive – Demographic and enrolment projections need to be determined; legislation and board planning determines the number of school sites required; land appraisal determine site acquisition costs; historical expenditures determine site preparation costs; reserve fund analysis determines existing EDC surplus or deficit; total costs determined are referred to a the total growth-related net education land costs – this is the amount for which EDCs are collected; and Board policies determine how the change is implement and collected.
- The Board is eligible because it meets the triggers. The County of Essex EDC reserve fund account has a current deficit balance of \$1.24 million which meets the eligibility trigger for a future EDC by-law. Any EDC eligible outstanding financial obligations at the time of by-law renewal, qualifies a school board for future EDC by-laws. The City of Windsor has a positive surplus in ECD funds, therefore does not qualify and the by-law will expire when it lapses. If the board continues to grow the by-law can be enacted again.

- The residential growth forecast for the next 15 years, net growth-related new pupil places and legislated EDC eligible site sizes were reviewed.
- The school board retained the firm Cushman & Wakefield to provide appraised land values per acre for different areas in the Board's jurisdiction.
- The uniform residential EDC per unit dwelling is \$1230. This will be a phased in rate. The proposed GECDSE EDC rate for Essex County/Township of Pelee is below the maximum permitted phase in and will not be subject to any cap or maximum phase in amount.
- The public process required 2 legislated public meeting (notice provided); EDC Background Study released to the public and submitted to the Ministry of Education for review/approval; the Board corresponded with stakeholders and had a stakeholder meeting on February 21, 2024; and the Board encourages additional and continued feedback from area stakeholders.
- The next steps are: awaiting approval of the EDC Background Study from the Ministry of Education; staff recommendations and reports provided prior to the passage consideration meeting; and the By-law passage consideration public meeting, April 2, 2024.

Chairperson Hatfield invited Brad Teichman of Overland LLP to explain the text of the draft by-laws and legal requirements.

- Mr. Teichman noted that the current draft by-laws apply to residential development of land in the County of Essex/Township of Pelee. The by-law has a number of exemptions – all mandatory required under the governing legislation. The new by-law will be enacted five days (April 7, 2024) after the board passes it on April 2nd, 2024. The current by-law expires on April 21st, 2024. The current by-law will be repealed on the day the new by-law comes into force (April 7th, 2024). The Board has satisfied all legal requirements to extend the authority to approve a by-law.

Chairperson Hatfield asked if there were any delegates who wished to be heard on the matter of the education development charges.

Speakers

- Trustee Cipkar questioned if there was any indication that the province would allow school boards more freedom as we do anticipate new growth, but we are not able to move forward. Mr. Ammendolia noted that the legislation was amended several years ago. Hopefully the province would consider a change if they continue to hear from school boards.
- Gino Facca, resident of Riverside - Does this process take into consideration migration and immigration; and since I am being taxed on multiple units do I have multiple says? Mr. Ammendolia noted that the rate does not have to do with tax base or rentals – it is only if a new building permit is being issued for a residential unit. Mr. Ammendolia noted that when we look at enrolment projections we take into consideration demographic trends, units to be built, migration and immigration. The reality is it is a guess in terms of what is being projected going forward. There has been so much change – change in

migration, economics, housing price, pandemic resulting in working and commuter patterns. We also use the municipalities residential forecasts. Mr. Facca questioned if the forecasts are delayed a few years? Mr. Ammendolia noted that forecasts are always trying to project out. Mr. Facca noted that he was building a five plex and questioned if he gets five votes? Mr. Ammendolia noted that there is no relationship between the vote and the EDC. You are being charged on a rate for a building permit. When you take out a building permit there are various charges: county development charges, municipal charges, education charges, planning fees etc. EDCs is just one of the fees attached to the building permit, it is different from a tax rate. All new buildings yield growth. It is a focused rate attached to a building permit to provide for future services for growth.

- Trustee Le Clair noted that EDCs are not new. This is an adjustment in the county on what the rate will be. If taking out building permits in the past, you have been paying EDCs.

Chairperson Hatfield noted that as was mentioned at the outset, these meetings were held for the purposes of reviewing the Board's current EDC policies, for informing the public about the EDC process and the proposed by-law, and to hear the public's views.

We welcome the public input we have heard this evening. Thank you very much.

Chairperson Hatfield adjourned the meeting at 7:54 p.m.

H. APPROVAL OF MINUTES

Moved by Trustee Le Clair
Seconded by Trustee Cipkar

Student Trustee Pyne raised a Point of Order. He stated that he believes the Board violated Regulation: Naming and Renaming of Board Facilities #7. He also questioned if the name was appropriately vetted. Chairperson Hatfield noted that this is not a Point of Order with respect to the accuracy of the minutes.

G.1 THAT THE MINUTES OF THE PUBLIC BOARD MEETING OF 2024 02 20 BE
APPROVED AS PRESENTED.

The vote was called and it

CARRIED.

I. BUSINESS ARISING FROM THE MINUTES

Nil.

J. PRESENTATIONS

J.1 Student Trustee Presentation

See attached presentation.

K. DELEGATIONS

Nil.

L. SPEAKER'S LIST

- Emmerson Jadischke and Kinsey Kendrick – spoke to the name of the school in Kingsville

Chairperson Hatfield noted that trustees do not engage in dialogue or debate with Speakers. Trustees can ask questions of clarification.

Did the committee discuss the word academy? K. Kendrick noted that the committee did discuss the word academy however the direction had changed. The committee was originally told the school could only be named 'Academy' but then the direction had changed after the groups had put forward their final choices that it could either be 'Academy' or 'District School'.

Did you receive or were you provided a hard copy of the Policy and Regulation? K. Kendrick noted that the only thing received by email was the Background of Kingsville and community suggestions.

- Angelina Ward – spoke to the name of the new school in Kingsville

Miss Ward presented 400 copies of Appendix D – School Renaming Request form from people who are not happy with the name.

Student Trustee Pyne asked the speaker if she could confirm that the word Erie is not part of Caldwell Nation or Anishinaabe. A. Ward noted that Erie is not an existing word in the Caldwell language. The lake is of great significance to Caldwell whose land the new school is on but they did not refer to it as Erie. Ms. Ward noted that in her conversation with Chief Duckworth she indicated that Erie is a settlers word.

- Will Cowell – spoke to the name of the new school in Kingsville

There were no questions of clarification.

- Kimberly DeYong – spoke to the name of the new school in Kingsville

There were no questions of clarification.

- Alexis Tindall - spoke to the name of the new school in Kingsville

There were no questions of clarification.

M. NEW BUSINESS

M.1 Notice of Motion – Trustee Burgess

Moved by Trustee Burgess
Seconded by Trustee Nelson

THAT THE GECDSB REFER THE POLICY: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: P-PL-01 AND ITS REGULATION: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: R-PL-01 BACK TO THE POLICY COMMITTEE FOR RECONSIDERATION AND REVIEW.

- As the mover of the motion, Trustee Burgess noted that the policy and regulation has been reviewed several times over the last five years due to concerns. We still do not have it right. She noted that the regulation did not serve the process well with multiple schools and multiple municipalities involved.
- It was questioned what specifically is going to be addressed in the review. Trustee Burgess noted that she did not want to prejudge. She noted that there has been a trend over the last decade to choose names that are concepts or ideas. It is up to district school boards to brand and name schools. It is not a recommendation of administration. It is a governance issue.
- Was the way the process was administered the failure or was it a policy failure? Trustee Burgess noted that there were gaps. We need a more supportive regulation.
- We know the current policy has shortcomings. It was suggested given what has happened in this process that the names go back to the naming committee and reconsider a new name.

Point of Order - Student Trustee Pyne noted that his ability to hear the meeting was being impaired by Trustee Burgess. Trustee Burgess apologized.

- It was noted that the policy did not fail. It has always been under the purview of trustees to make a final decision. There was a community response but that does not mean the policy is incorrect. The current policy allows for flexibility.
- As the mover of the motion, Trustee Burgess noted that there needs to be some outlined expectations.

A recorded vote was requested.

The vote was called and it

CARRIED.

Support: McKinley, Burgess, Armstrong, Nelson and Hatfield

Opposed: Le Clair, Cipkar, Cooke, Qin

Opposed: Student Trustees Pyne and Mohammad (non-binding)

N. REPORTS

N.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. She also noted over the past month the Ministry of Education has been moving forward with the development of policies and regulations in relation to the Better Schools and Student Outcome Act which became law in 2023. The aspects of the Act which they are currently working on in terms of regulations are with respect to school board leadership; parental involvement and increasing transparency.

N.2 Report of the OPBSA Director/Delegate

Trustee Cipkar noted that she attended the Board of Directors meeting. As it was Black History Month we had a speaker who wrote the book "Black Boys Like Me". We had regional discussions on how boards are improving Black achievement. Learning about Grad Coaches and things we do at the GECDSB and having discussions on how to move things forward.

We heard from the President that she met with the Federal government staff related to the National School Food Program.

The Toronto District School Board announced that they want to revamp their cell phone policy. It has been released for consultation and received a lot of community discussion. They were seeing themselves as the leader in the province around issues with AI and digital responsibility. Our policy is up for review very soon.

Labour Relations Symposium is taking place the end of April. Also, 'Take your MPP to School Week' is happening in May.

N.3 Student Achievement Plan

There were no questions.

N.4 Chair's Report

Nil.

O. TRUSTEE QUESTION PERIOD

- Trustee Armstrong questioned if item #6 naming criteria in the Naming and Renaming of Board Facilities Regulation was shared with the committee. Trustee Burgess noted that there was a background report provided to the committee. There was discussion with some of the Harrow community members that there were assurances at the transition meetings that no names from any of the schools would be considered for the new school.
- Why was the committee not told that King would not be allowed in the name? Trustee Burgess noted that there is no mechanism in the current Regulation that would support removing any names. We now have attestations from members of the Harrow transition committee that state that there were assurances given that Kingsville would not be in the name. These were received after the naming committee had concluded their work.
- It was questioned if there is any record that administration has that shows assurances were made that community school names would not be included in the new name and what authority did that person have at the time? Director Houston noted that we would have to go back 9 years. There are several members of the senior team that are no longer with the board.

P. NOTICE OF MOTION

- P.1 Trustee Armstrong noted that she would move, or cause to be moved at the April 16, 2024 Public Board Meeting:

THAT THE BOARD OF TRUSTEES RESCIND THE MOTION THAT THE GECDSB NAME THE NEW SCHOOL IN KINGSVILLE ERIE MIGRATION ACADEMY AND REPLACE WITH ONE SUGGESTED BY THE COMMITTEE REPORT THAT HAS A THOROUGHLY VETTED ACRONYM.

Chairperson Hatfield ruled the notice of motion out of order because the mover had already made the motion and it was voted on and defeated.

- P.2 Trustee Cipkar noted that she would move or cause to be moved at the next regulation board meeting:

THAT THE GECDSB DIRECT DIRECTOR HOUSTON TO WORK WITH STAFF AND COMMUNITY PARTNERS TO PURSUE VIABLE OPTIONS FOR TRACKS FROM THE SEPTEMBER 2023 REPORT FOR TRUSTEES TO CONSIDER FOR THE 2024-2025 BUDGET.

- P.3 Trustee Qin noted that she would move, or cause to be moved at the next regular scheduled public meeting of the board:

DUE TO THE HIGH LEVEL OF UNSATISFACTION FROM THE COMMUNITY AND LACK OF DEMOCRACY AND TRANSPARENCY IN THE NAMING PROCEDURE, IN ORDER TO PROTECT THE PUBLIC CONFIDENCE, AVOID POTENTIAL HARM TO STUDENTS AND COMMUNITY, I MAKE A MOTION TO EXAMINE THE NAMING PROCEDURE OF ERIE MIGRATION ACADEMY AND APPRAISE THE CORRESPONDING CONSEQUENCES TO THE BOARD.

Chairperson Hatfield noted that she would review and advise if the notice of motion is in order.

Q. ANNOUNCEMENTS

Trustee McKinley noted that March 21st is Rock Your Socks Day in support of World Down Syndrome Day.

R. ADJOURNMENT

There being no further business before the Board, Chairperson Hatfield adjourned the meeting at 9:30 p.m.

G. Hatfield

CHAIRPERSON OF THE BOARD

V. Houston

DIRECTOR OF EDUCATION

March 19, 2024 Student Trustee Presentation

Report

Good evening Trustees, Superintendents and Director Houston,

The Student Trustee General Elections were held last month at a Special Meeting of Student Senate. Thank you to all the candidates, voting delegates and scrutineers who took time to participate in our second in-person election. Congratulations to incoming Student Trustees Chiara Trakilovic from Tecumseh Vista Academy and Tianyu Lin from Vincent Massey Secondary School. Colin and I look forward to mentoring these bright and accomplished students for the remainder of our term.

Student Senate participated in Tampon Tuesday sponsored by United Way and Windsor and District Labour Council in honour of International Women's Day. Schools collected both products and financial donations to stock local food banks. We learned that menstrual hygiene products are the most requested, yet least donated products at food banks. Thank you to Student Senators who worked tirelessly to make this drive a success.

In school news, semi formals are in progress, Student Councils held candy gram sales and "Dress Like a Teacher Day". Students look forward to all the exciting things planned for Spring!

Student of the Month

The Student of the Month for March is Marissa Bocchini, a Grade 11 student at W.F. Herman Academy. Marissa is an excellent role model for this month's theme of "creativity".

Marissa's friendly personality and distinctive style make her a standout at school. Marissa never fails to catch your eye in the hall with her artistic flair, sporting a variety of colors and accessories. She spends her free time doing illustrations and graphic design and you can often find Marissa during her lunch hour indulging in her passion for crochet, creating new and unique things.

Marissa takes full advantage of school spirit days, designing wacky costumes for herself and helping her friends find their own unique style. She was easily spotted throughout the holiday-themed spirit week with her freshly dyed red and green hair.

Marissa uses her vivid imagination in the leadership roles she has taken on at school. She is the head of Herman's Dungeons & Dragons Club, inventing stories, devising characters and drawing maps for club members. She is also an enthusiastic member of the Semi-formal Planning Committee, eager to elevate the event's style and help make it a night everyone will remember.

Marissa's originality certainly rubs off on other students at Herman. Her passion and talent for the arts inspire those who cross her path. Marissa is truly deserving of recognition for her creativity, and the W.F. Herman community could not be prouder to have her as a fellow Griffin.

Congratulations Marissa on being selected as Student Senate's Student of the Month for March for the theme of "creativity".

Appendix F

BOARD MEETING – PUBLIC SESSION
TUESDAY, FEBRUARY 20, 2024
BOARD ROOM
451 PARK STREET WEST, WINDSOR
6:00 P.M.

AGENDA

A. CALL TO ORDER

B. ATTENDANCE

C. APPROVAL OF 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 (Len-eh) Lenape (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

Special Order of the Day

Tribute to Kelly Collins, former Educational Assistant from Marlborough Public School
Tribute to Wendy Belliveau, former Education Assistant from John Campbell Public School

E. DECLARATION OF CONFLICT OF INTEREST

F. ACTIONS OF BOARD MEETING PRIVATE SESSION

G. APPROVAL OF MINUTES

Pages 1-6

G.1 Minutes of the Public Board Meeting of 2024 01 16

ENCLOSURE

H. BUSINESS ARISING FROM THE MINUTES

I. PRESENTATION

I.1 Student Trustee Presentation

J. DELEGATIONS

There were no delegations at the time of agenda prep.

K. SPEAKER'S LIST

L. NEW BUSINESS

- Pages 7-8 L.1 Approval of Name for New School in the Town of Tecumseh
RECOMMENDATION:
TO BE DETERMINED BY THE BOARD OF TRUSTEES.
- Pages 9-10 L.2 Approval of Name for New School in the Town of Kingsville
RECOMMENDATION:
TO BE DETERMINED BY THE BOARD OF TRUSTEES.
- Pages 11-13 L.3 Policy and Regulation: Air Conditioning
RECOMMENDATION:
THAT THE BOARD APPROVE POLICY P-PL-07 AIR CONDITIONING AS PRESENTED; and
THAT THE BOARD APPROVE REGULATION R-PL-07 AIR CONDITIONING AS PRESENTED.
- Pages 14-33 L.4 Policy and Regulation: Epilepsy – Student
RECOMMENDATION:
THAT THE REGULATION: EPILEPSY – STUDENT BE APPROVED AS PRESENTED.
- Pages 34-55 L.5 Policy and Regulation: Diabetes – Student
RECOMMENDATION:
THAT THE REGULATION: DIABETES – STUDENT BE APPROVED AS PRESENTED.
- Pages 56-61 L.6 Policy and Regulation: Recognition: Employee, Trustees and Community
RECOMMENDATION:
THAT THE BOARD APPROVE POLICY P-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY; AND
THAT THE BOARD APPROVE REGULATION R-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY AS PRESENTED.

Pages 62-65 L.7 2024-2025 School Year Calendar

RECOMMENDATION:

THAT THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD APPROVE THE SCHOOL YEAR CALENDARS FOR 2024 – 2025 AS SUBMITTED FOR THE SCHOOLS UNDER ITS JURISDICTION.

L.8 Notice of Motion – Trustee Cipkar

RECOMMENDATION:

THAT THE GECDSB RAISE THE PAN-AFRICAN FLAG AT ALL SCHOOL BOARD FACILITIES DURING THE MONTH OF FEBRUARY BEGINNING IN 2024-25 TO HONOUR BLACK HISTORY IN OUR COMMUNITY

M. REPORTS (TO BE RECEIVED)

- | | |
|----------------------------------------------|------|
| M.1 Report of the Director of Education | ORAL |
| M.2 Report of the OPBSA Director/Delegate | ORAL |
| M.3 Chair's Report | 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

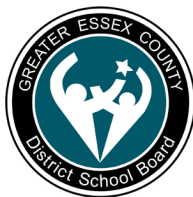
Nil.

NEXT SCHEDULED MEETING:

Regular Meeting of the Board, Tuesday, March 19, 2024 – 7:00 p.m.

Chairperson – Gale Simko-Hatfield
Vice-Chairperson – Christie Nelson

Director of Education – Vicki Houston
Executive Assistant – Melissa LeBoeuf



TO: CHAIRPERSON AND MEMBERS OF THE BOARD

**FROM: TRUSTEE JULIA BURGESS,
CHAIRPERSON OF THE NAMING COMMITTEE**

SUBJECT: NAME OF THE NEW K-12 SCHOOL IN KINGSVILLE

DATE: FEBRUARY 20, 2024

Creating Confident Learners

Engaging Communities

Demonstrating Ethical
Stewardship

AIM:

To choose a name for the new K-12 School in Kingsville, in accordance with Policy P-PL-01 Naming and Renaming of Board Facilities.

BACKGROUND:

A committee was formed following the guidelines in regulation R-PL-01.

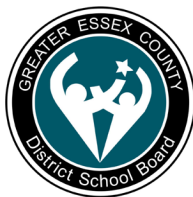
Members were:

Trustee Julia Burgess (Chairperson of the Committee)
Trustee Kim McKinley
Director of Education Vicki Houston
Superintendents - Todd Awender, Shelly Duben
Principals - Sara Fiorvento-Balsdon, Chris Pillon, Mike Huggard, Darin Carrol
Staff representatives – Rachel Watson, Anjanette MacTavish, Heather Brown, Kim Mulligan,
Sue Nurse, Paul Gelinias, Matt McLean, Andrea McKellar
Student representatives – Kenzie Rauch, Julia McInnis, Kalila l'Anson, Kinsey Kendrick, Paige
Faubert, Emily St. John, Sophie Klie, Alayna Charlton
School Council representatives – Michelle Marcovecchio, Sarah Maxey, Michelle Hedge, Ashley
Vigneux
Community representatives - Andrew Hatfield, Steven l'Anson

The initial meeting on December 18th, 2024 began with a presentation of historical, cultural, geographic and ecological background of the catchment area that the new K-12 FI/Eng dual track school will serve, as well as a review of input received from the public survey conducted prior to the initial meeting date.

The precipitating discussion identified a direction the committee wished to following determining possible names for the building.

Following the discussion, the list of all suggested names in the community survey were revealed



to the committee.

A short list of potential names was created, and further research was assigned to committee members prior to the next meeting.

Information was shared with the committee at the second meeting on February 12th, 2024 about the initial list of names suggested, as well as the input from the student focus groups at each of the schools.

Based on a short list of suggestions each committee member was asked to rank the five names in order of preference. A point system was used to tally the votes as follows:

- 1st choice received 1 point
- 2nd choice received 2 points
- 3rd choice received 3 points
- 4th choice received 4 points
- 5th choice received 5 points

The results of the vote are as follows:

- | | |
|-----------------------------------------|------------------------------------|
| a. Kingsville District Academy: | 48 points – 1 st choice |
| b. Greater Kingsville Academy: | 68 points – 2 nd choice |
| c. Kingsville Lakeside Academy: | 73 points – 3 rd choice |
| d. Greater Kingsville District Academy: | 83 points – 4 th choice |
| e. Lakeside Academy: | 85 points – 5 th choice |

After the vote of the committee based on a point system with the lowest total being the top choice, the following two names are being submitted:

- 1) Kingsville District Academy
- 2) Greater Kingsville Academy

RECOMMENDATION:

AS DETERMINED BY THE BOARD OF TRUSTEES

Appendix G

MINUTES OF THE PUBLIC MEETING OF THE GREATER ESSEX COUNTY DISTRICT
SCHOOL BOARD HELD ON FEBRUARY 20, 2024 IN THE BOARD ROOM, 451 PARK
STREET WEST, WINDSOR, ONTARIO.

PRESENT:

G. Hatfield (Chairperson of the Board)	C. Nelson (Vice-Chairperson of the Board)
N. Armstrong (via teleconference)	C. Buckler
J. Burgess	S. Cipkar
K. McKinley	
L. Qin (via teleconference)	

STUDENT TRUSTEES:

C. Pyne

REGREST:

C. Cooke
R. LeClair
S. Muhammad, Student Trustee

ADMINISTRATION:

V. Houston (Director of Education)	
S. Armstrong	T. Awender
J. Bell	K. Bryant
C. Boulay	S. Duben
C. Howitt	C. Mills
R. Roberts	

RECORDER:

M. LeBoeuf

A. CALL TO ORDER

Chairperson Hatfield called the meeting to order at 6:00 p.m.

B. ATTENDANCE

Chairperson Hatfield noted that Student Trustee Muhammad and Trustees Le Clair and Cooke sent regrets. Trustees Armstrong and Qin were attending via teleconference.

C. APPROVAL OF AGENDA

C.1 Approval of Agenda

Moved by Trustee Nelson
Seconded by Trustee Cipkar

THAT THE AGENDA BE APPROVED AS PRESENTED.

The vote was called and it

CARRIED.

D. CONVENE TO PRIVATE SESSION

Moved by Trustee McKinley
Seconded by Trustee Burgess

TO MOVE INTO PRIVATE SESSION.

The vote was called and it

CARRIED.

PUBLIC SESSION RECONVENED AT 7:00 P.M.

Student Trustee Pyne read the approved GECD SB Land Acknowledgement.

Special Order of the Day

Director Houston read a heartfelt tribute to Kelly Collins former Education Assistant from Marlborough and Wendy Belliveau former Educational Assistant from John Campbell.

E. DECLARATION OF CONFLICT OF INTEREST

Nil.

F. ACTIONS OF COMMITTEE OF THE WHOLE PRIVATE SESSION

Nil.

G. APPROVAL OF MINUTES

Moved by Trustee McKinley
Seconded by Trustee Cipkar

G.1 THAT THE MINUTES OF THE PUBLIC BOARD MEETING OF 2024 01 16 BE
APPROVED AS PRESENTED.

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

Nil.

K. SPEAKER'S LIST

Gino Facca – Spoke to the closure of the Belle River, Herman and Massey Tracks.

Questions of Clarification:

- It was noted that our RFP process requires companies to be pre-qualified. Have the contractors you spoke to made an application to the board to be pre-qualified? Mr. Facca noted that of the three contractors he spoke with two currently do work for the GECD SB and the other does work for the WECD SB.
- Mr. Facca was asked to forward the quotes he received to trustees.

Gerald and Suzanne Hlady – Spoke to the closure of the Belle River, Herman and Massey High School Tracks

Question of Clarification:

- What is your preference on the type of track? Mr. Hlady noted that they are looking for a training surface, which could be asphalt. We want an opportunity for students to train. We need something that the STEPS students can use. We do not need an IWAFF track. We want a surface for our students and feeder school students to use.
- Can the speaker expand on the frequency of use before this decision was made. Mr. Hlady noted that 16 STEPS students use the track every day. 400+ phys ed students use the track from September to November and February to June. It has been used by the track team for the past 18 years, averaging more than 50 students per year. After school it is used by families and the community every day. Elementary feeder schools also use the track for their track and field meets.

L. NEW BUSINESS

L.1 Approval of Name for New School in the Town of Tecumseh

Moved by Trustee Buckler

Seconded by Trustee Burgess

THAT THE BOARD APPROVE THE NAME BEACON HEIGHTS PUBLIC SCHOOL FOR THE NEW NAME OF THE SCHOOL IN THE TOWN OF TECUMSEH.

- As the mover of the motion and the Chair of the Naming Committee, Trustee Buckler noted that trustees need to look at the entire system when selecting a name. There is a school 8 km away that is named Lakeshore. We also have a North Star, Northwood and Gosfield North. With that in mind that is why Beacon Heights Public School is being recommended. Beacon is a light that guides or a person who inspires or encourages others. Heights is a point of excellence, heights of success which represents the community. It is a standard our community can reach and live by.
- It was noted that there is a Beacon Hill in Boston which is a primarily white owned area and one of the most expensive areas to live. There is concern about the socio-economic message that would send. It was noted that there are many places that include the name Beacon, many along a shoreline. It is associated with rocks and water. Chairperson Hatfield who also sat on the committee noted that that concern was not raised at the committee level.

The vote was called and it

CARRIED.

L.2 Approval of Name for New School in the Town of Kingsville

- As the Chair of the Naming Committee Trustee Burgess thanked the committee members for their work. In the call for submissions there were over 600 names submitted. That showed a tremendous interest. There were themes. She noted that this was a controversial committee. It involved the remembering of previous and current school closures. Trustee Burgess noted that the Regulation notes that a short list of suggested names be brought forward. Trustees will then vote

to choose one of the suggestions or provide an alternative. Trustee Burgess noted that this process had been heart wrenching and difficult. She noted that she had received a number of emails, messages and phone calls. It has been a hot topic in town (Town of Essex which includes Colchester, Harrow, Town of Kingsville Jack Miner, Kingsville students and Gosfield North FI and Pelee Island).

Trustee Burgess noted that she was going to follow #7 in the Regulation and put forward an alternate name. The name was created based on the 600+ submissions and discussion that took place at the committee.

Moved by Trustee Burgess
Seconded by Trustee Cipkar

THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE 'ERIE MIGRATION ACADEMY'.

As the mover of the motion, Trustee Burgess provided a rationale for the name (see attached).

- Did the committee have an issue with the two names being recommended as it follows the pattern of other school names in the county? Trustee Burgess noted that the point was raised several times. If it was one town and one school drawing from one town it would be appropriate. There was a lot of disappointment and upset. Harrow families found it intimidating sharing their long-standing grief of their school closing. The catchment area the new school is serving goes beyond the Town of Kingsville. There are long standing histories of districts and catchments changing.
- Trustee Burgess was commended for bringing forward a name not put forward by the committee. It is a bold fitting choice. When the names coming forward only considered Kingsville it was concerning because the geography of the new school goes beyond Kingsville. It is an opportunity for the entire school to start fresh and chart a new path for itself and potentially heal the wounds that have happened. It is a strong and poignant name.
- It was questioned if there will be backlash with suggesting this name. Trustee Burgess noted that it will be highly contentious. Erie and Migration were on the list. This came from the committee, just not in this form. People will say this was cooked or made up ahead of time and wasted people's time. It will feel the committee was disrespected. That is not my intention.
- How is the committee going to feel? Will this breed more mistrust in the community? Trustee Burgess noted that there will be a lot of reaction. There is a level of mistrust from the school closures. There is a lot of residual grief from the closing of schools. It is tough. This is a grieving process. I want to be respectful. This is heartfelt and came from the submissions. We can build trust by putting forward something new that everyone can join in on.
- Why was this name not brought up prior? Trustee Burgess noted the name migration did come up. When amendments were allowed migration was removed in the last round. Erie was on the list in many iterations.

- It was noted that when in a leadership position it is not always about making the popular decision, it is about making the right decision.
- Was a similar presentation regarding Erie and Migration made through the committee? Trustee Burgess noted that she chaired the committee and gave as much rationale as she could. There was lots of Erie names put forward. Migration was also prevalent. Erie Migration Academy did not specifically come up. Another consideration was that people wanted the name to be short.
- It was noted that we have a policy and a committee formed based on the policy. The motion does not support the suggestions from the committee. It is not prudent to rush to decide on a name. It was suggested the name be referred back to the committee. Chairperson Hatfield noted that our regulation does provide that trustees can bring other names to the floor in the process. It is not going against the work of the committee. Trustees have the responsibility of naming schools and have a right to put forward a suggestion. Trustee Burgess noted that she would not support a referral back. To defer would mean the next thing that happens (selection of mascot and transition committee) would be delayed. Delay is not serving the decision well. Schools are anxious to move forward with the next step.

The vote was called and it

CARRIED.

Moved by Trustee McKinley
Seconded by Trustee Cipkar

THAT ITEM L.3 TO L.6 BE MOVED TOGETHER.

L.3 Policy and Regulation: Air Conditioning

THAT THE BOARD APPROVE POLICY P-PL-07 AIR CONDITIONING AS PRESENTED; and

THAT THE BOARD APPROVE REGULATION R-PL-07 AIR CONDITIONING AS PRESENTED.

L.4 Regulation: Epilepsy - Student

THAT THE BOARD APPROVE REGULATION: EPILEPSY – STUDENT AS PRESENTED.

L.5 Regulation: Diabetes - Student

THAT THE BOARD APPROVE REGULATION: DIABETES – STUDENT AS PRESENTED.

L.6 Policy and Regulation: Recognition: Employee, Trustees and Community

THAT THE BOARD APPROVE POLICY P-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY; AND
THAT THE BOARD APPROVE REGULATION R-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY AS PRESENTED.

The vote was called and it

CARRIED.

L.7 2024-2025 School Year Calendar

Moved by Trustee Buckler

Seconded by Trustee McKinley

THAT THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD APPROVE THE SCHOOL YEAR CALENDARS FOR 2024 – 2025 AS SUBMITTED FOR THE SCHOOLS UNDER ITS JURISDICTION.

The vote was called and it

CARRIED.

L.8 Notice of Motion – Trustee Cipkar

Moved by Trustee Cipkar

Seconded by Trustee Nelson

THAT THE GECDSB RAISE THE PAN-AFRICAN FLAG AT ALL SCHOOL BOARD FACILITIES DURING THE MONTH OF FEBRUARY BEGINNING FEBRUARY 2025 TO HONOUR BLACK HISTORY IN OUR COMMUNITY.

- As the mover of the motion, Trustee Cipkar noted that she is moving this recommendation as an ally to the Black community wanting to recognize their contributions and history to the Windsor-Essex. Following the lead of other institutions in the area such as the University of Windsor it is incumbent upon us to raise this flag during Black History Month. This flag represents Black People, Black Liberation and Black Joy. Something our board should embrace and honour.
- It was noted that our policy calls for the requester to provide the flags. Who will be providing the money for the flags. Chairperson Hatfield noted that the DABR Committee has a budget that could accommodate the cost. If a community brings it forward the community would provide. This is a board motion. Director Houston noted that we have a meeting with the implementation committee where this will be on the agenda for discussion.

The vote was called and it

CARRIED.

M. REPORTS

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.

Director Houston highlighted the following:

- September 2025 a new revised Kindergarten curriculum will be implemented.
- September 2025 there will be mandatory Black History learning for grades 7, 8 and 10 as part of the History curriculum.
- Ministry will repeal Bill 124.

- Student Achievement Plan will be shared at the March board meeting and will be posted publicly April 2nd.

Questions:

- How will Bill 124 impact our board? Superintendent Armstrong noted that the funded amount of Bill 124 will flow through the GSN by adjusting salary benchmarks. For those positions that are incremental and not funded through the GSN the cost will be to the board. Positions funded through a PPF will be funded through a PPF. The estimated cost for union groups is \$41.5 million and \$1.3 million for NBE staff. The Director, Superintendents and Principals and Vice-Principals are not impacted. The challenge is that not all positions are funded through the GSN. School Facilities and Operations budget does not indicate how many custodians to hire – the Ministry provides benchmarks based on square footage. The best estimate is that we have \$1 million that will not be funded. We currently have an \$8.8 million deficit; this will now be \$10 million.
- It was questioned what the next step is with respect to the budget deficit. Superintendent Armstrong noted that we have never been in this position. We have submitted an in-year deficit elimination plan to the Minister, it is yet to be approved. We will have to alert the Minister that this cost is incremental to the deficit elimination plan that was filed. Our board is not the only one in this position. Senior admin has raised concerns to the ministry regarding the ability to do all the calculations with respect to Bill 124. Chairs have also raised the concern.

M.2 Report of the OPBSA Director/Delegate

Trustee Cipkar noted that the April 6th Western Region Meeting will be hosted here in Windsor. Our partnership with trades will be highlighted. More details to come.

M.3 Chair's Report

Nil.

