

**Corporate Services, Strategic Planning  
And Property Committee  
REGULAR MEETING  
Public Session  
AGENDA**

**NOVEMBER 9, 2016**

**Patrizia Bottoni, Chair**  
Trustee Ward 4

**Maria Rizzo, Vice Chair**  
Trustee Ward 5

**Ann Andrachuk**  
Trustee Ward 2

**Nancy Crawford**  
Trustee Ward 12

**Frank D'Amico**  
Trustee Ward 6

**Jo-Ann Davis**  
Trustee Ward 9

**Rhea Carlisle**  
Student Trustee

**Michael Del Grande**  
Trustee Ward 7

**Angela Kennedy**  
Trustee Ward 11

**Joseph Martino**  
Trustee Ward 1

**Sal Piccininni**  
Trustee Ward 3

**Barbara Poplawski**  
Trustee Ward 10

**Garry Tanuan**  
Trustee Ward 8

**Karina Dubrovskaya**  
Student Trustee



***MISSION***

*The Toronto Catholic District School Board is an inclusive learning community rooted in the love of Christ.  
We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity.*

***VISION***

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*

Recording Secretary: Lalita Fernandes 416-222-8282 Ext. 2293  
Asst. Recording Secretary: Sophia Harris 416-222-8282 Ext. 2298

**Angela Gauthier**  
Director of Education

**Angela Kennedy**  
Chair of the Board

**TERMS OF REFERENCE FOR CORPORATE AFFAIRS, STRATEGIC PLANNING AND PROPERTY COMMITTEE**

The Corporate Affairs, Strategic Planning and Property Committee shall have responsibility for considering matters pertaining to:

- (a) Business services including procurement, pupil transportation risk management/insurance and quarterly financial reporting
- (b) Facilities (buildings and other), including capital planning, construction, custodial services, design, maintenance, naming of schools, enrolment projections and use permits
- (c) Information Technology including, computer and management information services
- (d) Financial matters within the areas of responsibility of the Corporate Affairs, Strategic Planning and Property Committee including budget development
- (e) Policy development and revision in the areas of responsibility of the Corporate Affairs, Strategic Planning and Property Committee
- (f) Policies relating to the effective stewardship of board resources in the specific areas of real estate and property planning, facilities renewal and development, financial planning and information technology
- (g) The annual operational and capital budgets along with the financial goals and objectives are aligned with the Board's multi-year strategic plan
- (h) Any matter referred to the Corporate Affairs, Strategic Planning and Property Committee by the Board
- (i) Intergovernmental affairs and relations with other outside organizations
- (j) Advocacy and political action
- (k) Partnership development and community relations
- (l) Annual strategic planning review and design

### **OUR MISSION**

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We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity*

### **OUR VISION**

*At Toronto Catholic, we transform the world  
through witness, faith, innovation and action.*



## **AGENDA THE REGULAR MEETING OF THE CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE**

### **PUBLIC SESSION**

**Patrizia Bottoni, Chair**

**Maria Rizzo, Vice-Chair**

Wednesday, November 9, 2016

7:00 P.M.

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Pages

1. Call to Order
2. Opening Prayer (Chair or Designate)
3. Singing of O Canada A Capella
4. Roll Call and Apologies
5. Approval of the Agenda
6. Report from Private Session
7. Declarations of Interest
8. Approval & Signing of the Minutes of the Meeting held October 13, 2016  
for Public Session. 1 - 12
9. Delegations
10. Presentation
11. Notices of Motion
12. Consent and Review
13. Unfinished Business

<b>14. Matters referred or deferred</b>	
<b>15. Staff Reports</b>	
15.a Elementary Boundary Review for The Holy Trinity, St. Ambrose and St. Leo	13 - 22
15.b Construction Contract Legal Claims Since 2009 (All Wards)	23 - 27
15.c Liquor Request from Trustee Del Grande for Brebeuf College School.	28 - 29
15.d Liquor Request from Trustee Kennedy for Senator O'Connor Staff Social	30 - 31
<b>16. Listing of Communications</b>	
16.a Toronto and York Region Labour Council	32 - 34
<b>17. Inquiries and Miscellaneous</b>	
<b>18. Updating of the Pending List</b>	35 - 36
<b>19. Resolve into FULL BOARD to Rise and Report</b>	
<b>20. Closing Prayer</b>	
<b>21. Adjournment</b>	

**MINUTES OF THE REGULAR MEETING OF THE  
CORPORATE SERVICES, STRATEGIC PLANNING  
AND PROPERTY COMMITTEE**

**HELD OCTOBER 13, 2016**

**PUBLIC SESSION**

**PRESENT:**

P. Bottoni, Chair  
A. Andrachuk  
N. Crawford  
F. D'Amico  
J.A. Davis  
M. Del Grande  
A. Kennedy  
J. Martino  
S. Piccininni  
B. Poplawski

A. Gauthier  
A. Sangiorgio  
R. McGuckin  
C. Jackson  
P. Matthews  
P. De Cock  
M. Puccetti  
M. Cacco  
M. Silva  
J. Yan

A. Robertson, Parliamentarian  
L. Fernandes, Recording Secretary  
S. Harris, Assistant Recording Secretary

Apologies were received from Trustees Rizzo, Tanuan and Student Trustees Carlisle and Dubrovskaya who were unable to attend the meeting.

MOVED by Trustee Andrachuk, seconded by Trustee Piccininni, that the agenda, as amended, be approved.

