

## ***Regular Board Meeting***

Monday, June 25, 2018

Education Centre

St. Catharines

6:15 - 7:00 p.m. [Private Session]

7:00 - 10:00 p.m. [Public Session]

## **A G E N D A**

### **A. COMMENCEMENT OF THE MEETING OF THE BOARD**

1. Acknowledgement of Traditional Territory
2. Call to Order and Noting of Members Absent
3. Declaration of Conflict of Interest

### **B. COMMITTEE OF THE WHOLE**

1. Motion to Move to Committee of the Whole (Private Session)
2. Motion to Return to Open Board (Public Meeting)

### **C. SINGING OF 'O CANADA'**

Senator Gibson Public School choir will perform 'O Canada' via video

### **D. REFLECTIVE READING**

By Trustee Dave Schaubel

**E. BUSINESS OF THE BOARD**

**1. Adoption of the Agenda**

**Recommended Motion:**

“That the Agenda be adopted.”

**2. Approval of Board Minutes**

**Recommended Motion:**

“That the Minutes of the Regular Meeting of the District School Board of Niagara dated May 22, 2018 be confirmed as submitted.”

Pages 11-27

**3. Business Arising from the Minutes**

**4. Ratification of Business Conducted in Committee of the Whole**

**Recommended Motion:**

“That the business transacted in Committee of the Whole be now ratified by the Board.”

**F. EDUCATIONAL SHOWCASING OR PRESENTATIONS**

**1. Director’s Report and Recognition**

W Hoshizaki  
Pages 28-33

- a) Director’s Recognition - Michael Shannon, Student, Stamford Collegiate
- b) Director’s Update to Trustees

**2. Educational Showcases**

- a) ROUTES Graduation

M Reimer Friesen

**G. STUDENT ACHIEVEMENT REPORT**

**H. DELEGATIONS**

**I. BOARD RECESS (Optional)**

**J. OLD BUSINESS**

**1. ACCOUNTS**

S Veld  
Page 34

**Recommended Motion:**

“That the Summary of Accounts paid in Batch Numbers APB100268 to APB100547, for the month of May 2018, totaling \$17,370,936.44 be received.”

**2. REPORT OF THE AUDIT COMMITTEE**

J Fast  
Pages 35-42

**Recommended Motion:**

“That the report of the Audit Committee meeting of June 11, 2018, be received as information; and

That the 2018-19 Internal Audit Plan for the audit of *Attendance Support & Data Visualization and Records Management* be approved; and

That KPMG be appointed external auditors for the District School Board of Niagara for a one-year term commencing September 1, 2018.”

**3. REPORT OF THE SPECIAL EDUCATION ADVISORY COMMITTEE**

D Robinson / J Ajandi  
Pages 43-46

**Recommended Motion:**

“That the report of the Special Education Advisory Committee dated June 14, 2018 be received.”

**4. REPORT OF THE FINANCE COMMITTEE**

K Maves  
Pages 47-82

**Recommended Motions:**

“That the report of the Finance Committee dated June 14, 2018 be received.”

And

“That the Interim Financial Report for the period ending April 30, 2018, be received.”

And

“That the 2018-19 Budget include  
\$200,000 to support Indigenous, French and Well-Being Additional Qualifications Courses  
\$ 15,000 to support the Mindset Matters Student Leadership Conference  
\$ 15,000 to support the Youth and Elders Conference  
\$107,000 for 1.0 FTE Secondary Reading Intervention Teacher  
\$ 20,000 to support School Cash Online Bank Fees  
\$ 45,000 to support Elementary Athletics.”

And

“That the 2018-19 Revenue and Expenditure Budget in the amount of \$477,980,844 be approved and the estimate forms be submitted to the Ministry of Education.”

And

“That the revised Policy B-01 Purchasing of Goods and Services be approved and adopted.”

And

“That authority be delegated to the Director of Education and the Superintendent of Business Services jointly to approve property matters in July and August that would otherwise require Ad Hoc Properties Disposal Committee and Board approval, and report such approvals at the September 2018 Ad Hoc Properties Disposal Committee meetings.”

## **5. REPORT OF THE SUPERVISED ALTERNATIVE LEARNING COMMITTEE**

L Campbell  
Pages 83-84

### **Recommended Motion:**

“That the report of the Supervised Alternative Learning Committee dated June 19, 2018 be received.”

## **6. REPORT OF THE AD HOC GOVERNANCE COMMITTEE**

C Keddy Scott  
Pages 85-92

### **Recommended Motion:**

“That the report of the Ad Hoc Governance Committee dated April 25, 2018 be received.