N. TRUSTEE QUESTION PERIOD

- A status update was requested with respect to the tracks being slated for closure at Belle River, Herman and Massey; and is there an opportunity to pivot or reconsideration. Superintendent Armstrong noted that a report was presented to trustees in September. Facility services needs to tender the work for the removal and grassing over the area. To pivot there are a few considerations. This work needs to happen over the summer when school is not in session. Decisions would have to be made which is challenging when we don't have our GSN announcements yet. It is important to remember that we have an almost \$10 million deficit. There are significant renewal needs across the system. We have over \$515 million in renewal needs. Of that \$57 million is urgent and \$150 million is high priority. The only capital funding we receive is School Condition funding (meant for school buildings and building components) and School Renewal funding (intended for building systems and building components). These expenses are based on assessments done by the Ministry every 5 years. The Ministry encourages school boards to address facility condition, ventilation, health and safety, general code

- requirements and accessibility. If there is intent or interest in redoing the tracks School Renewal and/or School Condition money should not be considered. There are far too many needs in the system. We would need to go into surplus which is a risk for us. It was questioned if the funds had been accounted for in this year's budget, and if it has could you put out other tenders for repaving to see if the costs would be equal to or less than a complete removal. Superintendent Armstrong noted that in most situation when we go out for tender things come back more expensive than anticipated. The board needs to make a decision if you want to retain these tracks and the maintenance of them. Are we intending to continue to pay for repairs. As trustees you need to make that decision. If that is the boards priority. The longer we defer the longer these tracks will remain closed because the work has to occur in the summer. We can't oversimplify the repair of these tracks. It is not just digging out and relaying asphalt - there are other costs associated with the work (gravel, drainage etc.)
- Why was the small playground equipment removed from Essex Public School? Superintendent Armstrong indicated that she would follow up.
 - Will there be a need for portables at the new school in Kingsville? Superintendent Awender noted that staffing has not been done. Based on current numbers, we will not require portables.
 - Why would tracks not be considered an educational component for schools? Director Houston noted that not all schools have tracks. Although phys ed will use a track if available we can still run all phys ed curriculum without a track. It is not considered an education requirement which is why the Ministry does not fund tracks.
 - Did trustees approve the removal of tracks? Superintendent Armstrong noted that the report was brought to trustees in September. She noted that she met with each school principal that was impacted. The decision comes down to health and safety. At the last Operations and Finance meeting the OSBIE insurance premium report was brought forward. Our premiums are \$134,000 higher. We want to minimize the risk of liability. The public is invited to provide feedback in the budget survey and two board meetings (March 19 and April 2) where the public can provide feedback. At this point we need to address health and safety issues and consider long term maintenance costs, as they are not funded.

O. NOTICE OF MOTION

- O.1 Trustee Buckler noted that she would move, or cause to be moved at the April 16, 2024 Public Board Meeting:

THAT THE POLICY COMMITTEE REVIEW AND BRING BACK TO THE BOARD THE TRUSTEE EXPENSE POLICY AND REGULATION WITH A VISION TOWARD 1. CLARITY OF APPROVED AND ELIGIBLE EXPENSES; 2. PRIORITIES AROUND TRUSTEE SPENDING AND 3. FISCAL RESPONSIBILITY.

- O.2 Trustee Cipkar noted that she would move, or cause to be moved at the next regularly scheduled Public Board Meeting:

FOR ADMINISTRATION TO PUT FORWARD THE TENDER/RFP FOR BOTH OPTIONS 1 (THE REMOVAL & REPLACEMENT OF THE TRACKS WITH GRASS) & 2 (THE REPAIR & REPLACEMENT OF TRACKS WITH ASPHALT) FROM THE SEPTEMBER 2023 REPORT FOR ALL 4 TRACKS (BELLE RIVER, HERMAN, MASSEY, WINDSOR STADIUM) FOR TRUSTEE CONSIDERATION AND DECISION IN THE SPRING OF 2024.

- O.3 Trustee Burgess noted that she would move, or cause to be moved at the next regularly scheduled Public Board Meeting:

THAT THE GECDSB REFER THE POLICY: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: P-PL-01 AND ITS REGULATION: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: R-PL-01 BACK TO THE POLICY COMMITTEE FOR RECONSIDERATION AND REVIEW.

P. ANNOUNCEMENTS

Trustee Burgess noted that on March 1, 2 and 3 Migration Hall is putting on the production of Arsenic and Old Lace featuring retired principals Norm Ross, Dave Garlick and Al Timmons and Mr. Doug Dowie as Lieutenant Rooney. Tickets are available online.

Q. ADJOURNMENT

There being no further business before the Board, Chairperson Hatfield adjourned the meeting at 9:15 p.m.

G. Hatfield

CHAIRPERSON OF THE BOARD

V. Houston

DIRECTOR OF EDUCATION

Student Trustee Presentation – February 20, 2024

Report

Over the past month since our last meeting, Student Senate and I have been very busy. On January 25th & 26th I joined Trustee Burgess, Trustee McKinley, and Director Houston at OPSBA's Public Education Symposium. While there I was able to participate in several sessions including "Navigating Complex Public Relations", "Food Literacy in Ontario", "Artificial Intelligence in our World and Education", and "Affirming Muslim Leaders". These sessions were truly well thought out and allowed for a lot of thought and reflection. I also had the opportunity to meet new Trustees who share the commonality of always putting students first and I had a conversation with keynote speaker Steve Paikin, Canadian journalist and author. OPSBA announced their new rebrand and logo and all in attendance received a hat with the new logo stitched on it. It was an honour to be able to represent Greater Essex at this conference. A big thank you goes out to Michelle Marcuz for booking all the accommodations and sessions for me and Director Houston for always supporting my professional development.

OSTA-AECO's Education Action Conference took place February 8th to 11th in Ottawa. I led several engaging activities with the Public Education Cabinet including one on prioritization strategies and creating road maps to goals. At our Market Place Session, Student Trustees were able to go to different booths and learn about issues affecting students and education. I hosted a booth on Student Transportation specifically concerning bus driver shortages and consortiums but there were many other booths discussing topics like food literacy, artificial intelligence, menstrual equity, and more. Annie Kidder who works with the Queen's Park on policy was able to join us and engage in conversations about our goals and what we think the big issues affecting students are. We were joined by the Executive Director of the Catholic Principals Council of Ontario and learned about the structure of these organizations and what they are hoping to see in the future in regard to what is happening in schools. The Public Education Cabinet published their internal report on our advocacy goals and what we have accomplished thus far, with a big goal on continuing our work on menstrual equity across Ontario. A big thank you goes out to our Vice President of Public Education at OSTA Savrup Kaur Saran for all her work in advocacy and her meetings with key government officials to make the Cabinet's goal a reality.

Happy Random Act of Kindness week to everyone in the board. We celebrated RAK week with the goal of being kind to one another through simple gestures. I was able to come to the board office on our P.D. day last Friday to participate in the week. I went to every department in the Board office to put sticky notes with little kind messages at everyone's desk. Some examples of the sticky notes are displayed on the screen. Student Senators really thought that it was important to show our appreciation to everyone who works here for all the amazing work that they do for our students.

Our Student Trustee Election will be taking place on February 29th where our voting delegates will elect two new Student Trustees for the 2024-25 school year.

I would like to give a big thank you to the entire Board of Trustees and Senior Administration for their constant help and guidance in my role and for always continuing to support my efforts as I grow.

Student of the Month

The Student of the Month for February is Nolan Papineau, a Grade 12 student at Belle River District High School. Nolan is a true role model for this month's theme of "kindness".

"Nolan Papineau is the kindest student I have ever known", says STEPS department head Ms. Sovran. "If you were to survey our classroom and ask, 'Who is your best friend?', almost all the students would answer, 'Nolan!'. Our non-verbal students would not say his name, but they would point to him and give him a big hug. This is because Nolan exudes natural kindness. But, like anything else in this world, skills take practice to develop, and Nolan practices kindness daily. To him, he is just being kind, but to others, he is the most thoughtful and accepting student in the room."

When Joel needs help with the lid of his Thermos at lunchtime, he finds Nolan. When Leo and Poornima need someone to turn on the music and dance along with them, they find Nolan. When Isaac wants a friend to swim with on Friday nights, he asks Nolan. When Elise needs help getting her wheelchair through the doorway, Nolan is there. When someone does a kind gesture for Nolan, he writes them a heartfelt and sincere letter of thanks. And when a friend is having a tough time learning something new, Nolan never underestimates or criticizes their ability. Instead, he is there to offer a kind smile and encouraging words. Nolan is patient and tolerant, knowing that his friends can do anything that they set their minds to. Students know that they are safe and cared for with Nolan by their side. Nolan's simple acts of kindness change people's lives every single day at Belle River, and students are so fortunate to have him as a role model at school.

Congratulations Nolan for being selected by Student Senate as the February Student of the Month for the theme of "kindness".

MOTION: That the GECD SB name the new school on Jasperson Road in Kingsville Erie Migration Academy

Academy – Greek origin, meaning ‘a place of teaching and learning’. The first Google search will probably give you a narrow definition. I looked up 10 different dictionaries and thesauruses, and Academy fits perfectly. It’s true Westview Freedom is an academy, not a k-12 and that there are private schools that are called Academies in our district, but Herman and Tecumseh Vista wear that moniker proudly, and despite it being misunderstood as elitist or narrow. It’s sort of universally and mildly not liked, but I have fully conceded to it being used, and despite sharing the choices of District School and Academy with naming committee members and the general public, there was no uptake to change it from Academy.

Migration: PRO Scott Scantlebury shared with the committee a great description of the geographic, cultural, ecological and historical area of the catchment area that the new JK-12 school with enhanced child care facilities will serve. There are marvelous connections to the word migration: in Colchester, Harrow, Kingsville, Pelee Island and Leamington. The Mississippi and Atlantic avian flyways intersect over the entire area for both spring and fall migrations. The Festival of Hawks held every fall in Holiday Beach is a treat to anyone who has gone down to the area in Colchester, Malden and Amherstburg - Harrow residents know this well, as well as any birders or budding naturalists. Traveling through Harrow on Sunday, I saw so many swans and waterfowl, it’s underway now. The monarch butterflies’ migration every spring and fall connect us to central America – often the homeland of many of the migrant workers who also follow the season. It’s always a joy to attend the Low German Conference every spring to get to know the families we serve who see both Central and South America as their home as well as our schools for their students when they’re part of our Canadian family. The dragonfly migration flies over my house in Kingsville in the fall, and we welcome migratory birds from all flyways – birders arrive from literally all over the world to see this spectacle. Point Pelee in Leamington and Caldwell First Nation land are prime sites as pit stops for tired birds who’ve made it across the lake, or are resting up for the right velocity, humidity and temp conditions to head south. Pelee Island Bird Observatory is well known to Pelee Island Public School students, as well as others who make the field trip there amongst other species known to only exist on that special piece of land in the middle of Lake Erie. We all come from somewhere and have made this home as Indigenous or settled people.

The students who were deliberating at the naming committee stated they were unhappy how the name Migration had fallen off the shorter list when amendments were offered and a substitute word inserted as a last kick at the can before individual votes were cast. Putting back Migration, found as a very popular suggestion amongst the 600+ that came from the general public is a good one, and all encompassing one.

Erie: This is an Indigenous word, a short form of a word from a Haudenosaunee language, but I’m uncertain to which Nation(s) or language to which I can attribute it. It’s stated that it alludes to a ‘long tail’ (the shape of the lake?) and also describes a Language and the Erie People. I’m glad we can use Indigenous names, names from before settler times to describe and brand schools within our district. There is Erie Shores Winery in Colchester, Erie Shores Hospital, golf course, hospice, family health care, in Leamington and Kingsville. Erie Shores describes Pelee Island Public School in the truest sense – Canada’s southernmost school with 22 eager students, one all set to go in grade 9 this September on the mainland. Another grade 7 behind them on deck. Erie in all configurations, Erie North Shore, Erie South, South Shore – this is the conundrum of living on a peninsula or Island, You’re always both north of some land or water, and south of some land or water.

Let’s be inclusive. Let’s give our students a name that can describe this wide wonderful south shore of Essex County that they call home, that encompasses the most southern part of our country, that honours the oldest geographical name amongst our schools, given to us by First Peoples.

Appendix H

MOTION: That the GECD SB name the new school on Jasperson Road in Kingsville Erie Migration Academy

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Appendix I



Anthony Leardi

MPP / Député provincial, Essex

February 24, 2024

Board of Trustees
Greater Essex County District School Board

RE: NEW SCHOOL NAME IN KINGSVILLE

The Board seems to have chosen a name which means nothing to no one. I have copied the Board's naming criteria below. The proposed name fails on at least 4 of the 5 naming criteria. Consequently, the name is not even consistent with the Board's naming criteria.

At the same time, the Board seems to be sending the message that somehow the name "Kingsville" is inappropriate. Yet, no one has enunciated why. On the contrary, the name "Kingsville" is appropriate and in good taste. It also has the added value of fitting in with at least 4 of the Board's naming criteria.

The Board has made a misstep with the proposed name. There is nothing wrong with re-considering this decision, especially since this decision has met with so much public disfavour. Regardless of whatever the final name will be, we want our schools to be supported by the citizens of the community.

The Board should simply re-consider the choice and follow the process again.

Sincerely,

Anthony R. Leardi
MPP Essex

310 Thomas Road, Amherstburg, Ontario N9V 2Y9
Tel: 519-736-1550 Email: anthony.leardi@pc.ola.org



Anthony Leardi

MPP / Député provincial, Essex

Naming criteria:

Must be distinctive and appropriate with an emphasis on, but not limited to:

- Local historical events;
- Geography;
- Culture;
- Traditions of the community; or
- Representations of diversity.

Julia Burgess

Kingsville, Ontario

Telephone

Cell

email: julia.burgess@publicboard.ca

February 25, 2024

MPP Anthony Leardi,
310 Thomas Rd,
Amherstburg, ON N9V 2Y9

Hello ~~MPP Leardi~~,

Anthony,

You know me, you should know my heart and my commitment to doing things ‘by the book’ and procedurally correct.

I respect our mutual commitment to equitable quality public education – much of it in your riding of Essex.

To be clear, I am writing as the Chair of the Naming/Renaming Committee for the new school on Jasperson Road in Kingsville, as the ‘area trustee’ on the GECDSB is the Chairperson ex-officio, aided by a committed and professional administration. As you know, I am elected in the two Towns of Essex AND Kingsville, and I serve on a board with statutory powers given under the Education Act. The Ed Act doesn’t have the word constituents in it, as we serve as a corporate board, promoting student achievement and well-being, making **district decisions**. We’re the only level of elected governance that is responsible in law for the care of school aged children; school boards predating Canadian confederation.

I refer to your knowledge of the regulation guiding our naming and renaming process, and your completely inaccurate assumption re the GECDSB’s decision to name Erie Migration Academy. In your opening sentence of your letter of Feb 24, 2024, sent to the GECDSB you stated:

“The board seems to have chosen a name which means nothing to no one”

Those who either dislike the name Erie Migration Academy, duly chosen by the Greater Essex County District School Board or feel disappointed that the two suggestions brought forward by the hard work of the naming committee, but were not subsequently adopted by the GECDSB, have generally not been privy to the whole process or scrutinized the supporting documents, either the original collation of the 600+ suggestions, or the student focus groups which gave valuable feedback after the initial meeting when the names had been reduced to 8. I support, and have always supported respectful dissent. Even with passion, anger, or vehemently calling out injustices. I’ve publicly noted that I was

channeling my inner Nellie McClung when I referred to the crowds of ‘Keep Kingsville in the name’ by making a rude comment regarding their loud dissent, which was quoted by the media. I have attempted to apologize for that as best I can, as I am truly sorry to characterize dissent like that, but social media is a quagmire of conspiracy stories and inaccuracies, and it’s difficult to use that forum. This dissent, however, has been so ill informed, so exaggerated, and **brought safety and security issues to those who publicly support the name, and to me and my family personally.**

The OPP is aware of the threats I have received **and plans for more disruption and escalation of this matter.**

You may be aiding in this misinformation by stating, incorrectly, that the name didn’t meet the naming criteria. It most sincerely does. This enables folks to get a false narrative of impropriety, and they therefore spread that wrong-headed declaration. You need to retract that as diplomatically as you can. ‘Seems to’ should give you leeway. Now you know, so while more informed, you can adjust your declaration of ‘nothing to no one’ .I certainly hadn’t always known Erie was an ORIGINAL native word. No harm, no foul if even that recognition of that simple clarification can be made.

As you noted, the GECDSB naming criteria is:

Must be distinctive and appropriate with an emphasis on, but not limited to:

- **Local historical events;** Erie Migration can include the history of settling and migration of peoples to the area on the northern shore of Lake Erie and is apparent with the United Empire Loyalists following the US Revolutionary War, like my ancestor Leonhard Kratz, one of the first European settlers in the late 1700s who remained loyal to the Crown. Immigrant and migrant workers in our area led to the consequential establishment of global agricultural businesses and whole Towns, the archeological evidence at the actual school site on Jasperson of ancestral artifacts of local Indigenous Peoples speaks to their history in a tangible way. The establishment of a historically unique bird sanctuary (Jack Miner, OBE) that led to the discovery of the avian flyways for waterfowl in particular, and the area bird observation site (PIBO) on the Island; the establishment of a federal agricultural research station specializing in orchard fruit made possible due to the microclimate of Lake Erie shore. Erie migration can describe the trade route from north to south and from east to west of the ancient trade routes and navigation of the original peoples and how they formed treaties, allied or fought on both sides of the Erie coastline. A fuller Canadian history.
- **Geography;** Erie Migration itself tracks a north south route across a Great Lake, a purely natural phenomenon occurring since the lands and waters formed. A uniquely geographic area on the 42 degrees N parallel, the existence of a microclimate which is conducive to orchards and vineyards and field crops not easily grown in other areas of Canada. Canada’s most southern school board, Canada’s most southern school (PIPS), a key site for the Erie Migration.
- **Culture;** reference is made to how the natural landscape of Lake Erie, its converging migratory paths and the species and visitors who observe them attracts naturalists, birders, vineyards and wineries, migration festivals, cuisine, languages, tourism, and of course the

ever present Caldwell First Nations lands whose land settlement encompasses much of the catchment area. Our local Low German families who often migrate between Central and South America and Canada, enrich our collective school cultures when their children attend our schools, adding to the richness of Canada's mosaic. The integration of French Immersion in the elementary panel and the l'Intensif program in the high school curricula in the dual track school k-12 school reflects the culture of our county and country from the Francophone diaspora. The name Erie Migration Academy is also easily translated bilingually.

- **Traditions of the community;** Whether it's going smelting along the lake during that fishes' spring migration to the shores following light, the dreaded mayfly/fish fly deluge signaling cleaner water, and whose path can be tracked on radar, the annual arrival and departure of seasonal migrant workers without whom entire agricultural industries would collapse, The very road and infrastructure has taken well-travelled indigenous routes and modernized them into supported transportation routes. The Talbot Trail, found in the school's large catchment area was originally an Indigenous trail, with traditional marker trees that guided Peoples moving north and south, east and west when this land was fully forested before Euro settlement. One remains on Kingsville Golf Course. This traditional and historic land navigation piece enabled people to follow from lake to lake to rivers. This land has always been a superhighway along Lake Erie.

- **Representations of diversity.** Biodiversity of unique species only seen in this area and major species that roost, migrate through, occupy and establish habitat both flora and fauna. As former Chair and member of the ERCA board, you know this. Diversity of peoples include the presence of the Three Fires Confederacy as they established themselves and their routes across the land and water. The richness of ethnicities that immigration and migration have made to the Canadian mosaic are present. Colchester, Harrow and surrounds became home to freedom seeking Black families migrating north, and whose descendants are students in our system and who will attend the new school, enriching the diversity of that k-12 school community.

I have provided the scripted presentation that I gave as the mover of the motion, to put forward the name of Erie Migration Academy. I didn't read it verbatim, but I did quote the entire regulation #7, which had been provided to every one of the 24 members of the naming committee prior to the first meeting in Dec, in fact on their application/appointment for the position and referenced several times as to the options for the next steps for the board of trustees. The public could have spoken to the item via the agenda item 'Speaker's List' by providing their name on a list as late as by 6:45pm on Feb 20, for a 7:00pm start of meeting, as per our bylaws. We had delegations and speakers that evening, but none came from the naming committee, nor the public speaking to this issue. I had attended a local broadcasted podcast on the Thursday before, and I had again remarked on the options of next steps – send back to the committee, adopt a suggestion as is, amended or to put an alternative name on the floor. I didn't know which way it would go. Other trustees, once the agenda package had been received the next day and publicly made available, were not best pleased with the lack of inclusion or inventiveness with the two final suggestions via the naming committee and were aware of other supporting publicly attained documents. No one else, to my knowledge, had an alternative name ready to propose from amongst the committee's long or short lists or the original collated list of 600+

submissions, just dissatisfaction with the proposed suggestions before us. This is not unprecedented, but neither the usual result. As someone who observed and shepherded some of the discussion, I was prepared to consider all options I had publicly shared that were in our purview.

I noted the section in #1 of the regulation that: Ideas (concepts) – based on the Board’s ongoing, foundational, operational and philosophical criteria are encouraged to be the fundamental consideration of a new, or revised, school name.

Ideas, concepts... not just a name of one municipality in a catchment area encompassing 4 municipalities, and an encouragement for a concept or idea gleaned from the committee’s lists, the original 600+, the student focus groups’ report, individual and collective correspondences, etc. Please note ‘Erie Migration’ on the first meeting’s list and ‘Lake Erie Migration Academy’ on the second meeting’s list (the result of the 1st meeting, reduced to 8) and the focus groups commentary (random student feedback gathered between meetings) about water, specifically Erie and lake references, and how migration was a point of discussion that grew in favour.

Erie Migration Academy was not an arbitrary choice, but one that was gleaned from grass roots input, had committee discussion, solid rationale and fit the bill.

Please watch the livestreamed publicly accessible GECD SB mtg of Feb 20 on YouTube at: <https://www.youtube.com/watch?v=eUbMdJlcKqk> You can skip to 1 hour 57 minutes mark where the agenda item on naming the school starts.

My notice of motion to review and reconsider the policy and regulation is near the end of the meeting about the 3:24 mark. I gave notice of this motion, as I have concluded that despite its relatively recent review, the regulation does not serve the work of district branding of facilities, particularly when consolidations of large number of predecessor schools and multiple municipalities are involved. I will speak to that should the motion gain support for discussion next month.

As a district decision, with a naming committee report that had its recommendation also printed on the meeting agenda as ‘TO BE DETERMINED BY THE BOARD OF TRUSTEES’, it followed, as described in that regulation under #7, that an alternative name was brought forward. It was adopted after careful discussion and knowing that the perception of not adopting the suggestions of the committee would be controversial. But that the endeavour is best served when the original goal of the naming process is to bring to a fresh new name which met the naming criteria, was gleaned from public input, and the committee process and discussion, and that would represent a welcome catchment area-wide commonality and branding opportunity.

I must admit that I take considerable offence that you have stated that the name means nothing to no one. As someone who takes great care to reflect on the 94 Calls to Action that the Truth and Reconciliation Commission guides us to consider in our actions as Treaty People, and as board members who have Oaths or Affirmations, we elect to take upon entering into our term of office, we at Greater Essex can swear/affirm:

Oath/Affirmation of Allegiance: I (NAME) swear (or affirm) that: I will be faithful and bear true allegiance to His Majesty King Charles III, King of Canada, His Heirs and Successors, and that I will faithfully observe the laws of Canada including

the Constitution, which recognizes and affirms the Aboriginal and treaty rights of First Nations, Inuit and Métis Peoples.

I draw your attention to the rationale offered and discussed at the public meeting of Feb 20, 2024, adopted by the Board of Trustees with a majority vote of 6-2, but particularly on the use of the Haudenosaunee word Erie. To say that this Indigenous word that denotes a People, a lake that borders the whole catchment area of this new district school, **where students of Six Nations identity arrive daily, students and whose families live in all municipalities of your riding of Essex**, who are recognized [in the GECD SB land acknowledgement](#) – *our land and water acknowledgment* - that is given at every important function. Lake Erie is, and has been essential to the survival, the economy and trade, the navigation, the migration, the very water of life for People of the Wampum treaties, and others, since time immemorial. **How very disrespectful to state that this name means nothing to no one. It means a great deal.**

Erie was a VERY popular choice for a word in the 600+ naming and rationale submissions sent in, freely sent in by your constituents, Mr. Leardi, answering the call for creative fresh names and answering three questions:

- What specific aspects of the community would you like to see included in the name of this new school? (example: a tree, **a prominent local geographical feature...**)
- What general characteristics do you think should be reflected in the name of this new school? (example: **the environment, academic** excellence...)
- What is your suggestion for a name for this new school? (**600+ names submitted**)

I was thrilled with the strong and thoughtful answers to these questions that served the goal of the call: to give suggestions for a name that was inclusive of the catchment area that would describe the 6 former schools and whose original boundaries covered FI/intensif and the two feeder elementary schools of Harrow Public School and Pelee Island Public School. Four municipalities, two in your riding. As you know, we are partners with 4 MPPs in our school district and look forward to continuing good working relationships. We're grateful for the provincial funding that has recognized the added funds needed to address the challenges of construction during a global pandemic, when supply chain concerns and escalating prices, unavailable materials and the very concept of timely project management was tested daily. It's a remarkable building – you've seen the construction site. The GECD SB has deliberated and delivered a name of Erie Migration Academy to a beautiful new school in Kingsville. This name choice had wide input, wide consultation, serves a wide catchment area, and has great appeal, but the viral aspect of a mistrusting social media campaign and unearned suspicion has dampened that name's debut. It was vetted and voted upon. Please review all enclosed materials, please reach out for any clarification of any part of the process and please retract your hurtful commentary and misguided conclusion. Perhaps with an open mind and the supporting materials, you will see that this name has grass roots appeal. Those who support it are not as vocal, but that is because those who oppose it are jumping to uninformed conclusions and reacting threateningly and vulgarly in some cases,

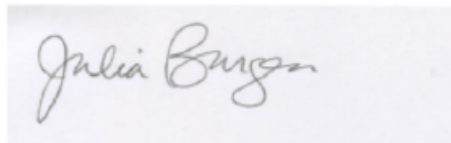
and strategically campaigning - and that does not serve a fresh start for a new school community in Greater Essex County District School Board.

I look forward to the day this fall when you can attend a wonderful ribbon cutting ceremony for Erie Migration Academy (perhaps with the Minister of Education?!) and welcome your constituents from Harrow, Colchester, Cottam, Kingsville, Ruthven and Kingsville. As well as those who make it over from Pelee Island and any who choose Erie Migration Academy for program reasons, but who reside in Leamington. You'll marvel at the wonderful, enhanced childcare spaces for infants through preschool on site, you'll see the new version of The Tech Zone, the bright, modern interior, the gymnasium, the learning commons, offices, itinerant rooms, etc. And situated right beside some wonderful municipal amenities and a creek with some interesting biodiversity.

Please publicly rescind your comments so that the transition to that vision can be embraced. Closing schools, even when long anticipated, is a bittersweet and fraught exercise, as it's a loss of memories of formative years, successes in your prime often adolescent years, multi-generational attendance, sometime entire careers in one building. We need to lead our district through that change, not cobble it.

I'm sure the corporate GECDSBoard will respond, but consider this my appeal as the Chair of the Naming Committee and area trustee who has done considerable deliberation and understands the profound and obvious grief involved of losing a beloved school of 100+ years in a community, let alone an additional 3, their very names and literal community cornerstones, community team avatars and their actual physical presence and function, and yet somehow be expected to look forward with joy and confidence. I get the inherent tension in that endeavour, why anger would be conflated into that process and in that grief. Please help our community embrace that ultimately positive step forward. The kids will be fine, demonstrating remarkable resilience in a post pandemic world. Let's model that. Many adults in our area are not rising to that challenge.

Respectfully yours,

A handwritten signature in cursive script that reads "Julia Burgess". The signature is written in dark ink on a light-colored, slightly textured background.

Julia Burgess
Trustee for Kingsville -Essex
Greater Essex County District School Board

julia.burgess@publicboard.ca

Appendix J

February 22, 2024 – Email from Nelson Santos to Board

From: nsantos4 <nsantos4@cogeco.ca>

Sent: Thursday, February 22, 2024 7:29:24 PM

To: Gale Simko-Hatfield <Gale.Simko-Hatfield@publicboard.ca>; Connie Buckler <Connie.Buckler@publicboard.ca>; Sarah Cipkar <Sarah.Cipkar@publicboard.ca>; Cathy Cooke <Cathy.Cooke@publicboard.ca>; Ron LeClair <Ron.LeClair@publicboard.ca>; Kim McKinley <Kim.McKinley@publicboard.ca>; Christie Nelson <Christie.Nelson@publicboard.ca>; Linda Qin <Linda.Qin@publicboard.ca>; Colin Pyne <Colin.Pyne@publicboard.ca>; Sarim Muhammed <Sarim.Muhammed@publicboard.ca>

Cc: Julia Burgess <Julia.Burgess@publicboard.ca>

Subject: Naming of Schools in Tecumseh and Kingsville

Good evening Chairperson Hatfield and member Trustees and Student Trustees,

Firstly, thank you for your continued service and commitment to the public school system and support for our youth, students and staff.

Your roles as an elected representative hold great responsibility which many of us are thankful for your willingness and desire to serve.

It has been quite sometime since I've had the pleasure and honour of attending one of your Board Meetings and interestingly enough the subject matter at the time was supporting the Board's efforts in pursuing a new K-12 school in the County and in Kingsville to support the family of schools. Today the reality of the new school is on the horizon and our community is anxious for its official opening.

Unfortunately, the anxiousness in the community has now turned to anger and upset. I've heard from many residents who were quite surprised and taken aback by the Board's decision to name the new school outside of the community-based committee's formal recommendations on suggested names. The agenda that was publicly circulated, provided and shared those names and the public wholly believed that one of those top choices and preferred names would be selected. Similarly, in the decision to name the Tecumseh area school, those recommendations were clear and the Board accepted their process. Surprisingly, the same process did not align for the Kingsville hosted school and WE are left asking why?

Why were the voices of the Tecumseh naming committee acknowledged and recommendations accepted and why would Kingsville's Naming Committee's findings be completely dispatched and ignored for a name that the committee professes was not ever in any dialogue as approved?

I've listened and viewed the Board's meeting from that night and while I will refrain from which school name is most preferred, as I'm more concerned about the lack of transparency in the decision. Honestly, the name is secondary here to the issue that there was no public notice of the alternate as approved. No circulation of this suggestion in advance of the meeting, which may have caused some public including committee members to attend the meeting in person to address it.

This is the inherent unfairness and of course now unnecessary controversy that has been created in a community where this should be good news not vice versa. The Board's decision on this

impromptu and improvised name comes completely out of context with the very process the Board established and reinforced with the committee members. As one who has chaired many meetings across many tables and board rooms, this type of change of course would have procedurally been deferred to another meeting night or at the very least been introduced as a Notice of Motion if not referred back to the committee you entrusted from the onset for input.

This is why the public is outraged and livid right now. They feel completely cut off at the knees by an introduction of this option from their Chairperson who purposely did not disclose her intent to them or to the general public in advance. If it were in my Board room, I would have ruled it out of order and sought direction from the board members to recirculate this notice and pursue proper transparency.

It is in this respect that I find myself writing to you today. Please acknowledge that the decision made and final process may not have been made as fully open and transparent as it should be in making this legacy decision. The community and your own naming committee members feel ambushed, sideswiped, and frustrated by a unilateral judgment call by the committee's own Chairperson. Their feelings of being disrespected and misled are evident as is suggested by a petition that is close to 1000 signatures as I share these procedural concerns with you.

I only have one ask...please offer the public a true opportunity to speak to this matter one formal time. In the honour of democracy and transparency please put forward a motion of reconsideration to open the floor at your next or future board meeting so that a bona-fide public committee member can speak to the naming recommendations. At the very least, their time, efforts and commitments, can be respected and heard by you. From there, I ultimately respect your roles and total jurisdiction and fully expect you can each vote in confidence on the ultimate name for the school which we all welcome and celebrate.

Thank you for your time and attention to this.

Respectfully

Nelson Santos

519-980-1162

Appendix K

Memo to: Trustees, Student Trustees

Cc: Vicki Houston, Melissa Leboeuf

Memo from: Gale Hatfield, Chairperson

Date: Saturday, March 29, 2024

Regarding: Calling Special Board Meeting

At the board meeting of February 20, 2024, the trustees passed a motion to name the new K-12 school on Jasperson Road in Kingsville, “Erie Migration Academy” in accordance with our school naming/renaming policy and regulations.

Soon afterwards, it was brought to our attention through many emails, the media and presentations at the March 19th board meeting, that the acronym EMA is used to convey a vulgar expression which would be a source of embarrassment for students attending the school.

In response to this concern, I initiated discussions with the area trustee, Julia Burgess, as well as the Director of Education, Vicki Houston. With this new information received after the February 20th meeting, we agreed that the acronym is a concern for many members of the school community.

Therefore, in accordance with our Governing Bylaws and Robert’s Rules, I am calling a special meeting of trustees for the purpose of amending something previously adopted. The recommendation to be considered at this special meeting is to amend the name to be Erie Migration District School.

The acronym of the proposed amended name “EMDS” does not raise any red flags with regard to known vulgar expressions. Furthermore, the calling of the special meeting and the recommendation contained in the agenda have been vetted by a certified parliamentarian (who happens to be a former school board trustee and a consultant to our board on a previous review of our governing bylaws) to ensure procedural compliance.

The special board meeting will be held at 6:00 pm on Tuesday April 2, 2024. The agenda for this special meeting is being provided with this memo.

Thank you.

Appendix L

SPECIAL BOARD MEETING – PUBLIC SESSION
TUESDAY, APRIL 2, 2024
BOARD ROOM
451 PARK STREET WEST, WINDSOR
6:00 P.M.

AGENDA

A. CALL TO ORDER

B. ATTENDANCE

C. DECLARATION OF CONFLICT OF INTEREST

D. SCHOOL NAME

RECOMMENDATION:

TO AMEND THE PREVIOUSLY ADOPTED MOTION (AGENDA ITEM L.2, FEBRUARY 20, 2024) THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE “ERIE MIGRATION ACADEMY” BY STRIKING “ACADEMY” AND INSERTING “DISTRICT SCHOOL”.

E. ADJOURNMENT

Chairperson – Gale Simko-Hatfield
Vice-Chairperson – Christie Nelson

Director of Education – Vicki Houston
Executive Assistant – Melissa LeBoeuf

Appendix M

MINUTES OF THE SPECIAL PUBLIC MEETING OF THE GREATER ESSEX COUNTY
DISTRICT SCHOOL BOARD HELD ON APRIL 2, 2024 IN THE BOARD ROOM, 451 PARK
STREET WEST, WINDSOR, ONTARIO.

PRESENT:

G. Hatfield (via teleconference)
N. Armstrong
J. Burgess
R. Le Clair
L. Qin

C. Nelson (Acting Chairperson of the Board)
S. Cipkar
C. Cooke
K. McKinley
C. Buckler

STUDENT TRUSTEES:

C. Pyne

REGRETS:

Student Trustee Muhammad

ADMINISTRATION:

V. Houston (Director of Education)
S. Armstrong
J. Bell
S. Duben
R. Roberts

K. Bryant
C. Howitt

RECORDER:

M. LeBoeuf

A. CALL TO ORDER

Acting Chairperson Nelson called the meeting to order at 6:00 p.m.