On the vote being taken, as follows:

**In favour**

**Opposed**

Trustees Crawford  
Kennedy  
Poplawski  
Davis  
Del Grande  
Bottoni  
D'Amico  
Piccininni  
Andrachuk  
Martino

The Agenda, as Amended, was declared

CARRIED

MOVED by Trustee Crawford, seconded by Trustee D'Amico, that the matters dealt with in PRIVATE SESSION regarding Property. Transportation and Strategic Planning be approved.

On the vote being taken, as follows:

**In favour****Opposed**

Trustees Crawford  
 Kennedy  
 Poplawski  
 Davis  
 Del Grande  
 Bottoni  
 D'Amico  
 Piccininni  
 Andrachuk  
 Martino

The Motion was declared

CARRIED

Trustee Kennedy declared an interest in item 15f) Reassessment of TCDSB's MYRP 2016-17 as her family members are employees of the Board. Trustee Kennedy indicated that she would neither vote nor participate in the discussion of the item.

MOVED by Trustee Martino, seconded by Trustee D'Amico, that on page 11 of the Minutes, the time Trustee Martino left the meeting and any reference in the Minutes to time for any Trustee be deleted.

On the vote being taken, as follows:

**In favour****Opposed**

Trustees Crawford  
 Poplawski  
 Davis  
 Bottoni  
 Del Grande

Trustee Kennedy

D'Amico  
Piccininni  
Andrachuk  
Martino

The Motion was declared

CARRIED

On the vote being taken, to approve the Minutes, as amended, as follows:

**In favour**

**Opposed**

Trustees Crawford  
Poplawski  
Davis  
Bottoni  
Del Grande  
D'Amico  
Kennedy  
Piccininni  
Andrachuk  
Martino

The Motion was declared

CARRIED

The Chair reviewed the Order Paper Items.



The following items were questioned:

Item 15a)	Trustee Del Grande
Item 15b)	Trustee Del Grande
Item 15c)	Trustee Poplawski
Item 15f)	Trustee Crawford

MOVED by Trustee Davis, seconded by Trustee Andrachuk, that the items not questioned be approved.

On the vote being taken, on the Motion as follows:

**In favour**

**Opposed**

Trustees Crawford  
Kennedy  
Poplawski  
Davis  
Bottoni  
Del Grande  
D'Amico  
Piccininni  
Andrachuk  
Martino

The Motion was declared

CARRIED

**MATTERS AS CAPTURED IN THE ABOVE MOTION**

**Preliminary Enrolment Data: October 13, 2017 (All Wards)** – received.

**Trustee Honorarium (2016-17)** – received.

MOVED by Trustee Piccininni, seconded by Trustee Andrachuk, that item 15a) be adopted as follows:

- 15a) St. Fidelis Catholic Elementary School Capital Budget Approval (Ward 3)** that the capital project budget for St. Fidelis Catholic School – Replacement of \$15,007,117 be approved as detailed in Table 1 and funded as follows:

	Min. of Education Funds \$	EDC & Other Contributions \$	Total \$
Full Day Kindergarten	998,260		998,260
Capital Priorities	11,739,922		11,739,922
Child Care Funding	988,568		988,568
Min. Unique Site & TGS (TBD)	820,223		820,223
EDC Funding		460,143	460,143
	<b>Total</b>	<b>\$ 460,143</b>	<b>\$15,007,117</b>

On the vote being taken, as follows:

**In favour**

**Opposed**

Trustees Crawford  
Kennedy  
Poplawski  
Davis  
Del Grande  
Bottoni  
D'Amico  
Piccininni  
Andrachuk  
Martino

The Motion was declared

**CARRIED**

MOVED by Trustee Crawford, seconded by Trustee Davis, that item 15b) be adopted as follows:

- 15b) Snow and Ice Control Program (All Wards)** that the contract(s) for the Snow and Ice Control Program for budget years 2016/17 and 2017/18 with an option to renew for two (2) one-year extensions be awarded to the bidders meeting Board specifications as described in Appendix A, in the amount of \$1,790,238.05 including net HST per year. The total contract value is \$3,580,476.10 including net HST for the two-year period.

On the vote being taken, as follows:

**In favour**

**Opposed**

Trustees Crawford  
Kennedy  
Poplawski  
Davis  
Del Grande  
Bottoni  
D'Amico  
Piccininni  
Andrachuk  
Martino

The Motion was declared

CARRIED

MOVED by Trustee Poplawski, seconded by Trustee Davis, that item 15c) be adopted as follows:

- 15c) Capacity Reduction Strategy (Wards 6, 9 and 10)** – referred to the October 20, 2016 meeting of the Board.

On the vote being taken, as follows:

**In favour**

**Opposed**

Trustees Poplawski	Trustees Crawford
Kennedy	Del Grande
Bottoni	Piccininni
D'Amico	Andrachuk
Davis	Martino

The Motion to refer was declared

LOST

MOVED by Trustee Davis, seconded by Trustee Andrachuk, that item 15c) be adopted as follows:

- 15c) Capacity Reduction Strategy (Wards 6, 9 and 10)**

1. That the Board of Trustees approve the projected capacity reduction strategy for the study area as outlined in this report.
2. That the Ministry of Education be requested to approve the Capital funding for St. Raymond Catholic Elementary School, including the day care center.

MOVED by Trustee Kennedy, seconded by Trustee D'Amico, that debate on the item be extended for fifteen minutes.

On the vote being taken, as follows:

**In favour**

**Opposed**

Trustees Crawford  
Kennedy  
Poplawski  
Davis  
Bottoni  
D'Amico

Trustees Martino  
Andrachuk  
Piccininni  
Del Grande

The Motion to extend the debate was declared

CARRIED

MOVED in AMENDMENT by Trustee Poplawski, seconded by Trustee Davis to add part 3 That the Pupil Accommodation Review for St. Luigi, St. Sebastian and St. Rita occur at the same time as the TDSB has completed a successful Pupil Accommodation Review involving Perth PS and Pauline PS, and has declared one of these two facilities surplus to their needs.

