

MINUTES OF THE SPECIAL MEETING
OF THE
TORONTO CATHOLIC DISTRICT SCHOOL BOARD
HELD JANUARY 28, 2015
PUBLIC SESSION

PRESENT:

Trustees M. Del Grande, Chair
N. Crawford

A. Andrachuk
F. D'Amico
J.A. Davis
A. Kennedy
J. Martino
B. Poplawski – by teleconference
M. Rizzo
G. Tanuan

A. Gauthier
G. Poole
P. Matthews

L. Fernandes, Recording Secretary

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

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Tanuan, that Trustee Kennedy Chair the meeting.

With the consent of the Board Trustee Kennedy withdrew her Motion.

MOVED by Trustee Kennedy, seconded by Trustee Rizzo, that the following Proposed By-law for Article 4.3.3 regarding Special Board meetings be approved:

“A Special Board meeting will be called at the written request to the Director from 5 Trustees on Urgent Matters to be held on a date that is within 7 days of receipt of the request.”

On the vote being taken, as follows:

In favour

Trustees Rizzo
Tanuan
Kennedy

Opposed

Trustees Andrachuk
Davis
Poplawski
D’Amico
Crawford
Del Grande

The Motion was declared

LOST

ARTICLE 4.12 LACK OF QUORUM

MOVED by Trustee D’Amico, seconded by Trustee Tanuan, that the following Proposed By-law for Article 4.12 regarding Lack of Quorum be approved:

“that if the quorum is not present within twenty minutes after the time appointed for any meeting, the Recording Secretary shall record the names of those present and the meeting will be adjourned’.

On the vote being taken, as follows:

In favour

Trustees Davis
Rizzo
D'Amico

Opposed

Trustees Poplawski
Andrachuk
Del Grande
Tanuan
Kennedy
Crawford

The Motion was declared

LOST

ARTICLE 4.17 RECESS OF MEETING BY THE CHAIR OF THE BOARD OF TRUSTEES

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that the following proposed By-law regarding Recess of Meeting by Chair of the Board, be approved:

“That no Meeting shall continue in session for more than 3 hours without a recess”.

On the vote being taken, as follows:

In favour

Trustees Davis
Poplawski

Opposed

Trustees Rizzo
Andrachuk
Del Grande
D'Amico
Tanuan
Kennedy
Crawford

The Motion was declared

LOST

ARTICLE 4.18 MAXIMUM LENGTH OF MEETING

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk, that the following proposed By-law regarding Maximum Length of Meeting be approved:

“No meeting shall continue in session for more than **four** hours.”

On the vote being taken, as follows:

In favour

Trustees Poplawski
Davis
Rizzo
D’Amico
Kennedy
Crawford

Opposed

Trustees Andrachuk
Del Grande
Tanuan

The Motion was declared

CARRIED

ARTICLE 4.19 EXTENSION OF LENGTH

MOVED by Trustee Davis, seconded by Trustee Rizzo, that based on the ruling that was made a new amendment no be brought forward.

CARRIED

ARTICLE 4.22 MONTHLY SPECIAL MEETINGS OF BOARD

MOVED by Trustee Rizzo, seconded by Trustee Andrachuk, that the item be deferred to be dealt with after Item 5.3

CARRIED

The Chair declared a ten minute recess.

The meeting continued with Trustee Del Grande in the Chair.

ARTICLE 5.3 COMPOSITION OF STANDING COMMITTEES

MOVED by Trustee Kennedy, seconded by Trustee Tanuan, that the current By-law be amended to read the “the membership of the four Standing Committees: Governance, Budget, Corporate Affairs and Student Achievement shall include all members of the Board of Trustees”.

Trustee Del Grande turned the Chair over to Trustee Crawford.

On the vote being taken, as follows:

In favour

Trustees Andrachuk
Del Grande
Tanuan
Kennedy
Crawford

Opposed

Trustees Poplawski
Davis
D’Amico
Rizzo

The Motion was declared

CARRIED

The meeting continued with Trustee Del Grande in the Chair.

ARTICLE 4.22 MONTHLY SPECIAL MEETINGS OF BOARD

MOVED by Trustee Crawford, seconded by Trustee Tanuan, that staff come back with appropriate wording for Article 4.22 to coincide with Article 5.2

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk

Davis

Poplawski

Rizzo

D'Amico

Del Grande

Tanuan

Kennedy

Crawford

The Motion was declared

CARRIED

ARTICLE 5.9 ESTABLISHMENT OF SUB-COMMITTEES

MOVED by Trustee Poplawski, seconded by Trustee Kennedy, that the following Proposed By-law for Article 5.9 regarding Establishment of Sub-Committee be approved:

“Sub-Committees may be established by any Committee to consider any matter within the terms of reference of that Committee”.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
 Davis
 Poplawski
 Rizzo
 D'Amico
 Del Grande
 Tanuan
 Kennedy
 Crawford

The Motion was declared

CARRIED

ARTICLE 5.10 COMPOSITION OF SUB-COMMITTEES

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk, that the following Proposed By-law for Article 5.10 regarding Composition of Sub-Committee be approved:

“Membership of a Sub-committee shall be determined by the appointing Committee and may include persons who are not members of the Committee’.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
 Davis
 Poplawski
 Rizzo
 D'Amico

Del Grande
Tanuan
Kennedy
Crawford

The Motion was declared

CARRIED

Staff were directed to review the Terms of Reference for the Budget and Governance Committees.