B. ATTENDANCE

Acting Chairperson Nelson noted that Trustee Hatfield was attending via teleconference and parliamentarian L. Lukinuk was also joining the meeting.

C. DECLARATION OF CONFLICT OF INTEREST

Nil.

D. SCHOOL NAME

Trustee Armstrong noted that she raises a point of privilege noting she had a statement she wanted to make.

Acting Chairperson Nelson asked that Trustee Armstrong state her privilege.

Trustee Armstrong noted that she wanted to make a statement.

It was clarified that a question of privilege is for personal privilege or privilege of the board. An example of personal privilege is that it is too hot or too cold, I can't hear the speaker etc. A statement cannot be made on the item.

Moved by Trustee Burgess

Seconded by Trustee McKinley

TO AMEND THE PREVIOUSLY ADOPTED MOTION (AGENDA ITEM L.2, FEBRUARY 20, 2024) THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE “ERIE MIGRATION ACADEMY” BY STRIKING “ACADEMY” AND INSERTING “DISTRICT SCHOOL”.

- As the mover of the motion, Trustee Burgess noted that she moves the motion with confidence. We are at a place where we have not been before. It has had a lot of discussion in the public sphere. The previous name had a vulgar acronym that was missed. The acronym now has four letters and has been vetted.

Moved by Trustee Burgess
Seconded by Trustee McKinley

To call the question.

This motion required a two-thirds vote.

The vote was called and it CARRIED.

Acting Chairperson Nelson called for the vote on striking the word “Academy” and inserting “District School”

The vote was called and it CARRIED.

E. ADJOURNMENT

There being no further business before the Board, Acting Chairperson Nelson adjourned the meeting at 6:10 p.m.

C. Nelson ACTING CHAIRPERSON OF THE BOARD

V. Houston DIRECTOR OF EDUCATION

Report to:

Greater Essex County District School Board

April 21, 2025

**RE: Trustee Nancy Armstrong, Trustee
Code of Conflict Investigation**

Prepared by:

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1. Introduction and Mandate

On September 23, 2024, the Greater Essex County District School Board (“the Board”) retained Rubin Thomlinson LLP to conduct an impartial investigation into an alleged breach of the Trustee Code of Conduct¹ by a member of the Board, Trustee Nancy Armstrong.

We confirm that we carried out the investigation impartially and that we reached the findings in this report independently, without interference from the client.

2. The Parties

a) Board of Trustees

This investigation does not arise from a specific complaint from an individual trustee, but rather from a motion passed by the Board in September 2024, that an investigator be appointed to investigate the conduct of Trustee Nancy Armstrong in relation to and/or arising out of her appearance on “That Kingsville Podcast,” published on YouTube on August 3, 2024.

b) Trustee Nancy Armstrong

Trustee Armstrong has been a school trustee since 2022. She represents the Town of Leamington and Pelee Island.

¹ Appendix A: Trustee Code of Conduct, Reference No R-GV-o6.

3. Conduct of the Investigation

The background to this investigation, as set out below, was a very public controversy respecting the naming of a new school in Kingsville, Ontario, in 2024.

This investigation is respecting statements made by Trustee Armstrong, during her appearance on a podcast, “That Kingsville Podcast,” published on YouTube on August 3, 2024 (“the podcast”).² It was still publicly available as of the date of this investigation report. I reviewed the podcast as the central evidence respecting the complaint.

I also interviewed, via videoconference, two witnesses who were personally named in the podcast:

- Trustee Julia Burgess on October 29, 2024. Trustee Burgess was the chair of the Naming Committee.
- Scott Scantlebury, former Public Relations Officer for the Board, November 12, 2024.

Also on November 12, 2024, I sent Trustee Armstrong a letter, setting out the specific excerpts from the podcast which may have amounted to a breach of the Code of Conduct.³ In particular, I set out the statements she made during the podcast which may have amounted to a contravention of a number of sections of the Code of Conduct, including making personal or disparaging comments about her fellow trustees, discrediting the integrity of the Board, and undermining the implementation of a resolution of the

² “That Kingsville Podcast,” posted August 3, 2024,
<https://www.youtube.com/watch?v=zfX1T48WOEY>

³ Appendix B: November 12, 2024 – Letter to Trustee Nancy Armstrong.

Board. Trustee Armstrong did not initially respond. My office was eventually able to reach her, and scheduled an initial interview via telephone for November 29, 2024.

Trustee Armstrong requested that we also have an in-person, rather than virtual, interview. She indicated that she was not comfortable meeting by videoconference, and also indicated that she had thousands of pages of documents she wanted to share with me to explain her position.

I advised Trustee Armstrong that I was not opposed to having an in-person interview, though I did indicate that whether this was necessary would depend on the nature of the documents in question, and their relevance to my investigation. I made clear to Trustee Armstrong that my mandate was to determine whether she had breached the Trustee Code of Conduct through the statements she made on the podcast. I specifically noted that my mandate did **not** include whether the Board or individual trustees had acted improperly in the naming of the school, and noted in particular that the issue of whether the Board had followed the appropriate procedures was an issue that had been addressed through the Ombudsman's Report. Trustee Armstrong acknowledged that she understood that this was the case.

During our phone call, Trustee Armstrong provided her perspective on several issues raised in this investigation. She proposed providing further submissions in writing. I indicated that I would advise whether a further interview was necessary following my review of her written submissions.

Trustee Armstrong subsequently provided me with written submissions and documentation, related to the naming of the school and her

appearance on the Podcast, on December 9, 2024, December 26, 2024, January 16, 2025, February 3, 2025, March 3, and March 29, 2025.

I also obtained additional documentation from Trustee Burgess, provided on February 27, 2025, and from the School Board in March 2025.

I determined that, ultimately, it was not necessary to meet with Trustee Armstrong in person in order to complete the investigation, as our initial phone call of November 29, along with her written submissions, were sufficient to ensure I understood her position on the issues. I advised Trustee Armstrong that I did not see a need for a further interview.

To put the podcast in context, it was also necessary for me to review the background to the school naming controversy, including evidence relating to a number of meetings where the naming of the school was addressed, and the agendas, minutes, and video recordings of several Board meetings, in particular, the Board meetings of February 20, 2024, March 19, 2024, and April 2, 2024, where the Board considered the naming of the new school. It also included a review of a report of the Ontario Ombudsman dated June 12, 2024,⁴ which addressed a number of complaints brought respecting the process followed for the naming of the new school. I also reviewed media reports, correspondence from trustees, members of the public, and politicians respecting the controversy over the naming of the school.

I also provided Trustee Armstrong and Trustee Burgess with a draft copy of the report on April 1, 2025, including my findings of fact, in accordance

⁴ Appendix C: June 12, 2024 – Ombudsman’s Report.

with the process under the Trustee Code of Conduct, and gave them 10 days to provide feedback.

Though Trustee Burgess, technically, was a witness, I determined that it was appropriate to also give her an opportunity to review the evidence and findings given there was no individual complainant, and given that she was the individual trustee most directly impacted by Trustee Armstrong's statements.

Both Trustee Armstrong and Trustee Burgess provided extensive feedback on the draft report, including providing additional documents, which I considered in completing this report.

During the course of all of my interviews, as is my practice, I advised all individuals of their obligation to maintain the confidentiality of all matters discussed, including not only the information they communicated to me, but also the subject-matter of my questions.

4. Evidence and Findings of Fact

In order to put Trustee Armstrong's appearance on the podcast in context, I have reviewed the background information respecting the process undertaken by the Board for the naming of the new school.

Our mandate is only to determine whether Trustee Armstrong's conduct, on August 3, 2024, amounted to a breach of the Code of Conduct. As set out in subsections a) to h), below, I have set out the background to the naming process, based on the evidence collected. Where relevant, I have also included Trustee Armstrong's evidence about these events.

I have then made findings of fact about on the podcast of August 3, 2024.

In section j), below, I have addressed several specific issues raised in the podcast where there was a clear challenge to the accuracy of Trustee Armstrong's statements.

In making findings of fact in this investigation, the standard of proof I have used is the balance of probabilities, which is the standard used in human rights and civil matters. Essentially, I have determined what is more likely than not to have occurred.

a) New K-12 School

A new kindergarten to Grade 12 school ("K-12 school") was planned to replace a number of elementary and secondary schools from various communities in the southern part of Essex County and the Township of Pelee. Its catchment area included the town of Kingsville, parts of Leamington, Pelee Island, and parts of the town of Essex, in particular, the communities of Colchester and Harrow. The new school officially opened in September 2024, and is located in Kingsville, the largest community within the catchment area.

In the fall of 2023, in accordance with the Board's Naming Policy Regulation,⁵ a Naming Committee comprised of trustees, Board staff, students, and community representatives, was formed (the "Committee"). The Committee was chaired by Trustee Burgess. As the majority of students in the catchment area came from Kingsville, Kingsville residents had a majority on the Committee.

⁵ Appendix D: Naming and Renaming of Board Facilities Regulation, No: R-PL-01.

The Board practice in naming K-12 schools was to call them either an “Academy” or a “District School,” along with a unique name that met the criteria set out in the Naming Policy Regulation.

The evidence indicates that there was a strong view amongst many residents that the new school should include “Kingsville” in the name. Some residents from other communities in the catchment area, including Harrow and Colchester, took the position that when the planning for the new school had begun many years earlier, they were assured that no names from any of the existing schools would be considered, out of respect for the fact that the new school was amalgamating schools from a number of different communities in different municipalities. However, nine years later, when the new school’s name was actually being considered, there was apparently no record to confirm that such representations had been made.⁶

Over 600 names were submitted for consideration.⁷ The Committee met several times, and considered many of the names. Ultimately, the Committee voted to recommended two names to the Board: Kingsville District Academy and Greater Kingsville Academy.

The naming of a school is ultimately the responsibility of the Board. Under paragraph 7 of the Naming Policy Regulation, trustees are not required to accept the recommendations of a Name Selection Committee, and may propose alternative names. There is no obligation on the Board to go back to the Committee should the Board choose not to adopt the recommendations.

⁶ Appendix E: March 19, 2024 – Board Meeting Minutes, page 9.

⁷ February 20, 2024: Public Board Meeting video, <https://www.youtube.com/watch?v=CWU8wVgJEjA>, at 1:13:50-59.

b) February 20, 2024: Private Session Meeting

The naming of the new school was on the agenda for the Board meeting of February 20, 2024, as follows:

a. NEW BUSINESS

Pages 9-10 L.2 Approval of Name for New School in the Town of Kingsville

RECOMMENDATION:

TO BE DETERMINED BY THE BOARD OF TRUSTEES.

Attached to the agenda was a memo, from Trustee Burgess, setting out the details and membership of the Committee, which included Trustee Burgess and McKinley, fifteen Board staff members, eight students, and six school council / community representatives. It also included the Committee's recommendations for the name of the new school, which, as noted above, were Kingsville District Academy or Greater Kingsville Academy.⁸

Immediately prior to the Board meeting on February 20, 2024, a private session meeting of the Board was held. According to the Ombudsman's report, this meeting was later the subject of many complaints, which raised concerns that there may have been an improper discussion of the new school name or naming process.

The Ombudsman's report noted that, according to the minutes of the private session, a trustee had "provided an overview of how the Naming Committee was selected and how input was gathered," but was redirected by the Chair to limit comments to matters which could be discussed in

⁸ Appendix F: February 20, 2024 – Board Meeting Agenda, pages 9-10.

closed session. The Ombudsman concluded that the Board then proceeded to discuss personal matters about identified individuals. The Ombudsman's report concluded, "These discussions revealed information that was of a personal nature. The discussion was not about what the school should be named, and specific options were not canvassed." The conclusion in the Ombudsman's report stated:

My review confirmed the Board of Trustees acted in accordance with the School Board's policies, regulations, and the Governance By-laws respecting the processes and procedures for naming the new kindergarten to grade 12 school.

In addition, my Office found that the Committee of the Whole's *in camera* discussions on February 20, 2024, fit within the *Education Act*'s exception for intimate, personal or financial information respecting a specifically identified individual.

c) February 20, 2024: Public Board Meeting

When Trustee Burgess spoke to the school naming recommendation, according to the minutes of the Board meeting of February 20, 2024,⁹ and as reflected in the recording of the meeting,¹⁰ she indicated this had been a "controversial committee,"¹¹ that it involved remembering previous and current school closures, that the process had been "heart wrenching and difficult," and had been a "hot topic" of discussion in the communities falling within the school's catchment area.

Trustee Burgess said at the meeting that calling the school "Kingsville" would have been appropriate if it was one town and one school, but as the

⁹ Appendix G: February 20, 2024 – Board Meeting Minutes, pages 3-5.

¹⁰ February 20, 2024: Public Board Meeting video, (note 7, above), at 0:48:30.

¹¹ *ibid*, at 0:50:36.

catchment area goes beyond the Town of Kingsville, and in light of the grief from other communities respecting the closing of their high school some years earlier, it was appropriate to consider a name that reflected the broader catchment area, rather than only one community. Trustee Burgess indicated that she would be relying on paragraph 7 of the Regulation, and proposed an alternative name for the school.

Trustee Burgess then brought forward a motion to name the school “Erie Migration Academy.” She distributed a one-page rationale for why she chose this name.¹² Trustee Burgess said at the meeting that the name “Erie Migration Academy” was not specifically considered by the Committee, but both the words “Erie” and the word “Migration” were included as part of some of the names suggested.¹³ Trustee Burgess recognized that her choice to propose an alternative would be “contentious.”

After Trustee Burgess explained the rationale behind the name she was putting forward, the trustees had an opportunity to discuss the matter. Several trustees expressed their support for the name. Trustee Armstrong, who was attending by telephone, also had an opportunity to speak, and expressed her view that, as the Committee had recommended names for the school, that she was uncomfortable going against the names put forward. She expressed her concern that adopting the name proposed by Trustee Burgess would breed mistrust.¹⁴

¹² Appendix H: February 20, 2024 – Burgess motion to name school Erie Migration Academy.

¹³ The eight names on the short-list considered by the Committee which contained either “Erie” or “Migration” had included the names Kingsville Migration Academy, Erie District Academy, and Lake Erie Migration Academy. The name “Erie Migration” was on the previous list of 18. See Appendix K at note 21, below.

¹⁴ February 20, 2024: Public Board Meeting video, (note 7, above), at 01:12:30.

Trustee Burgess acknowledged that there would be a negative reaction. Trustee Armstrong responded,¹⁵ asking why the name was not brought up before, and only brought up at the 11th hour. Trustee Armstrong also said, “I do like the name, it sounds great,” but again expressed her concern that the Board was not respecting what the Committee had put forward.

Trustee Kim McKinley then spoke up, noting that she felt that respecting the community did not mean simply following the majority from Kingsville who wanted their town’s name, but also meant considering the view of those from communities outside Kingsville.

Trustee Linda Qin also spoke up, expressing the same concerns as Trustee Armstrong, saying that it was not prudent to rush to decide the name, and suggested that this proposed name should first go back to the Committee.

Trustee Burgess stated that she would not support sending the matter back to the Committee, or deferring the decision, as the matter had already been discussed at length, and that deferring would delay other important decisions, such as branding, colours, and mascots, which needed to be put in place for the opening of the school in September.

Trustee Armstrong spoke up again, when the Chair indicated they were going to a vote,¹⁶ and stated that because of the mistrust it would breed, and because it did not respect all the work that was done, she would not be supporting the motion. Trustee Qin also voted against. The remaining trustees present voted in favour of the motion to name the school “Erie Migration Academy.” Two members, Trustee Cooke and Trustee LeClair,

¹⁵ *ibid*, at 01:15:18.

¹⁶ *ibid*, at 01:28:57.

were absent from the Board meeting of February 20, 2024, and as such did not take part in the vote.¹⁷

Trustee Burgess also gave notice that, at the next public Board meeting after February 20, 2024, she would be bringing a motion to refer the Naming and Renaming Policy and Regulation back to the Policy Committee for reconsideration and review, to address shortcomings in the process which had emerged during the recent consultation. She did so at the Board Meeting of March 19, 2024, where the motion passed.¹⁸

Trustee Armstrong advised me that, after her call with Trustee Burgess on the morning of February 20, 2024, and after the private session meeting later that day, she still assumed that there would be an opportunity at the public Board meeting to discuss the names recommended by the Committee. When that did not happen, and when Trustee Burgess instead made a motion to name the school “Erie Migration Academy,” she said she felt that this was a “censoring” of trustee input, and that the meeting had been “hijacked.” As noted below, Trustee Armstrong used these same terms to describe the process on the podcast.

d) Reaction to Name

There was considerable negative public response to the name chosen, in particular to the fact that the Board had not adopted one of the two “Kingsville” names recommended by the Committee.

Concerns also arose that the acronym for the name “Erie Migration Academy” was, according to an entry in the crowdsourced website [urbandictionary.com](https://www.urbandictionary.com), a reference to a sexual act. There were some

¹⁷ Appendix G: February 20, 2024 – Board Meeting Minutes, pages 3-5, 1.

¹⁸ Appendix E: March 19, 2024 – Board Meeting Minutes, page 8.

references in the media around concerns that the vulgar acronym could lead to bullying.

There were also public letters from various Kingsville area politicians. The local MPP, Anthony Leardi, wrote a letter which was published in the *Kingsville Times*; Trustee Burgess publicly responded,¹⁹ defending the choice of name in considerable detail. The former mayor of Kingsville, Nelson Santos, also wrote a letter to the Board. Mr Santos indicated that he had heard from many residents unhappy with the decision not to accept the Committee's recommendations, and expressed his hope that the Board would send the matter back to the Committee.²⁰

Trustee Burgess said she had known Mr Santos for many years; she responded to him privately,²¹ letting him know that he did not have all the information, and that what he had said in his letter to the Board was not factual. She provided him with details about what she observed at the Committee, and gave an explanation of how the name had been arrived at. She made one comment about the interaction between the students on the Naming Committee, as follows:

Give me a call, Nelson. Have a look at the attached list. Think of the kids from Colchester who were made to sit alone at a table at the meeting and not invited to be at the table with all the other students until it was intentionally addressed to be more welcoming.

Mr Santos responded to Trustee Burgess, expressing his concern about process, including the vetting process for the acronym, and expressing his

¹⁹ Appendix I: February 2024 – Correspondence between A. Leardi, MPP, and Trustee Burgess.

²⁰ Appendix J: February 22, 2024 – Email from N. Santos to Board of Trustees.

²¹ Appendix K: February 23-March 4, 2024 – Emails between Trustee Burgess and N. Santos.

concern that the Committee had not been advised that their recommendations were not going to be put forward. He asked her to reconsider reopening the naming process to hear again from the community.

Trustee Burgess responded again, specifically noting that she knew there would be backlash, but defending her decision.

According to Trustee Armstrong, the email exchange between Trustee Burgess and Mr Santos was subsequently publicly posted online, apparently by Mr Santos, and the correspondence became widely read within the community, including by students.

Trustee Armstrong indicated that, though, as noted above, she originally liked the name, once she heard a newscast making fun of the Board because of the acronym, she changed her mind.

e) March 19, 2024: Public Board Meeting

At the next Board meeting on March 19, 2024, a motion was put forward by Trustee Armstrong to add an agenda item for a vote to rescind the decision to name the school “Erie Migration Academy.”²² The motion was defeated.²³

Several community members spoke to the name of the new school, including presentation of a petition from individuals not happy with the name selected by the Board.²⁴

²² March 19, 2024: Board Meeting video, <https://www.youtube.com/watch?v=pZUL2ytXtOk>, at 0:02:45.

²³ Appendix E: March 19, 2024 – Board Meeting Minutes, page 2.

²⁴ Appendix E: March 19, 2024 – Board Meeting Minutes, page 7.

Later in the meeting of March 19, 2024, Trustee Armstrong raised some further questions about the naming process, and there was some additional discussion in the meeting about the name.²⁵ Trustee Armstrong then brought a further motion, to include for consideration at the next Board meeting, that the Board rescind the name “Erie Migration Academy,” and replace the name with one suggested by the Committee that had a thoroughly vetted acronym.²⁶ The motion was ruled out of order by Chair Hatfield, on the basis that it repeated the motion to rescind the name already made by Trustee Armstrong at the beginning of the meeting.

Trustee Qin indicated that she would bring a motion at the next Board meeting to examine the naming procedure of the new school. At the next Board meeting, held on April 16, 2024, the motion was ruled out of order.

f) April 2, 2024: Special Board Meeting

i. Announcement of Meeting

Based on the documentary evidence, I find that, in light of the public concern, Chair Hatfield gave the Trustees notice of a Special Board meeting to be held on April 2, 2024, to address the concerns about the acronym.²⁷ The only substantive item on the agenda²⁸ for the special meeting on April 2, 2024, was as follows:

D. SCHOOL NAME

RECOMMENDATION:

²⁵ March 19, 2024: Board Meeting video, (note 22, above), at 02:12:48.

²⁶ *ibid*, at 02:24:50.

²⁷ Appendix L: March 29, 2024 - Special Board Meeting Notice.

²⁸ Appendix M: April 2, 2024 - Special Board Meeting Agenda.

TO AMEND THE PREVIOUSLY ADOPTED MOTION
(AGENDA ITEM L.2, FEBRUARY 20, 2024) THAT THE
GECDSB NAME THE NEW SCHOOL ON JASPERSON
ROAD IN KINGSVILLE “ERIE MIGRATION ACADEMY”
BY STRIKING “ACADEMY” AND INSERTING “DISTRICT
SCHOOL”.

Trustee Armstrong sent an email to the Board the day prior to the meeting.²⁹ The email was highly critical of the Board’s delay in addressing the issue with the acronym, questioning whether the actions of the Board had undermined public confidence, and questioning why the Board had not addressed her requests to revisit the name. Her email further questioned why, as the Trustee for Pelee Island, her input into the name had not been requested or required, claimed she had as such been censored by Trustee Burgess, and alleged that Trustee Burgess had as such not been impartial in her role as the Chair of the Committee.

Trustee Armstrong further recognized in her email that Chair Hatfield acknowledged that the acronym for the original name, Erie Migration Academy, was problematic, but noted that the acronym for the new name, Erie Migration District School, had, in her view, an equally vulgar meaning.

Trustee Armstrong’s email further claimed that the Board’s actions were negatively affecting the mental health of students, noting that the Board had recently had two students take their own lives, and questioning whether the Board’s decision respecting the naming of the new school would have a negative impact on the mental health of students on the Committee, who were “feeling abused/ignored/neglected/unappreciated.”

²⁹ Appendix N: April 1, 2024 – Email from N. Armstrong to Board.

Trustee Armstrong also indicated, in her submissions during this investigation, that the Board had been sent a number of other emails from individuals raising concerns and criticism about the naming process.

Trustee Armstrong also attached to her email of April 1, 2024, a letter she had asked a student on the Committee to write,³⁰ which is addressed in more detail below.

ii. Special Board Meeting of April 2, 2024

The following synopsis is based on my review of the video recording of the special board meeting of April 2, 2024.

The meeting of April 2, 2024, was chaired by the Vice-Chair, Christie Nelson. Also present, by telephone, was a parliamentarian, Lori Lukinuk, to assist the Board in case of procedural questions. A video of the meeting is available online.³¹

At the outset of the meeting, Trustee Armstrong raised a question of privilege,³² and asked to make a statement. When asked to state her privilege, she claimed she was allowed to make a statement before the Board considered the item on the agenda.

The Vice-Chair consulted the parliamentarian, who recommended that a question of personal privilege was for matters such as a member not being able to hear the speaker, or being too hot or too cold, or they are missing information, but did not include making a statement on the item before the Board. The Vice-Chair ruled that Trustee Armstrong's question of privilege

³⁰ Appendix O: Letter from K. Kendrick to Trustee Armstrong.

³¹ April 2, 2024: Special Board Meeting video, <https://youtu.be/bQ7JmyXMr84?si=Tkw6ysKXCuGEu5GE>, starting at 0:01:00.

³² *ibid*, at 00:01:48.

was out of order. Trustee Armstrong challenged that decision, but it was upheld by the Vice-Chair.

The Vice-Chair read the above recommendation. Trustee Burgess moved in favour of the above recommendation, and it was seconded by Trustee McKinley.³³

Trustee Cooke raised a question respecting who had made the recommendation for the name change. After consultation with the parliamentarian, the question was ruled out of order.

Trustee Burgess then spoke to the motion, explaining that, though the previous name, Erie Migration Academy, had been vetted, the vulgar acronym had been missed. She acknowledged that they “don’t want our students, staff, or community to be involved in the bullying that is associated with a vulgar acronym.”³⁴

Trustee Burgess then brought a second motion to immediately call the question,³⁵ which, as explained by the parliamentarian, if passed, meant that there would be no debate on the original motion to change the name.

The motion to immediately call the question carried with a vote of seven in favour and three opposed,³⁶ meeting the required two-thirds vote.

Vice-Chair Nelson then called for a vote on the original motion to strike the word “Academy” and insert “District School.” The vote carried, also by

³³ *ibid*, at 00:03:27.

³⁴ *ibid*, at 00:07:18.

³⁵ *ibid*, at 00:07:58.

³⁶ Though the student trustee also voted against both motions, a student trustee does not have a binding vote on the Board, pursuant to s 55(2) of the *Education Act*.

seven to three.³⁷ There was, as such, no debate or discussion on the motion to amend the name of the school.

Vice-Chair Nelson then said, “Motion to adjourn?” then stated, “This meeting is adjourned,”³⁸ at which point Trustee Cooke and Trustee Armstrong rose and left the meeting room. However, the motion to adjourn had not yet actually been moved or voted on, which then took place while Trustee Cooke and Armstrong were leaving.

Immediately after the Special Board Meeting of April 2, 2024, Trustee Cooke spoke to reporters and others present outside the meeting room, expressing her disappointment in what had occurred in the meeting. Trustee Cooke’s statements were repeated in a number of media sources, including in local print media, the *Windsor Star*,³⁹ and on CTV television,⁴⁰ though the latter was edited and did not include Trustee Cooke mentioning Trustee Burgess’ name. Based on these media reports, I find that there was a significant public backlash towards the Board for not choosing the name “Kingsville” for the new K-12 school, and for not adopting a recommendation of the Naming Committee. This is not in dispute.

g) Ombudsman Complaint

As noted above, there were more than 300 complaints filed with the Ombudsman following the naming decision. The Ombudsman conducted an investigation into the process, and concluded in its report of June 15, 2024, that the Board of Trustees had acted in accordance with its policies,

³⁷ Appendix P: April 2, 2024 – Minutes of Special Meeting.

³⁸ April 2, 2024, Special Board Meeting video, (note 31, above), at 0:11:44.

³⁹ <https://windsorstar.com/news/local-news/debate-shut-down-but-public-board-picks-new-name-for-kingsville-school>

⁴⁰ <https://windsor.ctvnews.ca/trustees-storm-out-as-erie-migration-academy-name-changes-1.6831568>

regulations, and Governance By-laws in the school naming process, including at all the meetings discussed above. As noted, it is not within our mandate or jurisdiction to review the findings of the Ombudsman, and for the purposes of this investigation I accept the findings in the Ombudsman's report as settled.

h) Subsequent Efforts by Trustee Armstrong

Trustee Armstrong indicated, and I accept, that she continued her efforts after the meeting of April 2, 2024, to have the issue of the name addressed, including writing further to the Board, and writing to politicians. She indicated, however, that she was unable to get anyone to take any further action on the issue. As she felt the Board was ignoring her, the other trustees opposed, and there were concerned citizens of Kingsville, she felt she needed to seek help elsewhere, so she approached "That Kingsville Podcast."

i) August 3, 2024: Podcast

On August 3, 2024, an edition of "That Kingsville Podcast" was posted to YouTube, with Trustee Armstrong as the guest.⁴¹

The podcast ran for approximately 1 1/2 hours, with Trustee Armstrong joining at the 0:17:40 minute mark, and remaining until the end.

The following statements made during the podcast were provided to Trustee Armstrong, in my letter of November 12, 2024, as statements which

⁴¹ "That Kingsville Podcast," posted August 3, 2024, <https://www.youtube.com/watch?v=zfX1T48WOEY>

may have been contrary to the Trustee Code of Conduct;⁴² I included questions or comments from the interviewers where necessary for context:

Time in Video	Statement Made:
0:19:12	Nancy Armstrong: I am not speaking for the Board. We as trustees must uphold decisions by the Board, but we can discuss our own views on it.
0:23:34	Nancy Armstrong: I have lost opportunities to speak because they called Robert's Rules on me and I didn't know enough to say what I should have said . . . we got along very well because I deferred to their expertise, but this name was something that I had a strong opinion about. And, so that's why, since then, it hasn't gone very well.
0:28:43	Steve l'Anson: But, I'm looking at this and thinking, and these are my words not yours, and you can either comment or decline comment if you wish. But why didn't any of the seasoned members turn around and say, okay, this is the process, this is how you need to do it. We will allow your question, but this is the way to do it. Because it almost seems akin to the schoolyard bully taking advantage of someone [Trustee Armstrong smiles]. Like, okay, we've got a newbie here. You know, we can, we can push this through, because we know the rules, and, and she's a little bit naive still. I mean, did you feel that way? Is, am I, maybe not?
	Nancy Armstrong: No, you, were you there as a fly on the wall? When I was agreeing with everyone, then they would offer me that consideration and I truly appreciated it — as I said we got along really, really well, until I had an opinion that did not follow, and that's when, yeah, I was bullied, and it's not happening again. So, anyway, it's, it's gone way downhill since February.
0:35:26	Nancy Armstrong: I was fully expecting that we would talk about the two names that were presented, and then we'd talk about Julia's name. So, when that didn't happen, I thought, okay. Something is not right here. That, then I found out later that four of us have never been asked, or given the opportunity to discuss the names that came from the committee. And, is that, like I, call that kind of censoring, trustee input, isn't it? that, or, um, the quote was the trustees found the names, um, not what they wanted. Well, how do you know what I wanted? Because you just never asked me.
0:38:40	Nancy Armstrong: When the meeting, the public meeting came up, I'm listening to all of this, <i>expecting</i> that I would get to discuss the two names, and I, I kind of thought, okay, this is being hijacked, because I, I don't get a

⁴² This transcript of the podcast was prepared by Rubin Thomlinson LLP.

	chance to discuss it. So, I'm at home listening to the meeting and as the meeting is proceeding and I realized that I'm never going to get a chance to talk about the names that I thought we were going to talk about.
0:39:30	Nancy Armstrong: I viewed the process — this is my word — I viewed the process as being hijacked. So, apparently, nothing illegal happened because it is within the policy that it can happen, but my husband had a really good way of saying it. He said, nothing illegal happened, <i>but</i> the process was morally and ethically bankrupt. And that, that's — that's how I feel.
0:44:20	Nancy Armstrong: . . . the reason that I'm sitting here is, that, as a trustee, I am obligated in my role of trustee to explain decisions of the Board to the public. I don't have to agree with it, but I must be able to explain it. But I can't explain it. I have <i>no</i> idea. And so I'm, I'm asking the community, I'm asking you — how, how did this happen?
0:45:06	Nancy Armstrong: I'm here asking questions of the community because, I have sent countless emails to trustees asking for their assistance in understanding this decision, so that I can fulfill my role of trustee — being able to explain to a community or voter, the decision. And I have received zero response. So, um, I'm here. Is there somebody in the community that can explain how EMA was acceptable? Was it vetted?
0:47:46	<p>Nancy Armstrong: That's our role in good governance. And this, this one in particular [Trustee Armstrong opens up book and directly reads the quote below], really speaks a lot. It's called standard care for students:</p> <p style="padding-left: 40px;">“A school board and its employer — employees or volunteers, are expected to provide the same standard of care for students as would be provided by a reasonably careful or prudent parent in the circumstances. This is commonly referred to as the reasonably prudent parent doctrine. The duty of care is to protect the student from all reasonably foreseeable risks of harm.”</p> <p>So my question is, this is, and, and this, this, this Good Governance manual here is filled with that, but that kind of sums it all up. So my question is, how is it that this name has stood, when this is our doctrine? That's why I'm here. How is it that nobody's answering the question from the Board's side, so I'm asking the public. What do you think? I don't, I don't see how it can stand.</p>
0:50:57	Nancy Armstrong: In the private session meetings I tried, on numerous occasions, to bring something up. I came with this document, I was shut down. Again, my lack of comfort and knowledge of Robert's Rules worked against me. I don't know that it would have done any good, because it was seven against three. But, several meetings I came with a document.

