

**AGENDA: 5:30 pm**

1. Call to Order and Land Acknowledgement
2. O Canada
3. Meeting Roll Call
4. Approval of the Agenda
5. Declarations of Conflict of Interest
6. Confirmation of the Minutes: December 6 and 13, 2021
7. Correspondence
  - A. Alex Rocca re: Apology For Trustee Buck
  - B. Daryl Jerome, President - Teachers'/Occasional Teachers' Bargaining Unit, OSSTF 21 re: Trustee Buck
  - C. Robert Cooper re: Trustee Buck
  - D. Bob Maton re: Trustee Buck

Reports from Trustee Special Committees:

8. Finance & Facilities – December 9 and 13, 2021

Reports from Community Advisory Committees:

9. Human Rights & Equity Committee – December 16, 2021

Reports from Staff:

10. Process to fill Trustee Vacancy, Wards 1 & 2
11. COVID-19 Update Report #5 – no copy

12. Written Notices of Motion

- A. Student Trustees Abdel Hafeez/Mahmoud re: Medical Masks for Students
- B. Student Trustees Abdel Hafeez/Mahmoud re: HWDSB Public Reporting of COVID-19 Cases

13. Adjournment

Meeting times and locations are subject to change. Please refer to our website for the latest information.  
<http://www.hwdsb.on.ca/trustees/meetings/>

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Trustees: Kathy Archer, Becky Buck, Dawn Danko, Penny Deathe, Cam Galindo, Alex Johnstone, Maria Felix Miller, Ray Mulholland and Paul Tut. Student Trustees Deema Abdel Hafeez and Aisha Mahmoud.

Regrets were received from Trustee Carole Paikin Miller and Shakowennakara:tats Tanaya Kagige.

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**1. Call to Order**

Dawn Danko, Chair of the Board, called the meeting to order at 7:00 p.m.

**2. Approval of the Agenda:**

**RESOLUTION #21-191:** Trustees Archer/Deathe moved: **That the agenda be approved.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**3. Declaration of Conflict of Interest**

None were declared.

**Reports from Trustee Special Committees**

**4. Governance – November 24, 2021**

**RESOLUTION #21-192:** Trustees Tut/Miller moved: **That the Governance Committee report from November 24, 2021 be approved including:**

- That staff launch a ThoughtExchange for staff and community to gather some data and perspectives to inform areas of focus and provide the report back to Trustees.
- That the Annual Plan and Self-Evaluation Sub-committee work with staff to develop a self-assessment tool appropriate for the HWDSB Board of Trustees based on the TDSB and Governance Health Check tools.

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**5. Program – November 23, 2021**

**RESOLUTION #21-193:** Trustees Buck/Johnstone moved: **That the Program Committee report from November 23, 2021 be received.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**Reports from Legislative Committees:**

**6. Special Education Advisory Committee – November 24, 2021**

**RESOLUTION #21-194:** Trustees Deathe/Johnstone moved: **That the Special Education Advisory Committee report from November 24, 2021 be approved including that Melanie Roberts, Alternate Rep for the Association for Bright Children of Ontario, be approved.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**Report from Community Advisory Committees:**

**7. Human Rights & Equity – November 18, 2021**

**RESOLUTION #21-195:** Trustees Miller/Galindo moved: **That the Human Rights & Equity Committee report from November 18, 2021 be received.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**8. French as a Second Language – November 24, 2021**

**RESOLUTION #21-196:** Trustees Buck/Tut moved: **That the French as a Second Language Committee report from November 24, 2021 be received.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**Reports from Staff:**

**9. Trustee Vacancy**

Staff presented the report on Trustee Vacancy for Wards 1 & 2. Two options were presented to Trustees for consideration:

Option 1: Municipal By-Election

a) That the City of Hamilton be authorized to initiate a by-election under the Municipal Elections Act to fill the public school board trustee vacancy in accordance with Section 221(2), Optional Election, of the Education Act.

b) That staff be authorized to promptly notify the Clerk of the City of Hamilton of the Board's decision as outlined in Section 221(3) of the Education Act.

Option 2: Appointment Process

a) That the public school trustee vacancy in Wards 1 & 2 be filled using an appointment process, in accordance with Section 221(1)(a), Vacancies, of the Education Act.

b) That the appointment process shall be completed within 90 days of the position becoming vacant (February 27, 2022).

