

MINUTES OF PROCEEDINGS OF THE
ENGLISH MONTREAL SCHOOL BOARD

A Special meeting of the English Montreal School Board was held in the Charles Bancroft Room, 6000 Fielding Avenue, on Thursday, November 28, 2019 at 2:00 p.m.

Chairman

Ms. M. Jennings, Trustee

Administrators Present:

Ms. A. M. Matheson, Director General

Me B. Duhême, Deputy Director General, Administration Division

Ms. E. Alfonsi, Deputy Director General, Education Division

Me N. Lauzière, Secretary General

Ms. P. Nickoletopoulos, Regional Director, West Sector

Ms. N. Lacroix-Maillette, Regional Director, East Sector

Me M.C. Drouin, Compliance Officer, Material Resources

Ms. S. Furfaro, Director of Educational & Technology Services

Ms. L. Nassivera, Director of Financial Services

Ms. J. Rene de Cotret, Assistant Director of Student Services

Me L. Roy, Director of Legal Services

Mr. C. Thomas, Assistant Director, Educational & Technology Services

Ms. A. Watson, Director of Human Resources

Mr. M. Cohen, Communications and Marketing Specialist

Ms. V. Raccio, Secretary

There were three (3) members of the public present.

1.	<p><u>Proper Notice of the Meeting</u></p> <p>It was reported that the notice calling this special meeting had been forwarded by the Secretary General to all Members of the Management team via email.</p>
2.	<p><u>Approval of the Agenda</u></p> <p>IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT the agenda be approved as presented.</p> <p>Adopted</p> <p style="text-align: right;"><u>Resolution # 19-11-28-2</u></p>
3.	<p><u>In Camera</u></p> <p>3.1 <u>Motion to Move In Camera</u></p> <p>IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT the meeting move In Camera at 2:02 p.m.</p> <p>Adopted</p> <p style="text-align: right;"><u>Resolution # 19-11-28-3.1</u></p>
	<p>The meeting resumed from In Camera at 2:10 p.m.</p>
4.	<p><u>Adoption of Resolution(s) from In Camera</u></p> <p>3.2 <u>Reimbursement of Fees</u></p> <p>This item was tabled.</p> <p>3.3 <u>Request for payment of Legal fees</u></p> <p>This item was tabled until further notice.</p> <p>Ms. Jennings states that she has requested a legal opinion from an external legal firm. Once the legal opinion is received and studied by senior staff and herself, she will then be able to make a decision.</p> <p>3.4 <u>Health and Safety in the Workplace – CNESST Retrospective Plan – Choice of Limit per Claim and CNESST dues for 2020</u></p> <p>WHEREAS the English Montreal School Board (EMSB) has advised the <i>Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)</i> of the Board's choice of limit per claim regarding the maximum insurable annual salary of an employee for the period of January 1, 2019 to December 31, 2019 (#18-10-24-2.2);</p> <p>WHEREAS OPTIMUM CONSULTANTS AND ACTUARIES INC., after study of the CNESST documentation received in year 2019, the final assessment year of 2016, recommend in their report an optimal choice of 900% for the yearly maximum insurable wage, for an insurance limit amount set to \$706,500 for year 2020;</p> <p>IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT:</p> <p>A. <i>Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)</i> be advised that the Board's choice of limit per claim in phase III of the CNESST Retrospective Plan for 2020, regarding occupational injuries and diseases, be set at 900% the yearly maximum insurable wage, for an insurance limit amount set to \$706,500 for year 2020;</p>

	<p>B. The Director General be authorized to sign on behalf of the Board the pertinent documents related to the CNESST Retrospective Plan.</p> <p>Adopted</p> <p style="text-align: right;"><u>Resolution # 19-11-28-3.4</u></p>
5.	<p><u>Question Period</u></p> <p>No questions</p>
6.	<p><u>Adoption of Minutes of Meeting held on October 30, 2019</u></p> <p>The Trustee, Ms. M. Jennings, states that as she was not the Trustee at the time of the meeting held on October 30, 2019, the Council of Commissioners should have the authority to approve the minutes.</p>
7.	<p><u>Business Arising Out of Minutes</u></p> <p>The Trustee, Ms. M. Jennings, states that should there be any business arising out of the minutes, she, the Trustee, should be advised through the senior staff.</p>
8.	<p><u>Decision of Ethics Commissioner : English Montreal School Board vs. Mrs. Angela Mancini, Chairman</u></p> <p>WHEREAS Me Michèle St-Onge, the English Montreal School Board (EMSB) Ethics Commissioner, has rendered her decision on October 6, 2019, regarding the EMSB vs. Mrs. Angela Mancini, Chairman complaint case filed on December 3rd, 2018;</p> <p>WHEREAS the mandate of the Ethics Commissioner and its Substitute is to apply the Code of Ethics and Professional Conduct for Members of the Council of Commissioners of the EMSB (hereinafter the “Code of Ethics”) and to provide for sanctions in accordance with the Education Act;</p> <p>WHEREAS the Ethics Commissioner decided that the complaint lodged by EMSB against Mrs. Angela Mancini, Chairman, was partially well founded;</p> <p>WHEREAS Mrs. Angela Mancini, Chairman of the EMSB, is the first Officer of the School Board who shall give the example in the behaviour and communication with the administration and the Commissioners of the School Board;</p> <p>WHEREAS Mrs. Angela Mancini, Chairman of the EMSB breached section 5.1.4 of the Code of Ethics, which reads:</p> <p style="padding-left: 40px;">5.1.4 The Commissioner must at all times adopt a style of behavior and communication that is dignified and compatible with his office in order to protect and promote the image and credibility of the School Board.</p> <p>WHEREAS in her decision dated October 6th, 2019, Me St-Onge recommends that the following sanction be imposed upon Mrs. Angela Mancini:</p> <p style="padding-left: 40px;">- A Public Reprimand: a written reprimand be read at a public meeting of Commissioners for having breached her ethical obligations under section 5.1.4 of the Code of Ethics.</p> <p>WHEREAS section 7.4.4 of the Code of Ethics provides that all decisions rendered by the Ethics Commissioner are public, and shall be recorded in the minutes of the Council of Commissioners;</p> <p>IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT the Board acknowledge and deposit the decision rendered on October 6th, 2019 by Me Michèle St-Onge in the case of English Montreal School Board vs. Mrs. Angela Mancini, Chairman.</p> <p>Adopted</p> <p style="text-align: right;"><u>Resolution # 19-11-28-8</u></p>