0:51:24	<p>Nancy Armstrong: I came to find out that . . . Kinsey Kendrick, who was a student of mine, and I taught her brother, etc., lovely kid. Anyway, I came to find out that she was being described as not being kind, and I thought, <i>no</i>, that can't be right, because there's nobody lovelier than Kinsey. So I asked her to please, um, tell me, if I had stood at the door of the library, uh of the committee meetings, please describe to me what you would have, what I would have seen. And so, she told me.</p> <p>I was prepared to say during the private session meeting, what she told me, and I was shut down saying, well, that's hearsay we can't listen to it. And I thought, okay, then so I asked Kinsey to write me this letter, but it was the next meeting. It was two weeks later, before I put it out or whatever. Anyway, I ended up sending it to them to show that, that — when I read it, you'll see that some unfairness was happening. Some unkindness was happening. But it was shut down again.</p> <p>Anyway, so what she wrote was, “Dear Nancy, it has come to my attention that during the naming committee meeting, I have been portrayed as a bully to the other students, which is disheartening to hear. In a message written to former mayor of Kingsville, Nelson Santos, Trustee Burgess inaccurately described the treatment of students during the naming committee...”</p> <p>So I have made it very clear that this is unkind to Kinsey and she needs the record cleared.</p>
0:55:05	<p>Nancy Armstrong: Well, so I don't know if any of the trustees read this but it has done zero good — that Kinsey took all this time to write this for me, I presented it to them as best I could, and I don't know if it's been read, but, this is the hill I'm ready to die on, in that Kinsey does not deserve this.</p>
0:59:31	<p>Nancy Armstrong: So, the question, has to be how many is enough? Is 400 not enough? Is it 500? How many names on a petition from a community is enough for trustees to go, “Oh, you know, maybe we should look into that because in this Good Governance, our job is to listen to the public,” because I was speaking to someone who had spoken to a trustee friend from a different Board, and they said, “Well, if we got one complaint, we'd look into it.” And I thought, well, there was a thousand names on the signature now, or, on the petition. Now I think there are over two thousand on the next petition. How many is enough?</p>
1:02:02	<p>Nancy Armstrong: Pelee Island kids will go to the new school. You'd think that the trustee representing the kids should have been part of any discussion about the name for the new schools? But no, I was not asked.</p>
1:05:16	<p>Nancy Armstrong: So, trustees are supposed to be prudent parents. There's no way, any parent, is going to put a sexual acronym on the butt of kids. And when my kids were in high school, the acronym for LDSS was on</p>

	<p>their butt. There's no way a prudent parent is going to do that. So, how is this happening? I don't understand. So, maybe the kids will be fine because they're never going to put that on their uniforms, and they shouldn't, because that's so vulgar.</p>
	<p>Kevin Black: Well, did they vet the new name? Like, did they realize that it also is an acronym before it was brought forward?</p>
1:05:53	<p>Nancy Armstrong: Oh, they knew. They knew. Because of all the emails we received, because on the Saturday before the meeting, the emails started coming in again. They absolutely knew, and it was named at the meeting that it was vetted, there was discussion that it wasn't vetted, but it passed all the tests. So I have asked the Board, "please, I would like the documentation to see what tests it had passed." And I have not received that.</p>
1:07:40	<p>Nancy Armstrong: I would think, if we have an Integrity commissioner looking into this, surely something will come forward, that, it's not, as you've said, there's something not quite right, there's something being hidden.</p>
1:08:13	<p>Nancy Armstrong: I also was told, to keep my mouth shut, or resign, and then I can say whatever I want.</p>
1:09:24	<p>Nancy Armstrong: No one is going to tell me that words on a piece of paper are going to have me compromise integrity or this thing [Trustee Armstrong lifts up a document] that we're supposed to follow. No, it's not going to happen. There is something bankrupt with this whole system, and, hopefully this Integrity commissioner can find out what it is and, and take action to correct it.</p>
1:11:04	<p>Nancy Armstrong: The number one is it was just a mistake and it was, and it's not being corrected.</p> <p>The second is, Carl Jung. I think that's how you pronounce it? He said that if you don't understand a decision, look to the consequences of that decision to infer the motivation. So, the consequences of the decision is a sexual acronym, twice. So, is that really what happened? And that's why — [to Dave Hunt] why are you laughing? [Trustee Armstrong laughs] Because, it, anyway, I don't think that's it. I really don't. <i>But</i>, prove to me that it's not, so.</p> <p>And then the third one is, was there money involved? Well, I can't see that there's money involved, but it scares me if this goes on here — If there was a million dollars at the provincial level or the federal level, you can see how things get skewed, or not handled ethically, or, however you want to put it. Anyway.</p>

	So those are my three theories of how this has happened.
1:12:31	Nancy Armstrong: Now um, if I'm remembering correctly, the girls said that Scott Scantlebury wanted Erie, or tried to manipulate them into wanting Erie, and the kids didn't want Erie. They didn't want migration and they didn't want Erie ...
1:16:56	Nancy Armstrong: They really, really care about the kids for that, and up until February, I thought they really, really cared about everybody. But they don't seem to care enough about this <i>because</i> this decision cannot be explained. Because as you said, there's something going on that we are not privy to. And what is it? I'm asking you. Does anybody know?
1:17:45	Nancy Armstrong: And I do know, as I already said, I realized a year ago, that a lot of deals in politics are made outside of what people would see. By telephone. So there's no meeting to investigate or anything like that because it's all done by phone. And, and I have received those phone calls as well. So, okay, if that's the way it is, I was told if I really want to make a difference as a trustee with this Board, I'm going to have to get to know the trustees, take them out for lunch, take them out for coffee, whatever. And I thought, I'm not doing that, I can't do that. I would compromise my integrity if I did that, and I refuse to do it. So I am limited in my effectiveness because I will not play that game, but it's a serious game that goes on apparently.
1:19:34	Nancy Armstrong: [The OESC Good Governance Guide] is our guidance [Trustee Armstrong lifts up the document]. And that fails, so many times, with what's in this book that I don't understand how, how it's proceeding, I really don't. So again, I hope the Integrity Commissioner can do something about it, because, and if not, then I'm, I've been wrong all along, and everything's just fine.
1:21:42	Nancy Armstrong: So, our kids have three of those going on, and then they have this name. So, again [Trustee Armstrong lifts up document], how do we do this, when we're supposed to do no harm? I don't get it. I don't understand
	Kevin Black: While in school, the students are just attending a school they have to attend, and School Board Trustees decided to give it a sexual acronym, that will likely become a point of bullying against those students.
	Nancy Armstrong: Hundred percent. It is a hundred percent. And I have brought that up as well. I have sent that in emails that, this is a concern, but so did Emerson. That's why I went to that protest. She already said it. And so, why are you not listening to a student?

1:25:02	Nancy Armstrong: You know what, but, yeah the public confidence and Trust in our Board, like it's gone.
1:28:33	<p>Nancy Armstrong: I have a quote from a staff member, of your town, the school. So, what this teacher wrote was, the Board should be feeling this. Wow,</p> <p>“We contributed to a school culture where people feel such emotion and such loyalty to their school, that they’ll fight this hard. What an incredible accomplishment by our Board and our teachers, that a community feels this passionately about their public school. Let’s embrace this. Then let’s interview them to see how they achieve this. So we can replicate it.”</p> <p>Well done, Kingsville. Go Kingsville. Yeah.</p>

j) Response to Podcast

As noted above, there were some statements made by Trustee Armstrong in the podcast which Trustee Burgess considered were not justified, and were incomplete, exaggerated, or simply incorrect.

Trustee Armstrong, however, stood by the statements she made in the podcast, and maintained that she had an obligation to the students and the electorate to make these issues public.

I have addressed these issues in more detail here.

i. Vetting

Trustee Armstrong questioned, several times, on the podcast and during the course of this investigation, whether the school name had been vetted. She stated that she had repeatedly asked for the documentation on this issue, but that it had not been provided. Trustee Armstrong pointed out that it was obvious, given the acronyms that there had either not been any vetting done, or, if so, it was clearly inadequate.

Trustee Burgess indicated that she had called Scott Scantlebury, the Public Relations Officer for the Board, to vet the name “Erie Migration Academy,” as determining suitability of a name was his responsibility under the Naming Policy Regulation. She indicated that Mr Scantlebury was the one other person who knew the name she was going to present that she referred to at the Board Meeting of February 20, 2024. Trustee Burgess also noted that the Board, including Trustee Armstrong, had been specifically told that the name had been vetted.

Trustee Burgess noted that there was nothing in writing, so no documentation to provide. She noted that the process did not require it. She pointed out that the fact that there was no documentation did not mean the vetting had not been done, and did not justify Trustee Armstrong’s claims to the contrary.

Mr Scantlebury confirmed that Trustee Burgess had approached him prior to the meeting of February 20, 2024, and advised him that she was proposing to put forward the name “Erie Migration Academy” for the new school. He was aware that it was not one of the names recommended by the Committee, but he noted that similar names had been discussed which had received some positive feedback in focus-group sessions. He indicated he had been a facilitator at the focus groups, and he did not recall any negative comments about the names Erie or Migration.

Mr Scantlebury indicated that he did not use the “Urban Dictionary” for vetting, as he did not consider it to be an authoritative source of information. He noted that it was, like a wiki, made up entirely of user-created content, and is itself not vetted or subject to editorial review. He pointed out that one could take the initials of just about anything and find something in the Urban Dictionary that would be considered inappropriate.

Mr Scantlebury indicated that he did vet the name, and determined that it was appropriate. He did note that the name did not get a thorough vetting through Board committees, as there was insufficient time to do so. He understood from Trustee Burgess that he was the only other person who knew the name prior to the public meeting of February 20, 2024.

Mr Scantlebury indicated that there was no documentation or paper trail for the vetting process undertaken. He noted that there was no requirement to do so under the Policy or Regulation, though he indicated that if a matter was before a committee and there were concerns raised, that there would have been documentation at that time.

Based on the consistent evidence of Trustee Burgess and Mr. Scantlebury, I find the name was vetted by Mr Scantlebury. I find that there was no documentation respecting the vetting process. I find that the vetting that was done did not include using the “urbandictionary.com” as a source.

ii. Consultation on Name

Trustee Armstrong further indicated, on the podcast, that her input on the school name was never requested or required, and that she was never given an opportunity to express her opinions on the names recommended by the Committee. She maintains that, as she represents Pelee Island, which is in the new school’s catchment area, she should have been given that opportunity.

I asked Trustee Armstrong for clarification respecting her statement that her involvement had not been requested or required, and in particular if she was saying that she had not been allowed to be on the Naming Committee. She clarified that her statement was not about being on the Committee, and acknowledged that all trustees had the opportunity to be considered, but

that she did not put her name forward. She indicated that she was fine with Trustee Burgess and Trustee McKinley being the trustees on the Committee. She clarified that what she had meant on the podcast was that, given that she was trustee for Pelee Island, she should have been asked for her view on the new school's name before the motion was brought to the Board, but that Trustee Burgess had not done so.

Trustee Burgess agreed that Trustee Armstrong, as trustee for part of the school's catchment area, should have been involved in the process. She claimed that she had, in fact, called Trustee Armstrong twice in the week prior to February 20, 2024, and left her messages, and also sent her a text message asking about students from Pelee Island. She provided screenshots of her phone, showing a call of 1 minute and 12 seconds on February 15, followed immediately by a text message, and another call on the morning of February 16.⁴³ Trustee Armstrong denied having received any calls, texts, or voicemail messages from Trustee Burgess on the days in question, and provided phone records showing she had not received any phone calls from Trustee Burgess on her Board-issued cell phone during the time in question.⁴⁴

Trustee Armstrong did agree that they spoke the morning of February 20, 2024,⁴⁵ when Trustee Burgess told Trustee Armstrong she was going to be proposing a name other than those recommended by the Committee, though she did not mention the name she would be putting forward; as

⁴³ Appendix Q: February 2024 - J. Burgess phone records.

⁴⁴ Appendix R: February 2024 - N. Armstrong phone records

⁴⁵ This call did not show on Trustee Armstrong's cell phone records; Trustee Burgess indicated that this call may have been to Trustee Armstrong's home phone. As noted, it is not in dispute that they spoke on the morning of February 20, 2024.

noted above, Trustee Burgess claimed she had not told anyone the name she was going to suggest, other than Mr Scantlebury.

I find, based on her own evidence, that Trustee Armstrong did not seek to be involved in the naming process for the school. Whether Trustee Burgess called and left messages for Trustee Armstrong, on February 15 and 16, 2024, is unclear; accepting that the phone records from both Trustee Burgess and Trustee Armstrong are authentic, the evidence suggest that Trustee Burgess called Trustee Armstrong and left messages, but that these calls never rang through to Trustee Armstrong's phone, as would happen, for instance, if her phone had been turned off.

What is not in dispute, however, is that Trustee Burgess and Trustee Armstrong did not speak on the issue until February 20, 2024, and I so find. I also find, as it is not in dispute, that Trustee Armstrong was not advised of the name "Erie Migration Academy" prior to the meeting of February 20, 2024.

iii. Comments About Student Conduct

For both Trustee Burgess and Trustee Armstrong, one of the most significant issues was Trustee Armstrong's comments in the podcast respecting what Trustee Burgess had allegedly said about a student, Kinsey Kendrick.

A. *Trustee Armstrong*

During the podcast, Trustee Armstrong said she "came to find out that a student, Kinsey Kendrick, was being described as not being kind to students." She said that she knew Ms Kendrick, and she did not believe this could be true. She stated on the podcast that this issue was "the hill I'm

ready to die on,” and that Ms Kendrick “did not deserve this,” and that she wanted the record cleared. The implication was that Trustee Burgess was the person who had made these comments about Ms Kendrick.

I asked Trustee Armstrong for further details on what it was that Trustee Burgess had said about Ms Kendrick.

Trustee Armstrong explained that, during the private session of the Board on February 20, 2024, Trustee Burgess told the trustees that Kingsville students on the Naming Committee had excluded the students from other communities, such as Harrow and Colchester, from joining them. Trustee Armstrong indicated that Trustee Burgess had not specifically named Ms Kendrick, nor in fact had she named any specific student.

Trustee Armstrong said she subsequently learned that Trustee Burgess was referring to Ms Kendrick. I asked Trustee Armstrong how she learned that Trustee Burgess was referring to Ms Kendrick; Trustee Armstrong said, “She did not name this name, but I knew who it was because – I knew who it was, I know the kid.”

Trustee Armstrong said she then reached out to Ms Kendrick and asked her about what had happened at the Committee meeting. Trustee Armstrong denied, however, that she had disclosed anything said at the private session meeting to Ms Kendrick; Trustee Armstrong specifically denied saying anything to Ms Kendrick that would have given the impression that Trustee Burgess had said anything about her.

Trustee Armstrong indicated that she learned from Ms Kendrick that the correspondence between Trustee Burgess and Mr Santos, noted above at section 4 d), was available online, apparently posted by Mr Santos, and had been seen by the students.

Trustee Armstrong said that Ms Kendrick told her that Trustee Burgess must not have seen that Ms Kendrick had, in fact, motioned with her hand to invite the students from Colchester and Harrow to join the Kingsville students, but that those students shook their head and declined.

Trustee Armstrong said she subsequently attempted to raise what Ms Kendrick had told her with the Board, but said she was shut down on the basis that what she was saying was hearsay.

As Trustee Armstrong indicated on the podcast, she reached out to Ms Kendrick and asked her to write a letter to the Board, which Ms Kendrick did.⁴⁶ As noted above, Trustee Armstrong indicates she sent Ms Kendrick's letter to the Board on April 1, 2024, attached to Trustee Armstrong's email of April 1, 2024.⁴⁷

Ms Kendrick's letter included the following passage, which Trustee Armstrong read aloud on the podcast:

It has come to my attention that during the naming committee meeting, I have been portrayed as a bully to the other students, which is disheartening to hear. In a message written to former mayor of Kingsville, Nelson Santos, on February 23, 2024, Julia Burgess inaccurately described the treatment of students during the naming committee. She wrote, and I quote, "Think of the kids from Colchester who were made to sit alone at a table at the meeting and not invited to be at the table with all the other students until it was intentionally addressed to be more welcoming." This is completely untrue, and truly saddening to hear how I and other Kingsville students' actions are described by one of our trustees.

⁴⁶ Appendix O, note 30, above.

⁴⁷ Appendix N, note 29, above.

Trustee Armstrong also clarified that she was not saying that Trustee Burgess had herself posted or said anything publicly about students, or about Ms Kendrick in particular. Trustee Armstrong said, however, that Ms Kendrick and the rest of the school “knew” Trustee Burgess was talking about Ms Kendrick. Trustee Armstrong felt, as such, that Trustee Burgess was responsible for what she referred to as this “lie,” and for “spreading false information” about Ms Kendrick. She pointed out that, “If a student was responsible for this online disinformation there would be consequences,” but noted that the policies on bullying never contemplated that an adult may be the bully.

B. Trustee Burgess

Trustee Burgess took issue with Trustee Armstrong claiming that she (Trustee Burgess) had made bullying comments about Ms Kendrick. Trustee Burgess agreed that she had observed, as noted in her letter to Mr Santos, that the students from Colchester were being excluded by the Kingsville students. She noted that she had raised this issue as one example of the broader intimidating and divisive campaign she saw being organized by some parents and school staff to ensure the school was named “Kingsville,” which Trustee Burgess felt was being used to silence those who supported a name that would be inclusive of other communities within the school’s catchment area.

Trustee Burgess was clear that she never mentioned any student’s name, nor referred, directly or indirectly, to any individual student, either at the private session meeting of February 20, 2024, or in the letter to Mr Santos. She felt that Trustee Armstrong’s statements on the podcast, which gave the clear impression that she was personally targeting Ms Kendrick, were false.

Trustee Burgess said that it appeared as though Trustee Armstrong had given Ms Kendrick the false impression that Trustee Burgess had made comments specifically about her, when this was simply not true.

C. Findings

It is not the role of this investigation to go into details about what happened at the Committee meeting, nor is it necessary to make a determination on whether or not the Kingsville students had done anything to exclude the students of Harrow and Colchester. For the purposes of this investigation, it is sufficient to accept that Trustee Burgess believed that the Harrow and Colchester students had been excluded, and that this was denied by the Kingsville students.

The evidence is, otherwise, largely not in dispute between Trustee Armstrong and Trustee Burgess. There is no dispute that, at the Private Session of February 20, 2024, Trustee Burgess did not mention any student names. There is no dispute that Trustee Armstrong approached Ms Kendrick to ask for her version of what had happened. There is no dispute that Trustee Burgess also referred to the Colchester students not being invited to join the other students in her letter to Mr Santos. There is no dispute that she did not mention or single out any particular Kingsville student in that letter, by name or otherwise. There is no dispute that Trustee Armstrong asked Ms Kendrick to write a letter to the Board, which she did, in which she said it had come to her attention that she had been portrayed as a bully by Ms Burgess. I find, as such, that these things happened.

I also find that Trustee Armstrong's statements on the podcast gave the clear, and false, impression, based only on the above information, that

Trustee Burgess had singled out Ms Kendrick personally for attack. Trustee Armstrong stated on the podcast that she “came to find out that . . . Kinsey Kendrick . . . was being described as not being kind.” She read from Ms Kendrick’s letter, which stated that Trustee Burgess’ comments in the letter to Mr Santos were portraying Ms Kendrick as a bully. Trustee Armstrong further stated that “Kinsey does not deserve this.”

iv. Lack of Procedural Knowledge

Trustee Armstrong felt that her lack of experience as a trustee meant that she was unable to effectively raise issues before the Board. Though she acknowledged that the more experienced trustees had been helpful early in her tenure when they agreed with her, she claimed that when she had a different opinion than the majority, they would use the rules of procedure to silence her. She characterized this on the podcast as the more experienced trustees bullying her.

As noted above, Trustee Armstrong spoke twice during the Public Meeting of February 20, 2024, and expressed her concerns over the fact that the Board was considering a name other than those recommended by the Committee. She chose to vote against the motion. In her submissions, she indicated that it was due to her lack of familiarity with the procedural rules that she did not bring a motion at that time to discuss the Committee’s names, though, as noted, she also considered that doing so would not have made a difference given her belief that the majority of the trustees had already made their decision.

In the podcast, she also gave as examples the meetings of March 19 and April 2, 2024, where she was subject to rulings by the chair of the meeting which, she says, again prevented her from addressing the issue.

Trustee Burgess did not agree with Trustee Armstrong's claim that she was taken advantage of by the more experienced trustees because she was unfamiliar with the rules of order. Trustee Burgess noted, first, that Trustee Armstrong had received support from other trustees. Trustee Burgess also said she felt it was incumbent on a person running for public office, such as a school trustee, to learn the rules and procedures, and indicated that there were many opportunities for Trustee Armstrong to have done so. She disputed that relying on Robert's Rules could reasonably be considered bullying, as suggested by Trustee Armstrong.

I find that Trustee Armstrong made several attempts to have issues respecting the naming process addressed at meetings, in particular on March 19 and April 2, 2024, to revisit the name, but her efforts were unsuccessful. I also accept that she was not offered assistance from other trustees at those specific times.

I also note that, as addressed above, the Ombudsman had already determined that the Board had acted in accordance with its policies, regulations, and Governance By-laws in the school naming process, including at all the meetings discussed above. Though Trustee Armstrong may have been frustrated by her lack of success in her efforts to address the school name through formal procedure, the Ombudsman has determined that the correct procedures were followed.

v. Mental Health and Bullying

Trustee Armstrong noted there was a well-known mental health crisis amongst youth in Ontario, and said she believed the school name, and in particular the acronym, would have a negative impact on students' mental health.

Trustee Armstrong noted that she had heard from two families who had had to have discussions with their 8-year-old children about the meaning of the acronym “EMA,” that she brought this to the attention of the trustees and was met with silence.

She indicated that there was a concern that students from the school would be bullied because of the vulgar acronym, again affecting their mental health.

Trustee Armstrong indicated that, from her own personal experience, she would not be the adult who “does nothing and looks the other way” when children were subject to bullying behaviour. She felt she had no choice but to take a stand and take whatever steps were necessary to challenge the Board’s decision.

Trustee Armstrong indicated that she tried various means to have the school name issue addressed, but the Board kept insisting on the name they wanted, despite the concerns of the bullying students may face because of the acronym. In her written response to the allegations, she stated, “What is this doing for students’ mental health? I personally don’t believe the trustees’ statement that they are concerned for student mental health. There is something else going on that makes this vulgar acronym more important.”

Trustee Armstrong, in the podcast, referred to the Ontario Education Services Corporation (“OESC”) Good Governance Guide respecting a Board’s responsibilities to act as a “reasonably prudent parent,” and the obligations respecting bullying and child abuse prevention and intervention. In her written submissions, she noted that, for some students for whom school was their only safe space, having this sexual acronym

could pose a risk to their mental health, stating, “I know the following is not a stretch and my heart bleeds for kids who may be in this situation but – what about the kids who are forced to perform the sexual acts that EMA and EMDS describe?”

I find that Trustee Armstrong has expressed a genuine concern for the acronyms, and believes that they have the potential to cause harm.

5. Relevant Policies

As provided in the procedure under the Code of Conduct, I am also to provide a recommendation or opinion as to whether the Code of Conduct has been breached. Before doing so, I have included excerpts from the Code of Conduct and the Naming Regulation in this section, as these are relevant to the opinion at section 6 of this report, below.

a) Trustee Code of Conduct R-GV-06⁴⁸

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.

...

6. Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to GECD SB staff or fellow Trustees.

⁴⁸ Appendix A, note 1, above.

...

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

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.

...

Upholding decisions

...

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 GECD SB 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 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 GECD SB.

b) Naming and Renaming of Board Facilities Regulation⁴⁹

1. When a building or facility is to be named:

...

The primary interest in the name of any school or Board facility is retained by the Board. A name is a primary branding element and allows the Board to promote its objectives in the community and communicate its mission, vision and values. Appropriate branding also assists the Board in the development of a strong identity for the school community.

⁴⁹ Appendix D, note 5, above.

A school name should be distinctive and readily identifiable as a public school within the Greater Essex County District School Board.

Generationally, the nature and identity of communities, in which any school exists, changes. Schools are built to overlap generations. Naming schools based on the character of a community as it is currently constituted, or once was, will not always be relevant to the present residents or users.

Ideas (concepts) – based on the Board’s ongoing, foundational, operational and philosophical criteria are encouraged to be the fundamental consideration of a new, or revised, school name.

Names to be considered should be thoroughly examined so as not to perpetuate or represent a legacy of discrimination, oppression or harm to members of this or any GECD SB school community.

...

7. At a public meeting of the Board of Trustees, the area Superintendent will present a report on the deliberations and actions of the Name Selection Committee. This will also include the short list of suggested names. Trustees will then vote to choose one of the suggestions or provide an alternative.

Education Act, RSO 1990, c E.2

Conduct of Members of School Boards

Duties of board members

218.1 A member of a board shall,

- (a) carry out his or her responsibilities in a manner that assists the board in fulfilling its duties under this Act, the regulations and the guidelines issued under this Act, including but not limited to the board's duties under section 169.1;
- (b) attend and participate in meetings of the board, including meetings of board committees of which he or she is a member;
- (c) consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1 (1) (f);
- (d) bring concerns of parents, students and supporters of the board to the attention of the board;
- (e) uphold the implementation of any board resolution after it is passed by the board;
- (f) entrust the day to day management of the board to its staff through the board's director of education;
- (g) maintain focus on student achievement and well-being; and
- (h) comply with the board's code of conduct.

6. *Opinion*

In accordance with the process set out in the Trustee Code of Conduct, part of my role is to give a recommendation or opinion to the Board on whether there has been a breach of the Code of Conduct.

I have identified five possible provisions of the Code of Conduct that Trustee Armstrong may have contravened: 3, 6, 14, 23, and 24, reproduced above. I will address in more detail below where, in my opinion, Trustee

Armstrong has breached the Code of Conduct, but first will provide some general comments on Trustee Armstrong's appearance on the podcast.

i. General Comments

The Code of Conduct permits trustees to publicly express their opinions on issues before the Board. The ability to do so, however, is subject to a number of constraints.

Trustee Armstrong did state, at the outset of the podcast, that she was not speaking on behalf of the Board; she did, as such, comply with Rule 26. However, making this disclaimer does not give a trustee free reign to speak their mind.

Her statements during the rest of the podcast were generally undermining and discrediting the decision of the Board respecting the naming of the school, or were personal, demeaning, or disparaging of the other trustees. I have addressed some of the specifics below.

Trustee Armstrong further took the position that she had an obligation to the electors to speak out on what she saw as an injustice, and that on this basis, her appearance on the podcast was not only justified, but required.

This argument has consistently been rejected by the courts; see *Kaplan-Myrth v Ottawa Carlton District School Board*, [2024 ONSC 4280](#) (Div Ct), at paragraphs 67-72, where the Court stated:

[67] The Applicant submits that a trustee's fiduciary obligation is to the electors and to the children of the district and there is no obligation on a trustee to abstain from criticism of the Board or its processes. I would not accept this argument.

[68] As a Trustee, the Applicant has a statutory obligation to comply with the Code of conduct. Section 218.1 of the *Act* requires all Board members to comply with the Board's *Code of Conduct*.

[69] In *Ramsay*,^[50] this court concluded that it was reasonable for the respondent board in that case to sanction the applicant trustee for criticizing the board and its processes, including on the trustee's personal social media accounts. In so holding, this court found that the board's code of conduct was designed to maintain "the integrity and dignity of [the Applicant's] office, civil behaviour, compliance with legislation and upholding of decisions of the board."

[70] Likewise, in *Del Grande v. Toronto Catholic District School Board*, [2023 ONSC 349](#), 13 Admin. L.R. (7th) 133,^[51] this court concluded it was reasonable for the respondent board to sanction the applicant trustee for making inflammatory remarks during a board meeting. Like the Applicant, the trustee in that case argued that he had made the impugned comments "to fulfil his fiduciary duty as a Trustee" to his "electors". The court expressly rejected this argument.

[71] As in this case, the Board in *Del Grande* did not sanction the Trustee for his views, but for the manner in which he expressed those views – by using "rhetoric that fell below the standard of conduct required of a Trustee": at para. 84.

The law, as such, is clear that a trustee's opinions do not give them licence to openly criticize a Board, other trustees, its processes, and its resolutions. Doing so is a violation of the Code of Conduct.

⁵⁰ *Ramsay v Waterloo Region District School Board*, [2023 ONSC 6508](#) (Div Ct).

⁵¹ This decision was subsequently upheld on appeal, *Del Grande v Toronto Catholic District School Board*, [2024 ONCA 769](#).

ii. Sections 3 and 14

Section 3 of the Code of Conduct requires trustees to act “in a manner that will inspire public confidence in the abilities and integrity of the Board.” Section 14 is similar, but is rather framed as a prohibition on conduct that would discredit or compromise the integrity of the Board. For the purposes of this report, there is little practical difference between the two, and a breach of Section 14 implies a failure to meet the aspirational goals of Section 3.

Much of what Trustee Armstrong said on the podcast was plainly discrediting the Board for its decision respecting the naming of the school.

She criticized the Board for relying on the Rules of Order, and, though acknowledging that the Ombudsman’s report had concluded they had done nothing legally wrong, and complied with the Boards policies and regulations, she nonetheless asserted that she felt that relying on section 7 of the regulation to override the Committee recommendations was “morally and ethically bankrupt.”

A number of Trustee Armstrong’s comments were critical of the Board for choosing names with what she considered to be vulgar acronyms. Trustee Armstrong suggested that, in so doing, the Board had failed to live up to its standards of good governance, and had made a decision which may have an adverse impact on the mental health of students. She asserted the Board was not meeting the standard of care of a reasonably careful or prudent parent.

Trustee Armstrong further speculated that there must have been some ulterior, hidden motive, and that giving the school a vulgar acronym may have been intentional. She floated the possibility that there may have been

money involved. She made a reference that there were “deals” in politics, and stated that she was “limited in [her] effectiveness because [she] will not play that game” because to do so “would compromise [her] integrity.” The clear implication in this statement was that the other trustees did play that game, and had compromised their integrity.

Trustee Armstrong was critical of the Board for not acting on the petitions, name change requests, or complaints about the name.

The general impression a viewer would have was that Trustee Armstrong was discrediting the Board, and questioning its integrity and its abilities. Her actions were doing the precise opposite of inspiring public confidence. In my opinion, Trustee Armstrong was discrediting the integrity of the Board, contrary to sections 3 and 14 of the Trustee Code of Conduct.

iii. Section 6

Section 6 requires trustees to ensure their comments are issue-based and not personal, demeaning, or disparaging.

Trustee Armstrong made numerous personal, demeaning, and disparaging comments about her fellow trustees on the podcast, contrary to section 6 of the Trustee Code of Conduct.

A. Consultation on Name

Trustee Armstrong stated in the podcast, “Pele Island kids will go to the new school. You’d think that the trustee representing the kids should have been part of any discussion about the name for the new school? But no, I was not asked.”

Trustee Armstrong's statements gave the clear impression that she had been excluded from the naming process. However, this, even on her own evidence, was clearly not the case. First, she was not excluded from the Committee; she chose not to be involved. Second, she agrees that she was, in fact, contacted by Trustee Burgess prior to the meetings of February 20, 2024, at which point Trustee Burgess explained why she was going to go against the recommendations from the Committee.

Trustee Burgess did, as noted, provide evidence that she had, in fact, reached out to Trustee Armstrong in the week before as well, and left messages to involve her in the naming process. However, though I also accept Trustee Armstrong's evidence that she did not receive any messages from Trustee Burgess, her statements on the podcast implying that she had been improperly excluded from the process were simply false and personally disparaging of Trustee Burgess.

Trustee Armstrong further claimed that the process was "hijacked," and she was censored at the meeting of February 20, 2024. These assertions, however, were again not supported by the facts. Trustee Armstrong actively participated in the discussion on the naming issue at the Board meeting of February 20, 2024. She had the opportunity to speak, she took advantage of the opportunity, and she was not prevented from doing so. Trustee Armstrong's claim on the podcast of censoring was an open and publicly disparaging comment, which Trustee Armstrong should have been aware had no basis in fact. This was again a clearly baseless personal, demeaning, and disparaging comment, publicly made about Trustee Burgess and the other trustees who supported the name.

The Code of Conduct precludes personal, demeaning, or disparaging comments, even if they may be justified. In this case, her statements were

not justified. There could not be a clearer contravention of the Code of Conduct.

B. Lack of Procedural Knowledge

I found above that Trustee Armstrong made several attempts to have the Board revisit the name, specifically at the meetings of March 19 and April 2, 2024, but that her efforts were unsuccessful. I also accept that she was not offered assistance from other trustees at these times as to how she may reframe those efforts. Trustee Armstrong took the position that these were examples of the other trustees taking advantage of her lack of knowledge of the rules, which she characterized as bullying. Her clear suggestion was that the other trustees were in the wrong.

Rules of Order are in place specifically to permit debate, in an orderly fashion, and become particularly important when the issues under discussion are controversial, or where there is disagreement. It is an expectation, under section 25 of the Trustee Code of Conduct, that trustees follow the Rules of Order. Section 7 encourages trustees to participate in development opportunities to enhance their ability to fulfill their obligations. A trustee is expected to know the rules.

I do recognize that the Code of Conduct, in section 17, also expect that trustees shall endeavour to work with other Trustees and staff of the GECD SB in a spirit of respect, openness, courtesy, and co-operation. Helping new trustees who are unfamiliar with the process is a possible interpretation of what is expected under this provision. Trustee Armstrong acknowledged that she did, earlier on, get such assistance from the other trustees.

However, in the context of this investigation, I do not agree that Trustee Armstrong was, as she claims, in any way mistreated in her procedural efforts to challenge the school name, nor was she treated disrespectfully or uncourteously. Rather, she took certain procedural steps to challenge the Board's naming decision, which were ruled out of order. The expectations of respect, openness, courtesy, and co-operation are, of course, laudable aspirational goals for a Board. They do not, however, place an obligation or expectation on trustees to make allowances for another trustee's lack of knowledge, particularly where the matter involves a contested or controversial issue, as in the present case.

I do also recognize that it was clear from the meetings, particularly March 19 and April 2, 2024, that the Board was avoiding any further debate on the naming issue; this was understandable, given the public backlash. I can also appreciate that Trustee Armstrong was frustrated by her unsuccessful attempts to work within the rules to reopen the debate on the school's name. However, as determined by the Ombudsman's report, the Board acted in accordance with the rules.

Trustee Armstrong's claim that her fellow trustees following the Rules of Order amounts to bullying in this context is, in my opinion, an extraordinary and unjustified accusation, which without basis questions the professionalism of the other trustees. This is personal, demeaning, and disparaging. Her allegation of being bullied by the other trustees is clearly contrary to the Code of Conduct.

C. Questioning Integrity

A number of the issues addressed under Code of Conduct sections 3 and 14, addressed above, which I found served to discredit or compromise the

integrity of the Board, can also be considered to be personal, demeaning, or disparaging towards other trustees and contrary to section 6.

In particular, her allegations that relying on section 7 of the Naming Regulation to override the Committee recommendations was “morally and ethically bankrupt”; her insinuating that there was some ulterior, hidden motive to give the school a vulgar acronym, her suggestion of some financial motive, and her implying that other trustees compromised their integrity by “playing games,” can, in my opinion, equally be considered a violation of section 6 of the Code of Conduct.

D. Comments About Student Conduct

One of the main issues Trustee Armstrong raised on the podcast was a claim that Trustee Burgess was responsible for publicly spreading misinformation about a particular student, Kinsey Kendrick. This allegation was also one of the main statements from the podcast that Trustee Burgess took exception to.

Watching the podcast, Trustee Armstrong gave the clear impression that Trustee Burgess had singled out Ms Kendrick for a personal attack. Her explanation for this was that she was simply relying on what Ms Kendrick had said in her letter. As Ms Kendrick felt Trustee Burgess had wrongly accused her of bullying, Trustee Armstrong felt Trustee Burgess had to apologize to Ms Kendrick.

The difficulty with this is that Trustee Armstrong had no basis to assert that Trustee Burgess had singled out Ms Kendrick. Trustee Armstrong was, in fact, aware that Trustee Burgess had not singled out anyone. Rather, Trustee Burgess made, in private, a critical observation about one group

being excluded by another, and Ms Kendrick was one member of the latter group.