ARTICLE 5.11 DISSOLUTION OF SUB-COMMITTEES

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that the following Proposed By-law for Article 5.11 regarding Dissolution of Sub-Committee be approved:

A Sub-Committee shall be dissolved:

5.11.1 upon the delivery of its final report to the Committee; or

5.11.2 at any time upon a resolution of the Board or of the appointing Committee;

5.11.3 at the end of the year

Whichever occurs first.

MOVED by Trustee Poplawski, seconded by Trustee Andrachuk, that the meeting resolve into PRIVATE SESSION.

On the vote being taken, as follows:

In favour**Opposed**

Trustees Andrachuk
 Rizzo
 D'Amico
 Crawford
 Del Grande
 Tanuan
 Kennedy
 Poplawski
 Davis

The Motion was declared

CARRIED

The meeting continued in PUBLIC SESSION with Trustee Del Grande in the Chair.

MOVED by Trustee Crawford, seconded by Trustee Andrachuk, that the items dealt with in PRIVATE SESSION regarding financial matters be approved.

CARRIED

**(Private Session Minutes
 Distributed Under Separate Cover)**

MOVED by Trustee Crawford, seconded by Trustee Tanuan, that the meeting recess.

CARRIED

The meeting reconvened on Wednesday, August 26, 2015 with the following Trustees in attendance:

PRESENT:

Trustees M. Del Grande, Chair
N. Crawford

A. Andrachuk
F. D'Amico
J.A. Davis
A. Kennedy
M. Rizzo – by telephone
G. Tanuan – by telephone

A. Gauthier
G. Poole
P. Matthews

L. Fernandes, Recording Secretary

MOVED by Trustee Andrachuk, seconded by Trustee Kennedy, that the agenda, be approved.

CARRIED

The Board agreed to continue discussion of the Board By-laws and the City of Toronto Municipal Code – Chapter 27 Council Procedures.

ARTICLE 6: COMMITTEE REPORTS TO THE BOARD

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that excluding the Standing Committees that Committees report to the Board by way of written reports containing recommendations for action.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Rizzo
Tanuan
Davis

The Motion was declared

CARRIED

ARTICLE 7: FINANCE

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk that Article 7.4 be adopted as follows:

7.4 Maximum Debt Charges

The Board of Trustees may by resolution authorize the Treasurer and the Chair or Vice-Chair of the Board of Trustees to borrow from time to time the sums that the Board considers necessary to meet the current expenditures of the Board, until the current revenue has been received.

7.4.1 The Board may borrow the sums that the Board considers necessary to meet the debt charges payable in any fiscal year until the cash has been received; and

7.4.2 The amounts that the Board may borrow at any one time for the purpose referred to in Articles 7.4 and 7.4.1, together with the total of any similar borrowings that have not been repaid and any secured interest on those borrowings, shall not exceed the un-received balance of the estimated current revenues of the Board.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Rizzo
Tanuan
Davis

The Motion was declared

CARRIED

ARTICLE 10: AGENDA AND ORDER PAPER

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that Article 10.4 be adopted as follows:

No matter shall be placed on the draft Agenda or Order Paper of a Meeting of the Board of Trustees:

10.4.2 unless the Committee having cognizance of the matter has delivered its approved or unapproved minutes as prescribed in Article 6, and a written copy has been delivered to each Trustee not less than **one hundred and twenty (120) hours before the Meeting;**

MOVED in AMENDMENT by Trustee Andrachuk, seconded by Trustee Kennedy, that delivery of the material be sent electronically five days before the meeting with the hard copies to be sent 72 hours and posted on the website.

