July 20, 2016

Hon. Mitzie Hunter
Minister of Education
22nd Floor, Mowat Block 900 Bay Street
Toronto, Ontario
M7A 1L2

Dear Minister,

RE: Request for an Administrative Review of the Dufferin-Peel Catholic District School Board (DPCDSB) Pupil Accommodation Review (PAR) process of the East Credit Pupil PAR Area

We are writing in response to the request received on June 22, 2016, for an administrative review of the East Credit PAR process undertaken by DPCDSB which resulted in the Board approved closures of St. Dunstan and St. Gertrude elementary schools. DPCDSB staff were able to verify that 357 of 380 supporters who signed the petition are parents of students from the St. Gertrude school community or participated in the accommodation review process. This represents approximately 55% of the October 31, 2015 headcount (646).

The East Credit PAR consisted of the following eight (8) schools: Our Lady of Good Voyage, St. Bernadette, St. Dunstan, St. Gertrude, St. Gregory, St. Herbert, St. Raymond and St. Valentine. The accommodation review was initiated on November 24, 2015 when the Initial Staff Report was presented to the Board of Trustees at a regular Board meeting. On May 24, 2016 Trustees approved a motion regarding the East Credit Pupil Accommodation Review which included the closure of St. Dunstan and St. Gertrude elementary schools, effective June 30, 2017.

While the petitioners believe that DPCDSB did not follow the Pupil Accommodation Review Policy, it is our opinion that the policy was followed throughout the East Credit PAR process. Please find our response to the petitioners below. The response is titled and ordered in alignment with the request for an administrative review.

We understand that an administrative review is an important part of the democratic process and we welcome the opportunity to further clarify any of the information contained in the enclosed response.

Sincerely,

Marianne Mazzorato
Director of Education
Dufferin-Peel Catholic District School Board
St. Gertrude Request for an Administrative Review

ISSUE: Non-conformance with the DPCDSB PAR Policy 6.51

1. “The first paragraph of the Dufferin-Peel Catholic District School Board – Board Policy states:

   The Dufferin-Peel Catholic District School Board is committed to providing quality education to students through programs and facilities that support academic achievement and well-being and to ensuring effective stewardship of the resources of the Board.”

BOARD RESPONSE:

Student well-being, academic achievement, and school board financial viability/sustainability were considered throughout the East Credit Pupil Accommodation Review (PAR) process. The elimination of surplus pupil places, and thereby maximizing Ministry funding, allows the board to allocate more funding and resources directly into the learning environments (e.g. classrooms) of all students throughout the system thus positively impacting student well-being, academic achievement, and financial viability/sustainability. This is consistent with the Ministry of Education’s School Board Efficiency and Modernization Strategy. As stated throughout the East Credit PAR process, staff clearly maintained that EQAO results were not part of the staff rationale when developing proposed accommodation options and that student well-being, academic achievement, and school board financial viability/sustainability could best be achieved, for all students throughout the system, by the elimination of surplus pupil places and the investment of funds directly into the learning environments of students.

Throughout the process, board staff heard and considered the importance of "keeping students together" as the most important criteria to the community when putting forward a final recommendation. Survey results, from Public Meeting #2, indicate the top five (5) most important rationale to the community as well as the top five (5) most important physical characteristics of a receiving school. This information was shared with the ARC members and included in the Interim Staff Report to the Board of Trustees. While minimizing the need for portables was also identified as one of the key rationale in the survey, some solutions require portables as part of the accommodation solution; portables are a reality for all school boards.

As outlined throughout the PAR process, all matters related to transportation will be addressed through the board’s transportation eligibility policy and Student Transportation of Peel Region (STOPR) procedures. This ensures equitable access to transportation for all students throughout the City of Mississauga, City of Brampton and Town of Caledon.

2. “The fourth paragraph of the Dufferin-Peel CDSB – Board Policy states:

   A regular or modified pupil accommodation review of a school or schools will occur in the context of the Board’s long-term capital and accommodation planning process. Options for the school(s) involved, including closure, will be made in accordance with that process.”
The most recent Long Term Accommodation Plan (LTAP) was prepared in 2013. The purpose of the LTAP is to highlight areas in the board that will require consideration for new school construction, construction of additions, boundary adjustments or pupil accommodation reviews; the LTAP is reviewed every three (3) years. The areas identified in the LTAP are based on Education Service Areas that have been established by the board for the purpose of the Education Development Charges By-law. The LTAP is merely a starting point that requires further analysis and review when undertaking Pupil Accommodation Reviews, boundary changes, or establishment of new school areas.

As noted in the Ministry of Education Pupil Accommodation Review Guideline 2015 “…pupil accommodation reviews include a school or group of schools to facilitate the development of viable solutions for pupil accommodation that support the guiding principles.” St. Gertrude is identified as part of the Hurontario Service Area in the LTAP. Notwithstanding, St. Gertrude is directly adjacent to the East Credit review area and it was determined that including St. Gertrude in the review area provided a viable solution as identified in the Initial Staff Report as Staff Option 1. St. Gertrude offers both a regular track English program and a French Immersion program. Relocating these two smaller programs to other schools in the review area offered a potential solution for this grouping of schools. Programs of choice within the board, such as French Immersion, Extended French, Gifted, International Baccalaureate, Advanced Placement and other regional programs, can be relocated as accommodation needs change.