Even Ms Kendrick's letter to the Board was more careful than Trustee Armstrong's statements on the podcast. Though Ms Kendrick stated that "I have been portrayed as a bully," she was defending allegations that were made against the Kingsville students generally. Ms Kendrick's letter relied on Trustee Burgess' email to Mr Santos, which clearly made no reference to any particular individual, by name or description.

The suggestion that there was a personal attack on Ms Kendrick did not come from Ms Kendrick. Rather, it came, at least publicly, from Trustee Armstrong's statements on the podcast.

There is a difference between, on the one hand, expressing a concern about one group excluding another, and, on the other hand, placing blame for the group action on one particular individual. There was no evidence at all to suggest that Trustee Burgess said anything that singled out Ms Kendrick. For Trustee Armstrong to then go on the podcast and publicly suggest otherwise was very misleading. Trustee Armstrong gave the false impression that Trustee Burgess had personally targeted Ms Kendrick. This is, clearly, disparaging toward Trustee Burgess, and was a breach of section 6 of the Code of Conduct.

iv. Section 23 & 24 – Upholding and Respecting Resolutions

Trustee Armstrong stated during the podcast, "I am not speaking for the Board. We as trustees must uphold decisions by the Board, but we can discuss our own views on it."

Trustee Armstrong also stated she had an obligation to explain the Board's decisions, then stated that she "had no idea" how to explain the decision. She stated:

I am obligated in my role of trustee to explain decisions of the Board to the public. I don't have to agree with it, but I must be able to explain it. But I can't explain it. I have no idea. And so I'm, I'm asking the community, I'm asking you — how, how did this happen?

This is an inaccurate paraphrase of the first part of Rule 24; there is in fact no *obligation* on a trustee to explain decisions of the Board; Rule 24 states that a trustee "*should be able* to explain the rationale," not that they have to.

Rule 24, however, goes on to say that a Trustee may "respectfully state their position on a resolution provided it does not in any way undermine the implementation of the resolution."

Trustee Armstrong's decision to appear on the podcast, and the statements she made, went well beyond respectfully stating her position. Her statements during the podcast, as set out in the above sections, included disparaging comments directed towards other trustees, comments which discredited the Board, were not inspiring public confidence in the integrity of the Board, and were clearly undermining the resolution of the Board respecting the naming of the school.

In my view, Trustee Armstrong has clearly contravened sections 23 and 24 of the Trustee Code of Conduct.

7. Conclusion

For the above reasons, I have concluded that Trustee Armstrong contravened the Trustee Code of Conduct in her appearance on the podcast published on August 3, 2024.

Date: April 21, 2025



Per: Bruce Best
RUBIN THOMLINSON LLP

Appendix A

GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

Regulation: Trustee Code of Conduct

Reference No: R-GV-06

DEFINITIONS

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

- “Board” means GECD SB Board of Trustees;
- “Chair” means Chairperson of the Board of Trustees;
- “Code” or “Code of Conduct” means GECD SB 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 legislation¹
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 GECD SB.
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 GECD SB 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 GECD SB.
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 GECD SB.
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 GECD SB 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.

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 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. 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 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 the Trustee 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 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.
- 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 may be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision may 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;
 - 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
 - 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.
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 shall not participate in the deliberations 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.

Appendix B

Reply to: Bruce M R Best
Direct: 416-597-5746
Email: bbest@rubinthomlinson.com
www.rubinthomlinson.com

November 12, 2024

PRIVATE AND CONFIDENTIAL

Sent by email: nancy.armstrong@publicboard.ca

Nancy Armstrong, Trustee
Greater Essex County District School Board

Dear Trustee Armstrong:

Re: Code of Conduct Investigation

I am a lawyer with the firm of Rubin Thomlinson LLP. We have been retained by the Greater Essex County District School Board, pursuant to a motion of the Board of Trustees, to conduct an impartial investigation to determine whether you are in breach of the Greater Essex County District School Board Trustee Code of Conduct.

The investigation is to determine whether your conduct or statements made during your appearance on “*That Kingsville Podcast*,” posted on August 3, 2024, may amount to a breach of the Trustee Code of Conduct.

The podcast of August 3, 2024, is available on YouTube at the following link:
<https://www.youtube.com/watch?v=zfX1T48WOEY>.

I have reviewed the video in question, and have set out a list of the specific statements which, based on my review of the video, may amount to a breach of the Trustee Code of Conduct.

I have also attached a copy of the Trustee Code of Conduct.

Under the Trustee Code of Conduct, you have the option to meet with me, to respond in writing, or both.

If you wish to meet with me, please contact my investigation assistant, Rachel Cardozo, at rcardozo@rubinthomlinson.com or 416-847-1810, at your earliest convenience to schedule an interview.

If you wish to respond in writing, I would ask that you do so within 10 days of this letter. If you require more time, please let me know.

When we talk, I will ask you whether there is anyone else with whom I should speak who may have information relevant to the investigation. I may contact these individuals in connection with the investigation. No findings will be made in this matter until I have had an opportunity to speak with all relevant individuals.

This is a confidential investigation, which will be conducted in private, in accordance with the procedure set out in the Trustee Code of Conduct. Please keep confidential the fact of this investigation, and the information that you discuss with me during the interview. Further, please do not ask individuals if they have participated in this process, or about the contents of their discussions with me.

It is part of our practice to audio record all of our interviews to assist us with notetaking and ensure that we have an accurate record of the evidence. The recording will not be shared with anyone unless we are required by law to produce it.

I will make every effort to conclude this investigation as quickly as possible. If you have any questions about this process, please do not hesitate to contact me.

Yours truly,

RUBIN THOMLINSON LLP



Bruce Best

Alleged Breach of Trustee Code of Conduct

On July 31, 2024, you appeared as a guest on an episode of “*That Kingsville Podcast*”, which was subsequently posted to YouTube on August 3, 2024. During the podcast, you made the following statements, which may amount to a contravention of the obligation of a Trustee under Sections 3, 6, 11, 12, 14, 17, 18, 19, 23, and / or 24, of the Trustee Code of Conduct (January 2018), and / or the duties of a Trustee under section 218.1 of the *Education Act*. Where

Time in Video	Statement Made:
0:23:34	Nancy Armstrong: I have lost opportunities to speak because they called Robert's Rules on me and I didn't know enough to say what I should have said . . . we got along very well because I deferred to their expertise, but this name was something that I had a strong opinion about. And, so that's why, since then, it hasn't gone very well.
0:28:43	<p>Steve l'Anson: But, I'm looking at this and thinking, and these are my words not yours, and you can either comment or decline comment if you wish. But why didn't any of the seasoned members turn around and say, okay, this is the process, this is how you need to do it. We will allow your question, but this is the way to do it. Because it almost seems akin to the schoolyard bully taking advantage of someone [Trustee Armstrong smiles]. Like, okay, we've got a newbie here. You know, we can, we can push this through, because we know the rules, and, and she's a little bit naive still. I mean, did you feel that way? Is, am I, maybe not?</p> <p>Nancy Armstrong: No, you, were you there as a fly on the wall? When I was agreeing with everyone, then they would offer me that consideration and I truly appreciated it — as I said we got along really, really well, until I had an opinion that did not follow, and that's when, yeah, I was bullied, and it's not happening again. So, anyway, it's, it's gone way downhill since February.</p>
0:35:26	Nancy Armstrong: I was fully expecting that we would talk about the two names that were presented, and then we'd talk about Julia's name. So, when that didn't happen, I thought, okay. Something is not right here. That, then I found out later that four of us have never been asked, or given the opportunity to discuss the names that came from the committee. And, is that, like I, call that kind of censoring, trustee input, isn't it? that, or, um, the quote was the trustees found the names, um, not what they wanted. Well, how do you know what I wanted? Because you just never asked me.
0:38:40	Nancy Armstrong: When the meeting, the public meeting came up, I'm listening to all of this, <i>expecting</i> that I would get to discuss the two names, and I, I kind of thought, okay, this is being hijacked, because I, I don't get a chance to

	discuss it. So, I'm at home listening to the meeting and as the meeting is proceeding and I realized that I'm never going to get a chance to talk about the names that I thought we were going to talk about.
0:39:30	Nancy Armstrong: I viewed the process — this is my word — I viewed the process as being hijacked. So, apparently, nothing illegal happened because it is within the policy that it can happen, but my husband had a really good way of saying it. He said, nothing illegal happened, <i>but</i> the process was morally and ethically bankrupt. And that, that's — that's how I feel.
0:44:20	Nancy Armstrong: . . . the reason that I'm sitting here is, that, as a trustee, I am obligated in my role of trustee to explain decisions of the Board to the public. I don't have to agree with it, but I must be able to explain it. But I can't explain it. I have <i>no</i> idea. And so I'm, I'm asking the community, I'm asking you — how, how did this happen?
0:45:06	Nancy Armstrong: I'm here asking questions of the community because, I have sent countless emails to trustees asking for their assistance in understanding this decision, so that I can fulfill my role of trustee — being able to explain to a community or voter, the decision. And I have received zero response. So, um, I'm here. Is there somebody in the community that can explain how EMA was acceptable? Was it vetted?
0:47:46	<p>Nancy Armstrong: That's our role in good governance. And this, this one in particular [Trustee Armstrong opens up book and directly reads the quote below], really speaks a lot. It's called standard care for students:</p> <p style="padding-left: 40px;">"A school board and its employer — employees or volunteers, are expected to provide the same standard of care for students as would be provided by a reasonably careful or prudent parent in the circumstances. This is commonly referred to as the reasonably prudent parent doctrine. The duty of care is to protect the student from all reasonably foreseeable risks of harm."</p> <p>So my question is, this is, and, and this, this, this Good Governance manual here is filled with that, but that kind of sums it all up. So my question is, how is it that this name has stood, when this is our doctrine? That's why I'm here. How is it that nobody's answering the question from the Board's side, so I'm asking the public. What do you think? I don't, I don't see how it can stand.</p>
0:50:57	Nancy Armstrong: In the private session meetings I tried, on numerous occasions, to bring something up. I came with this document, I was shut down. Again, my lack of comfort and knowledge of Robert's Rules worked against me. I don't know that it would have done any good, because it was seven against three. But, several meetings I came with a document.
0:51:24	Nancy Armstrong: I came to find out that . . . Kinsey Kendrick, who was a student of mine, and I taught her brother, etc., lovely kid. Anyway, I came to find out that she was being described as not being kind, and I thought, <i>no</i> , that can't be right, because there's nobody lovelier than Kinsey. So I asked her to please,

	<p>um, tell me, if I had stood at the door of the library, uh of the committee meetings, please describe to me what you would have, what I would have seen. And so, she told me.</p> <p>I was prepared to say during the private session meeting, what she told me, and I was shut down saying, well, that's hearsay we can't listen to it. And I thought, okay, then so I asked Kinsey to write me this letter, but it was the next meeting. It was two weeks later, before I put it out or whatever. Anyway, I ended up sending it to them to show that, that — when I read it, you'll see that some unfairness was happening. Some unkindness was happening. But it was shut down again.</p> <p>Anyway, so what she wrote was, "Dear Nancy, it has come to my attention that during the naming committee meeting, I have been portrayed as a bully to the other students, which is disheartening to hear. In a message written to former mayor of Kingsville, Nelson Santos, Trustee Burgess inaccurately described the treatment of students during the naming committee..."</p> <p>So I have made it very clear that this is unkind to Kinsey and she needs the record cleared.</p>
0:55:05	<p>Nancy Armstrong: Well, so I don't know if any of the trustees read this but it has done zero good — that Kinsey took all this time to write this for me, I presented it to them as best I could, and I don't know if it's been read, but, this is the hill I'm ready to die on, in that Kinsey does not deserve this.</p>
0:59:31	<p>Nancy Armstrong: So, the question, has to be how many is enough? Is 400 not enough? Is it 500? How many names on a petition from a community is enough for trustees to go, "Oh, you know, maybe we should look into that because in this Good Governance, our job is to listen to the public," because I was speaking to someone who had spoken to a trustee friend from a different Board, and they said, "Well, if we got one complaint, we'd look into it." And I thought, well, there was a thousand names on the signature now, or, on the petition. Now I think there are over two thousand on the next petition. How many is enough?</p>
1:02:02	<p>Nancy Armstrong: Pelee Island kids will go to the new school. You'd think that the trustee representing the kids should have been part of any discussion about the name for the new schools? But no, I was not asked.</p>
1:05:16	<p>Nancy Armstrong: So, trustees are supposed to be prudent parents. There's no way, any parent, is going to put a sexual acronym on the butt of kids. And when my kids were in high school, the acronym for LDSS was on their butt. There's no way a prudent parent is going to do that. So, how is this happening? I don't understand. So, maybe the kids will be fine because they're never going to put that on their uniforms, and they shouldn't, because that's so vulgar.</p> <p>Kevin Black: Well, did they vet the new name? Like, did they realize that it also is an acronym before it was brought forward?</p>

1:05:53	Nancy Armstrong: Oh, they knew. They knew. Because of all the emails we received, because on the Saturday before the meeting, the emails started coming in again. They absolutely knew, and it was named at the meeting that it was vetted, there was discussion that it wasn't vetted, but it passed all the tests. So I have asked the Board, "please, I would like the documentation to see what tests it had passed." And I have not received that.
1:07:40	Nancy Armstrong: I would think, if we have an Integrity commissioner looking into this, surely something will come forward, that, it's not, as you've said, there's something not quite right, there's something being hidden.
1:08:13	Nancy Armstrong: I also was told, to keep my mouth shut, or resign, and then I can say whatever I want.
1:09:24	Nancy Armstrong: No one is going to tell me that words on a piece of paper are going to have me compromise integrity or this thing [Trustee Armstrong lifts up a document] that we're supposed to follow. No, it's not going to happen. There is something bankrupt with this whole system, and, hopefully this Integrity commissioner can find out what it is and, and take action to correct it.
1:11:04	<p>Nancy Armstrong: The number one is it was just a mistake and it was, and it's not being corrected.</p> <p>The second is, Carl Jung. I think that's how you pronounce it? He said that if you don't understand a decision, look to the consequences of that decision to infer the motivation. So, the consequences of the decision is a sexual acronym, twice. So, is that really what happened? And that's why — [to Dave Hunt] why are you laughing? [Trustee Armstrong laughs] Because, it, anyway, I don't think that's it. I really don't. <i>But</i>, prove to me that it's not, so.</p> <p>And then the third one is, was there money involved? Well, I can't see that there's money involved, but it scares me if this goes on here — If there was a million dollars at the provincial level or the federal level, you can see how things get skewed, or not handled ethically, or, however you want to put it. Anyway.</p> <p>So those are my three theories of how this has happened.</p>
1:12:31	Nancy Armstrong: Now um, if I'm remembering correctly, the girls said that Scott Scantlebury wanted Erie, or tried to manipulate them into wanting Erie, and the kids didn't want Erie. They didn't want migration and they didn't want Erie ...
1:16:56	Nancy Armstrong: They really, really care about the kids for that, and up until February, I thought they really, really cared about everybody. But they don't seem to care enough about this <i>because</i> this decision cannot be explained. Because as you said, there's something going on that we are not privy to. And what is it? I'm asking you. Does anybody know?
1:17:45	Nancy Armstrong: And I do know, as I already said, I realized a year ago, that a lot of deals in politics are made outside of what people would see. ByI

	<p>telephone. So there's no meeting to investigate or anything like that because it's all done by phone. And, and I have received those phone calls as well. So, okay, if that's the way it is, I was told if I really want to make a difference as a trustee with this Board, I'm going to have to get to know the trustees, take them out for lunch, take them out for coffee, whatever. And I thought, I'm not doing that, I can't do that. I would compromise my integrity if I did that, and I refuse to do it. So I am limited in my effectiveness because I will not play that game, but it's a serious game that goes on apparently.</p>
1:19:34	<p>Nancy Armstrong: [The OESC Good Governance Guide] is our guidance [Trustee Armstrong lifts up the document]. And that fails, so many times, with what's in this book that I don't understand how, how it's proceeding, I really don't. So again, I hope the Integrity Commissioner can do something about it, because, and if not, then I'm, I've been wrong all along, and everything's just fine.</p>
1:21:42	<p>Nancy Armstrong: So, our kids have three of those going on, and then they have this name. So, again [Trustee Armstrong lifts up document], how do we do this, when we're supposed to do no harm? I don't get it. I don't understand</p> <p>Kevin Black: While in school, the students are just attending a school they have to attend, and School Board Trustees decided to give it a sexual acronym, that will likely become a point of bullying against those students.</p> <p>Nancy Armstrong: Hundred percent. It is a hundred percent. And I have brought that up as well. I have sent that in emails that, this is a concern, but so did Emerson. That's why I went to that protest. She already said it. And so, why are you not listening to a student?</p>
1:25:02	<p>Nancy Armstrong: You know what, but, yeah the public confidence and Trust in our Board, like it's gone.</p>
1:28:33	<p>Nancy Armstrong: I have a quote from a staff member, of your town, the school. So, what this teacher wrote was, the Board should be feeling this. Wow,</p> <p style="padding-left: 40px;">"We contributed to a school culture where people feel such emotion and such loyalty to their school, that they'll fight this hard. What an incredible accomplishment by our Board and our teachers, that a community feels this passionately about their public school. Let's embrace this. Then let's interview them to see how they achieve this. So we can replicate it."</p> <p>Well done, Kingsville. Go Kingsville. Yeah.</p>

Appendix C



J. Paul Dubé, Ombudsman

BY E-MAIL

June 12, 2024

Vicki Houston
Director of Education
Greater Essex County District School Board
451 Park Street West, P.O. Box 210
Windsor ON N9A 6K1

Dear Director Houston:

Re: School naming process complaints

My Office received more than 300 complaints that raised concerns about the Greater Essex County District School Board's process for naming a new kindergarten to grade 12 school located in Kingsville. In addition, many of these complaints raised concerns that during closed meetings on February 20, March 19, April 2, and April 16, 2024, the Committee of the Whole may have improperly discussed the name or naming process for the new school.

I am writing to share the outcome of my review of these complaints.

Ombudsman's role and authority

The Ontario Ombudsman has oversight of hundreds of public sector bodies, including provincial government organizations, municipalities, and publicly funded universities. Since September 1, 2015, my Office has the authority to review and investigate complaints about the administrative conduct of school boards, including complaints concerning meetings held by a board of trustees or a committee of a board. You can read my previous decisions on, and interpretations of, the *Education Act*'s open meeting rules here: www.ombudsman.on.ca/what-we-do/topics/education/investigations-and-reviews-school-board-meetings.

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The Ombudsman's mandate also includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: www.ombudsman.on.ca/have-a-complaint/who-we-oversee.

In addition, my Office is the closed meeting investigator for more than half of Ontario's 444 municipalities. As the province's default closed meeting investigator, my Office is responsible for determining whether a municipality has complied with the open meeting requirements outlined in the *Municipal Act, 2001*.¹

My Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of municipal closed meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. While the open meeting requirements in the *Municipal Act* differ from those in the *Education Act*², school boards can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/digest.

Ombudsman review

In response to the complaints we received, my Office reviewed relevant portions of the School Board's website, its Governance By-Laws, and various School Board policies and regulations, including the Trustee Code of Conduct regulation, the Public Concerns regulation, and the Naming and Renaming of Board Facilities policy and regulation. We also reviewed the open and closed meeting agendas, reports, and minutes, as well as the public video recordings of the Board of Trustees' February 20, March 19, April 2, and April 16, 2024 meetings. We spoke with the Director of Education, the Executive Assistant to the Director of Education, and the Chair of the Board of Trustees.

¹ SO 2001, c 25

² RSO 1990, c E.2

School naming process

My Office received various complaints that raised concerns about the process for selecting a name for the new school located in Kingsville, including with respect to the conduct of individual trustees, public participation at public meetings, and the procedures followed at meetings held by the Board of Trustees.

The School Board has adopted a policy to govern the process for naming and renaming schools, called P-PL-01: Naming and Renaming of Board Facilities (the “Naming and Renaming Policy”). This Policy states that the Board of Trustees is responsible for approving the names of all new and amalgamated schools within the School Board, as well as for renaming schools and School Board facilities. Specific details regarding the establishment of a Naming Committee, the criteria for the naming of schools and board facilities, and recommendations for a consultative process are set out in Board Regulation R-PL-01: Naming and Renaming of Board Facilities (the “Naming and Renaming Regulation”).

Consistent with this Policy and Regulation, the School Board established a Naming Committee for this new school. Committee members voted on their top choices for a name, and the Committee submitted its top two names to the Board of Trustees (the “Board”) for its consideration.

On February 20, 2024, the Board of Trustees held a public meeting where the topic of school naming was discussed. During this portion of the meeting, the trustee who chaired the Naming Committee suggested an alternative name for the school, as allowed for in the Naming Regulation. This trustee brought forward a motion, which was seconded by another trustee, to name the new school “Erie Migration Academy.” Trustees discussed and debated the motion before voting on it. A majority of the members of the Board voted in favour of this motion, and the motion passed.

Members of the public subsequently raised various concerns with the School Board, including about the acronym for the school’s name. At a public meeting held on March 19, 2024, the Board passed a motion to refer both the Naming and Renaming Policy and a related regulation back to the Board’s Policy Committee for reconsideration and review. We understand that the Policy Committee is currently reviewing the Policy and Regulation.

On April 2, 2024, the Board of Trustees held a special meeting where it passed a motion to change the name of the school to “Erie Migration District School.”

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On April 17, the Chair of the Board of Trustees released a public statement that noted that the new school's name choice had been discussed, debated, and voted on by a majority of trustees on two occasions. The Chair stated that the school's naming process had concluded.

Analysis

My review confirmed that the Board of Trustees acted in accordance with the School Board's policies, regulations, and the Governance By-laws with respect to the processes and procedures for naming this new school.

With respect to the concerns raised about the conduct of individual trustees, my Office is not responsible for examining the conduct of democratically elected officials. Rather, these concerns can be raised through the process outlined in Public Concerns Regulation R-AD-52, which states that complaints about a trustee should be made to the Chair of the Board, and complaints about the Chair should be made to the Vice-Chair. My Office will be providing this referral information to individuals who raised concerns about trustee conduct.

February 20, 2024 closed meeting

Many complaints raised concerns that on February 20, 2024, the Committee of the Whole may have improperly discussed the new school's name and/or naming process in closed session.

The Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building on February 20, 2024 beginning at 6:00 p.m. The closed meeting agenda states that the Committee of the Whole went into closed session to discuss a "personnel" matter, and the open meeting minutes explained that the Board was relying on section 207(2)(b) of the *Education Act* to discuss "the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian."

According to the closed meeting minutes, a trustee "provided an overview of how the Naming Committee was selected and how input was gathered." The Chair told us that she interrupted the trustee during this part of the meeting and directed the trustee to limit their comments to topics that could be discussed in closed session, such as personal matters involving staff members. The Board proceeded to discuss personal matters about identified individuals,

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including various individuals' personal feelings and concerns. The Board of Trustees subsequently returned to open session, and publicly discussed the school naming process before passing a resolution to name the school "Erie Migration Academy."

Analysis

Section 207(1) of the *Education Act* states that all meetings of a board of trustees and a committee of the board shall be open to the public. Section 207(2) allows for meetings of a committee of a board, including a committee of the whole board, to be closed to the public where the subject matter under consideration involves:

- a. the security of the property of the board;
- b. the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
- c. the acquisition or disposal of a school site;
- d. decisions in respect of negotiations with employees of the board; or
- e. litigation affecting the board.

A meeting of a board of trustees or a committee of the board must also be closed when discussing an ongoing investigation respecting the board under the *Ombudsman Act*.³

Section 207(2)(b) allows a meeting to be closed to the public when the subject matter under consideration involves the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian. The *Education Act* does not define "personal information" for the purposes of this section 207(2)(b).

³ s 207(2.1).

In the municipal context, I have noted that information about an individual in their professional capacity may qualify as personal information if it reveals something of a personal nature.⁴ For example, my Office has found that discussion of harassment allegations and an individual's personal concerns about their work environment fit within the exception for personal matters about an identifiable individual.⁵

My Office's review found that during the closed session, the Committee discussed personal matters about identified individuals, including staff members and members of the Naming Committee. These discussions revealed information that was of a personal nature. The discussion was not about what the school should be named, and specific options were not canvassed. Accordingly, this discussion fit within the exception for intimate, personal or financial information respecting a specifically identified individual.

Further closed meetings

Some complaints also raised concerns that the Committee of the Whole may have improperly discussed the new school's name or the naming process in closed session on March 19, April 2, and April 16, 2024.

On March 19, the Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building beginning at 4:00 p.m. Our review found that during the meeting the name and/or naming process was briefly raised twice. The school name and the naming process itself were not discussed, although they were indirectly referenced in the context of other discussions.

On April 2, the Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building beginning at 5:00 p.m. Our review did not find any evidence to suggest that the Committee discussed the school name or the naming process in this closed session.

⁴ *Nipissing (Township of) (Re)*, 2023 ONOMBUD 2 at para 23, online: <<https://canlii.ca/t/jv6ch>>.

⁵ *Amherstburg (Town of)*, 2015 ONOMBUD 33 at para 44, online: <<https://canlii.ca/t/gtp7d>>.

On April 16, the Committee of the Whole held a closed meeting in the committee room of the School Board's Administrative Building beginning at 6:30 p.m. Our review found that the Committee briefly referenced my Office's review of complaints relating to the naming process. However, the Committee did not discuss the school's name or the naming process.

Conclusion

My review confirmed that the Board of Trustees acted in accordance with the School Board's policies, regulations, and the Governance By-laws respecting the processes and procedures for naming the new kindergarten to grade 12 school.

In addition, my Office found that the Committee of the Whole's *in camera* discussions on February 20, 2024, fit within *the Education Act's* exception for intimate, personal or financial information respecting a specifically identified individual. We also determined that the Committee of the Whole did not discuss the substance of the school name or the naming process in closed session on March 19, April 2, or April 16, 2024.

I would like to thank the School Board for its co-operation during my review. You have confirmed that this letter will be included as correspondence at an upcoming Board of Trustees meeting.

Sincerely,



Paul Dubé
Ombudsman of Ontario

Cc: Gale Simko-Hatfield, Chair, Board of Trustees

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Appendix D

Greater Essex County District School Board

Regulation: Naming and Renaming of Board Facilities

Reference No: R-PL-01

1. When a building or facility is to be named:

When selecting a name for a new school (or while renaming a currently operating school or board facility) the objective is to reflect excellence in public education, the diversity of our region, and a safe, positive and welcoming school environment – while highlighting the expressed values of the GECDSD and its character education principles

The primary interest in the name of any school or Board facility is retained by the Board. A name is a primary branding element and allows the Board to promote its objectives in the community and communicate its mission, vision and values. Appropriate branding also assists the Board in the development of a strong identity for the school community.

A school name should be distinctive and readily identifiable as a public school within the Greater Essex County District School Board.

Generationally, the nature and identity of communities, in which any school exists, changes. Schools are built to overlap generations. Naming schools based on the character of a community as it is currently constituted, or once was, will not always be relevant to the present residents or users.

Ideas (concepts) – based on the Board's ongoing, foundational, operational and philosophical criteria are encouraged to be the fundamental consideration of a new, or revised, school name.

Names to be considered should be thoroughly examined so as not to perpetuate or represent a legacy of discrimination, oppression or harm to members of this or any GECDSD school community.

The Director of Education along with the area Superintendent will bring forward to the Board of Trustees a report requesting a Naming Committee be established once land has been purchased and the design and budget have been approved.

2. Through a media release, social media and communication to the school community, an appeal for applicants for the committee will be solicited. Once the applications are received the area Trustees and Director of Education will determine the makeup of the committee. (See Appendix A for application.)

The Naming Committee shall, where applicable, consist of at least:

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

* A staff appointed recording secretary will be provided to the committee

NOTE: In the case of a non-school facility the membership may vary.

3. The committee will hold a minimum of two (2) meetings which will be open to the public to attend, but not to provide any direct input at that time.

The Public Relations Officer will collect historical/cultural information on the area, community and neighbourhood in which the building or facility will be/is located. The report will help establish suggestions of concepts, names and/or themes for the committee to discuss. It will be provided to all members of the committee prior to the first official meeting.

4. Following the guidelines set out in this regulation for the selection of a school / facility name, community input will be sought through an open survey, which will be promoted through a variety of mediums (i.e. News Release, on social media platforms, websites, etc). A summary report will be provided to members of the committee prior to their first meeting which will also include previously proposed vetted district names.
5. The purpose of the first meeting will be for the committee to review the information provided and, if desired, ask questions of the Public Relations Officer for clarification. Members will then assess any ideas/suggestions which have already come forward or provide one of their own. A list of potential names will be created.
6. The list will then be reviewed through an equity lens and for propriety and adherence to the GECD SB name selection criteria. Consultation will take place with, but not limited to various GECD SB advisory committees. All appropriate names will then be submitted to focus groups of students and/or staff and/or community members for their impressions and preferences. The results of these sessions will be summarized and provided to the committee prior to their second meeting.

At its second meeting the committee will select a minimum of 2 and a maximum of 4 possible names that will be forwarded to the Board of Trustees for their consideration.

Naming Criteria:

Must be distinctive and appropriate with an emphasis on, but not limited to:

- Local historical events;
- Geography;
- Culture;
- Traditions of the community; or
- Representations of diversity.

Careful consideration should be given before naming a school or board facility after an individual. No school or facility names will cause harm to any member of the GECDsB community based on grounds protected under the Ontario Human Rights Code. No school or facility will be named after a living person (persons).

7. At a public meeting of the Board of Trustees, the area Superintendent will present a report on the deliberations and actions of the Name Selection Committee. This will also include the short list of suggested names. Trustees will then vote to choose one of the suggestions or provide an alternative.
8. Following the selection of a name, the school community will then be engaged in a process to determine its branding elements (colours, logo, mascot and motto). The Public Relations Officer and area Superintendent will supervise the proceedings to ensure that they conform to the GECDsB standards for justice, equity, inclusion, and diversity as well as for distinctiveness and marketability.
9. All meeting notes on the determination of a school name or renaming of a school are to be kept in the school archives.

Renaming of Existing Schools and/or Facilities

10. School names across the district are to be reviewed every 5 years to allow for evolving and enlightened understanding of justice, inclusion, equity, and diversity to be considered.

If there is a concern of a school name prior to the review date, concerned members of the school community or general community should complete the School Naming Request Form (see Appendix D).

See Appendix B for a list of current and former school names and themes in the GECDsB.

11. Should the Board pass a motion to proceed, an ad hoc naming committee will be established, in accordance with this policy and regulation.

The naming of internal facilities is the responsibility of the school community. The school will consider the Naming Criteria as listed in #6.

Appendix A: Application to Serve on the Greater Essex County District School Board's Naming and Renaming of Board Facilities Committee

Appendix B: List of current and former school names and themes in the GECDsB

Appendix C: Script/Guide for Chair of the Naming Committee

Appendix D: School Renaming Request Form

Appendix E

MINUTES OF THE PUBLIC MEETING OF THE GREATER ESSEX COUNTY DISTRICT
SCHOOL BOARD HELD ON MARCH 19, 2024 IN THE BOARD ROOM, 451 PARK STREET
WEST, WINDSOR, ONTARIO.

PRESENT:

G. Hatfield (Chairperson of the Board)
N. Armstrong
J. Burgess
R. Le Clair
L. Qin

C. Nelson (Vice-Chairperson of the Board)
S. Cipkar
C. Cooke
K. McKinley

STUDENT TRUSTEES:

C. Pyne

S. Muhammad

REGRETS:

C. Buckler

ADMINISTRATION:

V. Houston (Director of Education)
S. Armstrong
J. Bell
C. Boulay
C. Howitt
R. Roberts

T. Awender
K. Bryant
S. Duben
C. Mills

RECORDER:

M. LeBoeuf

A. CALL TO ORDER

Chairperson Hatfield called the meeting to order at 4:00 p.m.

B. ATTENDANCE

Chairperson Hatfield noted that Trustee Buckler had sent regrets.

There was consensus from trustees to move Approval of the Agenda to 7:00 p.m when public session reconvenes.

C. CONVENE TO PRIVATE SESSION

Moved by Trustee Le Clair
Seconded by Trustee Nelson

TO MOVE INTO PRIVATE SESSION.

The vote was called and it

CARRIED.

PUBLIC SESSION RECONVENED AT 7:00 P.M.

D. APPROVAL OF AGENDA

D.1 Approval of Agenda

Moved by Trustee Le Clair
Seconded by Trustee Cipkar

Student Trustee Pyne requested a motion be put on the floor to rescind something previously adopted that being the name chosen for the new K-12 school on Jasperson Road in Kingsville.

Moved by Trustee Armstrong
Seconded by Trustee Qin

TO RESCIND SOMETHING PREVIOUSLY ADOPTED THAT BEING THE NAME
CHOSEN FOR THE NEW K-12 SCHOOL ON JASPERSON ROAD IN KINGSVILLE.

The vote was called and it was DEFEATED.

Moved by Trustee Le Clair
Seconded by Trustee McKinley

THAT THE AGENDA BE APPROVED AS PRESENTED.

The vote was called and it CARRIED.

Trustee Le Clair read the approved GECD SB Land Acknowledgement.

Special Order of the Day

Director Houston read a heartfelt tribute to Tina Kimball former secretary from North Star High School and Emma Devin, former student from Belle River District High School.

E. DECLARATION OF CONFLICT OF INTEREST

Nil.

F. ACTIONS OF COMMITTEE OF THE WHOLE PRIVATE SESSION

Moved by Trustee Le Clair
Seconded by Trustee Cooke

F.1 THAT ITEMS F.1 – F.5 MATTER OF NEGOTIATIONS FROM THE MARCH 19TH,
2024 PRIVATE SESSION MEETING BE APPROVED.

The vote was called and it CARRIED.

G. Public Meetings

Chairperson Hatfield noted that the Greater Essex County District School Board is proposing to enact an Education Development Charges By-Laws that will apply to the development of land in the County of Essex and the Township of Pelee. The new by-law is required because the current by-law of the Board, which was passed in 2019, is scheduled to expire at the close of business on April 21, 2024.

The Board will be conducting two public meetings this evening as part of the process of passing the new by-law. The first public meeting will deal with a review of the current EDC policies of the Board as reflected in its EDC by-laws. The second public meeting will address the proposed by-law that the Board anticipates passing at our meeting on April 2, 2024. The *Education Act*, which is the legislation that governs EDCs, requires that the Board convene the two public meetings before passing a new by-law.

The primary purpose of any Board in implementing education development charges is to provide a source of funding for new school sites. These are not funded by a grant under the Province's funding model.