**RESOLUTION #21-197:** Trustees Deathe/Johnstone moved: **That the Option 2: the Appointment Process be initiated.**

The motion **CARRIED** on the following division:

In Favour (7): Trustees Archer, Buck, Danko, Deathe, Johnstone, Miller and Mulholland. Student Trustees Abdel Hafeez and Mahmoud.

Opposed (2): Trustees Galindo and Tut

**10. Resolution Into Committee of the Whole (Private Session)**

**RESOLUTION #21-198:** Trustee Miller/Tut moved: **That the Board move into Committee of the Whole (Private), this being done at 7:46 p.m.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

**11. Report from Committee of the Whole – December 6, 2021**

**RESOLUTION #21-199:** Trustees Buck/Mulholland moved: **That the report from Committee of the Whole – December 6, 2021 be approved including that the Governance Committee report from November 24, 2021 be approved.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

## **12. Written Notice of Motion: Waiver of Education Development Charges for Indigenous-Led and City-Supported Affordable Rental Housing**

Submitted by: Trustee Johnstone  
Board: December 6, 2021

Whereas local Hamilton governments, including HWDSB, are currently facing two critical calls to action on the Truth and Reconciliation Commission of Canada and a severe affordable housing crisis.

Whereas both calls to action directly affect HWDSB students, staff and their families and thus student achievement and well-being.

Whereas in OPSBA's Submission on Ontario's Poverty Reduction Strategy they highlighted that, "the Education Act stipulates that trustees and school boards are responsible for student well-being as well as student achievement. Indeed the two are inextricably linked. In embracing that responsibility, school boards are strong advocates for conditions that alleviate poverty. This would, in turn, support student success. Poverty directly impacts a child's readiness to learn and access to a full education experience contributes to a level playing field for all children."

Whereas the City of Toronto has a HousingTO Action Plan 2020-2030. In October 2021, the City of Toronto approached the TCDSB staff with respect to a request to waive EDCs in support of this initiative and offer consistency with the financial relief approved and provided by Council.

Whereas on November 18, 2021, TCDSB received a report from staff (<https://tcdsbpublishing.escrimeetings.com/filestream.ashx?DocumentId=24159>) with the recommendation "That the Board of Trustees approve the waiver of Education Development Charges for the five Indigenous-led and City of Toronto-supported affordable rental housing projects identified in this report."

Be It Resolved that:

HWDSB staff engage the City of Hamilton and bring forward a report to explore and for trustees to consider a waiver of Education Development Charges for Indigenous-led and City of Hamilton-supported affordable rental housing projects on a project-by-project basis.

**RESOLUTION #21-200:** Trustees Johnstone/Galindo moved: **That HWDSB staff engage the City of Hamilton and bring forward a report to explore and for trustees to consider a waiver of Education Development Charges for Indigenous-led and City of Hamilton-supported affordable rental housing projects on a project-by-project basis.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

## **13. Oral Reports from Liaison Committees:**

### **A. City/School Board Liaison Committee**

The committee has not yet met but are looking forward to bringing forth agenda items in the near future.

### **B. Hamilton-Wentworth Home & School Association**

The Committee met on November 18, 2021 and continue to advocate for students and communities. They are wondering when they can return to schools as volunteers and are waiting on feedback of when that could happen.

### **C. Hamilton Foundation For Student Success**

As of October 1, 2021, the Foundation began accepting applications for Student Support Grants for the 2021/2022 year. From October 1 to November 30, 2021 a total of 216 Student Support Grants have been approved totaling \$33,200.00.

As was reported at the October 18, 2021 Trustee meeting, the HFSS Board of Directors unanimously resolved: that the \$75,000.00 intended to support "Critical Student Needs" be transferred to HWDSB to be used towards waiving or subsidizing school fees for 2021/2022 school year. This funding has been made available to schools. It was important to move quickly so that schools could address student needs ahead of the holiday break.

The Foundation will be hosting the 2022 Showcase of heARTS on Thursday, April 7, 2022. The event will be a virtual presentation with both live and pre-recorded performances. Last year showcased uplifting and inspiring performances by HWDSB students and 2022 will be no different.