French Immersion programs are optional programs offered by school boards as French as a second language within an English majority school system. Attendance at a French Immersion program offered by the board does not engage French-language rights under s. 16 or s. 23 of the Charter.

While not identified as a mandate within the board’s pupil accommodation review policy, Catholic presence was considered when developing options. It was evident in the ARC developed/preferred options, that there was no consensus among the ARC members when it came to the definition of Catholic presence.

The Trustees are elected to represent the Catholic community in their respective Ward(s) and are fully aware of the issues of Catholicity, the protections enshrined by s. 93 of the Constitution Act, and the importance of maintaining a Catholic presence across the board.

3. “The fifth paragraph of the Dufferin-Peel CDSB- Board Policy states:

The Board welcomes the opportunity for the public and affected school communities to be heard with respect to pupil accommodation reviews as outlined in the Pupil Accommodation Review Guideline (2015). Accordingly, the Board will communicate relevant information with all stakeholders.”

BOARD RESPONSE:

Board staff believe that the East Credit PAR process was both open and transparent. All Accommodation Review Committee meetings (ARC) were open to the public for observation. Minutes of all ARC meetings were posted within 24 hours of approval by the ARC. This information included all public input that was addressed by the ARC through the PARInfo correspondence mailbox, all information requested
by ARC members, presentations by staff and members of the ARC. Bulletins and notices were distributed to all students of PAR schools throughout the process advising of upcoming meeting dates, next steps, and information on how to provide feedback. All other information, documentation, communications, etc., related to the East Credit PAR was posted onto the Board website in a timely manner to ensure the community was kept apprised throughout the process. Please refer to Pupil Accommodation Review section of the Board website for PAR related information.

The Board of Trustees were provided with regular updates throughout the process through three (3) In-Service Sessions and at Board and Administration and Finance Committee meetings as outlined below.

September 21, 2015: Trustee In-Service Session on the impact of the Ministry of Education’s revised Pupil Accommodation Review Guidelines, Community Planning and Partnership Guideline, and the proposed timelines for the East Credit Pupil Accommodation Review.

December 7, 2015: Administration and Finance Committee Meeting – PAR Update – Supplementary Information and Update – East Credit, Mississauga;

January 4, 2016: Administration and Finance Committee Meeting, PAR Update provided verbally by Superintendent of Planning and Operations. Trustees asked questions of clarification and discussion followed. Trustees provided their input on the format of the public meetings. Trustees were advised that all related reports and materials were available on the Board website for public viewing;

January 26, 2016: Trustee In-Service Session, an outline of the PAR process to date and next steps, and Verbal updates at Regular Board Meeting; providing an update on the East Credit Pupil Accommodation Review including the ARC Orientation Session, Working Group Meeting #1 and Public Meeting #1.

February 1, 2016: Administration and Finance Committee Meeting – PAR Update provided verbally by Superintendent of Planning and Operations including being advised that all information, meeting minutes, alternative options and any additional information requested by the ARC was available on the Board website;

February 29, 2016: Administration and Finance Committee Meeting – PAR Update provided verbally by Superintendent of Planning and Operations;

March 29, 2016: Regular Board Meeting – PAR Update – provided verbal information update by Superintendent of Planning and Operations and provided an overview of what has transpired since the last update at the Administration & Finance Committee Meeting of February 29, 2016;

April 4, 2016: Administration and Finance Committee Meeting – PAR Update – provided verbally by Superintendent of Planning and Operations including information on the public meeting (March 30) and future working group meetings. Trustees inquired about the process and options of the ARC;

April 12, 2016: Trustee In-Service Session; update to trustees on the status of the PAR process to date at that time, reporting on the timelines, events held to date (reports issued, the work of the ARC, public open houses held, correspondence received, rationale developed by the ARC, ARC preferred options, survey results, community ranking of important considerations when closing schools, important upcoming dates, i.e., delegation nights, date of final staff report, etc.).
In addition to the above, the Board of Trustees had access to a Trustee Portal where all correspondence, meeting minutes, presentation and related documentation, compiled throughout the ARC process, was available for review and consideration.

The public was informed and was aware throughout the process that, as per the Policy 6.51 Pupil Accommodation Review “The Board of Trustees will make the final decision regarding any outcome of a pupil accommodation review which could include school closure”. This may include approving an option developed by board staff, ARC members or one developed by Trustees themselves. This information was shared with the community at both public meetings.

- **Public Open House #1** – January 20, 2016
- **Public Open House #2** – March 30, 2016

Furthermore, an option(s) proposing the closure of St. Gertrude and St. Dunstan were presented throughout the process, as outlined in the following response.