The EDC calculation is based on new pupils that will be generated by housing units within the by-law area, for which building permits will be issued over the fifteen-year planning period and for which additional school accommodation is required.

We are seeking input from the public tonight and will give consideration to their submissions prior to the passage of the new Education Development Charges By-Law.

The Board will likely be giving final consideration to the passage of the EDC By-Law at the Board meeting scheduled for Tuesday April 2, 2024, subject to receiving approval from the Ministry.

We will begin the proceedings with the policy review public meeting followed by the public meeting for the proposed by-law. The consultant and the lawyer for the Board will make presentations in the meetings. Members of the public will also be invited to address the Board.

G.1 Education Development Charges (EDCs) Policy Review

Chair Hatfield noted that the presentations will commence with Jack Ammendolia of Watson and Associates, the Board's economic consultant.

Mr. Ammendolia noted that the board has existing policies in place. EDCs are a mechanism for school boards to pay for new school sites as a result of residential growth. These policies are only contained in the EDC By-law itself. School boards typically try to collect 100% of education land costs however exemptions in the EDC by-laws may result in less than 100% of land costs being collected. There are two types of exemptions, statutory and non-statutory. Statutory exemption is determined through the legislation and a non-statutory exemption is a 'voluntary' exemption (e.g. downtown BIA). There are two jurisdictions the EDC applies to: Essex County/Township of Pelee and City of Windsor. The existing EDC by-law applies only to the County of Essex/Township of Pelee portions of the school board but is applied in a uniform way across the jurisdiction of the by-law. This means that the charge is the same for all residential developments in the County. School boards can allocate up to 40% of their EDC to non-residential development. The average around the Province is approximately 10% but ranges from 0% to the mid-20s. The GECDSB has an EDC that is 100% residential. School boards can have one rate that applies to all types of residential development in the same way or the school board can have different rates depending on the type of residential development. All the EDC by-laws in Ontario are applied uniformly, like the GECDSB.

Chairperson Hatfield asked if there were any delegates who would like to speak.

Speakers

- Trustee Le Clair questioned what the advantage or disadvantage is of having something in the range that is allowable for non-residential development. Mr. Ammendolia noted that it is 100% of the residential development that produces pupils. Over the years the discussion around non-residential development

contributing to EDCs has been discussed with the Development Committee. It recognizes that residential development bares most of the cost but it should be recognized that non-residential development drives residential development. Mr. Ammendolia noted that he has not heard any significant feedback from the development community so there is no reason to change.

Chairperson Hatfield adjourned the meeting at 7:25 p.m. and called from the commencement of the Proposed by-law meeting.

G.2 Education development Charges (EDCs) Background Study and Successor By Law

Chairperson Hatfield noted that the public meeting concerning the proposed by-laws and the background study would commence.

She noted that during this public meeting we will be inviting our consultant to give an overview of the process and methodology supporting the proposed charges. Brad Teichman will also explain briefly the text of the by-laws.

Mr. Ammendolia was asked to make a presentation on the proposed education development charges.

- Mr. Ammendolia noted that there are two existing by-laws, one covers the City of Windsor and the other the County of Essex/Township of Pelee. The charges are uniform across the by-law areas and are imposed on residential development. The by-laws were passed in 2019 and amended in 2022. The by-laws have a maximum term of 5 years. The City of Windsor EDC by-law will not be renewed when it expires. It was noted that not all school boards qualify for EDCs. There are things a school board has to do before a Board of Trustees can consider a new by-law. A new background study needs to be prepared. EDC study must be made available to the public at least 2 weeks before the 1st meeting. Two public meeting must be held prior to passing a new EDC. EDC background study must be approved by the Ministry of Education. This is in process.
- The calculation of EDC's is very prescriptive – Demographic and enrolment projections need to be determined; legislation and board planning determines the number of school sites required; land appraisal determine site acquisition costs; historical expenditures determine site preparation costs; reserve fund analysis determines existing EDC surplus or deficit; total costs determined are referred to a the total growth-related net education land costs – this is the amount for which EDCs are collected; and Board policies determine how the change is implement and collected.
- The Board is eligible because it meets the triggers. The County of Essex EDC reserve fund account has a current deficit balance of \$1.24 million which meets the eligibility trigger for a future EDC by-law. Any EDC eligible outstanding financial obligations at the time of by-law renewal, qualifies a school board for future EDC by-laws. The City of Windsor has a positive surplus in ECD funds, therefore does not qualify and the by-law will expire when it lapses. If the board continues to grow the by-law can be enacted again.

- The residential growth forecast for the next 15 years, net growth-related new pupil places and legislated EDC eligible site sizes were reviewed.
- The school board retained the firm Cushman & Wakefield to provide appraised land values per acre for different areas in the Board's jurisdiction.
- The uniform residential EDC per unit dwelling is \$1230. This will be a phased in rate. The proposed GECDSE EDC rate for Essex County/Township of Pelee is below the maximum permitted phase in and will not be subject to any cap or maximum phase in amount.
- The public process required 2 legislated public meeting (notice provided); EDC Background Study released to the public and submitted to the Ministry of Education for review/approval; the Board corresponded with stakeholders and had a stakeholder meeting on February 21, 2024; and the Board encourages additional and continued feedback from area stakeholders.
- The next steps are: awaiting approval of the EDC Background Study from the Ministry of Education; staff recommendations and reports provided prior to the passage consideration meeting; and the By-law passage consideration public meeting, April 2, 2024.

Chairperson Hatfield invited Brad Teichman of Overland LLP to explain the text of the draft by-laws and legal requirements.

- Mr. Teichman noted that the current draft by-laws apply to residential development of land in the County of Essex/Township of Pelee. The by-law has a number of exemptions – all mandatory required under the governing legislation. The new by-law will be enacted five days (April 7, 2024) after the board passes it on April 2nd, 2024. The current by-law expires on April 21st, 2024. The current by-law will be repealed on the day the new by-law comes into force (April 7th, 2024). The Board has satisfied all legal requirements to extend the authority to approve a by-law.

Chairperson Hatfield asked if there were any delegates who wished to be heard on the matter of the education development charges.

Speakers

- Trustee Cipkar questioned if there was any indication that the province would allow school boards more freedom as we do anticipate new growth, but we are not able to move forward. Mr. Ammendolia noted that the legislation was amended several years ago. Hopefully the province would consider a change if they continue to hear from school boards.
- Gino Facca, resident of Riverside - Does this process take into consideration migration and immigration; and since I am being taxed on multiple units do I have multiple says? Mr. Ammendolia noted that the rate does not have to do with tax base or rentals – it is only if a new building permit is being issued for a residential unit. Mr. Ammendolia noted that when we look at enrolment projections we take into consideration demographic trends, units to be built, migration and immigration. The reality is it is a guess in terms of what is being projected going forward. There has been so much change – change in

migration, economics, housing price, pandemic resulting in working and commuter patterns. We also use the municipalities residential forecasts. Mr. Facca questioned if the forecasts are delayed a few years? Mr. Ammendolia noted that forecasts are always trying to project out. Mr. Facca noted that he was building a five plex and questioned if he gets five votes? Mr. Ammendolia noted that there is no relationship between the vote and the EDC. You are being charged on a rate for a building permit. When you take out a building permit there are various charges: county development charges, municipal charges, education charges, planning fees etc. EDCs is just one of the fees attached to the building permit, it is different from a tax rate. All new buildings yield growth. It is a focused rate attached to a building permit to provide for future services for growth.

- Trustee Le Clair noted that EDCs are not new. This is an adjustment in the county on what the rate will be. If taking out building permits in the past, you have been paying EDCs.

Chairperson Hatfield noted that as was mentioned at the outset, these meetings were held for the purposes of reviewing the Board's current EDC policies, for informing the public about the EDC process and the proposed by-law, and to hear the public's views.

We welcome the public input we have heard this evening. Thank you very much.

Chairperson Hatfield adjourned the meeting at 7:54 p.m.

H. APPROVAL OF MINUTES

Moved by Trustee Le Clair
Seconded by Trustee Cipkar

Student Trustee Pyne raised a Point of Order. He stated that he believes the Board violated Regulation: Naming and Renaming of Board Facilities #7. He also questioned if the name was appropriately vetted. Chairperson Hatfield noted that this is not a Point of Order with respect to the accuracy of the minutes.

G.1 THAT THE MINUTES OF THE PUBLIC BOARD MEETING OF 2024 02 20 BE
APPROVED AS PRESENTED.

The vote was called and it

CARRIED.

I. BUSINESS ARISING FROM THE MINUTES

Nil.

J. PRESENTATIONS

J.1 Student Trustee Presentation

See attached presentation.

K. DELEGATIONS

Nil.

L. SPEAKER'S LIST

- Emmerson Jadischke and Kinsey Kendrick – spoke to the name of the school in Kingsville

Chairperson Hatfield noted that trustees do not engage in dialogue or debate with Speakers. Trustees can ask questions of clarification.

Did the committee discuss the word academy? K. Kendrick noted that the committee did discuss the word academy however the direction had changed. The committee was originally told the school could only be named 'Academy' but then the direction had changed after the groups had put forward their final choices that it could either be 'Academy' or 'District School'.

Did you receive or were you provided a hard copy of the Policy and Regulation? K. Kendrick noted that the only thing received by email was the Background of Kingsville and community suggestions.

- Angelina Ward – spoke to the name of the new school in Kingsville

Miss Ward presented 400 copies of Appendix D – School Renaming Request form from people who are not happy with the name.

Student Trustee Pyne asked the speaker if she could confirm that the word Erie is not part of Caldwell Nation or Anishinaabe. A. Ward noted that Erie is not an existing word in the Caldwell language. The lake is of great significance to Caldwell whose land the new school is on but they did not refer to it as Erie. Ms. Ward noted that in her conversation with Chief Duckworth she indicated that Erie is a settlers word.

- Will Cowell – spoke to the name of the new school in Kingsville

There were no questions of clarification.

- Kimberly DeYong – spoke to the name of the new school in Kingsville

There were no questions of clarification.

- Alexis Tindall - spoke to the name of the new school in Kingsville

There were no questions of clarification.

M. NEW BUSINESS

M.1 Notice of Motion – Trustee Burgess

Moved by Trustee Burgess
Seconded by Trustee Nelson

THAT THE GECDSB REFER THE POLICY: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: P-PL-01 AND ITS REGULATION: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: R-PL-01 BACK TO THE POLICY COMMITTEE FOR RECONSIDERATION AND REVIEW.

- As the mover of the motion, Trustee Burgess noted that the policy and regulation has been reviewed several times over the last five years due to concerns. We still do not have it right. She noted that the regulation did not serve the process well with multiple schools and multiple municipalities involved.
- It was questioned what specifically is going to be addressed in the review. Trustee Burgess noted that she did not want to prejudge. She noted that there has been a trend over the last decade to choose names that are concepts or ideas. It is up to district school boards to brand and name schools. It is not a recommendation of administration. It is a governance issue.
- Was the way the process was administered the failure or was it a policy failure? Trustee Burgess noted that there were gaps. We need a more supportive regulation.
- We know the current policy has shortcomings. It was suggested given what has happened in this process that the names go back to the naming committee and reconsider a new name.

Point of Order - Student Trustee Pyne noted that his ability to hear the meeting was being impaired by Trustee Burgess. Trustee Burgess apologized.

- It was noted that the policy did not fail. It has always been under the purview of trustees to make a final decision. There was a community response but that does not mean the policy is incorrect. The current policy allows for flexibility.
- As the mover of the motion, Trustee Burgess noted that there needs to be some outlined expectations.

A recorded vote was requested.

The vote was called and it

CARRIED.

Support: McKinley, Burgess, Armstrong, Nelson and Hatfield

Opposed: Le Clair, Cipkar, Cooke, Qin

Opposed: Student Trustees Pyne and Mohammad (non-binding)

N. REPORTS

N.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. She also noted over the past month the Ministry of Education has been moving forward with the development of policies and regulations in relation to the Better Schools and Student Outcome Act which became law in 2023. The aspects of the Act which they are currently working on in terms of regulations are with respect to school board leadership; parental involvement and increasing transparency.

N.2 Report of the OPBSA Director/Delegate

Trustee Cipkar noted that she attended the Board of Directors meeting. As it was Black History Month we had a speaker who wrote the book "Black Boys Like Me". We had regional discussions on how boards are improving Black achievement. Learning about Grad Coaches and things we do at the GECDSB and having discussions on how to move things forward.

We heard from the President that she met with the Federal government staff related to the National School Food Program.

The Toronto District School Board announced that they want to revamp their cell phone policy. It has been released for consultation and received a lot of community discussion. They were seeing themselves as the leader in the province around issues with AI and digital responsibility. Our policy is up for review very soon.

Labour Relations Symposium is taking place the end of April. Also, 'Take your MPP to School Week' is happening in May.

N.3 Student Achievement Plan

There were no questions.

N.4 Chair's Report

Nil.

O. TRUSTEE QUESTION PERIOD

- Trustee Armstrong questioned if item #6 naming criteria in the Naming and Renaming of Board Facilities Regulation was shared with the committee. Trustee Burgess noted that there was a background report provided to the committee. There was discussion with some of the Harrow community members that there were assurances at the transition meetings that no names from any of the schools would be considered for the new school.
- Why was the committee not told that King would not be allowed in the name? Trustee Burgess noted that there is no mechanism in the current Regulation that would support removing any names. We now have attestations from members of the Harrow transition committee that state that there were assurances given that Kingsville would not be in the name. These were received after the naming committee had concluded their work.
- It was questioned if there is any record that administration has that shows assurances were made that community school names would not be included in the new name and what authority did that person have at the time? Director Houston noted that we would have to go back 9 years. There are several members of the senior team that are no longer with the board.

P. NOTICE OF MOTION

- P.1 Trustee Armstrong noted that she would move, or cause to be moved at the April 16, 2024 Public Board Meeting:

THAT THE BOARD OF TRUSTEES RESCIND THE MOTION THAT THE GECDSB NAME THE NEW SCHOOL IN KINGSVILLE ERIE MIGRATION ACADEMY AND REPLACE WITH ONE SUGGESTED BY THE COMMITTEE REPORT THAT HAS A THOROUGHLY VETTED ACRONYM.

Chairperson Hatfield ruled the notice of motion out of order because the mover had already made the motion and it was voted on and defeated.

- P.2 Trustee Cipkar noted that she would move or cause to be moved at the next regulation board meeting:

THAT THE GECDSB DIRECT DIRECTOR HOUSTON TO WORK WITH STAFF AND COMMUNITY PARTNERS TO PURSUE VIABLE OPTIONS FOR TRACKS FROM THE SEPTEMBER 2023 REPORT FOR TRUSTEES TO CONSIDER FOR THE 2024-2025 BUDGET.

- P.3 Trustee Qin noted that she would move, or cause to be moved at the next regular scheduled public meeting of the board:

DUE TO THE HIGH LEVEL OF UNSATISFACTION FROM THE COMMUNITY AND LACK OF DEMOCRACY AND TRANSPARENCY IN THE NAMING PROCEDURE, IN ORDER TO PROTECT THE PUBLIC CONFIDENCE, AVOID POTENTIAL HARM TO STUDENTS AND COMMUNITY, I MAKE A MOTION TO EXAMINE THE NAMING PROCEDURE OF ERIE MIGRATION ACADEMY AND APPRAISE THE CORRESPONDING CONSEQUENCES TO THE BOARD.

Chairperson Hatfield noted that she would review and advise if the notice of motion is in order.

Q. ANNOUNCEMENTS

Trustee McKinley noted that March 21st is Rock Your Socks Day in support of World Down Syndrome Day.

R. ADJOURNMENT

There being no further business before the Board, Chairperson Hatfield adjourned the meeting at 9:30 p.m.

G. Hatfield

CHAIRPERSON OF THE BOARD

V. Houston

DIRECTOR OF EDUCATION

March 19, 2024 Student Trustee Presentation

Report

Good evening Trustees, Superintendents and Director Houston,

The Student Trustee General Elections were held last month at a Special Meeting of Student Senate. Thank you to all the candidates, voting delegates and scrutineers who took time to participate in our second in-person election. Congratulations to incoming Student Trustees Chiara Trakilovic from Tecumseh Vista Academy and Tianyu Lin from Vincent Massey Secondary School. Colin and I look forward to mentoring these bright and accomplished students for the remainder of our term.

Student Senate participated in Tampon Tuesday sponsored by United Way and Windsor and District Labour Council in honour of International Women's Day. Schools collected both products and financial donations to stock local food banks. We learned that menstrual hygiene products are the most requested, yet least donated products at food banks. Thank you to Student Senators who worked tirelessly to make this drive a success.

In school news, semi formals are in progress, Student Councils held candy gram sales and "Dress Like a Teacher Day". Students look forward to all the exciting things planned for Spring!

Student of the Month

The Student of the Month for March is Marissa Bocchini, a Grade 11 student at W.F. Herman Academy. Marissa is an excellent role model for this month's theme of "creativity".

Marissa's friendly personality and distinctive style make her a standout at school. Marissa never fails to catch your eye in the hall with her artistic flair, sporting a variety of colors and accessories. She spends her free time doing illustrations and graphic design and you can often find Marissa during her lunch hour indulging in her passion for crochet, creating new and unique things.

Marissa takes full advantage of school spirit days, designing wacky costumes for herself and helping her friends find their own unique style. She was easily spotted throughout the holiday-themed spirit week with her freshly dyed red and green hair.

Marissa uses her vivid imagination in the leadership roles she has taken on at school. She is the head of Herman's Dungeons & Dragons Club, inventing stories, devising characters and drawing maps for club members. She is also an enthusiastic member of the Semi-formal Planning Committee, eager to elevate the event's style and help make it a night everyone will remember.

Marissa's originality certainly rubs off on other students at Herman. Her passion and talent for the arts inspire those who cross her path. Marissa is truly deserving of recognition for her creativity, and the W.F. Herman community could not be prouder to have her as a fellow Griffin.

Congratulations Marissa on being selected as Student Senate's Student of the Month for March for the theme of "creativity".

Appendix F

BOARD MEETING – PUBLIC SESSION
TUESDAY, FEBRUARY 20, 2024
BOARD ROOM
451 PARK STREET WEST, WINDSOR
6:00 P.M.

AGENDA

A. CALL TO ORDER

B. ATTENDANCE

C. APPROVAL OF 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), Leni (Len-eh) Lenape (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

Special Order of the Day

Tribute to Kelly Collins, former Educational Assistant from Marlborough Public School
Tribute to Wendy Belliveau, former Education Assistant from John Campbell Public School

E. DECLARATION OF CONFLICT OF INTEREST

F. ACTIONS OF BOARD MEETING PRIVATE SESSION

G. APPROVAL OF MINUTES

Pages 1-6

G.1 Minutes of the Public Board Meeting of 2024 01 16

ENCLOSURE

H. BUSINESS ARISING FROM THE MINUTES

I. PRESENTATION

I.1 Student Trustee Presentation

J. DELEGATIONS

There were no delegations at the time of agenda prep.

K. SPEAKER'S LIST

L. NEW BUSINESS

- Pages 7-8 L.1 Approval of Name for New School in the Town of Tecumseh
RECOMMENDATION:
TO BE DETERMINED BY THE BOARD OF TRUSTEES.
- Pages 9-10 L.2 Approval of Name for New School in the Town of Kingsville
RECOMMENDATION:
TO BE DETERMINED BY THE BOARD OF TRUSTEES.
- Pages 11-13 L.3 Policy and Regulation: Air Conditioning
RECOMMENDATION:
THAT THE BOARD APPROVE POLICY P-PL-07 AIR CONDITIONING AS PRESENTED; and
THAT THE BOARD APPROVE REGULATION R-PL-07 AIR CONDITIONING AS PRESENTED.
- Pages 14-33 L.4 Policy and Regulation: Epilepsy – Student
RECOMMENDATION:
THAT THE REGULATION: EPILEPSY – STUDENT BE APPROVED AS PRESENTED.
- Pages 34-55 L.5 Policy and Regulation: Diabetes – Student
RECOMMENDATION:
THAT THE REGULATION: DIABETES – STUDENT BE APPROVED AS PRESENTED.
- Pages 56-61 L.6 Policy and Regulation: Recognition: Employee, Trustees and Community
RECOMMENDATION:
THAT THE BOARD APPROVE POLICY P-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY; AND
THAT THE BOARD APPROVE REGULATION R-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY AS PRESENTED.

Pages 62-65 L.7 2024-2025 School Year Calendar

RECOMMENDATION:

THAT THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD APPROVE THE SCHOOL YEAR CALENDARS FOR 2024 – 2025 AS SUBMITTED FOR THE SCHOOLS UNDER ITS JURISDICTION.

L.8 Notice of Motion – Trustee Cipkar

RECOMMENDATION:

THAT THE GECDSB RAISE THE PAN-AFRICAN FLAG AT ALL SCHOOL BOARD FACILITIES DURING THE MONTH OF FEBRUARY BEGINNING IN 2024-25 TO HONOUR BLACK HISTORY IN OUR COMMUNITY

M. REPORTS (TO BE RECEIVED)

M.1 Report of the Director of Education	ORAL
M.2 Report of the OPBSA Director/Delegate	ORAL
M.3 Chair's Report	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

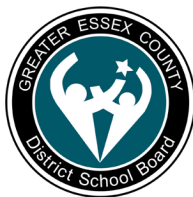
Nil.

NEXT SCHEDULED MEETING:

Regular Meeting of the Board, Tuesday, March 19, 2024 – 7:00 p.m.

Chairperson – Gale Simko-Hatfield
Vice-Chairperson – Christie Nelson

Director of Education – Vicki Houston
Executive Assistant – Melissa LeBoeuf



TO: CHAIRPERSON AND MEMBERS OF THE BOARD

**FROM: TRUSTEE JULIA BURGESS,
CHAIRPERSON OF THE NAMING COMMITTEE**

SUBJECT: NAME OF THE NEW K-12 SCHOOL IN KINGSVILLE

DATE: FEBRUARY 20, 2024

Creating Confident Learners

Engaging Communities

Demonstrating Ethical
Stewardship

AIM:

To choose a name for the new K-12 School in Kingsville, in accordance with Policy P-PL-01 Naming and Renaming of Board Facilities.

BACKGROUND:

A committee was formed following the guidelines in regulation R-PL-01.

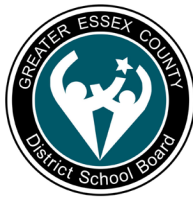
Members were:

Trustee Julia Burgess (Chairperson of the Committee)
Trustee Kim McKinley
Director of Education Vicki Houston
Superintendents - Todd Awender, Shelly Duben
Principals - Sara Fiorvento-Balsdon, Chris Pillon, Mike Huggard, Darin Carrol
Staff representatives – Rachel Watson, Anjanette MacTavish, Heather Brown, Kim Mulligan,
Sue Nurse, Paul Gelinias, Matt McLean, Andrea McKellar
Student representatives – Kenzie Rauch, Julia McInnis, Kalila l'Anson, Kinsey Kendrick, Paige
Faubert, Emily St. John, Sophie Klie, Alayna Charlton
School Council representatives – Michelle Marcovecchio, Sarah Maxey, Michelle Hedge, Ashley
Vigneux
Community representatives - Andrew Hatfield, Steven l'Anson

The initial meeting on December 18th, 2024 began with a presentation of historical, cultural, geographic and ecological background of the catchment area that the new K-12 FI/Eng dual track school will serve, as well as a review of input received from the public survey conducted prior to the initial meeting date.

The precipitating discussion identified a direction the committee wished to following determining possible names for the building.

Following the discussion, the list of all suggested names in the community survey were revealed



to the committee.

A short list of potential names was created, and further research was assigned to committee members prior to the next meeting.

Information was shared with the committee at the second meeting on February 12th, 2024 about the initial list of names suggested, as well as the input from the student focus groups at each of the schools.

Based on a short list of suggestions each committee member was asked to rank the five names in order of preference. A point system was used to tally the votes as follows:

- 1st choice received 1 point
- 2nd choice received 2 points
- 3rd choice received 3 points
- 4th choice received 4 points
- 5th choice received 5 points

The results of the vote are as follows:

- | | |
|-----------------------------------------|------------------------------------|
| a. Kingsville District Academy: | 48 points – 1 st choice |
| b. Greater Kingsville Academy: | 68 points – 2 nd choice |
| c. Kingsville Lakeside Academy: | 73 points – 3 rd choice |
| d. Greater Kingsville District Academy: | 83 points – 4 th choice |
| e. Lakeside Academy: | 85 points – 5 th choice |

After the vote of the committee based on a point system with the lowest total being the top choice, the following two names are being submitted:

- 1) Kingsville District Academy
- 2) Greater Kingsville Academy

RECOMMENDATION:

AS DETERMINED BY THE BOARD OF TRUSTEES

Appendix G

MINUTES OF THE PUBLIC MEETING OF THE GREATER ESSEX COUNTY DISTRICT
SCHOOL BOARD HELD ON FEBRUARY 20, 2024 IN THE BOARD ROOM, 451 PARK
STREET WEST, WINDSOR, ONTARIO.

PRESENT:

G. Hatfield (Chairperson of the Board)	C. Nelson (Vice-Chairperson of the Board)
N. Armstrong (via teleconference)	C. Buckler
J. Burgess	S. Cipkar
K. McKinley	
L. Qin (via teleconference)	

STUDENT TRUSTEES:

C. Pyne

REGREST:

C. Cooke
R. LeClair
S. Muhammad, Student Trustee

ADMINISTRATION:

V. Houston (Director of Education)	
S. Armstrong	T. Awender
J. Bell	K. Bryant
C. Boulay	S. Duben
C. Howitt	C. Mills
R. Roberts	

RECORDER:

M. LeBoeuf

A. CALL TO ORDER

Chairperson Hatfield called the meeting to order at 6:00 p.m.

B. ATTENDANCE

Chairperson Hatfield noted that Student Trustee Muhammad and Trustees Le Clair and Cooke sent regrets. Trustees Armstrong and Qin were attending via teleconference.

C. APPROVAL OF AGENDA

C.1 Approval of Agenda

Moved by Trustee Nelson
Seconded by Trustee Cipkar

THAT THE AGENDA BE APPROVED AS PRESENTED.

The vote was called and it

CARRIED.

D. CONVENE TO PRIVATE SESSION

Moved by Trustee McKinley
Seconded by Trustee Burgess

TO MOVE INTO PRIVATE SESSION.

The vote was called and it

CARRIED.

PUBLIC SESSION RECONVENED AT 7:00 P.M.

Student Trustee Pyne read the approved GECD SB Land Acknowledgement.

Special Order of the Day

Director Houston read a heartfelt tribute to Kelly Collins former Education Assistant from Marlborough and Wendy Belliveau former Educational Assistant from John Campbell.

E. DECLARATION OF CONFLICT OF INTEREST

Nil.

F. ACTIONS OF COMMITTEE OF THE WHOLE PRIVATE SESSION

Nil.

G. APPROVAL OF MINUTES

Moved by Trustee McKinley
Seconded by Trustee Cipkar

G.1 THAT THE MINUTES OF THE PUBLIC BOARD MEETING OF 2024 01 16 BE
APPROVED AS PRESENTED.

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

Nil.

K. SPEAKER'S LIST

Gino Facca – Spoke to the closure of the Belle River, Herman and Massey Tracks.

Questions of Clarification:

- It was noted that our RFP process requires companies to be pre-qualified. Have the contractors you spoke to made an application to the board to be pre-qualified? Mr. Facca noted that of the three contractors he spoke with two currently do work for the GECD SB and the other does work for the WECDSB.
- Mr. Facca was asked to forward the quotes he received to trustees.

Gerald and Suzanne Hlady – Spoke to the closure of the Belle River, Herman and Massey High School Tracks

Question of Clarification:

- What is your preference on the type of track? Mr. Hlady noted that they are looking for a training surface, which could be asphalt. We want an opportunity for students to train. We need something that the STEPS students can use. We do not need an IWAFF track. We want a surface for our students and feeder school students to use.
- Can the speaker expand on the frequency of use before this decision was made. Mr. Hlady noted that 16 STEPS students use the track every day. 400+ phys ed students use the track from September to November and February to June. It has been used by the track team for the past 18 years, averaging more than 50 students per year. After school it is used by families and the community every day. Elementary feeder schools also use the track for their track and field meets.

L. NEW BUSINESS

L.1 Approval of Name for New School in the Town of Tecumseh

Moved by Trustee Buckler

Seconded by Trustee Burgess

THAT THE BOARD APPROVE THE NAME BEACON HEIGHTS PUBLIC SCHOOL FOR THE NEW NAME OF THE SCHOOL IN THE TOWN OF TECUMSEH.

- As the mover of the motion and the Chair of the Naming Committee, Trustee Buckler noted that trustees need to look at the entire system when selecting a name. There is a school 8 km away that is named Lakeshore. We also have a North Star, Northwood and Gosfield North. With that in mind that is why Beacon Heights Public School is being recommended. Beacon is a light that guides or a person who inspires or encourages others. Heights is a point of excellence, heights of success which represents the community. It is a standard our community can reach and live by.
- It was noted that there is a Beacon Hill in Boston which is a primarily white owned area and one of the most expensive areas to live. There is concern about the socio-economic message that would send. It was noted that there are many places that include the name Beacon, many along a shoreline. It is associated with rocks and water. Chairperson Hatfield who also sat on the committee noted that that concern was not raised at the committee level.

The vote was called and it

CARRIED.

L.2 Approval of Name for New School in the Town of Kingsville

- As the Chair of the Naming Committee Trustee Burgess thanked the committee members for their work. In the call for submissions there were over 600 names submitted. That showed a tremendous interest. There were themes. She noted that this was a controversial committee. It involved the remembering of previous and current school closures. Trustee Burgess noted that the Regulation notes that a short list of suggested names be brought forward. Trustees will then vote

to choose one of the suggestions or provide an alternative. Trustee Burgess noted that this process had been heart wrenching and difficult. She noted that she had received a number of emails, messages and phone calls. It has been a hot topic in town (Town of Essex which includes Colchester, Harrow, Town of Kingsville Jack Miner, Kingsville students and Gosfield North FI and Pelee Island).

Trustee Burgess noted that she was going to follow #7 in the Regulation and put forward an alternate name. The name was created based on the 600+ submissions and discussion that took place at the committee.

Moved by Trustee Burgess
Seconded by Trustee Cipkar

THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE 'ERIE MIGRATION ACADEMY'.

As the mover of the motion, Trustee Burgess provided a rationale for the name (see attached).

- Did the committee have an issue with the two names being recommended as it follows the pattern of other school names in the county? Trustee Burgess noted that the point was raised several times. If it was one town and one school drawing from one town it would be appropriate. There was a lot of disappointment and upset. Harrow families found it intimidating sharing their long-standing grief of their school closing. The catchment area the new school is serving goes beyond the Town of Kingsville. There are long standing histories of districts and catchments changing.
- Trustee Burgess was commended for bringing forward a name not put forward by the committee. It is a bold fitting choice. When the names coming forward only considered Kingsville it was concerning because the geography of the new school goes beyond Kingsville. It is an opportunity for the entire school to start fresh and chart a new path for itself and potentially heal the wounds that have happened. It is a strong and poignant name.
- It was questioned if there will be backlash with suggesting this name. Trustee Burgess noted that it will be highly contentious. Erie and Migration were on the list. This came from the committee, just not in this form. People will say this was cooked or made up ahead of time and wasted people's time. It will feel the committee was disrespected. That is not my intention.
- How is the committee going to feel? Will this breed more mistrust in the community? Trustee Burgess noted that there will be a lot of reaction. There is a level of mistrust from the school closures. There is a lot of residual grief from the closing of schools. It is tough. This is a grieving process. I want to be respectful. This is heartfelt and came from the submissions. We can build trust by putting forward something new that everyone can join in on.
- Why was this name not brought up prior? Trustee Burgess noted the name migration did come up. When amendments were allowed migration was removed in the last round. Erie was on the list in many iterations.

- It was noted that when in a leadership position it is not always about making the popular decision, it is about making the right decision.
- Was a similar presentation regarding Erie and Migration made through the committee? Trustee Burgess noted that she chaired the committee and gave as much rationale as she could. There was lots of Erie names put forward. Migration was also prevalent. Erie Migration Academy did not specifically come up. Another consideration was that people wanted the name to be short.
- It was noted that we have a policy and a committee formed based on the policy. The motion does not support the suggestions from the committee. It is not prudent to rush to decide on a name. It was suggested the name be referred back to the committee. Chairperson Hatfield noted that our regulation does provide that trustees can bring other names to the floor in the process. It is not going against the work of the committee. Trustees have the responsibility of naming schools and have a right to put forward a suggestion. Trustee Burgess noted that she would not support a referral back. To defer would mean the next thing that happens (selection of mascot and transition committee) would be delayed. Delay is not serving the decision well. Schools are anxious to move forward with the next step.

The vote was called and it

CARRIED.

Moved by Trustee McKinley
Seconded by Trustee Cipkar

THAT ITEM L.3 TO L.6 BE MOVED TOGETHER.

L.3 Policy and Regulation: Air Conditioning

THAT THE BOARD APPROVE POLICY P-PL-07 AIR CONDITIONING AS PRESENTED; and

THAT THE BOARD APPROVE REGULATION R-PL-07 AIR CONDITIONING AS PRESENTED.

L.4 Regulation: Epilepsy - Student

THAT THE BOARD APPROVE REGULATION: EPILEPSY – STUDENT AS PRESENTED.

L.5 Regulation: Diabetes - Student

THAT THE BOARD APPROVE REGULATION: DIABETES – STUDENT AS PRESENTED.

L.6 Policy and Regulation: Recognition: Employee, Trustees and Community

THAT THE BOARD APPROVE POLICY P-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY; AND
THAT THE BOARD APPROVE REGULATION R-AD-42 RECOGNITION – EMPLOYEE, TRUSTEES AND COMMUNITY AS PRESENTED.

The vote was called and it

CARRIED.

L.7 2024-2025 School Year Calendar

Moved by Trustee Buckler

Seconded by Trustee McKinley

THAT THE GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD APPROVE THE SCHOOL YEAR CALENDARS FOR 2024 – 2025 AS SUBMITTED FOR THE SCHOOLS UNDER ITS JURISDICTION.

The vote was called and it

CARRIED.

