

YORK CATHOLIC DISTRICT SCHOOL BOARD

MINUTES of the Special Board Meeting

Tuesday, November 7, 2023

PRESENT:

Members:	(In Person)	F. Alexander, M. Barbieri, E. Crowe, M. Iafrate, T. McNicol, A. Saggese
	(Virtual)	C. Cotton, J. DiMeo, A. Grella, J. Wigston
		Student Trustees M. Galstyan, A. Zamanifar
Administration:	(In Person)	D. Scuglia, J. Sarna
	(Virtual)	R. Antunes, J. Chiutsi, T. Laliberte, L. Sawicky, S. Wright
Legal Counsel:		Caroline Zayid, Amanda LaRusso, McCarthy Tetrault LLP
Absent with Notice:		N/A
Recording Officer:		S. Greco (In Person)
Presiding:		F. Alexander, Chair of the Board

2023:461 CALL TO ORDER / OPENING PRAYER

Chair of the Board, Frank Alexander welcomed everyone to the Special Board Meeting and led the opening prayer at 5:30 pm. The Land Acknowledgement followed.

2023:462 ROLL CALL: All Trustees Present.

2023:463 APPROVAL OF NEW MATERIAL:

MOTION: Iafrate/Barbieri

THAT the new material be approved as presented.

- MOTION CARRIED -

2023:464 APPROVAL OF THE AGENDA

MOTION: Iafrate/Saggese

THAT the agenda be approved as presented.

- MOTION CARRIED -

2023:465 DECLARATIONS OF CONFLICT OF INTEREST FOR CURRENT MEETING:

Trustee Theresa McNicol declared a conflict of interest for the Action Items and Information Items on the November 7, 2023 Special Board agenda.

2023:466 DECLARATIONS OF CONFLICT OF INTEREST FROM PREVIOUS MEETING: NIL

2023:467 APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S): NIL

2023:468 BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETING: NIL

2023:469 CHAIR'S REPORT / UPDATE / INSPIRATIONAL MESSAGES: NIL

2023:470 OCSTA / BOARD OF DIRECTOR'S UPDATE: NIL

2023:471 DIRECTOR'S REPORT / UPDATE: NIL

2023:472 STUDENT TRUSTEES' REPORT: NIL

2023:473 RECOGNITIONS / OUTSIDE PRESENTATIONS: NIL

2023:474 DELEGATIONS: NIL

2023:475 JOURNEY TOWARDS OUR VISION: NIL

2023:476 ACTION ITEM(S) (including Committee Reports):

a) RECEIPT OF REPORT NO. 2023:25 SPECIAL COMMITTEE OF THE WHOLE

Board Chair Frank Alexander presented, for receipt, Report No. 2023:25 of the Special Committee of the Whole private session held on November 3, 2023.

(i) DECLASSIFIED (Action Items for Approval): N/A

(ii) CLASSIFIED:

MOTION: Alexander/Saggese

THAT the confidential action items from the Private Session held November 3, 2023 be approved as presented.

– MOTION CARRIED –

b) RECEIPT OF REPORT NO. 2023:26 SPECIAL COMMITTEE OF THE WHOLE

Board Chair Frank Alexander presented, for receipt, Report No. 2023:26 of the Special Committee of the Whole private session held on November 7, 2023.

(i) DECLASSIFIED (Action Items for Approval): N/A

(ii) CLASSIFIED:

MOTION: Alexander/Saggese

THAT the confidential action items from the Private Session held November 7, 2023 be approved as presented.

– MOTION CARRIED –

2023:477 DISCUSSION ITEM(S): NIL

2023:478 INFORMATION ITEM(S):

a) Written Submissions of Trustee McNicol's Counsel dated October 13 and 25, 2023 with Respect of the Board's Determination and Sanctions on Trustee McNicol of September 26, 2023 under Policy 118 Trustee Code of Conduct

A copy of the letter from WeirFoulds LLP dated October 13 and 25, 2023 was included.

b) Letter from Chair of YCDSB Board of Trustees to Counsel for Trustee McNicol, dated October 19, 2023.

A copy of the letter from Board Chair to Trustee McNicol's counsel dated October 19, 2023 was included.

2023:479 NOTICES OF MOTION:**RECONSIDERATION OF THE BOARD'S DETERMINATION AND SANCTIONS ON TRUSTEE MCNICOL OF SEPTEMBER 26, 2023 UNDER POLICY 118 TRUSTEE CODE OF CONDUCT, AND CONSIDERATION OF TRUSTEE MCNICOL'S WRITTEN SUBMISSION IN RESPECT TO THE BOARD'S DETERMINATION AND SANCTIONS, PURSUANT TO ss. 218.3(6), AND (11) OF THE EDUCATION ACT.**

- WHEREAS** *the Board of Trustees has made inquiries and has determined that Trustee McNicol has breached Policy 118, the Trustee Code of Conduct;*
- WHEREAS** *the Board of Trustees met and passed a Resolution on September 26, 2023, imposing sanctions on Trustee McNicol for her breach of Policy 118, the Trustee Code of Conduct;*
- WHEREAS** *the Board of Trustees gave Trustee McNicol written notice of the determination and the sanctions imposed by the Board of Trustees, with an opportunity for Trustee McNicol to make written submissions to the Board of Trustees in respect of its determination and sanctions;*
- WHEREAS** *the Board has considered the written submissions of Trustee McNicol's counsel dated October 13 and 25, 2023;*
- WHEREAS** *the Board of Trustees has met to reconsider its determination and sanctions of September 26, 2023, and in doing so, has considered the submissions of Trustee McNicol.*

LET IT BE RESOLVED THAT:

- a. The Board of Trustees' determination that Trustee McNicol has breached Policy 118, the Trustee Code of Conduct is upheld;
- b. The sanctions imposed on Trustee McNicol for her breach are varied as follows:
 - a. Trustee McNicol be censured;
 - b. Trustee McNicol be barred from attending all of the next meeting of the Board of Trustees, scheduled to take place November 28, 2023; and
- c. Effective November 7, 2023 and ending with her term of office on November 14, 2026, that Trustee McNicol be barred from attending or sitting on all Committees of the Board during that period.

- MOTION CARRIED -

The Board of Trustees requested a recorded vote.

In Favour: Alexander, Barbieri, DiMeo, Iafrate, Saggese
Opposed: Cotton, Crowe, Grella, Wigston

2023:480 FUTURE AGENDA ITEM(S) / REQUEST FOR INFORMATION**2023:481 ADJOURNMENT: 5:45 PM
ON MOTION: Barbieri/Crowe and CARRIED**

 Secretary of the Board

 Chair of the Board