On the vote being taken on the Amendment, as follows:

**In favour**

**Opposed**

Trustees Kennedy  
Poplawski  
Davis  
Del Grande  
Bottoni  
D'Amico

Trustees Crawford  
Piccininni  
Andrachuk  
Martino

The Amendment was declared

CARRIED

On the vote being taken, on the Motion, as Amended, as follows:

**In favour**

**Opposed**

Trustees Crawford  
Kennedy  
Poplawski  
Davis  
Del Grande  
Bottoni  
D'Amico  
Piccininni  
Andrachuk  
Martino

The Motion, as Amended, was declared

CARRIED

The Chair declared a ten minute recess.

The meeting continued with Trustee Bottoni in the Chair.

Trustee Kennedy left the meeting.

MOVED by Trustee Davis, seconded by Trustee Andrachuk, that item 15f) be adopted as follows:

- 15f) Reassessment of TCDSB's MYRP 2016-17** that the Board of Trustees approve the identification of cost-savings and revenue generating opportunities totaling \$5.65M for the 2016-17 fiscal year (Year 2 of the 4 year MYRP) as follows in the table below:

<b>REF.#</b>	<b>SAVINGS &amp; REVENUE OPPORTUNITIES</b>	<b>\$ AMT</b>
<b>1</b>	Attendance Support Initiatives	2,000,000
<b>2</b>	School Block Budget Carryover	1,500,000
<b>3</b>	Benefits Budget Provision	1,000,000
<b>4</b>	International Languages	130,000
<b>5</b>	Additional Administrative Efficiencies	520,000
<b>6</b>	Expand Summer eLearning Courses	500,000
	<b>TOTAL Cost Savings &amp; Revenue Opportunities</b>	<b>5,650,000</b>

MOVED in AMENDMENT by Trustee Davis, seconded by Trustee Poplawski that staff come back with details of a comparison on school block budget for TCDSB and TDSB as part of the budget review for the coming year 2017-2018.

On the vote being taken, on the Amendment, as follows:

**In favour**

Trustees Poplawski  
Davis  
Bottoni  
D'Amico

**Opposed**

Trustees Crawford  
Del Grande  
Andrachuk  
Martino

The Amendment was declared

LOST

On the vote being taken, on the Motion as follows:

**In favour**

Trustees Crawford  
Davis  
Del Grande  
Bottoni  
D'Amico

**Opposed**

Trustees Poplawski

Andrachuk  
Martino

The Motion was declared

CARRIED

Arising out of Inquiry from Trustee Andrachuk, regarding Jump Math Pilot program, staff were directed to get a message out to all principals and teachers who teach Jump Math that they should be using Nelson Math as a supplementary to Jump Math.

Arising out of an Inquiry from Trustee Del Grande regarding Bill of Rights for Children, staff were directed to move it forward as a priority item and add it to the Pending List.

Inquiry from Trustee Kennedy regarding “Me to We” student event on October 19, 2016 at the Air Canada Centre, concert performance regarding local and global initiatives.

MOVED by Trustee Davis, seconded by Trustee Andrachuk, that the meeting resolve into FULL BOARD to rise and report.

CARRIED

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SECRETARY

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CHAIR





REPORT TO

## CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

### ELEMENTARY BOUNDARY REVIEW – HOLY TRINITY (CHRIST THE KING AND ST. TERESA), ST. AMBROSE AND ST. LEO (WARD 2)

*“For I know the plans I have for you,” declares the LORD, “plans to prosper you and not to harm you, plans to give you hope and a future.” Jeremiah 29:11NIV*

Created, Draft	First Tabling	Review
October 25, 2016	November 9, 2016	<a href="#">Click here to enter a date.</a>
John Volek, Sr. Coordinator Planning, Admissions, Assessment and Accountability Mario Silva, Comptroller Planning and Development Services Doug Yack, Superintendent of Learning, Student Achievement and Well-Being Ward 2		
<b>RECOMMENDATION REPORT</b>		

#### Vision:

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#### Mission:

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*We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*



R. McGuckin  
Associate Director of Academic Affairs

A. Sangiorgio  
Associate Director of Planning and Facilities

C. Jackson  
Executive Superintendent of Business Services and Chief Financial Officer

Angela Gauthier  
Director of Education

## **A. EXECUTIVE SUMMARY**

This report provides information and a recommendation that a boundary review for the Holy Trinity (approved consolidation of Christ the King and St. Teresa), St. Ambrose and St. Leo school communities be approved for initiation, and implemented in accordance with the *Elementary School Attendance Boundary Review Policy (S.A. 03) (Appendix 'A')*.

<i>The cumulative staff time dedicated to this endeavour was 6.0 hours.</i>
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## **B. PURPOSE**

1. The purpose of this report is to gain approval to initiate a boundary review for the Holy Trinity, St. Ambrose and St. Leo school communities.

## **C. BACKGROUND**

1. The TCDSB was given Ministry approval on July 19, 2011 to construct 536 pupil place replacement school for the Holy Trinity CS. This funding allocation was a result of completion and approval of a School Accommodation Review consolidating Christ the King and St. Teresa elementary schools into a new school on the Lakeshore Grounds (since renamed Holy Trinity) in late 2009.
2. Construction of the new Holy Trinity has begun. Completion is anticipated to be within the 2017-18 school year (September 2017) and will therefore impact registration beginning in January 2017.
3. The report *Elementary Boundary Review Ranking*, approved by Trustees at their meeting of January 21, 2016, identified the grouping of the Holy Trinity, St. Ambrose and St. Leo for review.