And

“That the following amendments to the By-Laws and Rules of Order of the District School Board of Niagara be approved, with such amendments to take effect at the completion of the mandate of the Ad Hoc Governance Committee (as confirmed by the Board of Trustees at its meeting held April 24, 2018), which is anticipated to be at the end of October 2018, as follows:

- |      |  |
|------|--|
| G-7  | <p>The Secretary shall cause to have delivered or mailed a “BOARD AGENDA” and a copy of all reports (committee minutes or staff reports) to each member of the Board at least 48 hours prior to the meeting at which the same are to be considered. The “BOARD AGENDA” shall contain a brief notice of all such matters as may come regularly before the Board meeting and shall set out in full all notices of motion, where available at the time of publication of the Board agenda.</p>  |
| G-9  | <p>a) The Board will post the Board agenda with supplementary materials (e.g. Correspondence and Communications and Committee Minutes (without supplementary material), where available at the time of publication of the Board agenda) on the Board’s website at least 24 hours prior to the Board meeting, exclusive of matters to be considered in Committee of the Whole – Private Session, for access by the public.</p> <p>b) The Board meeting minutes, without supporting material, shall be posted on the Board’s website once they are approved by the Board (exclusive of matters considered in a closed session).</p> <p>c) The Board will post the Committee meeting agenda with supplementary materials on the Board’s website at least 24 hours prior to a Standing or Statutory Committee meeting, exclusive of matters to be considered in a Closed Session, for access by the public.</p> <p>d) <del>Committee meeting minutes, without supplementary materials, shall be posted on the Board’s website once they are approved by the Committee (exclusive of matters considered in a closed session).</del></p> <p>d) The Board agenda (Regular meeting and Committee of the Whole) shall itemize all recommended motions, including recommendations from any Committee of the Board, where available at the time of publication of the Board agenda.</p> |
| G-10 | <p>The Order of Business for the Regular Meeting of the Board shall be:</p> <p>A. Commencement of the Meeting of the Board</p> <ol style="list-style-type: none"> <li>1. Acknowledgement of Traditional Territory</li> <li>2. Call to Order and Noting of Members Absent</li> <li>3. Declaration of Conflict of Interest</li> </ol> <p>B. Committee of the Whole</p> <ol style="list-style-type: none"> <li>1. Motion to Move to Committee of the Whole (Private Session)</li> <li>2. Motion to Return to Open board (Public Meeting)</li> </ol>   |

- C. Singing of "O Canada"
- D. Opening Prayer or Reflective Reading
- E. Business of the Board
  - 1. Adoption of Agenda
  - 2. Approval of Board Minutes
  - 3. Business Arising from the Minutes
  - 4. Ratification of Business Conducted in Committee of the Whole
- F. Educational Showcasing or Presentations
- G. Student Achievement Reports
- H. Delegations
- I. Board Recess (Optional)
- J. Old Business
- K. Questions Asked of and by Board Members
- L. New Business
- M. Information and Proposals
  - 1. Staff Reports
  - 2. Trustee Information Sessions
  - 3. Correspondence and Communications
  - 4. Trustee Communications and School Liaison
  - 5. OPSBA Reports
  - 6. Future Meetings
- N. Adjournment Ratification of Business Conducted in this Regular Meeting
- O. Adjournment

G-11 Prior to adjourning each Regular Meeting of the Board, the Board shall consider the following motion:

**"THAT THE BUSINESS TRANSACTED BY THE BOARD OF TRUSTEES AT ITS MEETING HELD [insert date of current meeting] BE NOW RATIFIED BY THE BOARD.**

**THAT THE CHAIR AND PROPER OFFICIALS OF THE DISTRICT SCHOOL BOARD OF NIAGARA ARE HEREBY AUTHORIZED AND DIRECTED TO DO ALL THINGS NECESSARY TO GIVE EFFECT TO THE BUSINESS AS DECIDED BY THE BOARD OF TRUSTEES THIS DAY"**

G-11  
12 No variation in the foregoing order of business shall be permitted, unless two-thirds of the members present vote in favour thereof, the vote to be taken without debate.

G-12  
13 The Director of Education shall meet with the Chairperson and Vice-Chairperson to review and plan the Board meeting agenda.

N **AD HOC COMMITTEES AND SPECIAL COMMITTEES OF THE BOARD OF TRUSTEES**

N-1 Ad Hoc Committees and Special Committees of the Board of Trustees have either a membership made solely of members of the Board of Trustees or a composition where at least fifty percent (50%) of the Ad Hoc Committee or Special Committee are also members of the Board of Trustees.

- N-1  
2 Ad hHoc eCommittees of the Board of Trustees are appointed for a specific purpose or task, which cease to exist upon completion of such purpose or task.
- N-2  
3 The Board may, from time to time, appoint sSpecial eCommittees of the Board of Trustees as it deems necessary. Such Special eCommittees of the Board of Trustees shall be appointed by resolution of the Board and each shall receive terms of reference from the Board.
- N-3  
4 Items which have been referred to an aAd hHoc eCommittee of the Board of Trustees may only be placed on the agenda after consultation with the committee.
- N-4  
5 Every member who introduces a motion upon any subject which shall be referred to a sSpecial eCommittee of the Board of Trustees shall be a member of that committee.
- N-5  
6 In contrast, a task force or fact-finding group or an ad hoc committee (that does not meet the definition in N-1) may be established as a working committee under the supervision and chair of administrative staff. Such groups always meet in private unless they agree to meet in public and are not governed by the *Education Act* or the Board By-Laws.
- O-10 Reports of all committees (i.e. Committee minutes) shall be reviewed by the committee chairperson with the staff lead and then shall be printed before being presented to the Board, and shall contain the names of the members of such committee present at the meetings at which such reports (i.e. Committee minutes) were adopted, and if a meeting of any committee is called at which a quorum is not present, the Chairperson of such committee, or in the Chairperson's absence, the Secretary of the Board (Director of Education), shall report the fact to the Board at the next meeting with the names of the members present.

