

Minutes of the Policy Committee Meeting

Date: Tuesday, October 5, 2010
Time: 6:10 p.m.
Location: Trustee’s Meeting Room, 802 Drury Lane, Burlington
Chair: A. A. LeMay
In Attendance - Trustees: A. Danko, P. Houlahan, A. Iantomasi, S. Koso, A. A. LeMay, J. Matters, R. Palmieri B. Van de Vrande, E. Viana
Regrets:
In Attendance – Staff M. W. Pautler, J. Langill, T. Pinelli
Recording Secretary: T. Stocco

	Agenda Items	Summary	Action	Follow-up/Resp.
1.	Opening Prayer/Welcome	The meeting began at 6:10 p.m. with a prayer led by A. A. LeMay.		
2.	Approval of Minutes	The minutes of the September 21 st meeting were reviewed and approved with the following statement to be added to the minutes: <i>“B. Van de Vrande referenced the legal opinion which was included in the information report but feels that the letter is not balanced as it does not reference denominational rights.”</i>	Amend minutes of September 21 st	T. Stocco
3.	Review of Policies –	a) II-45 Equity and Inclusive Education Prior to the official 6:10 p.m. start of the meeting, the Chair circulated to trustees a draft Equity & Inclusion policy prepared by Trustee Matters and submitted earlier in the afternoon. Attendees briefly reviewed the draft policy. J. Langill noted that he was unable to comment on the content of Trustee Matters draft policy as he was unable to review it prior to the meeting. He did address, that as per trustees’ request, a statement regarding denominational rights was added to the Board’s existing policy under School Community Relationships. B. Van de Vrande wanted clarification as to where the constitutional rights come under and if Section 93 of the Constitution Act refers to the BNA act, that should be referenced in the Board’s existing policy.		

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		<p>J. Matters spoke on the process she undertook to develop the draft policy, and thanked J. Langill for the work he had done on the existing policy. She apologized for introducing this draft at the last minute, but feels that this draft has a common sense approach, reflects our beliefs, is proactive and is embedded with Catholic faith language rather than secular or political.</p> <p>A discussion ensued regarding the timeline of the submitted draft policy and how long it would take to bring it forward to a Board meeting. The two policies were compared as to content and it was noted that the submitted policy did not have an Application and Scope which is a requirement of a policy.</p> <p>R. Palmieri indicated that the legal opinion states only that Boards must have a policy in place, but does not state what should be in the policy. The Chair reaffirmed that the Ministry dictates the content. A. Iantomasi stated that a legal opinion is required as to policy content if the Board does not use Ministry language in an Equity and Inclusive Education policy.</p> <p>A. Danko stated that the mandate of the committee is to discuss 3rd reading of II-45 Equity and Inclusive Education and that new items should not be sent for consideration via email. The submitted draft is not to be considered an amendment to the existing policy, but is in fact a new policy.</p> <p>B. Van de Vrande noted that the Policy Committee was established after Policy II-45 was initially created. A clarification was requested as to the date that the policy received 2nd Reading (June 29th).</p> <p>A suggestion and further discussion was to bring Policy II-45 to the Board in 3rd Reading, vote not to proceed with the policy and bring a motion forward to send the draft policy to the Policy Committee for due process. A. Danko reiterated that the original policy needs to be dealt with before proceeding with the draft.</p> <p>A discussion was held amongst the attendees as to the mandate of the Policy Committee and the process under which the Committee was formed. M. Pautler went over the process from the June 1st Board meeting where trustees considered and passed a motion to establish the</p>		

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		<p>Committee. It was noted that the motion at the June 1st meeting, was not written to reflect “<i>the Committee of the whole</i>”. The Chair noted that in the minutes of the first Policy Committee meeting (June 15th) all trustees were in attendance and the first order of business was the election of the Chair. That solidifies the intent and understanding that the committee is a committee of the whole.</p> <p>There was further discussion on procedural issues regarding Policy II-45 and the draft policy. It was noted that the content of the draft policy would require a legal opinion.</p> <p>M. Pautler noted that it would be prudent to not move either policy forward at this time. The suggestion is that J. Langill will review the draft policy and see what can be incorporated into existing II-45. In response to A. Danko’s question on which legislation are we bound to in order to pass the policy, M. Pautler stated that we are bound by all legislation.</p> <p>S. Koso brought up a concern that if the original policy is not passed, how far back in the process does the committee go in order to develop and implement the policy.</p> <p>The Director noted that the more certain course would be to work from the template document, retain the thorough vetting that was done by legal counsel and the Bishops and take the language from the draft document and draw it into the template. Remove the repetitive and redundant language, respect the secular law and emphasize the Catholic core teaching.</p> <p>A lengthy discussion ensued as to the next steps in the process of an Equity and Inclusive Education policy. P. Houlahan stated that other boards have scrutinized their policies and discussed the language therein. She is of the opinion that every trustee should have the opportunity to review the policy line-by-line. The discussion centered on various courses of action: abandon the original policy, merge the two documents, or use J. Matter’s draft policy as the new starting point.</p> <p>T. Pinelli voiced that if the draft policy would be brought to the Board, more attention would be garnered by</p>	<p>Amend the motion from the June 1st board meeting.</p>	

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		<p>rejecting the existing policy. M. Pautler led a discussion on legal challenges that could ensue. The Board must be prepared to defend our denominational rights and put ourselves out there as rarely as possible. If any Catholic board is challenged and the challenge is successful, then precedent has been set. A discussion on what kind of legal challenges could be brought against the Board.</p> <p>J. Matters questioned how long it would take to get a legal opinion on the draft policy she presented. The answer was a few days and that either the Director or J. Langill could initiate the discussion. The language in the policy should limit legal implications and challenges.</p> <p>J. Langill repeated that the Board should be prudent in drawing undue attention. The Ministry is monitoring the course of action the Board is taking and J. Langill anticipates that the regional Ministry representative will be contacting him for the trustees' decision on the policy. He shared that the boards being monitored by the Ministry are boards that are deviating from the Ministry template. Although legal opinion states that is acceptable, boards remain vulnerable to human rights concerns and discrimination charges.</p> <p>Further discussion ensued.</p>		
		<p>b) Full Day Kindergarten Policy draft</p> <p>Due to time constraints, this item was not addressed.</p>		
4.	Other Business	Due to time constraints, this item was not addressed		
7.	Adjournment	The meeting adjourned at 7:27 p.m.		
8.	Next Meeting	Tuesday, October 19, 2010		