



OFFICE OF THE DIRECTOR

*Chair: Goronwy Price
C.E.O./Director of Education: Anthony Stack*

**Newfoundland and Labrador English
School Board Minutes**
April 13, 2019

1. OPENING

The Newfoundland and Labrador English School Board (NLESB) meeting took place on Saturday, April 13, 2019 at the District Conference Centre, 40 Strawberry Marsh Rd, St. John's, NL. The meeting was called to order by the Chair of the Board, Goronwy Price, at 2:30 PM.

Members present: Mr. Goronwy Price, Chair
Mr. Wayne Lee, Vice Chair
Mr. John Smith
Mr. Peter Whittle
Mr. Lester Simmons
Mr. Thomas Kendell
Ms. Pamela Gill
Mr. Winston Carter
Mr. Keith Culleton
Mr. Scott Burden
Mr. Hilary Primmer
Mr. Kevin Ryan
Mr. Eric Ayers
Ms. Jennifer Aspell
Mr. Raymond Bennett

Regrets: Mr. John George
Mr. Hayward Blake

Also in attendance: Mr. Anthony Stack, CEO/Director of Education
Mr. Ed Walsh, Associate Director of Education (Acting)
Mr. Terry Hall, Assistant Director of Education, Finance & Administration/Student Transportation
Ms. Heather May, Director of Strategic Planning, Policy and Communications
Ms. Cheryl Gullage, Manager of Communications
Mr. Ian Wallace, Parliamentarian
Ms. Elaine Cross, Executive Assistant

2. ADOPTION OF AGENDA

MOTION: It was moved by John Smith and seconded by Tom Kendell that the agenda be adopted as presented. (Carried)

3. MINUTES OF PREVIOUS MEETING

3.1 January 26, 2019 Minutes adopted. (Eric Ayers/Lester Simmons) Carried

4. Business Arising

4.1 Mobile Grade Configuration

Mr. Ed Walsh provided a presentation on the Mobile School System Reconfiguration for the Board of Trustees. There had been further discussion on this motion during the Board study session earlier in the day. The Trustees were to consider the information and vote on the motion for this system.

After the presentation, the following motion was put forward by Vice-Chair Wayne Lee.

WHEREAS the Newfoundland and Labrador English School District is committed to providing the best possible educational programs for students; and

WHEREAS a reorganization of schooling in the Mobile Central High School system in Zone 14 is required to achieve that objective,

BE IT THEREFORE RESOLVED that:

St. Bernard's Elementary be reconfigured from a Kindergarten to Grade 5 school to a Kindergarten to Grade 4 school and that Grade 5 be assigned to Mobile Central High School effective September 2019, and the Grade 5 students move to Mobile Central High School in 2019.

BE IT THEREFORE FURTHER RESOLVED that:

Mobile Central High School be reconfigured from a Grade 6 to 12 school to a Grade 5 to 12 school effective September 2019. (Wayne Lee/Pamela Gill) Carried

Trustee Aspell (representative for Zone 14) indicated that this has not been an easy decision, however she believes moving the Grade 5s is the best decision for the students.

5. Director's Report

Mr. Stack presented the Director's Report to the Board highlighting various Deep Learning initiatives happening in our schools.

The Chair thanked the Director for his report.

6. Committee Reports

6.1 Executive Committee Report – April 5, 2019

Trustee Lee provided an update to the Board from the April 5, 2019 meeting of the Executive Committee. (Details are contained in the committee minutes.)

One motion was passed on behalf of the Board and one motion was recommended for approval by the Board.

Political Activity by Trustees

The District has a Political Activity policy for employees, which was adapted from that of the Provincial Government. There is, however, no policy to cover similar activities by its Board of Trustees. The Executive Committee noted that, given the high standard to which employees are held, it is important that trustees lead by example and govern themselves by similar standards. The Board will need to develop a political activity policy for trustees. However, in the interim, the Executive Committee suggested the Board agree to the following motion:

MOTION: That the Board approve the recommendation by the Executive Committee that the Board of Trustees of NLESD govern themselves by at least the rules outlined in this motion until it develops and approves its own policy to manage Trustee political activity. This includes:

- Immediately advise the Chair, in writing, and temporarily take leave of their Trustee seat. If the Chair chooses to engage in political activity, they will advise the Vice-Chair.