## **7. REPORT OF THE STUDENT TRUSTEE SENATE**

E Hilborn / A Qayum

### **Recommended Motion:**

"That the verbal report of the Student Trustee Senate dated June 25, 2018 be received."

## **K. QUESTIONS ASKED OF AND BY BOARD MEMBERS**

## **L. NEW BUSINESS**

### **1. NOTICE OF RECOMMENDED MOTION**

Take notice that in accordance with Board By-law Q-2, a recommendation that the following amendments to the By-laws and Rules of Order of the District School Board of Niagara will come forward for consideration at the next meeting of the Board scheduled for September 25, 2018, with such amendments to take effect at the completion of the mandate of the Ad Hoc Governance Committee (as confirmed by the board of Trustees at its meeting held April 24, 2018), which is anticipated to be at the end of October 2018, as follows:

<b>L-1</b>	<p><b>Trustees are elected to a four (4) year term of office on the Board. At the start of the term and approximately two (2) years into the term of office there will be opportunities to change Trustee membership on Standing and Statutory Committees, save and except for the Special Education Advisory Committee (SEAC) and the Code of Conduct Investigation Committee, which both requires a four (4) year term commitment.</b></p> <p><b>a) At the Organization Meeting in an election year the Trustees will submit their committee preferences to the Director's Office and, thereafter, the Director, Chair and Vice-Chair of the Board will meet to consider the preferences submitted and then to assign Trustees to serve on Standing and Statutory Committees. The selection of Committee Chairs will occur in accordance with By-Laws O - 23 and O - 24.</b></p> <p><b>b) Nineteen (19) months after the newly elected Trustees take office, the Trustees shall again submit their committee preferences to the Director's Office by the first Board meeting in June and, thereafter, the Director, Chair and Vice-Chair of the Board will meet to consider the preferences submitted and then to assign the Trustees to serve on Standing and Statutory Committees effective September 1<sup>st</sup> of that same year. The selection of Committee Chairs will occur in accordance with By-Laws O-23 and O - 24.</b></p>
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**L-6** There shall be the following committees of the Board with each Board member required to sit on two (2) Standing or Statutory Committees.

- Audit Committee..... 3 Board Members
- Policy Advisory Committee..... 5 Board Members
- Program and Planning Committee..... 5 Board Members
- Finance Committee..... 4 Board Members
- Special Education Advisory Committee (SEAC)..... 2 Board Members plus 2 appointed Board Member Alternates (this is a legislated four (4) year term)
- Supervised Alternative Learning Committee (SAL)..... 1 Board Member
- Parent Involvement Committee..... 2 Board Members
- Student Trustee Senate..... 2 Board Members plus 2 Student Trustees
- Code of Conduct Investigation Committee..... 4 Board Members (Chair, Vice-Chair plus 2 appointed Board Member Alternates (this is a four (4) year term)
- Student Discipline Committee..... 3 Board Members (legislated minimum)
- Ad Hoc Negotiations Committee..... 2 Board Members for each contract
- Ad Hoc Properties Disposal Committee... 2 Board Members (Chair of Program and Planning Committee, and Chair of Finance Committee, or designate)

Other Ad Hoc Committees will be established as required.

**L-7** The committee responsibilities of the incoming Chairperson shall be assumed by the outgoing Chairperson, save and except if the incoming Chairperson was the Board member assigned to serve on the Special Education Advisory Committee (SEAC) or the Code of Conduct Investigation (COCI) Committee, then the incoming Chairperson will remain on the SEAC or COCI Committees for the balance of the Board's four (4) year term.

**O-3** All committee recommendations must be presented to the Board for ratification or rejection. Committee recommendations will be recorded in the Committee minutes and provided to the Board no later than at the meeting where the Committee recommendations are being considered.

**M. INFORMATION AND PROPOSALS**

**1. Staff Reports**

- a) Niagara Compliance Audit Committee

W Hoshizaki  
Pages 93-100

**Recommended Motions:**

“That the report regarding the Niagara Compliance Audit Committee dated June 25, 2018 be received;

That the District School Board of Niagara re-establish the Niagara Compliance Audit Committee and continue as a joint participant in the committee;

That the updated Terms of Reference attached as Appendix 1 be approved;

That the Secretary of the Board be delegated the authority to make any legislative or administrative changes to the terms of reference; and

That the Secretary of the Board be delegated the authority to appoint members to the Compliance Audit Committee.”

**2. Trustee Information Session**

No information session scheduled.

**3. Correspondence and Communications**

**4. Trustee Communications and School Liaison**

**5. Ontario Public School Boards’ Association Report**

D Chase

**6. Future Meetings**

Page 101

The September 2018 calendar is attached.

**N. ADJOURNMENT**

**Recommended Motion:**

“That this meeting of the District School Board of Niagara be now adjourned.”

**June 25, 2018 Board Meeting  
Director's Update to Trustees**

**Director's Recognition for Extraordinary Contributions – Michael Shannon, Student, Stamford Collegiate SS**

Michael Shannon started at Stamford Collegiate SS second semester of grade 9. It didn't take long for Michael to find his home in cosmetology with Ms. DiGaetano, drama with Ms. Menotti and music with Ms. Enns. In grade 10, Michael became the youngest Stamford student to enter the DSBN Regional Skills Hairstyling competition where he earned silver. The student who won gold that year declined the Provincials, giving Michael the opportunity to attend the Provincials in Toronto where he won silver against many older students. At the DSBN Skills Competition in grade 11, Michael went straight to gold and then bronze at Provincials. While we all know that bronze is something to celebrate, Michael saw it as a challenge, which he has met with style and determination. This year, in grade 12, Michael won gold at the DSBN Skills, gold at the Provincials in Toronto and silver at the Nationals in Edmonton. It should be noted that he was only 66 points away from the gold.