## **D. EVIDENCE/RESEARCH/ANALYSIS**

4. Christ the King and St. Teresa will be consolidated into the new Holy Trinity in September 2017. The Holy Trinity is being constructed to a Ministry rated capacity of 536 pupil places. If there is no adjustment to the existing attendance boundary the enrolment of the new school will approach 500 students immediately and is projected to increase over time surpassing the 600 student level in less than 10 years. The school will quickly become oversubscribed with no room for temporary accommodation solutions on site.
5. St. Ambrose is a recently rebuilt school, occupied in 2012, and has a Ministry rated capacity of 398 pupil places. The projected enrolment of 348 pupils in 2017 is anticipated to increase over the next 10 years.
6. On May 18, 2016 the TCDSB received Ministry approval to construct a replacement school of approximately 500 pupil places at St. Leo. This funding approval was a direct result of a recent School Accommodation Review in the area. St. Leo is projected to have an enrolment of approximately 240 students in 2017 however the Board approved a closure of nearby St. Louis for September of 2018 (when the new school is anticipated to be complete) will result in an increase in enrolment at the new school to approximately 480 students.
7. Based on a comprehensive evaluation of the Holy Trinity, St. Ambrose and St. Leo attendance boundaries, an adjustment to the existing boundaries will allow for a balancing of enrolment in the area and ensure optimal utilization of all three facilities.
8. As the new Holy Trinity is anticipated to open in September 2017, the boundary review process should begin as soon as possible with an ultimate goal of having a decision on boundary changes prior to the beginning of the elementary registration period for the 2017-18 school year.

## **E. ACTION PLAN**

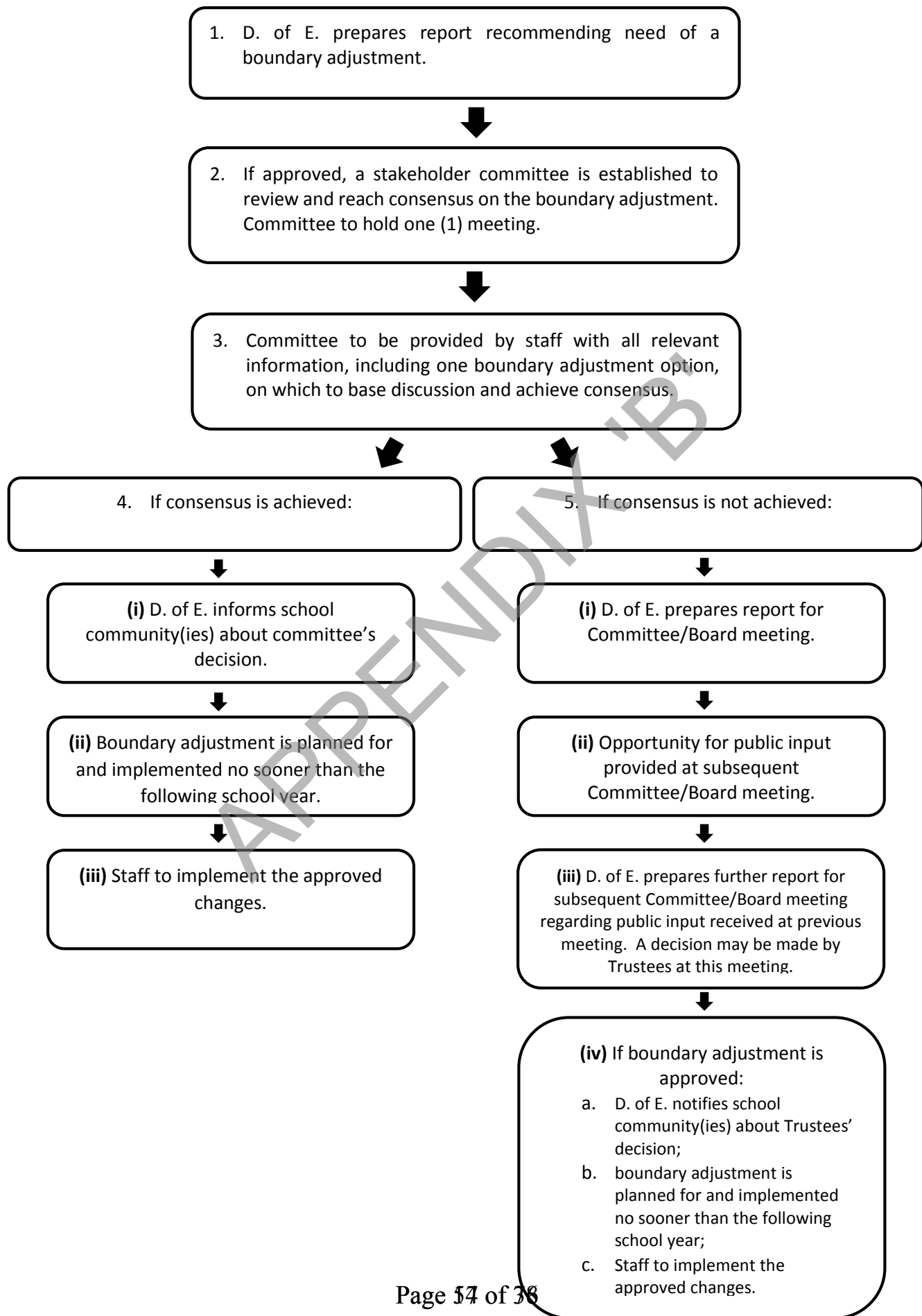
9. Subject to Board approval of the initiation of an attendance boundary review for the Holy Trinity, St. Ambrose and St. Leo, the school communities, including Christ the King and St. Teresa, will be informed of the initiation of the review process and the timelines and procedures involved (Appendix 'B').