9. Nomination of a Representative from Outside Bodies on the Advisory Committee on Special Education Services (ACSES)

WHEREAS according to Section 185 (3) of the Education Act, the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities shall include among its members the following –

- Representatives of bodies which provide services to handicapped students or to students with social maladjustments or learning disabilities designated by the council of commissioners after consulting with those bodies;

WHEREAS resolution #98-10-28-7 of the English Montreal School Board states that the Advisory Committee on Special Education Services (ACSES) shall include among its 15 members one representative from outside agencies which provide services to handicapped pupils, designated by the Board after consulting with those bodies;

WHEREAS the members of ACSES recommend Ms. Ludmilla Duplessis, social worker and Chef d’administration de programme, Programme Écoles en Santé, CIUSSS Centre-Ouest de Montréal, to be the representative of outside bodies on ACSES.

IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT, as recommended by the Advisory Committee on Special Education Services (ACSES), the Board approve the nomination of Ms. Ludmilla Duplessis, social worker and Chef d’administration de programme, Programme Écoles en Santé, CIUSSS Centre-Ouest de Montréal, to be the representative of outside bodies on ACSES until October 30, 2020.

Adopted

Resolution # 19-11-28-9

10. For Consultation

10.1 Temporary Delegation of Powers – For Consultation

WHEREAS the Quebec Government passed Decree 1103-2019, on November 6, 2019;

WHEREAS with this Decree, part of the functions and powers of the Council of Commissioners of English Montreal School Board have been suspended for six (6) months;

WHEREAS pursuant to the said Decree, Ms. Marlene Jennings has been appointed as Trustee to exercise the functions and powers of the Council of Commissioners, which are suspended by the Decree;

WHEREAS during the term of the Trusteeship, the Trustee wishes to temporarily re-distribute the Delegation of Function and Powers to the Director General, the Senior Executive and Senior Staff as well as the Executive Committee in order to ensure the proper functioning of the School Board;

WHEREAS pursuant to Sections 96.25, 110.13 and 183 of the Education Act, the Central Management Advisory Committee shall participate in defining the strategic plan, policies and by-laws of the school board;

WHEREAS pursuant to Section 392 of the Education Act, a by-law delegating powers of the Council of Commissioners is exempt from the 30 days public notice;

IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT Draft By-Law No. 10 - *Delegation of Functions and Powers* and the suspension of By-Laws No. 2 - *Delegation of Certain Functions and Powers to the Executive Committee*, No. 5 – *Delegation of Certain Functions and Powers to the Director General*, No. 6 – *Delegation of Certain Functions and Powers to Principals, Vice-Principals, and Head Teachers of Schools/Centres*, and No. 7 – *Delegation of Certain Functions and Powers to members of the Executive Staff* be approved for the purpose of consultation with the Central Management Advisory Committee;

AND THAT, where applicable, all policies and procedures of the English Montreal School Board be read, adapted, and interpreted taking into account the delegation of functions and powers provided for in By-Law 10-*Delegation of Functions and Powers* and the suspension of By-Laws No. 2 - *Delegation of Certain Functions and Powers to the Executive Committee*, No. 5 – *Delegation of Certain Functions and Powers to the Director General*, No. 6 – *Delegation of Certain Functions and Powers to Principals, Vice-Principals, and Head Teachers of Schools/Centres*, and No. 7 – *Delegation of Certain Functions and Powers to members of the Executive Staff*;

BE IT FURTHER RESOLVED THAT the results of the consultation be returned to the Secretary General, Me Nathalie Lauzière, no later than December 2nd, 2019.