Michael is a mastermind at creating hair colours. He started collecting staff and student clients in grade 10 and now has over 100 clients who clamor for his attention. Michael now has a business Instagram account with close to 2,000 followers from around the world. Stamford is happy to have Michael for one more year as he hasn't made up his mind where he wants to go. The problem, from Principal Gilmore's point of view, is that Michael has too many talents and too many choices! He is an invaluable member of the Arts program where he acts, sings, designs costumes, and does make-up. Michael has won various awards for makeup and costume design. He is also an invaluable member of the choir – where he sings Alto and helps Ms. Enns create harmonies for their song arrangements.

All of Michael's teachers describe him as a creative force who will blaze a trail from Stamford Collegiate to Team Canada Hairstyling to maybe owning his own hair salon in Toronto, New York or Paris - while performing, singing and creating masterpieces at a local Playhouse. But for now, the school is happy that Michael is returning for one more year.

Congratulations Michael! You are most deserving of receiving the Director's Recognition for Extraordinary Contributions Award. We can't wait to see what you create at next year's DSBN Skills competition.

## Local Updates

### Canada Wide Science Fair

DSBN students had an excellent experience with great success during their week at the Canada Wide Science Fair in Ottawa this year. Dheiksha Jayasankar from Power Glen PS won a silver medal for tackling the global food shortage problem with her project on the use of nanoparticles and antioxidants to improve plant growth. Abby Kitcher from Power Glen PS also won a silver medal by addressing the alzheimer's and dementia population with her experiment on colour and memory. Crystal Coyne from E.L. Crossley SS won a silver medal for helping our declining bee population when she designed a 'bee hydration station'. Hailin Wang from Sir Winston Churchill SS won a silver medal through his design of a mobility



assistance device to improve the quality of life for our aging population. We are extremely proud of our students, who are being recognized for their innovation and STEM skills at the national level!

### Glynn A. Green PS Culture Fair 2018

Many Glynn A. Green PS parents and community members contributed to the success of this year's Culture Fair.

Students and staff from Niagara College International Department and the Welland Multicultural Centre, as well as school staff, led workshops throughout the day! The school community celebrated diversity and deepened their understanding through workshops that included Metis Art, Inuit Games, Sign Language, Food, Brazilian Dance, Vietnamese Language, Chinese symbols, and much, much more! The Niagara Regional Native Centre also started the day with drum, dance and story.

### Graduate Art Show

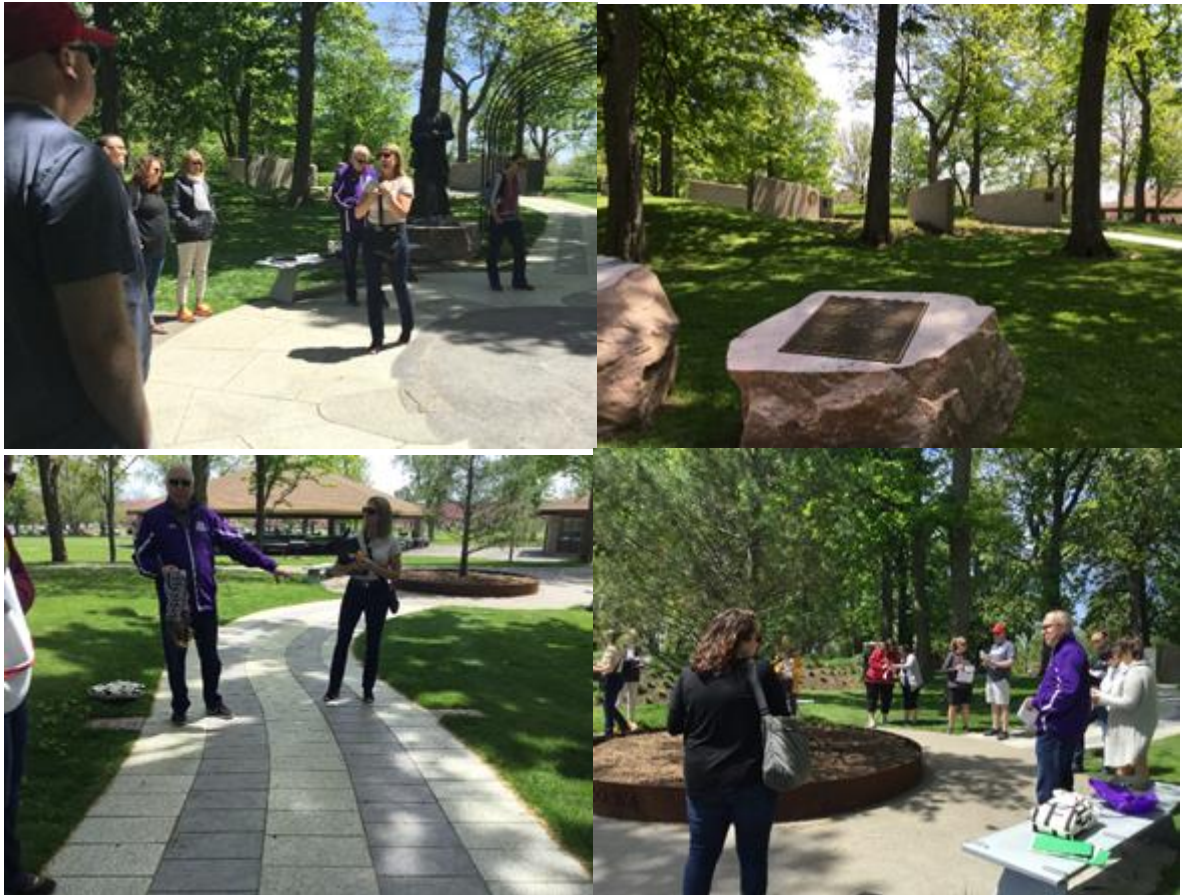
On May 16th, 23 art students from the DSBN gathered together to curate the graduate art show. With 104 art pieces and one hour to hang all of them, the students collaboratively put together the art work. At first communicating to each other was difficult, but as we looked at the artwork as a whole group we found that we all had such a strong passion for art as it spoke to all of us on so many different levels. We had the chance to admire each artwork and we interpreted all the pieces in various ways each other would have never viewed it as. Curating this art show gave us all new skills we could use and implement into further projects such as time management as we worked quickly within an hour, organization skills which were applied when putting art works in certain sections, and cooperation. The end result of the grad show was amazing as around 100 parents, staff and students came out to see the show.

