



**Daniel Di Giorgio**  
**Trustee Ward 10**

**E-mail: [Daniel.DiGiorgio@tcdsb.org](mailto:Daniel.DiGiorgio@tcdsb.org)**

**Voicemail: 416-512-3410**

**To: Student Achievement, April 8, 2021**

**From: Daniel Di Giorgio, Trustee Ward 10**

**Subject: Notice of Motion – Fiduciary Duty to the Board**

---

**MOVED BY: Daniel Di Giorgio**, Toronto Catholic District School Board

**WHEREAS:** I believe Staff overstepped their authority by removing a Trustee's notice of motion entitled "Communication on Toronto Catholic District School Board (TCDSB) letterhead placed on City Council Agenda on February 1, 2021" from the public agenda and placing it on the private agenda;

**WHEREAS:** I have requested the handling of this matter be reviewed by the Provincial Ombudsman;

**WHEREAS:** I believe the Board was deprived of the opportunity from making an affirmation in public session that the Board was not affiliated in any manner with the actions taken by the Trustees identified in the letter to Mayor Tory and Councillors (Trustee De Domenico, Trustee Di Pasquale, Trustee Li Preti, Trustee Rizzo);

**WHEREAS:** My understanding is that Trustees owe a fiduciary duty to the Board (i.e. the institution) and not the individual members of the Board;

**WHEREAS:** The Board is entering a challenging budget setting process with cuts looming;

**WHEREAS:** I believe the lack of a public statement potentially increases the likelihood of the Board being injected into litigation possibly resulting in funds being spent on legal fees which could otherwise be allocated to other budgetary concerns directly impacting student achievement and wellbeing; and

**WHEREAS:** This issue is urgent in nature and may result in financial loss or other harm to the TCDSB if it is not dealt with expeditiously.

**BE IT RESOLVED THAT:** The Chair write a letter to the relevant parties confirming the TCDSB had no involvement in the subject communication;

**BE IT RESOLVED THAT:** Staff clarify in a public report the amount of legal fees incurred by the TCDSB as a result of individual Trustees' actions and the corresponding Trustees during this elected term; and

**BE IT RESOLVED THAT:** Staff confirm in a public report the amount of legal services provided by External Legal Counsel for the TCDSB to individual Trustees at the expense of the TCDSB without Board approval during this elected term.

**Daniel Di Giorgio,**  
**Trustee, Ward 10**