

MINUTES OF PROCEEDINGS OF THE
ENGLISH MONTREAL SCHOOL BOARD

A Special Board Meeting of the Council of Commissioners of the English Montreal School Board has taken place on Wednesday, July 8, at 2:00 P.M. in the Laurence Patterson Conference Room, 6000 Fielding Avenue.

Chairman:

Mr. Joe Ortona, Vice-Chairman

Commissioners Present:

Mr. Agostino Cannavino, Commissioner (by phone)
Mr. Julien Feldman, Commissioner (in person)
Mr. Norm Gharibian, Parent Commissioner (by phone)
Mr. Joseph Lalla, Commissioner (in person)
Mr. Pietro Mercuri, Parent Commissioner (by phone)
Ms. Mubeenah Mughal, Parent Commissioner (by phone)
Mr. Rosario Ortona, Commissioner (in person)
Mr. Mario Pietrangelo, Commissioner (by phone)
Mr. Bernie Praw, Commissioner (by phone)
Mr. Andrew Ross, Parent Commissioner (by phone)

Commissioners Not Present:

Ms. Angela Mancini, Chairman (regrets)
Mr. James Kromida, Commissioner (regrets)
Ms. Sylvia Lo Bianco, Commissioner
Mr. Mordechai. Antal, Commissioner

Administrators Present:

Ms. A. M. Matheson, Director General
Me B. Duhême, Assistant Director General, Administration
Division Ms. E. Alfonsi, Assistant Director General, Education
Division Me N. Lauzière, Secretary General

In the absence of the Chairman, Ms. A. Mancini, Mr. J. Ortona, Vice-Chairman, chaired the meeting.

1.

Proper Notice of Meeting

The Secretary General confirmed that proper notice for this meeting has been given.

2.	<p><u>Approval of the Agenda</u></p> <p>IT WAS MOVED BY MR. J. LALLA AND UNANIMOUSLY RESOLVED THAT the agenda be approved.</p> <p>VOTE: 11-0-0, Adopted</p> <p style="text-align: right;"><u>Resolution # 20-07-08-2</u></p>
3.	<p><u>Question Period</u></p> <p>There were no questions from the public.</p>
4.	<p><u>In Camera</u></p> <p>4.1 <u>Motion to move In Camera</u></p> <p>IT WAS MOVED BY MR. N. GHARIBIAN AND UNANIMOUSLY RESOLVED THAT the meeting move In Camera at 2:23 p.m.</p> <p>VOTE: 11-0-0, Adopted</p> <p style="text-align: right;"><u>Resolution #20-07-08-4.1</u></p> <p>The Council Members returned from In Camera at 3:08 p.m.</p>
5.	<p><u>Adoption of the Resolution from In Camera</u></p> <p>4.2 <u>Resolution to Seek External Legal Opinion on Legal Proceedings Based on Steven Droz's report dated June 7, 2020.</u></p> <p>WHEREAS on or about January 14, 2020, a harassment complaint under the EMSB policy HR-16 was filed against a EMSB senior staff member and the EMSB Council;</p> <p>WHEREAS on or about January 20, 2020, Ms. Marlene Jennings, government-appointed EMSB trustee informed the Minister of Education of the complaint;</p> <p>WHEREAS on January 24, 2020, Ms. Jennings mandated Mr. Steven Droz to investigate the allegations of the complaint;</p> <p>WHEREAS the fact-finding investigation lasted from January 28, 2020 to the end of May 2020, the delay being due to the extent of the allegations, some of which dated back four years ago, and the COVID-19 pandemic;</p> <p>WHEREAS during his investigation, Mr. Droz met with the complainant and two of the individuals identified in the complaint for more than 75 hours and reviewed more than 200 documents in addition to the complaint and the 35 accompanying documents submitted by the complainant;</p>

WHEREAS on June 7, 2020, Mr. Droz remitted his final report to the EMSB Trustee rejecting the complaint of psychological harassment filed against a senior EMSB staff member and the EMSB council;

WHEREAS all of the individuals involved and/or identified in the complaint have been informed of the result of the investigation conducted by Mr. Steven Droz and a copy of the conclusions and recommendations was remitted to them, the whole in accordance with the EMSB policy HR-16;

WHEREAS members of the English-speaking community have publicly expressed that the results of this report and the public statements made by the Chair, Angela Mancini, undermine the public reputation of how our community is able to manage its education system while we are fighting in the courts for our right to maintain our school boards;

WHEREAS the Council is concerned about the negative impact of this report on our current legal cases;

WHEREAS the Council wants an opinion from our external lawyers to determine whether further legal action is required by the EMSB to remedy the situation;

IT WAS MOVED BY MR. P. MERCURI AND MR. J. LALLA, that a copy of Mr. Droz's full report and executive summary be shared with EMSB's external counsel, Juristes Power Law, for analysis in light of our current legal cases and in order to consider what legal action should be taken by the EMSB council to remedy the situation.

Commissioner Norm Gharibian proposes an amendment to add to the conclusions:

"It was further resolved that Juristes Power Law not share the report with Council Members."

Vote on amendment: 3-7-1, motion defeated.

(Mr. A. Cannavino, Mr. J. Feldman, Mr. J. Lalla, Mr. R. Ortona, Mr. M. Pietrangelo, Mr. B. Praw and Mr. J. Ortona voted against, Mr. P. Mercuri abstained)

On the main motion:

IT WAS MOVED BY MR. J. LALLA AND MR. P. MERCURI AND RESOLVED THAT a copy of Mr. Droz's full report and executive summary be shared with EMSB's external counsel, Juristes Power Law, for analysis in light of our current legal cases and in order to consider what legal action should be taken by the EMSB council to remedy the situation.

Vote: 9-2-0, Adopted

(Mr. N. Gharibian and Mr. A. Ross voted against)

Resolution #20-07-08-4.2

6.

Adjournment

On a motion by Mr. R. Ortona, the meeting was adjourned at 3:23 p.m.

Vote: 11-0-0, Adopted

Resolution #20-07-08-6

Signed in Montreal,

Mr. Joe Ortona, Chairman

Me Nathalie Lauzière, Secretary General