---Written by Jennifer Vo, student at Westlane Secondary School

## **Landscape of Nations**

On May 18, 2018 educators participated in a guided tour of the Landscape of Nations: Six Nations and Native Allies commemorative memorial at Queenston Heights with Tim Johnson and Michele-Elise Burnett LON 360°: A National Education Initiative.

They explored some of the components of the memorial, learned about Indigenous contributions in the War of 1812, the significance of the architecture, the Indigenous plants, bronze statues and plaques.



## **Cappies Gala**

The Cappies Gala took place on May 23rd with 53 DSBN Cappies critics, students, teachers, and families joining together in celebration of the spectacular productions that eight DSBN secondary schools created over the year. The atmosphere in the theatre was electrifying beyond words; it was truly beautiful to see the countless hours of rehearsal, hard work, and commitment everyone had put in be honoured in an Oscar-like manner. Scenes from each of the plays were reenacted, followed by the awards ceremony, which had the audience on the edge of their seats. Theatre is truly all about collaboration; it took every single person in the theatre to support one another and fulfil their role, whether it be onstage or behind the scenes. There was an ambience of inspiration after leaving the Gala that essentially proved what Cappies is all about: showcasing the different skills students possess and evolving them to create grand masterpieces.

--- Written by Diana Karapetyan (grade 10 Eden High School)



### Healthy Schools Certification

Félicitations to the Dalewood French Immersion PS Healthy Schools Team! During the month of April and May they introduced a healthy eating initiative (Mangez-le Mardi) to encourage students to try new foods and learn about the essential nutrients that vegetables and fruits can contribute to a healthy diet. Some of the foods students tried were asparagus, pears, mangos, kale, and even brussel sprouts! In planning, preparing and taking action on this project, Dalewood is now provincially recognized by OPHEA's Healthy Schools Certification with Silver status!



Congratulations to the team and everyone that took part! Completing the process is a huge step towards creating a healthier school and setting new goals to make Dalewood a healthier place. The team is looking forward to working on a new project and having more students, parents and community members involved next year! They also hope to have a bigger impact on the community by inspiring and encouraging other DSBN schools to take part and be recognized for the great things they are doing at their schools too! Jillian Janzen was the teacher who took leadership and worked tirelessly on this project with a team of students. She did a fantastic job and I know that her continued efforts next year will help to make Dalewood an even healthier school.

### Pathstone's 9th Annual Hope Award Gala

Pathstone's Hope Award Gala recognizes and celebrates those who have made a positive impact in the field of mental health as well as recognizing senior students who are mental health champions.

DSBN's student trustees, Amal Qayum and Emily Hilborn, were both recognized and celebrated for their passion, hard work, and success in the mental health space. Amal and Emily had the fortunate opportunity to participate in a small group conversation about mental health with Steven Page (the founder of the Barenaked Ladies), were seated at the Youth Champions table, and acknowledged by the master of ceremonies. The evening was a success and a proud moment for Amal, Emily, and the DSBN.





## Elementary Track and Field Meets

Elementary track and field meets recently took place and students, staff and parents were thrilled to participate at DSBN's new facility at Welland Centennial SS.

John Haeni, DSBN's Elementary Athletic Coordinator, along with school staff, did an incredible job preparing for and running all of the meets.





### Golden Math Olympics

In April, many of our DSBN schools participated in the Golden Math Olympics held at Club Roma. This contest brings together teams of four intermediate students from schools around the Golden Horseshoe, giving them the opportunity to test their math skills in a fun and competitive environment. All of our DSBN schools demonstrated excellent skills and problem solving abilities, with Power Glen PS placing first and Pine Grove PS placing second. Both schools qualified for the Provincial level competition which was held on June 9th at Sheridan College. Congratulations to Team Power Glen and Team Pine Grove as well as their dedicated staff coaches.