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

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis
Rizzo

The Amendment was declared

CARRIED

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

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis
Rizzo

The Motion, as Amended was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk, that Articles 10.1 and 10.2 be adopted as follows:

10.1 Delivery of Draft Meeting Agenda to Trustees

Draft Agenda and related materials shall be delivered **120 hours** (5 days) in advance of the Meeting

10.2 Delivery of Draft Meeting Agenda to non-Trustees

Draft Agenda and related materials shall be delivered **120 hours** (5 days) in advance of the Meeting

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

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that Articles 10.4 be adopted as follows:

10.4 No matter shall be placed on the draft Agenda or Order Paper of a Meeting of the Board of Trustees:

10.4.2 unless the Committee having cognizance of the matter has delivered its approved or unapproved minutes as prescribed in Article 6, and a written copy has been delivered to each Trustee not less than **one-hundred and twenty (120) hours** before the Meeting;

10.4.6 unless it is a communication for receipt, referral, or both receipt and referral, and a written copy thereof has been delivered to each Trustee not less than **one-hundred-and-twenty (120) hours before the Meeting**

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

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Andrachuk, seconded by Trustee Kennedy, that item 10.8 be adopted as follows:

Article 10.8 Member of a Committee Placing Matter on Agenda of Meeting

A Trustee, or member of a Committee who is not a Trustee, may place on the Draft Agenda of a Meeting of a Committee any matter within the terms of reference of such Committee, and with respect to which the Trustee, or a member of a Committee who is not a Trustee, has a right to vote a Meeting of the Committee; such Notice of Matter:

New Article 10.8.6 shall not be the subject of any debate or comment at the Meeting at which it is introduced.

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

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk, that a new Article 10.9 be adopted as follows:

10.9.4 Singing of O Canada A Capella after Memorials and Prayer

10.9.5 Approval of the Agenda;

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

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk, that Article 10.9.9 be adopted as follows:

10.9.9 Presentations, not to exceed 15 minutes, given with the approval of the Chair of the Board of Trustees and the Director, which may be the subject only of a motion for receipt, or a motion of referral to the appropriate Committee or to Staff, or a motion of both receipt and referral to the appropriate Committee or to Staff;

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Andrachuk, that new article 10.9.17 be added as follows:

10.9.17 Closing Prayer

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
D'Amico
Crawford
Del Grande
Kennedy
Tanuan
Davis

The Motion was declared

CARRIED

MOVED by Trustee Davis, seconded by Trustee Crawford, that Article 10.10 Order Paper for Special Meetings of the Board of Trustee and Committees be approved as follows:

A matter shall be placed on the draft Agenda and Order Paper of a Meeting of a Committee of the Board of Trustees as follows:

- 10.10.1 Call to Order;
- 10.10.2 Opening Prayer (Chair or designate) ;
- 10.10.3 Roll Call and Apologies;
- 10.10.4 Singing of O Canada;
- 10.10.5 Approval of the Agenda;
- 10.10.6 Report from Private Session;
- 10.10.7 Declarations of Interest;
- 10.10.8 Approval and Signing of Minutes;
- 10.10.9 Delegations;
- 10.10.10 Presentations, not to exceed 15 minutes, given with the approval of the Chair of the Committee of Trustees and the Director, which may be the subject only of a motion for receipt, or a motion of referral to the appropriate Committee or to Staff, or a motion of both receipt and referral to the appropriate Committee or to Staff;
- 10.10.11 Notices of Motion;
- 10.10.12 Consent and Review;
- 10.10.13 Unfinished Business;
- 10.10.14 Matters referred or deferred;

10.10.15 Staff reports;

10.10.16 Listing of communications, which may be the subject only of a motion for receipt, or a motion of referral to the appropriate Committee or to Staff, or a motion of both receipt and referral to the appropriate Committee or to Staff:

10.10.16.1 A communication shall be delivered to each Trustee electronically at least 24 hours prior to the meeting and included on the addendum prior to the meeting;

10.10.17 Inquiries and Miscellaneous only of an urgent nature, which may be the subject only of a motion for receipt, or a motion of referral to the appropriate Committee or to Staff, or a motion of both receipt and referral to the appropriate Committee or to Staff;

10.10.18 Updating of the Pending List;

10.10.19 Closing Prayer; and

10.10.20 Adjournment.

- There is **no substantive change to this section.** The only change is that the items on the Order Paper are now listed. Under the existing by-law, the Order Paper was described by reference to the Board of Trustees Order Paper.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk

D'Amico

Crawford

Del Grande

Kennedy

Tanuan

Davis

The Motion was declared

CARRIED

MOVED by Trustee Andrachuk, seconded by Trustee Kennedy, that Article 11.5 Motions be adopted as follows:

11.5 Motions to Call the Question

Article 10.4: “No motion to Call the Question shall be in order on a main motion until all members wishing to speak have spoken once.”

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk

D’Amico

Crawford

Del Grande

Kennedy

Tanuan

Davis

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that a new Article 11.6 be adopted as follows:

11.6 Motions to Refer

All motions to refer require appropriate and succinct instructions for the receiving body.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Davis, that the old Article 11.6
Motions Arising-Out-Of be deleted.

Trustee Del Grande turned the Chair over to Trustee Crawford.