10. Pursuant to the *Elementary School Attendance Boundary Review Policy (S.A. 03) (Appendix 'A')*, the community must receive written notification of a Public Meeting at least 30 days prior to the actual meeting date. Provided notice of the initiation of a review in this area is distributed on **Nov. 10, 2016** the **earliest** possible date for a public meeting will be **Dec. 12, 2016**. A minimum of **one (1)** public meeting is required by policy.
11. If the Boundary Review Committee reaches a consensus decision, the communities will be notified of the boundary changes and dates of implementation. No further reporting will be necessary and the review will be deemed complete.
12. If the Boundary Review Committee does not reach a consensus, recommendations of staff and those of the Committee will be brought to the Board for a final decision. The reporting cycle will require 1 to 3 months for completion dependent on the Committee and community input and scheduling of Board meetings. Reporting stages are as follows:
- Committee or Board meeting
    - Director's report inclusive of BRC report is considered.
  - Committee or Board meeting
    - Opportunity for Public delegations and written submissions in response to the Director's and the BRC's reports.
  - Committee or Board meeting
    - Final Report from the Director is considered, which takes into account the results of the public input provided at the previous meetings. The Board will make a final decision.

## **F. STAFF RECOMMENDATION**

That a boundary review for the Holy Trinity, St. Ambrose and St. Leo school communities be approved for initiation and implementation in accordance with the *Elementary School Attendance Boundary Review Policy (S.A. 03)*.

## PROPOSED ELEMENTARY SCHOOL ATTENDANCE BOUNDARY REVIEW POLICY (S.A. 03)





**POLICY SECTION:** STUDENT

**SUB-SECTION:** ADMISSIONS AND PLACEMENT

**POLICY NAME:** ELEMENTARY SCHOOL ATTENDANCE  
BOUNDARY REVIEW POLICY

**POLICY NO:** S.A. 03

<b>Date Approved:</b> October 22, 2015- Board	<b>Review Cycle:</b> 2018	<b>Dates of Amendment:</b> April 28, 2010 – Board October 18, 2012 – Board March 20, 2014 – Corporate Affairs April 14, 2015 –Corporate Affairs
<b>Cross Reference:</b> <ul style="list-style-type: none"><li>• S.A. 01, Elementary Admission and Placement Policy</li><li>• S.T. 01, Transportation Policy</li><li>• T. 07, Community Engagement Policy</li></ul>		

## Policy

The Director of Education may prepare a report for consideration by the Board identifying a school, or group of schools, facing programming challenges and/or facility limitations due to enrolment oversubscription or undersubscription, and in respect of which there may be a need to consider as a possible solution, adjustments to existing boundaries in respect of one or more of the identified schools.

## Regulations

1. An attendance boundary review shall be initiated by the community, the Director of Education or Board staff through a submission of a formal request to the Board of Trustees compliant with Board procedures, or through a recommendation by Board staff.
2. The Director of Education shall set a limit on the total number of attendance boundary reviews conducted per year, dependent upon availability of appropriate staff resources, and reserves the right to prioritize the requests for reviews.



**POLICY SECTION: STUDENT**

**SUB-SECTION: ADMISSIONS AND PLACEMENT**

**POLICY NAME: ELEMENTARY SCHOOL ATTENDANCE  
BOUNDARY REVIEW POLICY**

**POLICY NO: S.A. 03**

3. The Board reserves the right to aggregate individual requests for boundary reviews depending on the geographic location of the schools being considered for review.
4. Boundary reviews shall be conducted in accordance with the following procedure.
5. A committee comprised of the following stakeholders from all schools affected by the boundary adjustment shall be established, and shall hold a minimum of one (1) public meeting for the purpose of reviewing and reaching a consensus on the boundary adjustment:
  - Principal (or designate)
  - School Superintendent (or designate)
  - CSAC Executive
  - Local Trustee(s)
  - Planning Staff
  - Transportation Staff
6. Additional meetings of the stakeholder committee may be held at the discretion of the chair of the committee.
7. A minimum of 30 days public notification shall be provided prior to the first meeting.
8. Boundary reviews shall be undertaken at a community engagement level of 'consult' as defined in Community Engagement Policy (T. 07): *"To obtain input from community members and the general public on proposed Board directions and decisions."*



**POLICY SECTION: STUDENT**

**SUB-SECTION: ADMISSIONS AND PLACEMENT**

**POLICY NAME: ELEMENTARY SCHOOL ATTENDANCE  
BOUNDARY REVIEW POLICY**

**POLICY NO: S.A. 03**

9. The School Superintendent(s) whose school is the subject of a boundary adjustment shall chair the meeting(s), and in leading the review process, shall establish the committee, shall arrange the meeting(s) and provide notification of meeting(s) to other stakeholders and the public, shall prepare an agenda for the meeting(s) as required, shall arrange for the recording of meeting notes, and shall provide all notification about the boundary adjustments reached by consensus. The School Superintendent shall function as secretary of the committee as well as in a resource capacity. If the schools under review are represented by more than one Superintendent, the duties of the Chair shall be shared by the School Superintendents.
10. Administrative staff, including staff from the Planning and Facilities Departments and from the Toronto Student Transportation Group (TSTG), shall attend the meeting(s) to provide expertise and resources, as necessary.
11. Staff shall provide the committee with all relevant information including the following:
  - school profile data including capacity;
  - current and projected enrolment;
  - maps of the area;
  - information and maps on transportation;
  - one boundary adjustment option for consideration, with a complete transportation impact.
12. To the extent possible and practical, boundary adjustments shall be guided by the following principles:
  - Boundaries are to follow logical and easily identifiable routes and/or physical landforms where possible, such as major roads, rail-lines, watercourses, parklands, ravines, and established political boundaries.