### Fawn-tastic!

Last week John Marshall students participating in our Nature photography course came across this beautiful fawn and captured this fawn-tastic photo!





DISTRICT SCHOOL BOARD OF NIAGARA

# SUMMARY OF ACCOUNTS

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**Background and Rationale:**

The Summary of Accounts is regularly presented to the Trustees in order to disclose the Board expenditures paid during the previous month. The Summary highlights the costs associated with employee benefits, transportation, utilities, and the total of all other non-salary expenditures.

**Summary of Accounts:**

A summary of accounts paid in Batch Numbers APB100268 to APB100547, for the month of May 2018, is as follows.

Employee Benefits	\$ 9,286,663.25
Transportation	2,062,381.87
Utilities	628,574.57
Other	<u>5,393,316.75</u>
Total	<b><u>\$ 17,370,936.44</u></b>

**Recommended Motion:**

**“That the Summary of Accounts paid in Batch Numbers APB100268 to APB100547, for the month of May 2018, totaling \$17,370,936.44 be received.”**

Respectfully submitted,

Stacy Veld  
Superintendent of Business Services

Board Meeting of June 25, 2018

***For further information, please contact Stacy Veld or the Director of Education.***

**DISTRICT SCHOOL BOARD OF NIAGARA  
REPORT REGARDING THE NIAGARA COMPLIANCE AUDIT COMMITTEE  
June 25, 2018**

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**Background:**

- The *Municipal Elections Act, 1996* (the “Act”) requires municipalities and local school boards to establish a Compliance Audit Committee before October 1<sup>st</sup>.
- A qualified elector who believes on reasonable grounds that a candidate or registered third party advertiser has contravened the campaign finance provisions of the Act may apply to the compliance audit committee for a compliance audit.
- Since 2010, the Region, the Local Area Municipalities (LAMS) and the Niagara Public and Catholic School Boards (the “Joint Participants”), have continued with the joint Niagara Compliance Audit Committee (the “Committee”) under identical terms of reference.
- Due to legislative changes to the Act, it is necessary to update the terms of reference.

**Rationale:**

Since the Committee was first established in 2010, the Joint Participants have continued with the Committee under identical terms of reference, including recruitment and selection of members for appointment by councils/boards.

As a result of legislative changes to the Act, it is necessary to update the terms of reference for the Committee to include provisions for registered third party advertisers (local responsibility), over-contributor reports from the Clerk/Secretary as well as housekeeping improvements. A copy of the updated terms of reference are attached as Appendix 1. They have been reviewed and agreed to by the Area Clerks Election Task Force. It is expected the Councils/Boards will have considered and finalized this matter within the month of June.

The updated terms of reference include a provision for delegated authority to the Clerk/Secretary to make any future changes thereto as a result of legislative or administrative requirements, as well as delegated authority to the Joint Clerks/Secretaries for the appointment of the committee members, and to inform Councils/Boards accordingly. It is more common now for Councils/Boards to delegate the appointment authority to the Clerk/Secretary of the Committee in order to remove any perception of bias and to keep the statutory committee at arms-length, given Members of Councils/Boards who seek re-election for the 2018-2022 term may be the subject of a compliance audit committee.

**About the Compliance Audit Committee**

- The Committee shall be composed of not less than three and not more than seven members. Ineligible for appointment: employees or officers of the municipality or local school board, members of council or local school board, candidates or registered third party advertisers in the election for which the Committee is established
- When appointing persons to the Committee, regard shall be had to professionals with a background in law, auditing, accounting, administration and/or public administration. Preference will be given to those with an understanding of municipal campaign finance rules, analytical and decision-making skills, and previous experience with or as a member of government boards, task forces and/or quasi-judicial bodies
- Term of office of the Committee is concurrent with the term of council or local school board
- The council or local school board shall pay all costs in relation to the Committee’s operation and activities
- The Committee is responsible for considering applications from eligible electors that believe, on reasonable grounds, that a candidate or a registered third party has contravened a provision of the Act relating to election campaign finances even if a financial statement has not yet been filed under Section 88.25 of the Act

- The Region will be responsible for processing and covering the costs for any application for the Chair and Regional Councillors. Local area municipalities are responsible for registered third party advertiser applications. School boards are responsible for any trustee application

The Role of the Compliance Audit Committee Includes:

- Receive and determine whether or not to grant or reject application
- Appoint auditors, when necessary
- Receive compliance audit report from auditor and make decision with regard to report if it indicates an apparent contravention of the Act and determine whether or not legal proceedings should be commenced against the candidate or registered third party
- Consider reports submitted by the Clerk/Secretary where it appears a contributor exceeded the contribution limit and make decisions with regard to such reports

Joint Clerk's/Secretary's Role:

- Acts as secretary to the Compliance Audit Committee (for responding municipality/local school board)
- Establishes stipend for Committee
- Recruits and appoints Committee Members
- Trains Committee Members
- Establishes administrative practices and procedures
- Ensures a process is in place for the selection and appointment of an auditor
- Ensures legal representation is available to the Committee
- Reviews and reports on each contributor that may have exceeded contribution limits

#### **Estimated Cost:**

The terms of reference include a retainer of \$300.00 for each member (including training and mileage), and a per diem rate of \$200.00 per meeting, plus mileage, at the rate of the responding municipality or local school board requiring the services of the Committee. The retainer costs will be shared among the Joint Participants while the per diem and mileage costs will be borne by the responding municipality/local school board. The proposed rates are in the middle of the range of regions/municipalities surveyed for 2018.