Adopted

Resolution # 19-11-28-10.1

Ms. Jennings states that she is delighted with the explanation that Me Drouin has given because this proposed temporary Delegations of Powers has assured her that it is in conformity with all government laws and regulations, and that the thresholds have been established on a basis to ensure effectiveness and efficiency. She also states that this proposed temporary Delegation of Powers ensures that the decision making power lies where it should.

10.2 Temporary Suspension of By-Laws No.1 and No.4 (2019)

This item was tabled.

11. Budget Increase – General Legal Fees

WHEREAS in conformity with Operating Budget procedure, all requests to incur additional expenditures over and above the approved original Operating Budget, to reduce projected revenues from previous forecasts, and to transfer budgets in excess of \$20,000 must be approved by the Board;

WHEREAS there has been established a protocol whereby departments are to submit (via the Budget Control Committee) the appropriate form indicating such requests with supporting rationale;

WHEREAS Financial Services is to submit such department requests on a month-to-month basis as deemed warranted;

IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED, AS RECOMMENDED BY THE BUDGET CONTROL COMMITTEE, THAT a budget increase in the amount of \$350,000, for the general legal fees, be transferred from the 2019-2020 appropriated surplus budget to general legal budget.

Adopted

Resolution # 19-11-28-11

12. Allocation of 2019-2020 TIC Budget (M 50760)

WHEREAS per resolution #19-09-25-9 authorization was given to Financial Services to distribute the 2019-2020 budgetary allocations to schools and centres;

WHEREAS there were unallocated funds remaining from the TIC 2019-2020 budget;

WHEREAS a sub-committee of the Management Table has proposed the distribution of these unallocated funds, as per the document presented;

IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT authorization be given to Financial Services to distribute the 2019-2020 budgetary allocations, as per the documentation submitted.

Adopted

Resolution # 19-11-28-12

<p>13.</p>	<p><u>2020-2021 School Calendars following consultation</u></p> <p>WHEREAS the Human Resources Department drafted the calendars (teachers) for the youth, adult and vocational sectors for 2020-2021 in collaboration with the Montreal Teachers' Association (MTA) and the Adult and Vocational Education Sector (AEVS);</p> <p>WHEREAS the calendars (teachers) for the youth, adult and vocational sectors for 2020-2021 were sent out for the purposes of official consultation, following approval by the Council of Commissioners, to the following groups: Montreal Teachers' Association (MTA), EMSB Parents Committee, the Human Resources Committee, Board Administrators, Central Management Advisory Committee (CMAC) and The Association of Montreal School Administrators (AMSA);</p> <p>WHEREAS the consultation period ended on February 4th, 2019;</p> <p>WHEREAS the attached feedback from the consultation groups were reviewed, discussed with the members of the Management Table and taken into consideration by the Director General;</p> <p>IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED THAT the revised calendars (teachers) for the youth, adult and vocational sectors for 2020-2021 be approved as submitted.</p> <p>Adopted</p> <p style="text-align: right;"><u>Resolution # 19-11-28-13</u></p>
<p>14.</p>	<p><u>Other Business</u></p> <p>The Trustee, Ms. Marlene Jennings, states that it was quite an honor to be welcomed by all the Directorate and staff of the English Montreal School Board. This is also a challenge for her, as it creates a big responsibility to make sure that she fulfills her mandate. Ms. Jennings explains that her mandate is to help the Board to put in place the proper measures and processes that will allow the Board to operate, administer and to manage the day to day ongoing operations of the Board. All of this, with the goal of ensuring that the students of the EMSB receive the highest quality of education.</p> <p>The challenges that arise through the Council of Commissioners trickle down and affect the staff. Ms. Jennings explains how she will come up with the proper action plan and clear measures to help build a solid governance and foundation for this organization.</p>
<p>15.</p>	<p><u>Monthly Reports Submitted</u></p> <p>15.1 <u>EMSBPC (English Montreal School Board Parents' Committee) – October 2019</u></p> <p>In the meeting that was held on October 17, 2019, the elections of the Executive Committee members and Observers to the Board took place.</p> <p>15.2 <u>EMSBPC (English Montreal School Board Parents' Committee) – November 2019</u></p> <p>In the meeting that was held on November 7, 2019, the English Montreal School Board Parents' Committee established their subcommittee for the Major School Change Brief. They also passed a resolution asking to Board to set-up a task force to look at the increases in enrolment.</p> <p>15.3 <u>EMSAC (English Montreal Student Advisory Committee)</u></p> <p>In the meeting that was held on October 24, 2019, there were discussions on the recent developments in Bill 21 and the importance of social justice and the impact of the march against climate change.</p>

16. Adjournment
IT WAS MOVED BY THE TRUSTEE, MS. M. JENNINGS, AND RESOLVED to adjourn the meeting at 2:45 p.m.
Adopted
Resolution # 19-11-28-16

Signed in Montreal, _____

Ms. Marlene Jennings, Trustee

Me Nathalie Lauzière, Secretary General