Post nomination and/or election the following should occur:

- A Trustee who takes leave of their seat from the Board but fails to gain nomination or win the election may return to their duties as a Trustee.
- A Trustee who is successful in the election must permanently resign their seat on the Board of Trustees and the seat will be deemed vacant.

While seeking nomination or running as a candidate, the following activities are prohibited:

- Using confidential Board information or publicly criticizing the policy decisions and directions of the Board for which the Trustee was part;
- Using School Board premises, supplies, equipment, email or services for the purposes of any political activity;
- Participating in other political activities that are deemed inappropriate by the Chair and/or Deputy Minister of Education and Early Childhood Development. (Wayne Lee /John Smith)

There was disagreement amongst Trustees regarding if this policy should apply to them as they are not employees of the District. Some felt it should, as there may be a perceived conflict of interest with running for political office while sitting as a Trustee.

Of particular concern to many was the last item regarding participating in other political activities that are deemed inappropriate by the Chair and/or Deputy Minister of Education and Early Childhood Development. This was deemed too broad of a statement.

Trustee Ryan moved to amend the motion as follows:

MOTION: That the Board amend the above motion to remove the last line regarding participating in other political activities that are deemed inappropriate by the Chair and/or Deputy Minister of Education and Early Childhood Development. (Kevin Ryan/Peter Whittle) Carried.

There was further discussion in reference to the first point in the motion regarding having to immediately advise the Chair and temporarily take leave of their Trustee seat if they decide to seek the nomination. Some felt that because the nomination process is a very short period of time (seven days) that it was not necessary to step aside until such time that they are successful in the nomination.

Trustee Gill moved to further amend the motion as follows:

MOTION: That the Board amend the motion to remove the requirement that Trustees who decide to seek a nomination should immediately advise the Chair, in writing, and temporarily take leave of their Trustee seat. (Pamela Gill/Kevin Ryan) Defeated.

Trustees now considered the new amended motion as follows:

MOTION: That the Board approve the recommendation by the Executive Committee that the Board of Trustees of NLESD govern themselves by at least the rules outlined in this motion until it develops and approves its own policy to manage Trustee political activity. This includes:

- Immediately advise the Chair, in writing, and temporarily take leave of their Trustee seat. If the Chair chooses to engage in political activity, they will advise the Vice-Chair.

Post nomination and/or election the following should occur:

- A Trustee who takes leave of their seat from the Board but fails to gain nomination or win the election may return to their duties as a Trustee.
- A Trustee who is successful in the election must permanently resign their seat on the Board of Trustees and the seat will be deemed vacant.

While seeking nomination or running as a candidate, the following activities are prohibited:

- Using confidential Board information or publicly criticizing the policy decisions and directions of the Board for which the Trustee was part;
- Using School Board premises, supplies, equipment, email or services for the purposes of any political activity. (Wayne Lee/John Smith) Defeated.

NLTA Letter to Trustee

Trustee Carter received a letter from the NLTA dated March 28, 2019 wherein he was disinvited to the 2019 BGM Presidential Banquet and advised that he would not be recognized or welcomed during the 2019 BGM General Sessions, as a result of his involvement in a recent decision of the Board regarding an NLTA member.

There was discussion around the table regarding the inappropriateness of this letter and what the Board's response would be. There was agreement that the letter was unprofessional and deemed a bullying tactic by the NLTA in an attempt to possibly sway voting members of the Board in future decisions.

As a result, the following motion was approved on behalf of the Board:

MOTION: That the Executive Committee approve, on behalf of the Board, that a written response be sent from the Chair to the NLTA. (Lester Simmons / John Smith) Carried

Trustee Carter expressed his shock and disappointment in receiving the letter from the NLTA and thanked the Board for their response.