Any auditor or legal costs incurred with a compliance audit application will be the responsibility of the responding municipality/local school board.

#### **Recommendations:**

##### **Recommended Motions:**

"That the District School Board of Niagara re-establish the Niagara Compliance Audit Committee and continue as a joint participant in the Committee;

That the updated Terms of Reference attached as Appendix 1 be approved;

That the Secretary of the Board be delegated the authority to make any legislative or administrative changes to the terms of reference; and

That the Secretary of the Board be delegated the authority to appoint members to the Niagara Compliance Audit Committee."

Respectfully submitted,

Warren Hoshizaki  
Director of Education

***For further information, please contact the Director of Education.***

**Terms of Reference for Niagara Compliance Audit Committee**

**1. Authority**

1. Sections 88.33 and 88.35 of the *Municipal Elections Act, 1996 (Act)* provides that an elector who is entitled to vote in an election and believes on reasonable grounds that a candidate or a registered third party has contravened a provision of the Act relating to election campaign finances may apply for a compliance audit of the candidate's or registered third party's campaign finances, even if the candidate has not filed a financial statement.
2. Sections 88.34 and 88.36 of the *Act* requires the clerk to review the contributions reported on the financial statements submitted by a candidate or registered third party and report any contraventions of any of the contribution limits to the compliance audit committee.
3. Section 88.37 of the *Act* requires the council or local board, to establish a compliance audit committee before October 1<sup>st</sup> in an election year for the purposes of Sections 88.33 to 88.36 of the *Act* relative to a possible contravention of the election campaign finance rules.

**2. Establishment of Committee**

1. A Joint Compliance Audit Committee is established with the potential participants as set out below, and shall be named the "Niagara Compliance Audit Committee" ("Committee"):

Local Area Municipalities": Town of Fort Erie, Town of Grimsby, Town of Lincoln, City of Niagara Falls, Town of Niagara on the Lake, Town of Pelham, City of Port Colborne, City of St. Catharines, City of Thorold, Township of Wainfleet, City of Welland and Township of West Lincoln

"Region": Regional Municipality of Niagara

"School Boards": District School Board of Niagara and Niagara Catholic District School Board.

2. The potential participants as set out in Section 1 above, shall each determine its participation in the Committee, the results of which shall form the "Joint Participants."
3. The Committee is a statutory committee.

**3. References**

1. The following municipal terms shall have a corresponding meaning for School Boards: municipality/board, Council/Board, Clerk/Secretary, responding municipality/responding board. Reference to Councils/Boards and Clerks shall be deemed to include those of the Joint Participants.

2. Responding municipality means the municipality/board responsible for the office, with the Region responsible for the offices of Regional Chair and Regional Councillors, municipalities responsible for the office of Mayor and Councillors/Aldermen and School Boards responsible for the office of trustees.
3. The local area municipalities shall receive the compliance audit applications on behalf of the Region and School Boards who will then immediately provide same to the Region or School Board to commence the compliance audit proceedings.

4. Term

1. The term of the Committee shall be concurrent with the term of Council. The term of appointment of the Committee members shall be December 1 of the regular election year to November 14 of the next regular election year, including any by-elections, or until such time as the applicable Committee has disposed of any remaining matters in accordance with the *Act*.

5. Duration

1. The Committee shall be established before October 1<sup>st</sup> in an election year.
2. The establishment of the Committee and terms of reference shall continue as set out herein from Council term to Council term unless determined otherwise by Council. However, the appointment of the members to the Committee shall be approved by each Council or delegated authority prior to October 1<sup>st</sup> in each election year.

6. Mandate

1. The mandate of the Committee is to hear and determine all applications filed in accordance with Sections 88.33 to 88.36 of the *Act* pursuant to the procedures established by the Clerks under the *Act*.
2. The powers and functions of the Committee as set out in Sections 88.33 to 88.36 of the *Act* include:
  - (a) within 30 days of receipt of a compliance audit application from an elector, review and decide whether it should be granted or rejected;
  - (b) if the application is granted, appoint an auditor licensed under the *Public Accounting Act, 2004* to conduct a compliance audit of the election campaign finances;
  - (c) receive the auditor's report;
  - (d) within 30 days of receipt of the auditor's report, consider the report and if the report concludes the candidate or registered third party appears to have contravened a provision of the *Act* relating to election campaign finances, decide whether legal proceedings against the candidate or registered third party for the apparent contravention shall be commenced, and

- (e) within 30 days after receipt of a report from any participating municipality's Clerk of any apparent over-contributions to candidates or registered third parties, the Committee shall consider the Clerk's report and decide whether legal proceedings against the contributor should be commenced.