L.8 Notice of Motion – Trustee Cipkar

Moved by Trustee Cipkar

Seconded by Trustee Nelson

THAT THE GECDSB RAISE THE PAN-AFRICAN FLAG AT ALL SCHOOL BOARD FACILITIES DURING THE MONTH OF FEBRUARY BEGINNING FEBRUARY 2025 TO HONOUR BLACK HISTORY IN OUR COMMUNITY.

- As the mover of the motion, Trustee Cipkar noted that she is moving this recommendation as an ally to the Black community wanting to recognize their contributions and history to the Windsor-Essex. Following the lead of other institutions in the area such as the University of Windsor it is incumbent upon us to raise this flag during Black History Month. This flag represents Black People, Black Liberation and Black Joy. Something our board should embrace and honour.
- It was noted that our policy calls for the requester to provide the flags. Who will be providing the money for the flags. Chairperson Hatfield noted that the DABR Committee has a budget that could accommodate the cost. If a community brings it forward the community would provide. This is a board motion. Director Houston noted that we have a meeting with the implementation committee where this will be on the agenda for discussion.

The vote was called and it

CARRIED.

M. REPORTS

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.

Director Houston highlighted the following:

- September 2025 a new revised Kindergarten curriculum will be implemented.
- September 2025 there will be mandatory Black History learning for grades 7, 8 and 10 as part of the History curriculum.
- Ministry will repeal Bill 124.

- Student Achievement Plan will be shared at the March board meeting and will be posted publicly April 2nd.

Questions:

- How will Bill 124 impact our board? Superintendent Armstrong noted that the funded amount of Bill 124 will flow through the GSN by adjusting salary benchmarks. For those positions that are incremental and not funded through the GSN the cost will be to the board. Positions funded through a PPF will be funded through a PPF. The estimated cost for union groups is \$41.5 million and \$1.3 million for NBE staff. The Director, Superintendents and Principals and Vice-Principals are not impacted. The challenge is that not all positions are funded through the GSN. School Facilities and Operations budget does not indicate how many custodians to hire – the Ministry provides benchmarks based on square footage. The best estimate is that we have \$1 million that will not be funded. We currently have an \$8.8 million deficit; this will now be \$10 million.
- It was questioned what the next step is with respect to the budget deficit. Superintendent Armstrong noted that we have never been in this position. We have submitted an in-year deficit elimination plan to the Minister, it is yet to be approved. We will have to alert the Minister that this cost is incremental to the deficit elimination plan that was filed. Our board is not the only one in this position. Senior admin has raised concerns to the ministry regarding the ability to do all the calculations with respect to Bill 124. Chairs have also raised the concern.

M.2 Report of the OPBSA Director/Delegate

Trustee Cipkar noted that the April 6th Western Region Meeting will be hosted here in Windsor. Our partnership with trades will be highlighted. More details to come.

M.3 Chair's Report

Nil.

N. TRUSTEE QUESTION PERIOD

- A status update was requested with respect to the tracks being slated for closure at Belle River, Herman and Massey; and is there an opportunity to pivot or reconsideration. Superintendent Armstrong noted that a report was presented to trustees in September. Facility services needs to tender the work for the removal and grassing over the area. To pivot there are a few considerations. This work needs to happen over the summer when school is not in session. Decisions would have to be made which is challenging when we don't have our GSN announcements yet. It is important to remember that we have an almost \$10 million deficit. There are significant renewal needs across the system. We have over \$515 million in renewal needs. Of that \$57 million is urgent and \$150 million is high priority. The only capital funding we receive is School Condition funding (meant for school buildings and building components) and School Renewal funding (intended for building systems and building components). These expenses are based on assessments done by the Ministry every 5 years. The Ministry encourages school boards to address facility condition, ventilation, health and safety, general code

- requirements and accessibility. If there is intent or interest in redoing the tracks School Renewal and/or School Condition money should not be considered. There are far too many needs in the system. We would need to go into surplus which is a risk for us. It was questioned if the funds had been accounted for in this year's budget, and if it has could you put out other tenders for repaving to see if the costs would be equal to or less than a complete removal. Superintendent Armstrong noted that in most situation when we go out for tender things come back more expensive than anticipated. The board needs to make a decision if you want to retain these tracks and the maintenance of them. Are we intending to continue to pay for repairs. As trustees you need to make that decision. If that is the boards priority. The longer we defer the longer these tracks will remain closed because the work has to occur in the summer. We can't oversimplify the repair of these tracks. It is not just digging out and relaying asphalt - there are other costs associated with the work (gravel, drainage etc.)
- Why was the small playground equipment removed from Essex Public School? Superintendent Armstrong indicated that she would follow up.
 - Will there be a need for portables at the new school in Kingsville? Superintendent Awender noted that staffing has not been done. Based on current numbers, we will not require portables.
 - Why would tracks not be considered an educational component for schools? Director Houston noted that not all schools have tracks. Although phys ed will use a track if available we can still run all phys ed curriculum without a track. It is not considered an education requirement which is why the Ministry does not fund tracks.
 - Did trustees approve the removal of tracks? Superintendent Armstrong noted that the report was brought to trustees in September. She noted that she met with each school principal that was impacted. The decision comes down to health and safety. At the last Operations and Finance meeting the OSBIE insurance premium report was brought forward. Our premiums are \$134,000 higher. We want to minimize the risk of liability. The public is invited to provide feedback in the budget survey and two board meetings (March 19 and April 2) where the public can provide feedback. At this point we need to address health and safety issues and consider long term maintenance costs, as they are not funded.

O. NOTICE OF MOTION

- O.1 Trustee Buckler noted that she would move, or cause to be moved at the April 16, 2024 Public Board Meeting:

THAT THE POLICY COMMITTEE REVIEW AND BRING BACK TO THE BOARD THE TRUSTEE EXPENSE POLICY AND REGULATION WITH A VISION TOWARD 1. CLARITY OF APPROVED AND ELIGIBLE EXPENSES; 2. PRIORITIES AROUND TRUSTEE SPENDING AND 3. FISCAL RESPONSIBILITY.

- O.2 Trustee Cipkar noted that she would move, or cause to be moved at the next regularly scheduled Public Board Meeting:

FOR ADMINISTRATION TO PUT FORWARD THE TENDER/RFP FOR BOTH OPTIONS 1 (THE REMOVAL & REPLACEMENT OF THE TRACKS WITH GRASS) & 2 (THE REPAIR & REPLACEMENT OF TRACKS WITH ASPHALT) FROM THE SEPTEMBER 2023 REPORT FOR ALL 4 TRACKS (BELLE RIVER, HERMAN, MASSEY, WINDSOR STADIUM) FOR TRUSTEE CONSIDERATION AND DECISION IN THE SPRING OF 2024.

- O.3 Trustee Burgess noted that she would move, or cause to be moved at the next regularly scheduled Public Board Meeting:

THAT THE GECDSB REFER THE POLICY: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: P-PL-01 AND ITS REGULATION: NAMING AND RENAMING OF BOARD FACILITIES REFERENCE NO: R-PL-01 BACK TO THE POLICY COMMITTEE FOR RECONSIDERATION AND REVIEW.

P. ANNOUNCEMENTS

Trustee Burgess noted that on March 1, 2 and 3 Migration Hall is putting on the production of Arsenic and Old Lace featuring retired principals Norm Ross, Dave Garlick and Al Timmons and Mr. Doug Dowie as Lieutenant Rooney. Tickets are available online.

Q. ADJOURNMENT

There being no further business before the Board, Chairperson Hatfield adjourned the meeting at 9:15 p.m.

G. Hatfield

CHAIRPERSON OF THE BOARD

V. Houston

DIRECTOR OF EDUCATION

Student Trustee Presentation – February 20, 2024

Report

Over the past month since our last meeting, Student Senate and I have been very busy. On January 25th & 26th I joined Trustee Burgess, Trustee McKinley, and Director Houston at OPSBA's Public Education Symposium. While there I was able to participate in several sessions including "Navigating Complex Public Relations", "Food Literacy in Ontario", "Artificial Intelligence in our World and Education", and "Affirming Muslim Leaders". These sessions were truly well thought out and allowed for a lot of thought and reflection. I also had the opportunity to meet new Trustees who share the commonality of always putting students first and I had a conversation with keynote speaker Steve Paikin, Canadian journalist and author. OPSBA announced their new rebrand and logo and all in attendance received a hat with the new logo stitched on it. It was an honour to be able to represent Greater Essex at this conference. A big thank you goes out to Michelle Marcuz for booking all the accommodations and sessions for me and Director Houston for always supporting my professional development.

OSTA-AECO's Education Action Conference took place February 8th to 11th in Ottawa. I led several engaging activities with the Public Education Cabinet including one on prioritization strategies and creating road maps to goals. At our Market Place Session, Student Trustees were able to go to different booths and learn about issues affecting students and education. I hosted a booth on Student Transportation specifically concerning bus driver shortages and consortiums but there were many other booths discussing topics like food literacy, artificial intelligence, menstrual equity, and more. Annie Kidder who works with the Queen's Park on policy was able to join us and engage in conversations about our goals and what we think the big issues affecting students are. We were joined by the Executive Director of the Catholic Principals Council of Ontario and learned about the structure of these organizations and what they are hoping to see in the future in regard to what is happening in schools. The Public Education Cabinet published their internal report on our advocacy goals and what we have accomplished thus far, with a big goal on continuing our work on menstrual equity across Ontario. A big thank you goes out to our Vice President of Public Education at OSTA Savrup Kaur Saran for all her work in advocacy and her meetings with key government officials to make the Cabinet's goal a reality.

Happy Random Act of Kindness week to everyone in the board. We celebrated RAK week with the goal of being kind to one another through simple gestures. I was able to come to the board office on our P.D. day last Friday to participate in the week. I went to every department in the Board office to put sticky notes with little kind messages at everyone's desk. Some examples of the sticky notes are displayed on the screen. Student Senators really thought that it was important to show our appreciation to everyone who works here for all the amazing work that they do for our students.

Our Student Trustee Election will be taking place on February 29th where our voting delegates will elect two new Student Trustees for the 2024-25 school year.

I would like to give a big thank you to the entire Board of Trustees and Senior Administration for their constant help and guidance in my role and for always continuing to support my efforts as I grow.

Student of the Month

The Student of the Month for February is Nolan Papineau, a Grade 12 student at Belle River District High School. Nolan is a true role model for this month's theme of "kindness".

"Nolan Papineau is the kindest student I have ever known", says STEPS department head Ms. Sovran. "If you were to survey our classroom and ask, "Who is your best friend?", almost all the students would answer, "Nolan!". Our non-verbal students would not say his name, but they would point to him and give him a big hug. This is because Nolan exudes natural kindness. But, like anything else in this world, skills take practice to develop, and Nolan practices kindness daily. To him, he is just being kind, but to others, he is the most thoughtful and accepting student in the room."

When Joel needs help with the lid of his Thermos at lunchtime, he finds Nolan. When Leo and Poornima need someone to turn on the music and dance along with them, they find Nolan. When Isaac wants a friend to swim with on Friday nights, he asks Nolan. When Elise needs help getting her wheelchair through the doorway, Nolan is there. When someone does a kind gesture for Nolan, he writes them a heartfelt and sincere letter of thanks. And when a friend is having a tough time learning something new, Nolan never underestimates or criticizes their ability. Instead, he is there to offer a kind smile and encouraging words. Nolan is patient and tolerant, knowing that his friends can do anything that they set their minds to. Students know that they are safe and cared for with Nolan by their side. Nolan's simple acts of kindness change people's lives every single day at Belle River, and students are so fortunate to have him as a role model at school.

Congratulations Nolan for being selected by Student Senate as the February Student of the Month for the theme of "kindness".

MOTION: That the GECD SB name the new school on Jasperson Road in Kingsville Erie Migration Academy

Academy – Greek origin, meaning ‘a place of teaching and learning’. The first Google search will probably give you a narrow definition. I looked up 10 different dictionaries and thesauruses, and Academy fits perfectly. It’s true Westview Freedom is an academy, not a k-12 and that there are private schools that are called Academies in our district, but Herman and Tecumseh Vista wear that moniker proudly, and despite it being misunderstood as elitist or narrow. It’s sort of universally and mildly not liked, but I have fully conceded to it being used, and despite sharing the choices of District School and Academy with naming committee members and the general public, there was no uptake to change it from Academy.

Migration: PRO Scott Scantlebury shared with the committee a great description of the geographic, cultural, ecological and historical area of the catchment area that the new JK-12 school with enhanced child care facilities will serve. There are marvelous connections to the word migration: in Colchester, Harrow, Kingsville, Pelee Island and Leamington. The Mississippi and Atlantic avian flyways intersect over the entire area for both spring and fall migrations. The Festival of Hawks held every fall in Holiday Beach is a treat to anyone who has gone down to the area in Colchester, Malden and Amherstburg - Harrow residents know this well, as well as any birders or budding naturalists. Traveling through Harrow on Sunday, I saw so many swans and waterfowl, it’s underway now. The monarch butterflies’ migration every spring and fall connect us to central America – often the homeland of many of the migrant workers who also follow the season. It’s always a joy to attend the Low German Conference every spring to get to know the families we serve who see both Central and South America as their home as well as our schools for their students when they’re part of our Canadian family. The dragonfly migration flies over my house in Kingsville in the fall, and we welcome migratory birds from all flyways – birders arrive from literally all over the world to see this spectacle. Point Pelee in Leamington and Caldwell First Nation land are prime sites as pit stops for tired birds who’ve made it across the lake, or are resting up for the right velocity, humidity and temp conditions to head south. Pelee Island Bird Observatory is well known to Pelee Island Public School students, as well as others who make the field trip there amongst other species known to only exist on that special piece of land in the middle of Lake Erie. We all come from somewhere and have made this home as Indigenous or settled people.

The students who were deliberating at the naming committee stated they were unhappy how the name Migration had fallen off the shorter list when amendments were offered and a substitute word inserted as a last kick at the can before individual votes were cast. Putting back Migration, found as a very popular suggestion amongst the 600+ that came from the general public is a good one, and all encompassing one.

Erie: This is an Indigenous word, a short form of a word from a Haudenosaunee language, but I’m uncertain to which Nation(s) or language to which I can attribute it. It’s stated that it alludes to a ‘long tail’ (the shape of the lake?) and also describes a Language and the Erie People. I’m glad we can use Indigenous names, names from before settler times to describe and brand schools within our district. There is Erie Shores Winery in Colchester, Erie Shores Hospital, golf course, hospice, family health care, in Leamington and Kingsville. Erie Shores describes Pelee Island Public School in the truest sense – Canada’s southernmost school with 22 eager students, one all set to go in grade 9 this September on the mainland. Another grade 7 behind them on deck. Erie in all configurations, Erie North Shore, Erie South, South Shore – this is the conundrum of living on a peninsula or Island, You’re always both north of some land or water, and south of some land or water.

Let’s be inclusive. Let’s give our students a name that can describe this wide wonderful south shore of Essex County that they call home, that encompasses the most southern part of our country, that honours the oldest geographical name amongst our schools, given to us by First Peoples.

Appendix H

MOTION: That the GECD SB name the new school on Jasperson Road in Kingsville Erie Migration Academy

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Appendix I



Anthony Leardi

MPP / Député provincial, Essex

February 24, 2024

Board of Trustees
Greater Essex County District School Board

RE: NEW SCHOOL NAME IN KINGSVILLE

The Board seems to have chosen a name which means nothing to no one. I have copied the Board's naming criteria below. The proposed name fails on at least 4 of the 5 naming criteria. Consequently, the name is not even consistent with the Board's naming criteria.

At the same time, the Board seems to be sending the message that somehow the name "Kingsville" is inappropriate. Yet, no one has enunciated why. On the contrary, the name "Kingsville" is appropriate and in good taste. It also has the added value of fitting in with at least 4 of the Board's naming criteria.

The Board has made a misstep with the proposed name. There is nothing wrong with re-considering this decision, especially since this decision has met with so much public disfavour. Regardless of whatever the final name will be, we want our schools to be supported by the citizens of the community.

The Board should simply re-consider the choice and follow the process again.

Sincerely,

Anthony R. Leardi
MPP Essex

310 Thomas Road, Amherstburg, Ontario N9V 2Y9
Tel: 519-736-1550 Email: anthony.leardi@pc.ola.org



Anthony Leardi

MPP / Député provincial, Essex

Naming criteria:

Must be distinctive and appropriate with an emphasis on, but not limited to:

- Local historical events;
- Geography;
- Culture;
- Traditions of the community; or
- Representations of diversity.

Julia Burgess

Kingsville, Ontario

Telephone

Cell

email: julia.burgess@publicboard.ca

February 25, 2024

MPP Anthony Leardi,
310 Thomas Rd,
Amherstburg, ON N9V 2Y9

Hello ~~MPP Leardi~~,

Anthony,

You know me, you should know my heart and my commitment to doing things ‘by the book’ and procedurally correct.

I respect our mutual commitment to equitable quality public education – much of it in your riding of Essex.

To be clear, I am writing as the Chair of the Naming/Renaming Committee for the new school on Jasperson Road in Kingsville, as the ‘area trustee’ on the GECDSB is the Chairperson ex-officio, aided by a committed and professional administration. As you know, I am elected in the two Towns of Essex AND Kingsville, and I serve on a board with statutory powers given under the Education Act. The Ed Act doesn’t have the word constituents in it, as we serve as a corporate board, promoting student achievement and well-being, making **district decisions**. We’re the only level of elected governance that is responsible in law for the care of school aged children; school boards predating Canadian confederation.

I refer to your knowledge of the regulation guiding our naming and renaming process, and your completely inaccurate assumption re the GECDSB’s decision to name Erie Migration Academy. In your opening sentence of your letter of Feb 24, 2024, sent to the GECDSB you stated:

“The board seems to have chosen a name which means nothing to no one”

Those who either dislike the name Erie Migration Academy, duly chosen by the Greater Essex County District School Board or feel disappointed that the two suggestions brought forward by the hard work of the naming committee, but were not subsequently adopted by the GECDSB, have generally not been privy to the whole process or scrutinized the supporting documents, either the original collation of the 600+ suggestions, or the student focus groups which gave valuable feedback after the initial meeting when the names had been reduced to 8. I support, and have always supported respectful dissent. Even with passion, anger, or vehemently calling out injustices. I’ve publicly noted that I was

channeling my inner Nellie McClung when I referred to the crowds of ‘Keep Kingsville in the name’ by making a rude comment regarding their loud dissent, which was quoted by the media. I have attempted to apologize for that as best I can, as I am truly sorry to characterize dissent like that, but social media is a quagmire of conspiracy stories and inaccuracies, and it’s difficult to use that forum. This dissent, however, has been so ill informed, so exaggerated, and **brought safety and security issues to those who publicly support the name, and to me and my family personally.**

The OPP is aware of the threats I have received **and plans for more disruption and escalation of this matter.**

You may be aiding in this misinformation by stating, incorrectly, that the name didn’t meet the naming criteria. It most sincerely does. This enables folks to get a false narrative of impropriety, and they therefore spread that wrong-headed declaration. You need to retract that as diplomatically as you can. ‘Seems to’ should give you leeway. Now you know, so while more informed, you can adjust your declaration of ‘nothing to no one’ .I certainly hadn’t always known Erie was an ORIGINAL native word. No harm, no foul if even that recognition of that simple clarification can be made.

As you noted, the GECDSB naming criteria is:

Must be distinctive and appropriate with an emphasis on, but not limited to:

- **Local historical events;** Erie Migration can include the history of settling and migration of peoples to the area on the northern shore of Lake Erie and is apparent with the United Empire Loyalists following the US Revolutionary War, like my ancestor Leonhard Kratz, one of the first European settlers in the late 1700s who remained loyal to the Crown. Immigrant and migrant workers in our area led to the consequential establishment of global agricultural businesses and whole Towns, the archeological evidence at the actual school site on Jasperson of ancestral artifacts of local Indigenous Peoples speaks to their history in a tangible way. The establishment of a historically unique bird sanctuary (Jack Miner, OBE) that led to the discovery of the avian flyways for waterfowl in particular, and the area bird observation site (PIBO) on the Island; the establishment of a federal agricultural research station specializing in orchard fruit made possible due to the microclimate of Lake Erie shore. Erie migration can describe the trade route from north to south and from east to west of the ancient trade routes and navigation of the original peoples and how they formed treaties, allied or fought on both sides of the Erie coastline. A fuller Canadian history.
- **Geography;** Erie Migration itself tracks a north south route across a Great Lake, a purely natural phenomenon occurring since the lands and waters formed. A uniquely geographic area on the 42 degrees N parallel, the existence of a microclimate which is conducive to orchards and vineyards and field crops not easily grown in other areas of Canada. Canada’s most southern school board, Canada’s most southern school (PIPS), a key site for the Erie Migration.
- **Culture;** reference is made to how the natural landscape of Lake Erie, its converging migratory paths and the species and visitors who observe them attracts naturalists, birders, vineyards and wineries, migration festivals, cuisine, languages, tourism, and of course the

ever present Caldwell First Nations lands whose land settlement encompasses much of the catchment area. Our local Low German families who often migrate between Central and South America and Canada, enrich our collective school cultures when their children attend our schools, adding to the richness of Canada's mosaic. The integration of French Immersion in the elementary panel and the l'Intensif program in the high school curricula in the dual track school k-12 school reflects the culture of our county and country from the Francophone diaspora. The name Erie Migration Academy is also easily translated bilingually.

- **Traditions of the community;** Whether it's going smelting along the lake during that fishes' spring migration to the shores following light, the dreaded mayfly/fish fly deluge signaling cleaner water, and whose path can be tracked on radar, the annual arrival and departure of seasonal migrant workers without whom entire agricultural industries would collapse, The very road and infrastructure has taken well-travelled indigenous routes and modernized them into supported transportation routes. The Talbot Trail, found in the school's large catchment area was originally an Indigenous trail, with traditional marker trees that guided Peoples moving north and south, east and west when this land was fully forested before Euro settlement. One remains on Kingsville Golf Course. This traditional and historic land navigation piece enabled people to follow from lake to lake to rivers. This land has always been a superhighway along Lake Erie.

- **Representations of diversity.** Biodiversity of unique species only seen in this area and major species that roost, migrate through, occupy and establish habitat both flora and fauna. As former Chair and member of the ERCA board, you know this. Diversity of peoples include the presence of the Three Fires Confederacy as they established themselves and their routes across the land and water. The richness of ethnicities that immigration and migration have made to the Canadian mosaic are present. Colchester, Harrow and surrounds became home to freedom seeking Black families migrating north, and whose descendants are students in our system and who will attend the new school, enriching the diversity of that k-12 school community.

I have provided the scripted presentation that I gave as the mover of the motion, to put forward the name of Erie Migration Academy. I didn't read it verbatim, but I did quote the entire regulation #7, which had been provided to every one of the 24 members of the naming committee prior to the first meeting in Dec, in fact on their application/appointment for the position and referenced several times as to the options for the next steps for the board of trustees. The public could have spoken to the item via the agenda item 'Speaker's List' by providing their name on a list as late as by 6:45pm on Feb 20, for a 7:00pm start of meeting, as per our bylaws. We had delegations and speakers that evening, but none came from the naming committee, nor the public speaking to this issue. I had attended a local broadcasted podcast on the Thursday before, and I had again remarked on the options of next steps – send back to the committee, adopt a suggestion as is, amended or to put an alternative name on the floor. I didn't know which way it would go. Other trustees, once the agenda package had been received the next day and publicly made available, were not best pleased with the lack of inclusion or inventiveness with the two final suggestions via the naming committee and were aware of other supporting publicly attained documents. No one else, to my knowledge, had an alternative name ready to propose from amongst the committee's long or short lists or the original collated list of 600+

submissions, just dissatisfaction with the proposed suggestions before us. This is not unprecedented, but neither the usual result. As someone who observed and shepherded some of the discussion, I was prepared to consider all options I had publicly shared that were in our purview.

I noted the section in #1 of the regulation that: Ideas (concepts) – based on the Board’s ongoing, foundational, operational and philosophical criteria are encouraged to be the fundamental consideration of a new, or revised, school name.

Ideas, concepts... not just a name of one municipality in a catchment area encompassing 4 municipalities, and an encouragement for a concept or idea gleaned from the committee’s lists, the original 600+, the student focus groups’ report, individual and collective correspondences, etc. Please note ‘Erie Migration’ on the first meeting’s list and ‘Lake Erie Migration Academy’ on the second meeting’s list (the result of the 1st meeting, reduced to 8) and the focus groups commentary (random student feedback gathered between meetings) about water, specifically Erie and lake references, and how migration was a point of discussion that grew in favour.

Erie Migration Academy was not an arbitrary choice, but one that was gleaned from grass roots input, had committee discussion, solid rationale and fit the bill.

Please watch the livestreamed publicly accessible GECD SB mtg of Feb 20 on YouTube at: <https://www.youtube.com/watch?v=eUbMdJlcKqk> You can skip to 1 hour 57 minutes mark where the agenda item on naming the school starts.

My notice of motion to review and reconsider the policy and regulation is near the end of the meeting about the 3:24 mark. I gave notice of this motion, as I have concluded that despite its relatively recent review, the regulation does not serve the work of district branding of facilities, particularly when consolidations of large number of predecessor schools and multiple municipalities are involved. I will speak to that should the motion gain support for discussion next month.

As a district decision, with a naming committee report that had its recommendation also printed on the meeting agenda as ‘TO BE DETERMINED BY THE BOARD OF TRUSTEES’, it followed, as described in that regulation under #7, that an alternative name was brought forward. It was adopted after careful discussion and knowing that the perception of not adopting the suggestions of the committee would be controversial. But that the endeavour is best served when the original goal of the naming process is to bring to a fresh new name which met the naming criteria, was gleaned from public input, and the committee process and discussion, and that would represent a welcome catchment area-wide commonality and branding opportunity.

I must admit that I take considerable offence that you have stated that the name means nothing to no one. As someone who takes great care to reflect on the 94 Calls to Action that the Truth and Reconciliation Commission guides us to consider in our actions as Treaty People, and as board members who have Oaths or Affirmations, we elect to take upon entering into our term of office, we at Greater Essex can swear/affirm:

Oath/Affirmation of Allegiance: I (NAME) swear (or affirm) that: I will be faithful and bear true allegiance to His Majesty King Charles III, King of Canada, His Heirs and Successors, and that I will faithfully observe the laws of Canada including

the Constitution, which recognizes and affirms the Aboriginal and treaty rights of First Nations, Inuit and Métis Peoples.

I draw your attention to the rationale offered and discussed at the public meeting of Feb 20, 2024, adopted by the Board of Trustees with a majority vote of 6-2, but particularly on the use of the Haudenosaunee word Erie. To say that this Indigenous word that denotes a People, a lake that borders the whole catchment area of this new district school, **where students of Six Nations identity arrive daily, students and whose families live in all municipalities of your riding of Essex**, who are recognized [in the GECD SB land acknowledgement](#) – *our land and water acknowledgment* - that is given at every important function. Lake Erie is, and has been essential to the survival, the economy and trade, the navigation, the migration, the very water of life for People of the Wampum treaties, and others, since time immemorial. **How very disrespectful to state that this name means nothing to no one. It means a great deal.**

Erie was a VERY popular choice for a word in the 600+ naming and rationale submissions sent in, freely sent in by your constituents, Mr. Leardi, answering the call for creative fresh names and answering three questions:

- What specific aspects of the community would you like to see included in the name of this new school? (example: a tree, **a prominent local geographical feature...**)
- What general characteristics do you think should be reflected in the name of this new school? (example: **the environment, academic** excellence...)
- What is your suggestion for a name for this new school? (**600+ names submitted**)

I was thrilled with the strong and thoughtful answers to these questions that served the goal of the call: to give suggestions for a name that was inclusive of the catchment area that would describe the 6 former schools and whose original boundaries covered FI/intensif and the two feeder elementary schools of Harrow Public School and Pelee Island Public School. Four municipalities, two in your riding. As you know, we are partners with 4 MPPs in our school district and look forward to continuing good working relationships. We're grateful for the provincial funding that has recognized the added funds needed to address the challenges of construction during a global pandemic, when supply chain concerns and escalating prices, unavailable materials and the very concept of timely project management was tested daily. It's a remarkable building – you've seen the construction site. The GECD SB has deliberated and delivered a name of Erie Migration Academy to a beautiful new school in Kingsville. This name choice had wide input, wide consultation, serves a wide catchment area, and has great appeal, but the viral aspect of a mistrusting social media campaign and unearned suspicion has dampened that name's debut. It was vetted and voted upon. Please review all enclosed materials, please reach out for any clarification of any part of the process and please retract your hurtful commentary and misguided conclusion. Perhaps with an open mind and the supporting materials, you will see that this name has grass roots appeal. Those who support it are not as vocal, but that is because those who oppose it are jumping to uninformed conclusions and reacting threateningly and vulgarly in some cases,

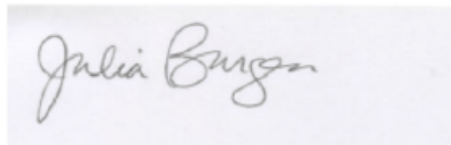
and strategically campaigning - and that does not serve a fresh start for a new school community in Greater Essex County District School Board.

I look forward to the day this fall when you can attend a wonderful ribbon cutting ceremony for Erie Migration Academy (perhaps with the Minister of Education?!) and welcome your constituents from Harrow, Colchester, Cottam, Kingsville, Ruthven and Kingsville. As well as those who make it over from Pelee Island and any who choose Erie Migration Academy for program reasons, but who reside in Leamington. You'll marvel at the wonderful, enhanced childcare spaces for infants through preschool on site, you'll see the new version of The Tech Zone, the bright, modern interior, the gymnasium, the learning commons, offices, itinerant rooms, etc. And situated right beside some wonderful municipal amenities and a creek with some interesting biodiversity.

Please publicly rescind your comments so that the transition to that vision can be embraced. Closing schools, even when long anticipated, is a bittersweet and fraught exercise, as it's a loss of memories of formative years, successes in your prime often adolescent years, multi-generational attendance, sometime entire careers in one building. We need to lead our district through that change, not cobble it.

I'm sure the corporate GECDSBoard will respond, but consider this my appeal as the Chair of the Naming Committee and area trustee who has done considerable deliberation and understands the profound and obvious grief involved of losing a beloved school of 100+ years in a community, let alone an additional 3, their very names and literal community cornerstones, community team avatars and their actual physical presence and function, and yet somehow be expected to look forward with joy and confidence. I get the inherent tension in that endeavour, why anger would be conflated into that process and in that grief. Please help our community embrace that ultimately positive step forward. The kids will be fine, demonstrating remarkable resilience in a post pandemic world. Let's model that. Many adults in our area are not rising to that challenge.

Respectfully yours,

A handwritten signature in cursive script that reads "Julia Burgess". The signature is written in dark ink on a light-colored, slightly textured background.

Julia Burgess
Trustee for Kingsville -Essex
Greater Essex County District School Board

julia.burgess@publicboard.ca

Appendix J

February 22, 2024 – Email from Nelson Santos to Board

From: nsantos4 <nsantos4@cogeco.ca>

Sent: Thursday, February 22, 2024 7:29:24 PM

To: Gale Simko-Hatfield <Gale.Simko-Hatfield@publicboard.ca>; Connie Buckler <Connie.Buckler@publicboard.ca>; Sarah Cipkar <Sarah.Cipkar@publicboard.ca>; Cathy Cooke <Cathy.Cooke@publicboard.ca>; Ron LeClair <Ron.LeClair@publicboard.ca>; Kim McKinley <Kim.McKinley@publicboard.ca>; Christie Nelson <Christie.Nelson@publicboard.ca>; Linda Qin <Linda.Qin@publicboard.ca>; Colin Pyne <Colin.Pyne@publicboard.ca>; Sarim Muhammed <Sarim.Muhammed@publicboard.ca>

Cc: Julia Burgess <Julia.Burgess@publicboard.ca>

Subject: Naming of Schools in Tecumseh and Kingsville

Good evening Chairperson Hatfield and member Trustees and Student Trustees,

Firstly, thank you for your continued service and commitment to the public school system and support for our youth, students and staff.

Your roles as an elected representative hold great responsibility which many of us are thankful for your willingness and desire to serve.

It has been quite sometime since I've had the pleasure and honour of attending one of your Board Meetings and interestingly enough the subject matter at the time was supporting the Board's efforts in pursuing a new K-12 school in the County and in Kingsville to support the family of schools. Today the reality of the new school is on the horizon and our community is anxious for its official opening.

Unfortunately, the anxiousness in the community has now turned to anger and upset. I've heard from many residents who were quite surprised and taken aback by the Board's decision to name the new school outside of the community-based committee's formal recommendations on suggested names. The agenda that was publicly circulated, provided and shared those names and the public wholly believed that one of those top choices and preferred names would be selected. Similarly, in the decision to name the Tecumseh area school, those recommendations were clear and the Board accepted their process. Surprisingly, the same process did not align for the Kingsville hosted school and WE are left asking why?

Why were the voices of the Tecumseh naming committee acknowledged and recommendations accepted and why would Kingsville's Naming Committee's findings be completely dispatched and ignored for a name that the committee professes was not ever in any dialogue as approved?

I've listened and viewed the Board's meeting from that night and while I will refrain from which school name is most preferred, as I'm more concerned about the lack of transparency in the decision. Honestly, the name is secondary here to the issue that there was no public notice of the alternate as approved. No circulation of this suggestion in advance of the meeting, which may have caused some public including committee members to attend the meeting in person to address it.

This is the inherent unfairness and of course now unnecessary controversy that has been created in a community where this should be good news not vice versa. The Board's decision on this

impromptu and improvised name comes completely out of context with the very process the Board established and reinforced with the committee members. As one who has chaired many meetings across many tables and board rooms, this type of change of course would have procedurally been deferred to another meeting night or at the very least been introduced as a Notice of Motion if not referred back to the committee you entrusted from the onset for input.

This is why the public is outraged and livid right now. They feel completely cut off at the knees by an introduction of this option from their Chairperson who purposely did not disclose her intent to them or to the general public in advance. If it were in my Board room, I would have ruled it out of order and sought direction from the board members to recirculate this notice and pursue proper transparency.

It is in this respect that I find myself writing to you today. Please acknowledge that the decision made and final process may not have been made as fully open and transparent as it should be in making this legacy decision. The community and your own naming committee members feel ambushed, sideswiped, and frustrated by a unilateral judgment call by the committee's own Chairperson. Their feelings of being disrespected and misled are evident as is suggested by a petition that is close to 1000 signatures as I share these procedural concerns with you.