MOTION: That the Board approve the Executive Committee Report of April 5, 2019 as presented. (Wayne Lee/John Smith) Carried

6.2 Finance and Operations Committee Report – April 3, 2019

Chair of the Finance and Operations Committee, Trustee Whittle, provided an update to the Board from the April 3, 2019 meeting of the committee. (Details are contained in the committee minutes.)

Three motions are referred to the Board for approval.

Request from Burnt Islands Fire Department

The Newfoundland and Labrador English School District has received a request from the Town of Burnt Islands' Fire Department for a parcel of land on which they plan to place a railway car for training purposes.

MOTION: That the Board approve the recommendation of the Finance and Operations Committee to grant the request from the Town of Burnt Islands' Fire Department, with the stipulation that the Town must commit to removing the structure if requested by the District within 60 days and provide the District with Certificate of Insurance indemnifying the District against liability claims. (Peter Whittle/Ray Bennett) Carried.

Photocopier Purchase/Lease

MOTION: That the Board approve the recommendation of the Finance and Operations Committee to approve the purchase up to \$750,000 (inclusive of net HST) worth of replacement copy/print/duplication technology from Xerox under the provincial RFP, and arrange the necessary lease financing with a five year amortization term, with such lease financing subject to Ministerial approval. (Peter Whittle /John Smith) Carried

Quarterly Budget Status Report Update – December 31, 2018

MOTION: That the Board approve the recommendation of the Finance and Operations Committee to approve the revised Quarterly Budget Status Update for the period ending December 31, 2018. (Peter Whittle/Pamela Gill) Carried.

Trustee Whittle indicated that individual Trustee expenses are outlined in the committee minutes and are available online. Trustee Smith noted that his expenses are not listed. Mr. Hall will check this.

MOTION: That the Board approve the Finance and Operations Committee Report of April 3, 2019 as presented. (Peter Whittle/Winston Carter) Carried

6.3 Programs and Human Resources Report – February 21, 2019

Chair of the Programs and Human Resources Committee, Trustee Ryan, provided an update to the Board from the February 21, 2019 meeting of the committee. (Details are contained in the committee minutes.)

There were no motions brought forward from the meeting. There were information items only presented in reference to the CYA report on Chronic Absenteeism, opportunities for Indigenous teachers, and the staffing process for the 2019-20 school year.

6.4 Programs and Human Resources Committee Report – April 2, 2019

Chair of the Programs and Human Resources Committee, Trustee Ryan, provided an update to the Board from the April 2, 2019 meeting of the committee. (Details are contained in the committee minutes.)

Two motions were referred to the Board for approval.

Whistleblowing Policy: Employee Disclosure of Wrongdoing

MOTION: That the Board approve the Whistleblowing: Employee Disclosure of Wrongdoing policy as recommended by the Programs and Human Resources Committee. (Kevin Ryan/John Smith) Carried

Criminal Records Screening and Vulnerable Section Check

MOTION: That the Board approve the Criminal Records Screening and Vulnerable Sector Check policy as recommended by the Programs and Human Resources Committee. (Kevin Ryan/Scott Burden) Carried.

MOTION: That the Board approve the Programs and Human Resources Committee Reports of February 21, 2019 and April 2, 2019 as presented. (Kevin Ryan/Eric Ayers) Carried

6.5 Ad Hoc Committee Update – Governance Committee

Chair of the Governance Committee, Trustee Aspell, provided an update to the Board from the March 26, 2019 meeting of the committee. (Details are contained in the committee minutes.)

One motion was referred to the Board for approval.

In presenting this motion, Trustee Aspell indicated an amendment to the original motion that the additional meetings be working sessions.

MOTION: That the Board approve the recommendation of the Governance Committee to direct senior staff to review the Board meeting scheduled for 2019-20 with the intent to add three (3) additional skype working sessions in order to keep the Board informed. (Jennifer Aspell/Pamela Gill) Carried.

MOTION: That the Board approve the Governance Committee Report of March 26, 2019 as presented. (Jennifer Aspell/Peter Whittle) Carried.

Chair of the Governance Committee, Trustee Aspell, provided an update to the Board from the April 8, 2019 meeting of the committee. (Details are contained in the committee minutes.)