**7. Composition**

1. The Committee shall be composed of a minimum of three (3) and a maximum of seven (7) members with membership drawn from the following stakeholder groups:
  - (a) accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
  - (b) college or university professors with expertise in political science or local government administration;
  - (c) legal profession with experience in municipal law, municipal election law or administrative law;
  - (d) professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals, and
  - (e) other individuals with knowledge of the campaign finance rules of the Act.
2. The Committee shall not include,
  - (a) employees or officers of the Joint Participants;
  - (b) members of the Council or Board of the Joint Participants;
  - (c) any persons who are candidates in the election for which the Committee is established;
  - (d) any person who is or intends to volunteer or seek employment to assist any candidate or registered third party in the election for which the Committee is established, or
  - (e) any person who is a registered third party in any local area municipality.
3. When an application has been filed under Section 88.33 of the *Act*, only three (3) of the seven (7) members of the Committee shall comprise the Committee for the purposes of reviewing and considering the application.
4. The Clerk of the responding municipality shall determine the selection of the three (3) sitting members of the Committee from the pool of members based on availability.

**8. Member Selection and Appointment**

1. At a minimum, the recruitment of committee members shall be advertised in a local newspaper having general circulation and on the websites of the Joint Participants. Other recruitment measures may be initiated by the Clerks.

2. All persons interested in serving on the Committee shall complete an application form prescribed by the Clerks setting out their qualifications and experience.
3. A Nomination Committee consisting of a majority of the Clerks or designates, shall review the applications and submit a joint short list of candidates to the Councils/Boards, or Clerk as the delegated authority, for appointment approval.
4. In the event a vacancy occurs during the term, the municipality may rely on the remaining members to compose a Committee of three (3) members.

9. Selection Criteria

1. Without limiting the foregoing, members shall be selected on the basis of the following:
  - (a) demonstrated knowledge and understanding of municipal election campaign finance rules;
  - (b) proven analytical and decision-making skills;
  - (c) experience working on a committee, administrative tribunal, task force or similar setting;
  - (d) availability and willingness to attend meetings;
  - (e) excellent oral and written communication skills.

10. Chair of Committee

1. The Committee members shall select a Chair from amongst its three (3) sitting members at its first meeting.

11. Secretary to Committee

1. The Clerk of the responding municipality shall act as Secretary to the Committee.

12. Compensation

1. Members of the Committee shall receive a retention honorarium of \$300.00 including mileage, for attendance at a training session the costs of which shall be shared equally amongst the Joint Participants.
2. Members shall receive an honorarium of \$200.00 per meeting, plus mileage, at the rate of the responding municipality.

13. Costs and Funding

1. The responding municipality shall fund and pay all costs associated with the Committee, including the retention of an auditor and any costs incurred as a result of a decision of the Committee being challenged to the Ontario Superior Court of Justice.

2. The Joint Participants shall equally share in the costs associated with advertising and training.

14. **Auditor**

1. The Area Clerks shall issue a joint RFP for auditor services and the Committee shall appoint an auditor.

15. **Meetings**

1. The Committee shall conduct its meetings in public but may deliberate in private.
2. The responding municipality's website shall be used to communicate meeting notices, agendas, minutes and decisions.
3. The Committee shall conduct its meetings in accordance with the responding municipality's Council Rules of Procedure By-law and the *Statutory Powers Procedures Act*, with modifications as deemed necessary.

16. **Conflicts**

1. Committee members shall comply with the *Municipal Conflict of Interest Act* and shall disclose a pecuniary interest to the Secretary in advance of any meeting, where possible or absent him/herself from meetings for the duration of the consideration of the application, discussion and voting with respect to the matter.
2. In the event a member discloses a pecuniary interest to the application in advance of the meeting, the Clerk of the responding municipality shall select another member to replace him/her on the Committee.
3. To avoid possible conflict of interest, an auditor or accountant appointed to the Committee must agree, in writing, not to undertake the audits or preparation of the financial statements of any candidate or registered third party seeking election to the Councils/Boards. Failure to adhere to this requirement shall result in the individual being removed from the Committee.
4. All Committee members shall agree, in writing, they will not work or volunteer for, or contribute to, any candidate or registered third party in any capacity in an election to the Councils/Boards. If upon being made aware that a member has participated or contributed to a campaign or registered third party, the Clerks or designates, by majority vote, shall remove the member from the roster or recommend to the Councils/Boards, or the delegated authority, to rescind the appointment to the Committee.



17. Practices and Procedures

1. The Clerk shall establish administrative practices and procedures for the Committee and shall carry out any other duties required under the *Act* to implement the Committee's decisions.

# September 2018

## Trustee Calendar

Aug 2018							Oct 2018						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4		1	2	3	4	5	6
5	6	7	8	9	10	11	7	8	9	10	11	12	13
12	13	14	15	16	17	18	14	15	16	17	18	19	20
19	20	21	22	23	24	25	21	22	23	24	25	26	27
26	27	28	29	30	31		28	29	30	31			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug 26	27	28 8:30 AM System Administrators' Welcome Back 11:00 AM Trustee Retreat	29	30	31	Sep 1
2	3 All Day Event Labour Day	4 All Day Event First Day of School	5	6	7	8
9	10	11	12 5:30 PM PIC Meeting	13 6:00 PM SEAC Meeting	14	15
16	17	18 9:00 AM Student Trustee Senate	19 6:00 PM Finance Committee Meeting 6:00 PM Wainfleet ARC Public Meeting #2	20	21	22
23	24	25 6:15 PM Committee of the Whole 7:00 PM Regular Board Meeting	26 All Day Event Rowan's Law Day	27	28 9:00 AM DSBN Orange Shirt Day (Every Child Matters)	29
30	Oct 1	2	3	4	5	6