### **D. Ontario Public School Boards' Association (OPSBA)**

- The Board of Director's met on December 4<sup>th</sup> weekend.
- Trustee Johnstone represents OPSBA's West Policy and Education work team.
- Legislative updates were shared.

The meeting adjourned and moved to Standing Committee at 9:00 p.m.

The recording of the Board meeting can be found here:

Part 1: <https://tv.commonshwdsb.on.ca/media/initial-board-december-6-part-1/>

Part 2: <https://tv.commonshwdsb.on.ca/media/board-standing-cmt-december-6-2021-part-2/>

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**Trustees: Kathy Archer, Becky Buck, Dawn Danko, Penny Deathe, Cam Galindo, Alex Johnstone, Maria Felix Miller, Ray Mulholland, and Paul Tut. Student Trustees Deema Abdel Hafeez and Aisha Mahmoud.**

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**Regrets were received from Trustee Carole Paikin Miller and Shakowennakara:tats Tanaya Kagige.**

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## 1. Call to Order

Dawn Danko, Chair of the Board, called the meeting to order at 6:31 p.m.

### Delegation:

*Delegations do not necessarily reflect the views of the Board*

### Jason Kowalyshyn re: Mandatory Vaccine Procedure

A delegation was brought forward by Jason Kowalyshyn on mandated vaccines. The full delegation is available on HWDSB TV: <https://hwdsb.tv/media/board-meeting-december-13-2021-part-1/>

## 2. Approval of the Agenda:

**RESOLUTION #21-201:** Trustees Tut/Mulholland moved: **That the agenda be approved.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

## 3. Declaration of Conflict of Interest

None were declared.

## 4. Confirmation of the Minutes

Minutes from November 29 and December 6, 2021 (Initial Board) were confirmed.

### Correspondence:

- A. Walter Furlan – Barton Street Community re: Location of Safe Injection Site at 746 Barton St. E
- B. Equity Network of Dundas re: Vice Chair Selection
- C. Peace of Mind Coalition re: Student Mental Healthcare Policies

**RESOLUTION #21-202:** Trustees Archer/Deathe moved: **That the correspondence be received and filed.**

### Reports from Trustee Special Committees:

#### 5. Policy – December 1, 2021

**RESOLUTION #21-203:** Trustees Miller/Galindo moved: **That the Policy Committee report from December 1, 2021 be approved including the Student Behaviour and Discipline Policy.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

#### 6. Human Resources – November 30, 2021

**RESOLUTION #21-204:** Trustees Deathe/Johnstone moved: **That the Human Resources Committee report from November 30, 2021 be received.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

## Report from Staff:

### 7. Mandatory Vaccine Procedure

Staff presented the report noting that they were recommending that HWDSB continue to implement the COVID 19 Immunization Disclosure Procedure that is aligned with the Ministry of Education Immunization Disclosure Policy noting the following:

- Adjacent school boards are not implementing a mandatory vaccine procedure or policy and those that have such a Board motion or direction, have delayed implementation and/or have extensive exemptions (i.e. all teacher and other education workers where there are labour market challenges)
- Despite ongoing recruitment efforts, the Board continues to have daily unfilled jobs. As reported to the Human Resources Committee (November 30, 2021), in the month of October, on average, staff were able to fill 85% of academic vacancies and 74% of our Educational Worker vacancies (Educational Assistants, Caretakers, Designated Early Childhood Educators, Office and Technical Workers).
- A rise in employee personal illness utilization. As shared at the Human Resources Committee (November 30, 2021), Employee Support and Wellness department (ESW) noted an increase of 1.38 personal illness days per employee compared to the same time frame last year. Some noted observations that have contributed to the increased absenteeism include;
- Increase in short term disability absences related to medical procedures that were rescheduled due to the pandemic; and
- Growth in mental health short term related absences; and
- Growth in sporadic absences less than 5 consecutive days; and
- Employee Assistance Program (LifeWorks) utilization is lower than industry standards for utilization.
- Would limit the number of third-party contractors to maintain our response to site-based emergencies.

**RESOLUTION #21-205:** Trustees Buck/Miller moved: **That HWDSB continue to implement the COVID 19 Immunization Disclosure Procedure that is aligned with the Ministry of Education Immunization Disclosure Policy. That HWDSB continue to advocate to the Ministry for funding for all staff to participate in rapid antigen testing regardless of vaccine status. If funding is achieved that it comes back to Trustees for further consideration.**

The motion **CARRIED** on the following division of votes:

In Favour (6): Trustees Archer, Buck, Danko, Deathe, Miller and Mulholland. Student Trustees Abdel Hafeez and Mahmoud.