**POLICY SECTION: STUDENT**

**SUB-SECTION: ADMISSIONS AND PLACEMENT**

**POLICY NAME: ELEMENTARY SCHOOL ATTENDANCE  
BOUNDARY REVIEW POLICY**

**POLICY NO: S.A. 03**

- Schools affected by a nearby boundary adjustment benefit to the fullest extent possible, both in terms of maximizing student enrolment and utilization of available classroom space.
- Program offerings (e.g. French Immersion, Gifted, etc.) shall be taken into consideration when adjusting boundaries; as a result, there could be more than one boundary associated with any given school(s) under review.

13. If consensus is achieved during the meeting(s):

- i. the School Superintendent(s) shall prepare the appropriate notification to be signed by the Director of Education and sent to the school community(ies) in a timely manner, informing them about the decisions made by the committee, as well as arranging to have decisions posted on the Board and school website;
- ii. boundary adjustments shall be planned for and implemented no sooner than the following school year;
- iii. staff shall undertake all things necessary to implement the changes.

14. If the committee cannot achieve consensus during the meeting(s), the Director of Education shall prepare a report with recommendations for the consideration of Trustees at a regularly scheduled Committee or Board meeting.

15. The Director of Education's report shall be made publicly available by having it posted on the Board's website in advance of the Committee or Board meeting at which it is to be considered.

16. Opportunity for public input regarding the Director of Education's report shall be provided at a subsequent Committee or Board meeting which will hear and receive delegations as well as consider written submissions.



**POLICY SECTION: STUDENT**

**SUB-SECTION: ADMISSIONS AND PLACEMENT**

**POLICY NAME: ELEMENTARY SCHOOL ATTENDANCE  
BOUNDARY REVIEW POLICY**

**POLICY NO: S.A. 03**

17. The Director of Education shall prepare a further report for consideration by the Committee or Board in public session of a subsequent meeting, regarding and responding to the public input received and presentations made at the previous meeting. A decision regarding boundary adjustments may be made by Trustees at this meeting, or a subsequent meeting of Committee or Board.
18. The Director of Education's report shall be made publicly available by having it posted on the Board's website in advance of the Committee or Board meeting at which it is to be considered.
19. The School Superintendent(s) of the school(s) under review shall prepare the appropriate notification to be signed by the Director of Education and sent to the school community(ies) in a timely manner, informing them about the decisions made by the Trustees, and shall have the decision posted on the Board and school website.
20. A decision made by Trustees to implement a boundary adjustment shall be planned for and implemented no sooner than the following school year.
21. Student transportation will be provided in accordance with the Board's Transportation Policy.
22. Notwithstanding any other provision contained herein, this Policy shall not apply to any boundary reviews, changes or decisions that are made as a result of a school accommodation review pursuant to Policy S.09. In the case of a conflict between this Policy and the School Accommodation Review Policy (S.09), the School Accommodation Review Policy (S.09) shall take precedence.



REPORT TO

## CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

### CONSTRUCTION CONTRACT LEGAL CLAIMS SINCE 2009 (ALL WARDS)

*"I can do all this through Him who gives me strength."  
Philippians 4:13 (NIV)*

Created, Draft	First Tabling	Review
October 20, 2016	November 9, 2016	
D. Friesen, Senior Coordinator, Capital Development M. Farrell, Coordinator, Materials Management P. de Cock, Comptroller, Business Services A. Della Mora, D. Yack, J. Shanahan, J. Wujek, K. Malcolm, M. Caccamo, P. Aguiar, S. Campbell Superintendents of Learning, Student Achievement and Well-Being M. Puccetti, Superintendent of Facilities Services		
<b>INFORMATION REPORT</b>		

**Vision:**

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**Mission:**

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*We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*



R. McGuckin

Associate Director of Academic Affairs

A. Sangiorgio

Associate Director of Planning and Facilities

C. Jackson

Executive Superintendent of Business Services and Chief Financial Officer

Angela Gauthier

Director of Education

## **A. EXECUTIVE SUMMARY**

This report is for the information of the Board and provides a follow up to the previous report regarding *Enforceability of Construction Contract Clauses on Delay Claims*. Research by staff indicates that since adoption of Amendments to the Supplementary General Conditions for the CCDC-2 construction contract in 2009, there have been no formal legal claims initiated by either the Board or by any Contractor with respect to any Capital projects.

Updating of the Supplementary General Conditions is currently underway to possibly include a “time is of the essence” clause and any other revisions recommended by legal counsel to incorporate developments in the industry and lesson learned from projects since 2009.

<b>The cumulative staff time dedicated to developing this report was 12 hours.</b>
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## **B. PURPOSE**

1. On May 12, 2016, the Corporate Affairs, Strategic Planning and Property Committee received a report in Private concerning the *Enforceability of Construction Contracts Clauses on Delay Claims*.
2. A trustee motion arising from that report directed staff to provide a further report outlining the number of construction related legal claims the Board has been involved in since the adoption of the Supplementary General Condition Amendments in 2009.

## **C. BACKGROUND**

1. As outlined in the May 12, 2016 report to the Corporate Affairs, Strategic Planning and Property Committee, the current Supplementary General Conditions used by the TCDSB to amend the CCDC-2 – 2008 standard construction contract does not include “liquidated damages,” “penalty” or “time is of the essence” clauses.
2. The CCDC-2 contract is used by the Board for Capital projects and large Renewal projects. The majority of Renewal projects, which are typically under \$100,000.00 contract value, utilize a Board specific “Small Projects Contract” that is incorporated into the Small Projects standard bid documents.