I only have one ask...please offer the public a true opportunity to speak to this matter one formal time. In the honour of democracy and transparency please put forward a motion of reconsideration to open the floor at your next or future board meeting so that a bona-fide public committee member can speak to the naming recommendations. At the very least, their time, efforts and commitments, can be respected and heard by you. From there, I ultimately respect your roles and total jurisdiction and fully expect you can each vote in confidence on the ultimate name for the school which we all welcome and celebrate.

Thank you for your time and attention to this.

Respectfully

Nelson Santos

519-980-1162

Appendix K

February 23 – March 4, 2024 – Emails between J Burgess and N Santos

From: Julia Burgess <Julia.Burgess@publicboard.ca>

Sent: February 23, 2024 8:33 AM

To: nsantos4 <nsantos4@cogeco.ca>

Subject: Re: Naming of Schools in Tecumseh and Kingsville

Give me a call, Nelson. 519 733-5324. 519 981-4455

You're getting information, but unfortunately it isn't factual.

I love Kingsville - you know that. I love KDHS. You know that.

Every one of the 600+ submissions were considered, and they came from across Pigeon Bay and northward.

Every person on the naming committee were invited to bring their open mind, to creatively select a name that everyone from the 6 original schools, all soon to be completely shuttered plus the graduates of Harrow Public and Pelee Island would be welcome at, as well as that larger French Immersion catchment area.

We chose as individuals, as groups, as focus groups, as other board advisory groups and finally as trustees.

This couldn't have been more widely vetted, nor more inclusive, except for having someone from PIPS actually at the table.

I will subsequently send you the rationale we scripted that supported the final, well adopted choice.

I'm attaching the first long list developed by the committee.

Please count the Eries

Count the lake references

Count the water references

Count the migration references

Count the Kingsville references

The naming committee reduced this - and the other hundreds of original submissions and the reams of rationale that accompanied those creative submissions to 5, then 2 suggestions.

Having access to all the documents, to the proof of the very organised campaign to exclude all suggestions except certain ones was a disappointing process, but an enlightening one.

I know what KPS, KDHS and JMPS are going through, my empathy, my gut, my heart, my angst is visceral and real.

Procedurally- EVERY SINGLE PARTICIPANT had the regulations, the backgrounder, the collated submissions, the focus groups input, etc.

Ever had a meeting where participants came with a clear and co-ordinated agenda and disregarded the initial appeal for collaboration and consensus?

Give me a call, Nelson. Have a look at the attached list. Think of kids from Colchester who were made to sit alone at a table at the meeting and not invited to be at the table with all the other students until it was intentionally addressed to be more welcoming

Consider the appeal for spirit wear so that the foyer at KDHS and the adjoining hallway entrance could be filled with proud Cavs, so that every member of the naming committee could run that sneering gauntlet on the way to the library to convene our open minded meeting.

I walked past the photo of Grandpa Bill Burgess in the 1920s, took my seat and did my best.

Procedurally, we examined EVERYTHING.

Ever had a recommendation arrive from administration, a consultancy, a survey, a poll where you asked questions, verified, did some research and analysis and determined that the recommendation fell short from the original ask? The original criteria to be inclusive? The original requirement to align with the Organizational strategic priorities?

Not easy. But Erie Migration Academy is the result. Embraced by those who are following the publicly adopted procedure.

Social media doesn't show the full story.

It doesn't show the angst of those kids, frightened they won't make the team next year, get help for that scholarship etc., because they don't want to join their fellow Cavs in their protest on the lawn this morning.

They're being othered and bullied on the bus back to their homes outside Kingsville, parents wondering whether to send them today - what will staff do if some kids don't display undying loyalty and remain in the caf? What will their peers say and do when they find out they're conscientious objectors to this protest?

I guess they'll go outside and just suck it up.

Please call me Nelson. This isn't our finest hour, but it could be.

We're grieving a loss. KDHS, KPS and JMPS are closing, and there's a lot of conflating of issues adding to the strife.

Sincerely, truthfully, empathetically yours,

Julia

Julia

Greater Kingsville Lakeside Academy (GKLA)
Kingsville Migration Academy (KMA)
Lakeside Academy ✓✓

~~Erie Migration~~

~~Erie Wings~~

~~Erie Lake~~

~~Erie Breaker~~

Lakeview Academy

~~Erie Shores~~ ✓

Greater Kingsville District (GKD)

~~Kingsville District~~

~~Kingsville Shores~~

Erie District Academy (EDA)

~~Mettawas Academy~~

Great Lakes South Academy

~~Lake Erie North Shore Academy~~

Southern Great Lakes Academy (SGLA)

Lake Erie Migration Academy (LEMA)

From: nsantos4 <nsantos4@cogeco.ca>
Sent: February 26, 2024 10:02 PM
To: Julia Burgess <Julia.Burgess@publicboard.ca>
Subject: Re: Naming of Schools in Tecumseh and Kingsville

Good evening Julia

Thank you your response to my original email seeking the board's discretion and consideration to 'reconsider' the motion you duly put and then later approved by the majority of Trustees present.

I have taken your advice and reviewed thoroughly the information you provided and counted reference to key words and messaging meant to be used to support the naming of the new school. As a former member of a school board naming committee, I do understand the process and while the policy and regulation may have changed since my service to the public board at the time, the principles of the naming committee remain relatively similar.

Just to avoid any potential perception or misintended tone in my email, please note I am not making any personal attacks here against you. Having run and walked through many a gauntlet in my career locally, regionally, provincially and federally..the responsibility of elected office often puts those in leadership positions to experience many things.

As you hear and read from my concerns it is process, roles and duties of chair, both written and unwritten...(I also suggest) even language that may be considered common law in terms of those unwritten laws over time where expectation around the greater good or cultural acceptance should prevail... I concede that it never has been meant as an easy journey for leadership. Please take my comments as constructive and my own opinion in the same manner as I held accountable in my own person. At the end of the day we share a lot in common and respect your service.

I will be very forthcoming and share that in many different roles I have played in a Chairperson role..the leadership at the table is to reflect the decisions and recommendations made at the table to be presented in the manner at this level..and to what ever level that interprets to or scales towards.

I recognize the list you offered in the photo. I acknowledge that yes Erie Migration appeared in name and crossed out. I equally acknowledge that it was democratically at some point removed from consideration as a top 10 or 12 candidate. Those that remained, I understand went through great vetting and likely through your Board administration. Similar to the process I experienced on that side of the table for the Board.

I read and see the acronyms attached to those uncrossed suggestions. I do not see same with the Erie Migration and the unfortunate circumstance that it now holds in EMA. Is it possible that vetting did not formally include this as part of the original list the committee submitted? The committee tells me 'no'. You are the chairperson of same committee, are you confirming it was vetted in same fashion as those in advance of the public board meeting?

The unintended consequence of EMA's interpretation is an embarrassment waiting to happen and perpetually affect students of this brand.

The Chairperson is the one cast with most responsibility at the end of day and the individual that carries the trust of the committee members as well as those that were in contact through the process including focus groups, class/school visits and then some. The Chair is to speak up to honour both process, procedure and present clarifications. As a chair, it's ok to differ from committee or even board or council decisions. But the indifference is mitigated under code of conducts or procedure bylaws and even provincial statutes more specifically.

As a Chairperson, members expect to hear your voice. They expect communication. If you disagree, agree or have a question of order or for clarification, they need to hear that from their leadership and their leading chairperson.

I understand that under the amended regulation, that there was and is an existing potential for an alternate choice or debate from Trustees in this matter. What wasn't as transparent was that the alteration would come from a chairperson unannounced to the committee and in my honest opinion, purposely withheld from them. That's where this community reaction yields most of its disappointment and shock. And your noted comments and prediction at the board meeting absolutely reinforced that because heading into the meeting there was no such Public expectation of controversy had the process followed the expectations of either top choice within the report. Had the committee members had the inkling that their work would be undermined by its own Chairperson, they would have attended the meeting to provide a 'fair' representation.

Unfortunately I feel your actions disrespected them and cut them out of the dialogue in one fell swoop. Your descriptions and rationale presented should have had its introduction at the committee level as part of the foundational work...but instead it was revealed by surprise and only initially on decision night. You were absolutely passionate and engaged. And yet sometimes the passion leads us to close our eyes on who is this decision is meant to support most.

I don't want to be argumentative as this comes from my observations from that night but also from my overall interpretation based on 27 years of public service and experience as chair or vice chair.

So in my ever long-winded email here, the benefit of the school and the pride the students will one day wear on their sleeve...the students including voices of Harrow past, have said they would prefer any other name including either of the two original recommendations put forward way ahead of the Board's decision. Please consider this notion and reality from the student voices you felt may have been drowned out in the early process.

Everyone wants to celebrate the coming together of our Family of Schools. This isn't about the sense of loss or mourning now over the past or pending closures. Today's kids are ready.

Honestly..the original class of students have moved on. The Inaugural Hawks have graduated and in the 4 year cycle of high school, the students today have only known KDHS as their school. It's been what, 8 years now that my original hometown of Harrow lost its high school..and now 11 years since closure of Ruthven...a new generation of students and families are ready to celebrate together by bringing their sense of community to this much anticipated community school.

For fairness and true transparency around the last minute 'name drop' please open the door one last time to allow for this Board and community discussion to speak. This is for the legacy of the students and celebration of what all PARCs promised us in some form over the decades past... our

family of schools are uniting under one roof.. let them suggest what they call home and trust their instincts, courage and resilience.

Please reconsider.

Respectfully

Nelson

Ps..I know this may not be what you hoped to receive from me. But am happy to still call you this week.

From: Julia Burgess <Julia.Burgess@publicboard.ca>

Sent: March 4, 2024 10:11 AM

To: nsantos4 <nsantos4@cogeco.ca>

Subject: Re: Naming of Schools in Tecumseh and Kingsville

Call me.

I appreciate your response, thanks for checking it out more thoroughly, but there are assumptions made here that just aren't fully informed.

What I would suggest to you is to ask yourself: why would I propose a name different from the committee's suggestions, however 'democratically' arrived at, and why would the board members so readily accept an alternative name, knowing that one particular community's outrage would be expected and targeted?

The decision was made, knowing the backlash would come. The backlash was discussed PRIOR to the board vote.

I offered myself as the scapegoat. And Kingsville, in its kindness and appreciation is reacting.

Those other communities to which this school serve? They are, for all intents and purposes, in some cases indifferent, in others bear callused scars from when their schools were closed, demolished, names stripped, mascot gone, only memories remain. They too, shared their unbridled anger, their disgust, suspicion about procedure, conspiracy theories, accusations of unfairness.

This thing that's happening is very ad hominem, and, as such, is quite enlightening about the character of many

Call me. I didn't make a difficult decision to offer an alternative name lightly. Far from it.

And to the question of vetting: yes, it was vetted to one person whose professional expertise is branding, who had no vote or decision making responsibilities except to cull obscene or childish suggestions from the original 600+.

And no, not one member of the board or the vetting process revealed an unfortunate faddish acronym.

Perhaps you knew what it meant? I didn't. The student trustees didn't catch that, nor did any colleague, and I even suggested in my remarks at the board meeting that acronyms are considered. Not unlike the Merriam Webster definition of Academy, its understanding is narrow if the search you make for meaning is narrow and your personal grasp on etymology is limited.

It's not an indictable offense. Just unfortunate and unintentional. And weighed in importance, since learning of it, on its impact with crystal ball judgement of how important it will be in the lives of those who are staff and alumni.

There were other names put forward by the 'must have Kingsville in its name' dedicated and organized team, and we've since noted other unfortunate acronyms that passed muster with them, but wouldn't have ultimately upon further review.

So call me.

I have, as you know, shared many long winded emails, posts, letters; I made a self deprecating comment about my lack of editing ability and not being succinct at the public meeting.

I lack admin support in any capacity as help with secretarial correspondence, and I'm quite simply tired.

It's every bit as emotional as when Ruthven closed. Or Harrow Jr. closed, certainly as emotional as when Harrow High closed and shuttered 8 years ago.

But I remember, too, the angst with Sun Parlour PS, the perfect little school, Maplewood PS, to give way to the bright shiny Essex Public School - that name also rejected at first by the GECDSB and sent back to the naming committee. I remember the closing of WD Lowe, a particularly painful end to a glorious legacy of technical excellence, the closing of Forster and the board rooms filled with angry, shouting, accusatory public education supporters. That building, like KDHS, inaccessible, excessively hot and uncomfortable for staff and students to the point of fainting in late spring and early fall on the 42 parallel without AC.

I remember the sadness in the transfers and 'closing' of Shawnee High School, of Monarch High, of Century High School and Western Secondary - all exemplary high schools with phenomenal shop facilities, once coined 'vocational schools' with many students destined for careers in the workplace, apprenticeships, college courses and who a majority required special education support. Closing those facilities were a much deeper cut to me, and to the students' prospects for success without those specialized classrooms and teachers/paraprofessionals, and despite the fact that some shop classes followed to their new home. A real loss to supporting those pathways for those students that followed. I worry about the legacy of the Tech Zone at the new school.

I'm at 519 733-5324, my cell is charging, but 519 981-4455.

I don't make decisions alone, I don't make decisions lightly, and now, once revealed so rawly, I don't underestimate the capacity for hateful commentary. I knew it was coming, we knew it was coming. The joys of public life.

Your friend,

respectfully,

Julia

Appendix L

Email sent April 1, 2024, from Trustee Armstrong to Board of Trustees

Please consider the following, listed in no particular order:

Fact – There were 39 days of constant warning of the acronym inappropriateness (including emails from me) and yet the two Chairs and Director announced a special meeting on the Saturday of the long Easter weekend.

Question – Has this last minute, holiday weekend announcement undermined the public confidence in our ability to name this school in a democratic way?

Question – Does this have to do with my motion to request the board review the 400 renaming the school forms submitted on March 19? What will the board do with all those submissions? Our policy states the public can submit a renaming request form, which they have done. What happens to them now? When will their submission be reviewed?

Fact – The names submitted by the naming committee were never discussed by all Trustees.

Question – Why was my input, as Trustee for Pelee Island, never requested or required? Posted on social media and live media was that Trustees found the names unacceptable. By censoring my input was Trustee Burgess performing the duties of the chair of the Naming Committee with impartiality?

Fact – The information we received during the private session, that the Ombudsman is apparently investigating, contained information from only the Naming Chair's perspective.

Question – Why was it acceptable that Trustee Burgess' account of the committee meetings was unchallenged? She stated her perspective but no one named was there to defend themselves nor any proof provided. Kinsey Kendrick, one of the speakers on March 19, was the student representative who allegedly excluded the Harrow/Colchester students. Attached is an email from Kinsey with her perspective as she is responding, at my request, to a quote from Trustee Burgess. Please read and give this statement, from the student representative on the naming committee and Deputy Prime Minister of KDH, due consideration.

Fact – I have been lied about on social media by Trustee Burgess.

Question – When I request Trustee Burgess to publicly make a retraction and to set the record straight, how will this affect the reputation of the board – that one Trustee is demanding an apology and correction from another Trustee for misinformation/disinformation?

Question - Why don't we have a board policy concerning social media comments?

Fact – ..."the acronym EMA is used to convey a vulgar expression which would be a source of embarrassment for students attending the school." This is absolutely true and Trustee Hatfield is to be thanked for stating this clearly and straight to the point in her letter of Saturday, March 29, 2024.

Fact – Kids today are creating their own language that we may not be aware of. In their texting language, EMD means “Eat My Dick” and in all our languages “S” means school so EMDS is “Eat My Dick School”.

Question – How does this new acronym, EMDS, which contains an equally vulgar expression, help us out?

Question – Is this amending motion affecting the trust and respect of our board and the GECD SB?

Fact – we have had two high school students tragically end their lives recently which seriously flags that our students’ mental health needs to be paramount in our actions and decisions.

Question – What is being done to help the mental health of the student members of the naming committee who are feeling abused/ignored/neglected/unappreciated?

Question – What is being done to help the mental health of the students and staff who feel ignored/unappreciated/disenchanted etc? Tomorrow I will share a letter from a staff member that should have us all questioning what we are doing.

Fact – A retired couple drove an hour’s round trip to the board to hand deliver two letters to the Director because they didn’t trust that mailed letters would be delivered. They personally handed the letters to the receptionist.

Question – How is this example of serious mistrust in the GECD SB, generated since February 20, working to the betterment of our students?

Fact – When I first started as Trustee, Trustee Burgess told me I need to be a Champion for public education. Agreed.

Please read this message I recently received from a teacher: “The board should be feeling this... Wow. We contributed to a school culture where people feel such emotion and such loyalty to their school that they’ll fight this hard. What an incredible accomplishment by our board and our teachers that a community feels this passionately about their public school. Let’s embrace this. Then let’s interview them to see how they achieved this so we can replicate it.”

Please let’s respect this passionate community. They deserve it and we need to win back their trust and confidence.

Yours in education,

Nancy Armstrong

Appendix M

Memo to: Trustees, Student Trustees

Cc: Vicki Houston, Melissa Leboeuf

Memo from: Gale Hatfield, Chairperson

Date: Saturday, March 29, 2024

Regarding: Calling Special Board Meeting

At the board meeting of February 20, 2024, the trustees passed a motion to name the new K-12 school on Jasperson Road in Kingsville, “Erie Migration Academy” in accordance with our school naming/renaming policy and regulations.

Soon afterwards, it was brought to our attention through many emails, the media and presentations at the March 19th board meeting, that the acronym EMA is used to convey a vulgar expression which would be a source of embarrassment for students attending the school.

In response to this concern, I initiated discussions with the area trustee, Julia Burgess, as well as the Director of Education, Vicki Houston. With this new information received after the February 20th meeting, we agreed that the acronym is a concern for many members of the school community.

Therefore, in accordance with our Governing Bylaws and Robert’s Rules, I am calling a special meeting of trustees for the purpose of amending something previously adopted. The recommendation to be considered at this special meeting is to amend the name to be Erie Migration District School.

The acronym of the proposed amended name “EMDS” does not raise any red flags with regard to known vulgar expressions. Furthermore, the calling of the special meeting and the recommendation contained in the agenda have been vetted by a certified parliamentarian (who happens to be a former school board trustee and a consultant to our board on a previous review of our governing bylaws) to ensure procedural compliance.

The special board meeting will be held at 6:00 pm on Tuesday April 2, 2024. The agenda for this special meeting is being provided with this memo.

Thank you.

Appendix N

SPECIAL BOARD MEETING – PUBLIC SESSION
TUESDAY, APRIL 2, 2024
BOARD ROOM
451 PARK STREET WEST, WINDSOR
6:00 P.M.

AGENDA

A. **CALL TO ORDER**

B. **ATTENDANCE**

C. **DECLARATION OF CONFLICT OF INTEREST**

D. **SCHOOL NAME**

RECOMMENDATION:

TO AMEND THE PREVIOUSLY ADOPTED MOTION (AGENDA ITEM L.2, FEBRUARY 20, 2024) THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE “ERIE MIGRATION ACADEMY” BY STRIKING “ACADEMY” AND INSERTING “DISTRICT SCHOOL”.

E. **ADJOURNMENT**

Chairperson – Gale Simko-Hatfield
Vice-Chairperson – Christie Nelson

Director of Education – Vicki Houston
Executive Assistant – Melissa LeBoeuf

Appendix 0

Letter from Kinsey Kendrick to Trustee Armstrong, sent to Board of Trustees on April 1, 2024

Dear Nancy,

It has come to my attention that during the naming committee meeting, I have been portrayed as a bully to the other students, which is disheartening to hear. In a message written to former mayor of Kingsville, Nelson Santos, on February 23, 2024, Julia Burgess inaccurately described the treatment of students during the naming committee. She wrote, and I quote, “Think of the kids from Colchester who were made to sit alone at a table at the meeting and not invited to be at the table with all the other students until it was intentionally addressed to be more welcoming.” This is completely untrue, and truly saddening to hear how I and other Kingsville students' actions are described by one of our trustees.

During the naming committee's first meeting on December 18th, I was the first student to arrive. I sat at a table that did not have anyone already seated, and I saved one of the spots for the other KDHS student representative. As the first other student walked in (Kenzie Rauch, JMPS), I waved her over to my table, followed by the next student (Julia Mc Innis, JMPS). Finally, the other KDHS representative invited one of the KPS students that she was friends with (Paige Faubert, KPS). Eventually, throughout the meeting, either Kalila l’anson (KDHS) and I invited the other KPS student representative and the only HPS student representative, who was present, to our “student table,” however both declined and stayed at their original table. Contrary to what Trustee Burgess said, all the students were invited and had the opportunity to join the table I was sitting at. The untrue statement about the events of the naming committee meeting has affected me personally, because as an older student at the naming committee meeting who was trying to create a comfortable space for the younger students to share their thought, its harmful to hear I was seen as “unwelcoming.”

To continue to show the actual events of the naming committees' meetings, and to demonstrate how I did not purposefully exclude students, these are the events of the second committee meeting. At the second naming committee meeting held on February 12, a similar situation occurred. The students who sat together at the previous meeting (2 from KDHS, 2 from JMPS and Paige from KPS) sat together again. This time, however, when the second student representative from KPS was invited (from Kalila and I waving over to her), she decided to join us at the table. Kalila and I decided to ask the only HPS representative who was present at the time to join us again. We walked over to her table and asked her if she wanted to sit with us. She declined. A few minutes later, the same Harrow student was guided to the table by an adult from the table she was sitting at, and she joined us. (I am not sure who exactly the adult was, however, they were on the naming committee). The second HPS representative showed up to the meeting slightly later, and she immediately sat at our table. To summarize this, at the second meeting every student was sitting together at one table. It is discouraging for me to hear that Kalila l’Anson and my own decision to invite every student to a table has been wrongfully forwarded as exclusion.

It is also upsetting to hear that our invitations to every student representative were said to only occur after being addressed, which is untrue because we were never told we needed to invite the other students.

It has also been indicated that the student table refused to separate, while the other staff and community members were mixed up for discussions. This is untrue, it was stated by the chair that we should “keep the students together” during this time. Many discussions occurred at the student table, and the primary focus was on whether Kingsville should be in the name. It was visibly in favor of many of the members at the student table that Kingsville should be in the new school's name. I noticed during this part of the discussion that the Harrow student reps were not commenting or suggesting anything so I asked them what their thoughts were on Kingsville and what they would prefer. Both had shared that they would not mind keeping Kingsville in the name, and they preferred names that also included lake, suggesting names with ‘Lakeside’ or ‘Lakeview.’

Another topic of discussion for our table was surrounding the word ‘Erie’ in the name. The students at the table shared how we felt about ‘Erie’ being in the name, since we were all familiar with the local hockey associated ‘Erie North Shore.’ We talked in our group about how we did not want to be associated or confused with the hockey team, and especially how we wanted a separate identity from the organization. When one of the student representatives shared our thoughts with the rest of the committee, many people agreed, and any names that included ‘Erie’ were taken from the list we created. This is a key point to keep in mind while it has been stated that the current name (Erie Migration Academy) was what the students wanted.

Thank you for taking the time to reach out,

Kinsey Kendrick (KDHS)

Appendix P

MINUTES OF THE SPECIAL PUBLIC MEETING OF THE GREATER ESSEX COUNTY
DISTRICT SCHOOL BOARD HELD ON APRIL 2, 2024 IN THE BOARD ROOM, 451 PARK
STREET WEST, WINDSOR, ONTARIO.

PRESENT:

G. Hatfield (via teleconference)
N. Armstrong
J. Burgess
R. Le Clair
L. Qin

C. Nelson (Acting Chairperson of the Board)
S. Cipkar
C. Cooke
K. McKinley
C. Buckler

STUDENT TRUSTEES:

C. Pyne

REGRETS:

Student Trustee Muhammad

ADMINISTRATION:

V. Houston (Director of Education)
S. Armstrong
J. Bell
S. Duben
R. Roberts

K. Bryant
C. Howitt

RECORDER:

M. LeBoeuf

A. CALL TO ORDER

Acting Chairperson Nelson called the meeting to order at 6:00 p.m.

B. ATTENDANCE

Acting Chairperson Nelson noted that Trustee Hatfield was attending via teleconference and parliamentarian L. Lukinuk was also joining the meeting.

C. DECLARATION OF CONFLICT OF INTEREST

Nil.

D. SCHOOL NAME

Trustee Armstrong noted that she raises a point of privilege noting she had a statement she wanted to make.

Acting Chairperson Nelson asked that Trustee Armstrong state her privilege.

Trustee Armstrong noted that she wanted to make a statement.

It was clarified that a question of privilege is for personal privilege or privilege of the board. An example of personal privilege is that it is too hot or too cold, I can't hear the speaker etc. A statement cannot be made on the item.

Moved by Trustee Burgess

Seconded by Trustee McKinley

TO AMEND THE PREVIOUSLY ADOPTED MOTION (AGENDA ITEM L.2, FEBRUARY 20, 2024) THAT THE GECDSB NAME THE NEW SCHOOL ON JASPERSON ROAD IN KINGSVILLE “ERIE MIGRATION ACADEMY” BY STRIKING “ACADEMY” AND INSERTING “DISTRICT SCHOOL”.

- As the mover of the motion, Trustee Burgess noted that she moves the motion with confidence. We are at a place where we have not been before. It has had a lot of discussion in the public sphere. The previous name had a vulgar acronym that was missed. The acronym now has four letters and has been vetted.

Moved by Trustee Burgess
Seconded by Trustee McKinley

To call the question.

This motion required a two-thirds vote.

The vote was called and it CARRIED.

Acting Chairperson Nelson called for the vote on striking the word “Academy” and inserting “District School”

The vote was called and it CARRIED.

E. ADJOURNMENT

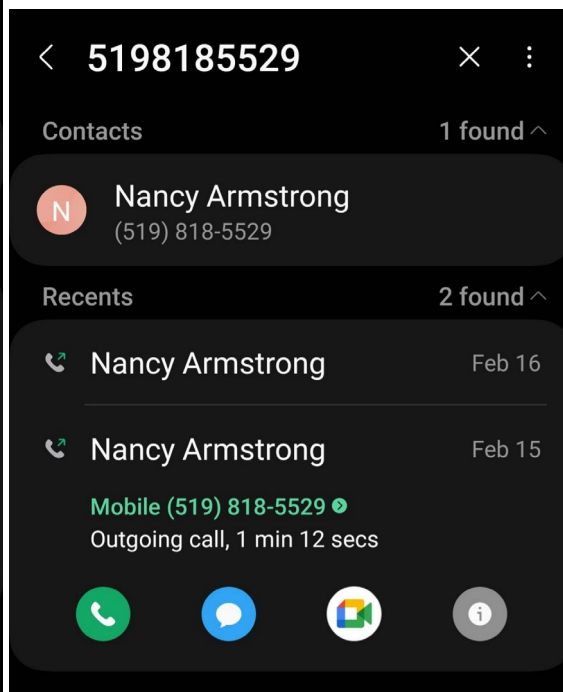
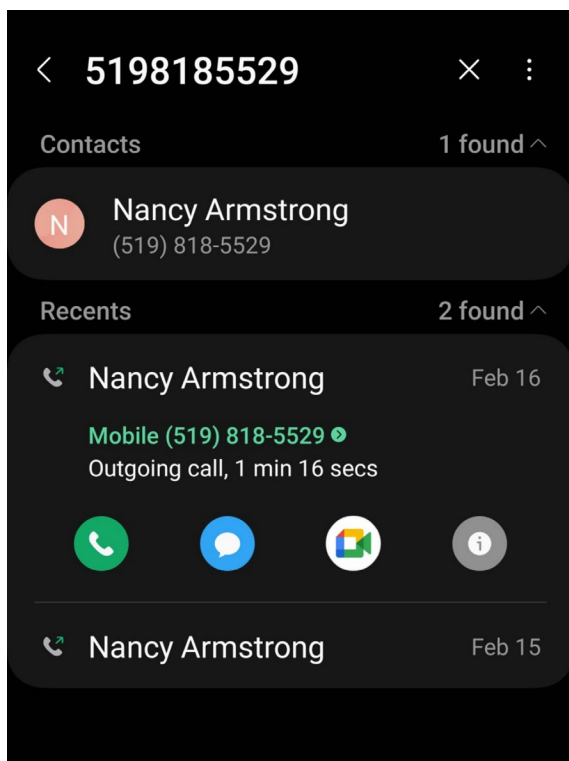
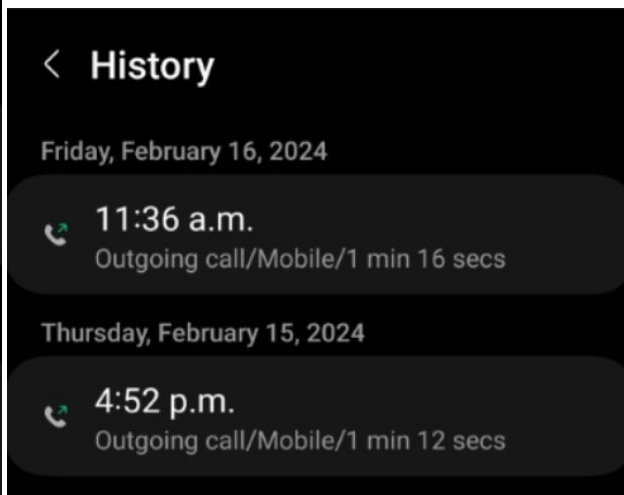
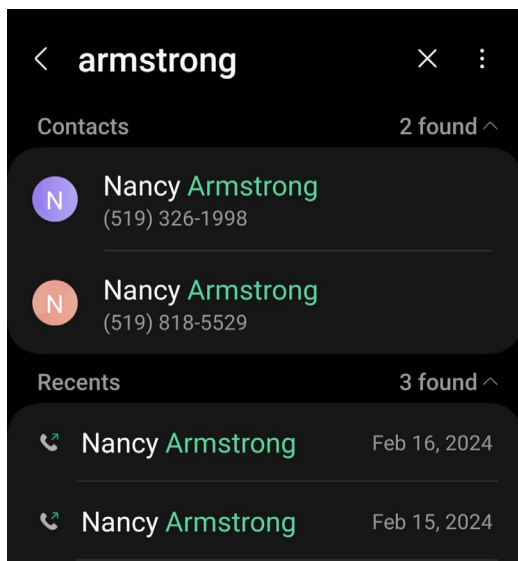
There being no further business before the Board, Acting Chairperson Nelson adjourned the meeting at 6:10 p.m.

C. Nelson ACTING CHAIRPERSON OF THE BOARD

V. Houston DIRECTOR OF EDUCATION

Appendix Q

February 2024 - Trustee Burgess phone records





Nancy Armstrong ▾



Thursday, February 15, 2024

Hi Nancy. It's Julia Burgess. Do you know how many students there are in Pelee Island this year? Any grade 8s?

4:55 p.m.

Appendix R



March 05, 2024
GREATER ESSEX COUNTY DISTRICT
Account number: 34147366



Mobile services (continued)

NANCY ARMSTRONG
Charges for 519 818-5529

100070-0518-46100-31-406-6-000

Monthly and other charges (Mar 06 to Apr 05)

CWE Co Ad VD 45R w/US 2020 **\$45.00**
3GB shared data
Unlimited Messaging
Total monthly and other charges**\$45.00**

Add-ons (Mar 06 to Apr 05)

Hybrid IQ Free
Corp Adv Cdn Sh Data \$0 2GB Free
Unlimited Canadian LD Free
Global SMS Free
Bus Visual Voicemail 1 **\$1.00**
CWE ME Intl Flex \$0 2020 Free
CWE ROW Zone A Intl Flex \$0 2020 Free
CWE ROW Zone B Intl Flex \$0 2020 Free
CWE ROW Zone 4 Intl Flex \$0 2020 Free
Total add-ons**\$1.00**

Usage charges

Free airtime refers to non-chargeable minutes that are not part of your included minutes, and may include bonus minutes, evening and weekend calling, *611 calls. etc.

Data Usage **\$0.00**
Total used 188.085 (MB)
Text Msg - Received **\$0.00**
Total used 1 (Msg)
Local Airtime - Phone (minutes) **\$0.00**
Included 212:00 (MIN)
Total used 212:00 (MIN)
Total usage charges**\$0.00**

Total before taxes**\$46.00**

HST-ON **\$5.98**
Total for 519 818-5529, with taxes**\$51.98**

Airtime Details for 519 818-5529

	DATE	NUMBER AND PLACE YOU CALLED	WHERE YOU CALLED FROM	MINS SECS	LOCAL AIRTIME RATE (\$/MIN)	LOCAL AIRTIME CHARGE (\$)	LONG DISTANCE CHARGE (\$)	OTHER CHARGE (\$)	TOTAL (\$)
Call charges									
1	Tue Feb 6 01:31 pm	519 735-7158 TECUMSEH ON	WINDSOR ON	2:00	-	-	-	-	0.00
2	Tue Feb 6 02:54 pm	519 329-1424 LEAMINGTON ON	WINDSOR ON	1:00	-	-	-	-	0.00
3	Tue Feb 20 06:57 pm	866 424-2310 800 CALL CL	COMBER ON	139:00	-	-	-	-	0.00
4	Wed Feb 21 11:01 am	226 787-3841 WINDSOR ON	COMBER ON	3:00	-	-	-	-	0.00

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March 05, 2024
GREATER ESSEX COUNTY DISTRICT
Account number: 34147366

Mobile services (continued)

NANCY ARMSTRONG (continued)
Charges for 519 818-5529

Airtime Details for 519 818-5529

					MINS: SECS	LOCAL AIRTIME RATE (\$/MIN)	LOCAL AIRTIME CHARGE (\$)	LONG DISTANCE CHARGE (\$)	OTHER CHARGE (\$)	TOTAL (\$)
DATE	NUMBER AND PLACE YOU CALLED			WHERE YOU CALLED FROM						
Call charges										
5	Fri Feb 23 03:56 pm	519 255-3200	WMNSOR ON	COMBER ON	3:00	-	-	-	-	0.00
6	Fri Feb 23 04:18 pm	519 996-7171	COMBER ON	INCOMING	3:00	-	-	-	-	0.00
7	Tue Feb 27 05:05 pm	519 890-1486	WMNSOR ON	COMBER ON	2:00	-	-	-	-	0.00
8	Tue Feb 27 05:07 pm	519 300-3068	WMNSOR ON	COMBER ON	23:00	-	-	-	-	0.00
9	Fri Mar 1 07:01 pm	519 890-1486	WMNSOR ON	COMBER ON	36:00	-	-	-	-	0.00
TOTAL							\$0.00	\$0.00	\$0.00	\$0.00