Opposed (3): Trustees Galindo, Johnstone and Tut

### 8. COVID-19 Update Report #4

Staff presented the report and the presentation can be found here: [hwdsb.on.ca/wp-content/uploads/meetings/Board-Appendices-1639434946.pdf](https://hwdsb.on.ca/wp-content/uploads/meetings/Board-Appendices-1639434946.pdf)

**RESOLUTION #21-206:** Trustees Buck/Archer moved: **That the Board extend until 10:30 p.m.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour

## Reports from:

### 9. Standing Committee – December 6, 2021

**RESOLUTION #21-207:** Trustees Buck/Galindo moved: **That the Standing Committee Report from December 6, 2021 be approved including that the Draft School Year Calendar 2022-23 be approved for public consultation.**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.



## 10. Committee of the Whole – December 13, 2021

**RESOLUTION #21-208:** Trustees Buck/Johnstone moved: **That the Committee of the Whole Report from December 13, 2021 be approved including:**

- **That the Human Resources Committee report from November 30, 2021 be received.**
- **That John Bryant be appointed as Interim Director from February to June 2022**
- **That Promeus Inc be contracted for the purpose of conducting a permanent Direct of Education Search**

**CARRIED**

Student Trustees Abdel Hafeez and Mahmoud voted in favour.

## 11. Oral Reports from:

### A. Student Trustees

Student Trustees Abdel Hafeez and Mahmoud highlighted the following:

- Elementary and Secondary Student Senate met together on December 1, 2021. Moving into the New Year the goals of Student Senate include organizing and mobilizing each Committee, checking-in with Senators one-on-one, and meeting with the Secondary Student Councils across the Board
- OSTA-AECO's Public Board Council has released the Student Stories Survey, a feedback form made available to public board students across the province. This survey will build the framework for the Redefining Student Success report, and its two pillars (Shifting the narrative, what defines success? And addressing barriers to success and creating recommendations accordingly)
- As part of our efforts to reach a wide audience of our student body, and bridge the gap between students and the boardroom, we have already created and shared two Board meeting Recaps
- Student Trustees represented student voice when they shared the disappointment regarding the nomination and election of the Vice Chair.

### B. Director's Update

The Director highlighted the following:

- The Director stated that his focus moving forward will be to support the transition of the Director position to John Bryant as the interim Director as well as the search for the new Director.
- He wished staff and students a safe holiday break by spending time with family and friends in a safe way. A peaceful and happy holiday was wished for all.

### C. Chair's Update

The Chair expressed her gratitude to staff, students and the community for working through the challenging times. She shared that they are sad to be losing Director Figueiredo. She welcomed the new interim Director John Bryant to HWDSB. She wished everyone a safe and well deserved holiday.

The meeting adjourned at 10:15 p.m.

The recording of the Board meeting can be found here:

Part 1: <https://hwdsb.tv/media/board-meeting-december-13-2021-part-1/>

Part 2: <https://hwdsb.tv/media/board-meeting-december-13-2021-part-2/>

Received via email on Tue 2021-12-21 10:05 AM

**Apology For Trustee Buck - Letter for Board Meeting Agenda**

Dawn Danko Chair of the Board and Ward 7 Trustee:

"Keep that racism flowing you ugly [REDACTED]."

That is an example of the mysogony and hate Twitter trolls directed at Trustee Buck in retaliation for her position on police in schools as recently reported by the Bay Observer.

This personal harassment is nothing new to female leaders - except when a female leader stands up for herself she is usually described as strong and brave.

But instead of denouncing these disgusting Twitter attacks, the "independent" investigator said Trustee Buck was racist.

One of the most important messages of the me-too movement is 'believe the victim'.

Will your board finally **believe the victim** and officially denounce the harassment that Trustee Buck has had to endure?

Will your board finally apologize to Trustee Buck for the blatant mischaracterization of her Twitter Trolls comment as racist by the "independent" investigator?

Will the "Equity" Advisory Committee and the Student Trustees now apologize to Trustee Buck for calling for her resignation?