3. Since the implementation of the Supplementary General Condition Amendments in April 2009, the Board has completed the following Capital programs:

• Phase 1 – 16 Additions	\$61.7M
• Phase 2 – 6 Replacement Schools	\$63.1M
• Retrofits and Additions to Accommodate FDK	<u>\$61.8M</u>
	\$186.6M

#### **D. EVIDENCE/RESEARCH/ANALYSIS**

1. There have been no formal legal claims initiated by either the Board or by any Contractor with respect to any Capital project in any of the above-noted programs with a total of \$186.6M in expenditures.
2. Supplementary General Condition 3.27.2 provides for payment to the Board of additional consulting fees resulting from extension of the construction schedule due to delays deemed to be within the contractor's control. This clause has been used to recover additional consulting fees from the contractor on one FDK addition project, in the amount of approximately \$35K.
3. Poor performance, contract default and/or legal claims by contractors against the Board result in removal of that contractor for consideration for future prequalification on Capital projects. Contractors have been removed from consideration for these reasons – five (5) in Capital and five (5) in Renewal to date.
4. Delays in construction due to contractor performance have arisen in some small FDK retrofit projects with low dollar value utilizing smaller firms from the Board's list of prequalified Renewal contractors. These delays were addressed by warning letters to the contractors and subsequent meetings to advise that they would be removed from the prequalified list if performance did not improve. Four contractors have been removed from the list for this reason.
5. The conditions under which construction takes place are unpredictable, and conditions beyond the control of both the owner and the contractor that extend the construction schedule frequently arise. It is in the contractor's best interest to make every effort to complete projects as quickly as possible since any delays increase the contractor's costs and decrease profit.

6. For all projects (Renewal and Capital) contractors are required to obtain a performance bond valued at 50% of the contract amount. In the event of a contractor's default (bankruptcy or insolvency), the performance bond will cover costs to the owner as a result of the contractor's default, such as the cost to bring in another contractor to complete the work, up to the value of the bond. In addition, contractors must obtain a labour and material payment bond of 50% to guarantee payment of sub-contractors, sub-trades and suppliers.
7. The Ontario Association of School Business Official Operations, Maintenance and Construction Committee has recently issued a Supplementary General Conditions template. Staff have reviewed this document and found it to be substantially the same as the document used by the Board.

## **E. METRICS AND ACCOUNTABILITY**

1. The Board issues tenders for Capital project only to prequalified general contractors. Prequalification criteria include experience with school construction and **proven performance in managing the construction schedule**.
2. Since 2010, all Capital project supervisors employed by the Board have been trained architects with experience in construction contract administration. The supervisors understand the construction process and related construction contract legal implications.
3. Capital project supervisors complete a contractor evaluation form at the conclusion of every project to be used for future contractor prequalification.

## **F. IMPLEMENTATION, STRATEGIC COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT PLAN**

1. Miller Thompson LLP have been requested by Board staff to review and update the Supplementary General Conditions to possibly include a "time is of the essence" clause and any other revision recommended to incorporate developments in the industry and lesson learned from projects since the last update.
2. Board staff in consultation with Miller Thompson LLP are also revising the Board standard "Small Projects" contract to include provisions to minimize

risk to the Board similar to provisions in the CCDC-2 and Supplementary General Conditions.

3. Once completed, the updated Supplementary General Conditions and Small Projects contract will be presented to the Board for approval.
4. Project schedules throughout the duration of construction are shared with the Principal and a monthly project status letter prepared by the Capital Supervisor leading the project is provide to the Principal to share with the school community as well as posted on the school web site.

## **G. CONCLUDING STATEMENT**

This report is for the information of the Board.

**REPORT TO**
**CORPORATE SERVICES, STRATEGIC  
PLANNING AND PROPERTY  
COMMITTEE**

## LIQUOR PERMIT REQUEST

Psalm 104: 14-15 (He makes grass grow for the cattle, and plants for people to cultivate – bringing forth food from the earth: wine that gladdens human hearts, oil to make their faces shine, and bread that sustains their hearts.)

Created, Draft	First Tabling	Review
October 25, 2016	November 9, 2016	<a href="#">Click here to enter a date.</a>
Michael Del Grande, Trustee Ward 7		

### INFORMATION REPORT

**Vision:**

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*

**Mission:**

*The Toronto Catholic District School Board is an inclusive learning community rooted in the love of Christ. We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity.*



R. McGuckin

Associate Director of Academic Affairs

A. Sangiorgio

Associate Director of Planning and Facilities

C. Jackson

Executive Superintendent of Business Services and Chief Financial Officer

Angela Gauthier

Director of Education



## **A. EXECUTIVE SUMMARY**

Request from Trustee Del Grande for permission to waive the liquor policy to serve alcohol at an event for Brebeuf Fundraiser Event for the TCDSB Service Trip to Ghana, West Africa on February 11, 2017 from 7:00 pm to approximately 12:00 am.

## **B. PURPOSE**

A request was received for permission to waive the liquor policy to serve alcohol from 7 pm to 12 am for the Brebeuf Fundraiser Event for the TCDSB Service Trip to Ghana, West Africa.

## **C. BACKGROUND**

A permit is requested to waive the liquor policy at this event.

## **D. CONCLUSION**

This report is presented for the information of the Board.