On the vote being taken, as follows:

In favour

Opposed

Trustees Davis
Tanuan
D'Amico
Crawford
Del Grande

Trustees Andrachuk
Kennedy

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Tanuan, that Article 12 be adopted as follows:

ARTICLE 12 PROTOCOL FOR DEBATE

No member shall speak more than once or longer than **three (3) minutes** on the same motion without the leave of the Meeting, and that the mover of the motion was provided an additional **two (2) minutes** to reply.

MOVED in AMENDMENT by Trustee Del Grande, seconded by Trustee Davis, that a member shall be able to ask staff questions of 3 minutes prior to the item coming before debate.

MOVED by Trustee Tanuan, seconded by Trustee Davis, that the matter of Protocol for Debate be referred to staff to address the matter and come back with variables.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion to refer was declared

CARRIED

MOVED by Trustee Andrachuk, seconded by Trustee Tanuan, that Article 12.12 be adopted as follows:

Article 12.12 Challenges to Rulings of the Chair

“Any person entitled to vote on the main motion on the floor may appeal to the meeting from the ruling of the Chair on a point of order or procedure. Such an appeal must be seconded and may not be amended. The vote shall be determined by a majority vote and the results shall be final and binding. Such motion appealing the ruling of the Chair shall explain the basis for the challenge. The Chair shall put the question: “The ruling of the Chair has been appealed, is it the will of the meeting that the ruling of the Chair shall stand as the judgement of the meeting? All those in favour of supporting or upholding the ruling of the Chair shall vote yes and those who do not support the ruling of the Chair vote no.”

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D’Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Davis, that Article 13 Voting be adopted as follows:

ARTICLE 13 VOTING

Article 13.1 Voting Public

At the Board and Standing Committee meetings, every vote shall be recorded with the exception of: Approval of the Agenda, Approval of the Minutes, Motions of Receipt of Presentations

MOVED in AMENDMENT by Trustee Andrachuk, seconded by Trustee Del Grande, that the Motion of Receipt of Delegations be deleted.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Amendment was declared

CARRIED

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion, as Amended, was declared

CARRIED

The meeting continued with Trustee Del Grande in the Chair.

MOVED by Trustee Andrachuk, seconded by Trustee Kennedy, that Article 13.3 be adopted as follows:

Article 13.3 Member Must Be Present

“Only Members present at the Meeting, seated at the Board table or participating by electronic means when a vote is taken shall have the right to vote.”

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D’Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion, was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that Article 13.6 be adopted as follows:

13.6 Methods of Voting

Every matter considered by the Board of Trustees or a Committee shall be disposed of by a vote of all Members, in one of the following ways (preference being given in the following sequence):

13.6.1 by general (or unanimous) consent, in which the Chair, exercising discretion, states that the motion will be adopted in the absence of objection;

13.6.2 by show of hands, in which each Member raises the Member's own hand in response to the requests of the Chair for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted;

13.6.3 by rising, in which each Member stands in response to the requests of the Chair for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted;

13.6.4 by recorded vote, in which each Member stands in place in response to the requests of the Chair for the votes in the affirmative and in the negative, as the case may be, until the Chair has called the name of each Member as voting, respectively, in the affirmative, or in the negative, or, in the case of selection from three or more alternatives, as voting in succession for one of the alternatives;

13.6.5 by ballot, in which each Member shall mark on a paper provided by the Secretary, the Member's choice from among the available alternatives, the papers being collected and counted immediately thereafter;

13.6.6 by electronic voting machine, in which each Member shall indicate the Member's choice from among the available alternatives.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion, was declared

CARRIED

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that Articles 13.7 and 13.8 be deleted.

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion, was declared

CARRIED

MOVED by Trustee Andrachuk, seconded by Trustee Tanuan, that Article 14 be adopted as follows:

ARTICLE 14 EXECUTION OF DOCUMENTS

All deeds, conveyances, mortgages, bonds, debentures, approved by the Board of Trustees shall be sealed with the Corporate seal of the Toronto Catholic District School Board and signed by the Director or any one of the associate Directors **and** the Chair or Vice-Chair of the Board of Trustees

On the vote being taken, as follows:

In favour

Opposed

Trustees Andrachuk
Crawford
D'Amico
Del Grande
Kennedy
Tanuan
Davis

The Motion, was declared

CARRIED

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that Article 1.1.24 be adopted as follows:

ARTICLE 1: INTERPRETATION

1.1.24“Urgent Matter” means any matter of a time-sensitive nature which may result in financial loss or other harm to the TCDSB and to the Board of Trustees of the TCDSB, an employee, or student, if the matter is not dealt with before the next scheduled meeting; and

MOVED by Trustee Andrachuk, seconded by Trustee Crawford, that the meeting adjourn.

CARRIED

SECRETARY

CHAIR