Trustee Aspell indicated that the roles of the Chair and Vice-Chair were discussed; however, the motion from that committee meeting has been withdrawn and referred back to the committee for further work.

MOTION: That the Board approve the Governance Committee Report of April 8, 2019 as presented. (Jennifer Aspell/Scott Burden) Carried.

7. New Business

7.1 Newfoundland and Labrador School Boards Association Report – No Report

7.2 Education Foundation Report – April 5, 2019

Chair of the Education Foundation, Trustee Kendell, provided an update to the Board from the April 5, 2019 meeting of the committee. (Details are contained in the committee minutes.)

Two motions were approved by the committee.

NLEF By-Laws

MOTION: Moved by Hayward Blake, seconded by John Smith, that the Newfoundland and Labrador Education Foundation Board approve the March 22, 2019 version of the NLEF By-Laws as presented pending the addition of a section to clarify funding criteria. Carried.

Scholarships for 2018-19 School Year

MOTION: Moved by Kevin Ryan, seconded by Pamela Gill, that the Newfoundland and Labrador Education Foundation Board approve that the Scholarships for 2018-19 proceed as per past practice. Carried.

MOTION: That the Board approve the Education Foundation Report of April 5, 2019 as presented. (Thomas Kendell/John Smith) Carried

7.3 NLISE – No Report

7.4 School Milk Foundation - No Report

7.5 Board Meeting Schedule (2019-20)

Board Meeting Schedule for 2019-20: (Option #2 – Six Meetings)

Month	Dates	Location
SEPTEMBER 2019	7 TH / 8 TH	ST. JOHN'S
OCTOBER 2019 (AGM)	26 TH / 27 TH	ST. JOHN'S
DECEMBER 2019	7 TH / 8 TH	ST. JOHN'S
FEBRUARY 2020	1 ST / 2 ND	ST. JOHN'S
MARCH 2020	28 TH / 29 TH	ST. JOHN'S
JUNE 2020	13 TH / 14 TH	TBD

Proposed Meeting Structure September to June

SATURDAY	8:30 – 5:00 PM BOARD MEETING/WORKING SESSION
SUNDAY	8:30 – 12:00 PM WORKING SESSION / COMMITTEE MEETINGS

MOTION: That the Board approve Option #2 for six (6) Board meetings for the 2019-2020 School Year as outlined, with the location of one meeting to be determined. (Wayne Lee/Lester Simmons)

Carried

8. Correspondence sent to the District

- 8.1 Funding for Additional Program Specialists (Under Education Action Plan)
- 8.2 Ministerial Approval – Principal Reporting Structure
- 8.3 Shared Services Project Launch Memo
- 8.4 Funding for Healthy Students Healthy Schools
- 8.5 Ministerial Approval (Final) – Sale of Heritage Academy
- 8.6 Ministerial Approval – Student Records Policy
- 8.7 Minister Request for NLESD Input on Schools Act Review
- 8.8 Ministerial Approval – Sale of Long Island Academy
- 8.9 EECD Response to Budget Priorities 2019
- 8.10 NLTA Letter – Conflict of Interest and Community Use of Schools Policies
- 8.11 Public Accounts Committee Request for Update

9. Correspondence sent from the District

- 9.1 Ministerial Request – Millcrest School Transfer to Social Exchange Network
- 9.2 Ministerial Request – Town of Cartwright Gym Expansion
- 9.3 Ministerial Notice – Principal Reporting Structure
- 9.4 Ministerial Request – St. Paul’s Junior High School Sports Field
- 9.5 Ministerial Request – Henry Gordon Academy Replacement
- 9.6 Request to EECD for Budget Priorities 2019
- 9.7 Request to EECD – Emergency Supply Teachers Compensation
- 9.8 Response to NLTA – Conflict of Interest & Community Use of Schools Policies
- 9.9 Response to Minister regarding Schools Act Review
- 9.10 Response to Public Accounts Committee

10. Adjournment to closed session at 4:15pm by a motion from Wayne Lee.

Chair

Recording Secretary