REPORT TO

## CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

### LIQUOR PERMIT REQUEST FROM SENATOR O'CONNOR STAFF

Ecclesiastes 9:7 (Go, eat your food with gladness, and drink your wine with a joyful heart, for GOD has already approved what you do.)

Created, Draft	First Tabling	Review
October 25, 2016	November 9, 2016	Click here to enter a date.
Angela Kennedy, Chair of the Board Ward 11		
<b>INFORMATION REPORT</b>		

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C. Jackson

Executive Superintendent of Business Services and Chief Financial Officer

Angela Gauthier

Director of Education

**A. EXECUTIVE SUMMARY**

Request from Trustee Kennedy for permission to waive the liquor policy to serve alcohol at a Staff Social on December 1, 2016 at Senator O'Connor School.

**B. PURPOSE**

A request was received from Tracey Parish, Principal at Senator O'Connor for permission to waive the liquor policy to serve alcohol at this event from 6:00 pm to 10:30 pm.

**C. BACKGROUND**

A permit is requested to waive the liquor policy at this event.

**D. CONCLUSION**

This report is presented for the information of the Board.



October 19, 2016

TO: All Toronto Catholic District School Board Trustees

Dear Trustee:

RE: Enclosed Statement

Enclosed is a statement developed by the Education Committee of the Toronto & York Region Labour Council and endorsed by the delegates of the Labour Council at the General Membership meeting held on Thursday, October 6, 2016.

Yours truly,

A handwritten signature in black ink that reads "J. Cartwright". The signature is stylized with a large, looped "J" and a trailing flourish. A small registered trademark symbol (®) is visible at the end of the signature.

John Cartwright  
President

Enclosure

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### **“A Safe School Environment for All”**

Every student has a right to an education as stated in our *Charter of Rights and Freedoms*, *The Education Act*, and in the *Universal Declaration of Human Rights*. Every student has a right to attend a school which ensures a safe environment free from violence. Every employee has a right to work in a safe environment free from violence. Meeting the individual educational needs of all students while ensuring their safety at school has become a significant challenge.

Amendments to the *Education Act* and the *Occupational Health and Safety Act* have been established and enacted and focus on creating a safe school environment for all. Such legislation includes:

- |          |   |   |
|----------|---|---|
| Bill 212 | – | Safe Schools Act  |
| Bill 157 | – | Keeping our Kids Safe at Schools Act  |
| Bill 168 | - | Occupational Health and Safety Act with respect to violence and harassment in the workplace and other issues, and |
| Bill 13  | – | Accepting Schools Act   |

Reported violent incidents, due to student behaviour, continue to increase. Violent incidents are exacerbated by spatial or environmental constraints that create unsafe learning environments. Large class sizes and/or classes that are complex or diverse in composition with large numbers of second language learners, and students with special needs, without the staff and resources to meet the needs are creating unsafe environments to learn and work. Students, education workers and teachers are victims or witnesses to violent acts that result in physical injury and emotional distress. This is occurring in all Boards, at all grade levels (K-12) across the province.

Passing laws to ensure safety in our schools without providing sufficient funding for the required supports/programs, and training, is simply not enough. Insufficient funding has placed students, education workers and teachers in high risk situations.

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The Public and Catholic School Boards of Toronto and York Region have been negatively impacted by the “redistribution” or “realignment” of special education funding. In order for these school boards to meet these new fiscal realities, trustees have made cuts to the number of jobs for education workers and teachers and cuts and reductions to appropriate individualized programs for at risk students, and students with special needs.

Yet, the Ontario education legislation requires that a safe school environment must be maintained while addressing the needs of the most vulnerable and at risk students. The Ontario Government has a responsibility to ensure adherence to the Safe Schools Act and the Occupational Health and Safety Act, which is only possible given sufficient funding to local school boards.

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**PENDING LIST AS OF NOVEMBER 9, 2016**

	<b>Date Requested &amp; Committee/Board</b>	<b>Report Due Date</b>	<b>Destination of Report Committee/Board</b>	<b>Subject</b>	<b>Delegated To</b>
1	Dec-14 Corporate Services	Deferred until such time that deficit is under control	Corporate Services	Report regarding System-Wide Approach to Digital School Signage	Associate Director of Planning and Facilities
2	Nov-15 Corporate Services	Nov-16	Board	Staff to bring back data in an extended report regarding students who were not able to be accommodated with the reasons by ward and by school.	Associate Director Planning and Facilities
3	Jan -16 Corporate Services	Jan-17	Corporate Services	Request to the TTC to reduce transit rates for our students.	Associate Director Planning and Facilities
4	March-16 Corporate Services	Feb-17	Corporate Services	Report back to the Board on progress made to make TCDSB a “net zero” school Board	Associate Director Planning and Facilities
5	June-16 Corporate Services	Nov-16	Corporate Services	Comparison of new leasing rate model vs the old model	CFO and Executive Superintendent, Business Services

6	June-16 Corporate Services	Jan-17	Corporate Services	Report to investigate ways to decrease costs and for consultants and architectural firms (The cost is included in capital or renewal projects and funded by the Ministry. Costs saved will be used to offset costs of air conditioning, green roofs, gyms etc)	Associate Director Planning and Facilities
7	June-16 Corporate Services	Jn-17	Corporate Services	That staff begin collection of day-to-day temperature data regarding Passive Cooling for Schools Without Air Conditioning (All Wards)	Associate Director Planning and Facilities
8	June-16 Corporate Services	Dec-17	Corporate Services	Report to further reduce replacement and overtime costs and report back to board	Associate Director Academic Affairs
9	Sep-16 Student Achievement	Dec-16	Corporate Services	Report regarding the wait-list for all elementary schools that are over-subscribed	Associate Director Academic Affairs