4. **“The last paragraph of the Dufferin-Peel CDSB – Board Policy states:**

   *This policy is in alignment with the requirements as outlined in the Pupil Accommodation Review Guideline (2015). Dufferin-Peel Catholic District School Board remains committed to an informed and consultative process with communities.”*

**BOARD RESPONSE:**

The option to close St. Gertrude and St. Dunstan was presented/displayed publically at the following meetings:

- **Initial Staff Report** – November 24, 2015 Board Meeting
- **ARC Working Group Meeting #1** – January 13, 2016
- **Public Open House #1** – January 20, 2016
- **ARC Working Group Meeting #7** – March 9, 2016
- **Public Open House #2** – March 30, 2016
- **Interim Staff Report** – April 26, 2016 Board Meeting
- **Final Staff Report** – May 24, 2016 Board Meeting

The public was informed and was aware throughout the process that, as per the Policy 6.51 Pupil Accommodation Review “The Board of Trustees will make the final decision regarding any outcome of a pupil accommodation review which could include school closure”. This may include approving an option developed by board staff, ARC members or one developed by Trustees themselves.

- **Public Open House #1** – January 20, 2016
- **Public Open House #2** – March 30, 2016

**ISSUE:** Non-conformance with Ministry of Ontario PAR Guideline

5. **“The Pupil Accommodation Review process must comply with the following minimum timelines:**
From the posting of the final staff report, there must be no fewer than 10 business days before the public delegations.”

BOARD RESPONSE:

Board Policy 6.51 Pupil Accommodation Review identifies that the Interim Staff Report will be available to the public no fewer than ten (10) business days before the public delegations. The Interim Staff Report was made available to the public on April 22, 2016, as per “Bulletin 4” which was sent home to all affected families on April 22nd – eleven (11) business days prior to the advertised delegation night of May 9th.

The requirements of the Interim Staff Report, as outlined in Policy 6.51, are reflective of and in keeping with the intent of the Ministry of Education Review Guideline 2015 to have a report presented to trustees and available to the public prior to public delegations. The guideline refers to a final staff report and the requirements of such, to be available prior to public delegations which the Board has adhered to by making available in the titled Interim Staff Report on April 22nd. The guideline also states that the Board of Trustees will be provided with a final staff report with complied feedback from public delegations which the Board staff adhered to by making available the Final Staff Report to be addressed on May 24th. The Board has maintained the intent of the two final reports however changed the nomenclature to reflect the fact that the Interim Staff Report is not the same as the Final Staff Report.

6. “The Pupil Accommodation Review process must comply with the following minimum timelines:

There must be no fewer than 10 business days between the public delegations and the final decision of the Board of Trustees.”

BOARD RESPONSE:

Since the initiation of the East Credit PAR Process, May 9th was always identified and advertised as Delegation Night. In addition to the board website, the delegation night date was shared with the ARC members and the community on the following dates:

- Initial Staff Report – November 24, 2015 Board Meeting
- ARC Orientation Session – January 6, 2016
- ARC Working Group Meeting #3 – February 3, 2016
- ARC Working Group Meeting #5 – February 24, 2016
- ARC Working Group Meeting #6 – March 2, 2016
- Bulletin #3 – March 21, 2016 Distribution
- Public Open House #2 – March 30, 2016
- ARC Working Group Meeting #8 – April 6, 2016
- Bulletin #4 – April 22, 2016 Distribution
- Interim Staff Report – April 26, 2016 Board Meeting

As per the board’s Procedural By-Law regarding public delegations (#1-01/Article 6), all delegations requests were received by May 2nd (@1pm), five (5) business days prior to the scheduled May 9th East
Credit PAR Delegation Night, as advertised, which was eleven (11) business days prior to the May 24th Board Meeting.

A total of sixty-seven (67) delegations were registered by the May 2nd deadline, which was five (5) business days prior to the May 9th Delegation Night. In order to accommodate all registered delegations, and being conscious of the time commitment required of the community if all were to be scheduled on one evening, the board decided to receive delegations over the course of three (3) nights. While receiving all delegations in one evening or “capping” the number of delegates for the May 9th date were always options, the board decided to provide two (2) “over flow” evenings (May 10th and 11th) for delegations as a courtesy to the delegates and to the community in attendance, many of whom were students. The addition of the two (2) “over-flow” evenings were approved only after the total number of delegations were finalized on May 2nd, five (5) business days prior to the formal May 9th Delegation Night. As the deadline for registering to be a delegate (including all supplemental information, e.g. PowerPoint presentations) were required by May 2nd, all the information from the sixty-seven (67) registered delegates were received at the same time and shared with Trustees in advance of May 9th. Furthermore, as per board policy and Ministry guidelines, a summary of the themes presented by delegates was included in the final report to the Board. As noted above, there were eleven (11) business days between the pre-scheduled May 9th Delegation Night and the May 24th Board Meeting at which the Board of Trustees made their final decision.