Will the media that enables these hateful attacks on Trustee Buck finally correct their reporting?

Will the Twitter Trolls who continue to slander bully and harass Trustee Buck to this day finally stop?

I ask that this letter be included in public correspondence on the agenda for discussion at your next board meeting.

Alex Rocca  
Ward 3  
Hamilton



OSSTF District 21 – Hamilton-Wentworth  
1423 Upper Ottawa St. Unit 2, Hamilton, ON, L8W3K6  
P: 905-574-8285 F: 905-574-8166 [www.district21.ca](http://www.district21.ca)

Wednesday December 15, 2021

**Attention: Secretary of the Board**

On Tuesday December 14, the Teachers'/Occasional Teachers' Council, composed of worker representatives from each of the Secondary School sites across the HWDSB which represents 1,400 Board employees, voted in favour of sending the following message to the Trustees;

Whereas our membership is made up of a diverse group of ethno-cultural and racial backgrounds, and

Whereas, during 2020, Trustee Becky Buck (Wards 8 & 14) was found guilty of words and actions that were determined to be racist by an independent investigator hired by the Board, and

Whereas our racialized students bear the brunt of systemic racism and barriers (decided upon by trustee decision-makers) that often prevent their full participation in our public education system, therefore

Be It Resolved That the Teachers'/Occasional Teachers' Council, as the second largest employee group of the Board, express our grave concerns to the HWDSB Director/Secretary of the Board over the election of Trustee Becky Buck as Vice-Chair of the HWDSB.

Regards,

A handwritten signature in black ink, appearing to be "Daryl Jerome", written in a cursive style.

Daryl Jerome  
President  
Teachers'/Occasional Teachers' Bargaining Unit  
OSSTF/FEESO District 21 (Hamilton-Wentworth)

Ms. Dawn Danko

Board Chair

Hamilton Wentworth District School Board (HWDSB)

Re - Ms. Becky Buck – Vice Chair, HWDSB

Dear Chair,

I am a ward 8 resident and in the 2018 Municipal School Board Election, I voted for Ms. Becky Buck. The reason I voted for her was she was independent minded, highly intelligent and of great character. Nothing has changed with Ms. Buck she still exudes these characteristics and values.

Unfortunately, what has changed is the political landscape. In 2019 Prime Minister Justin Trudeau brutally attack two of his cabinet ministers, Jody Wilson-Raybould and Jane Philpott forcing them out of cabinet and subsequently out of politics. Their crime was being independent minded, highly intelligent and of great character. The worst cause of misogyny of an elected official in Canadian political history. This in turn unleashed this form of “Trudeau Misogyny” on all levels of government across the country towards elected officials.

We have seen numerous causes of “Trudeau Misogyny” at HWDSB. We do not see male trustees treated with the same level of disdain that female trustees are treated. It seems that whenever a female trustee

display being independent minded, highly intelligent and of great character they are targeted, bullied, and victimized.

When my riding elected Ms. Buck, we did so with the expectation that she would have all the rights and privileges of any other school trustee, including the opportunity to serve in the Vice Chair role.

I would encourage the Chair to;

1. Reaffirm Ms. Buck as Vice Chair of HWDSB
2. Publicly apologize to Ms. Buck for the misogyny she has experienced
3. Provide misogyny awareness training to those on the Trustee Board that have targeted Ms. Buck
4. Investigate root cause solutions to address misogyny targeting our elected trustees
5. Determine whether there is misogyny inherent in the curriculum of HWDSB and deliver a roadmap to the board of corrective action that will be undertaken

Sincerely,

Robert Cooper

Ward 8 Resident

Bob Maton, PhD (Toronto)

Ancaster, ON

January 10, 2020

Dear Ms Danko and Ms Miller:

I write as a resident of Ward 12 in support of Becky Buck as Vice-Chair of the Hamilton-Wentworth School Board (HWDSB).

I have followed closely the recent events which have led to questions about Ms. Buck's tenure as Vice-Chair of the School Board, and believe that the accusations made against her are unwarranted and completely out of line. All of the evidence indicates that she is a woman of integrity, kindness, and sensitivity to the needs and wants of all parents and students whatever their racial or ethnic backgrounds. Politics should be kept out of the School Board, so that the job of educating students can go forward without disruption and division.

Ms Buck will make a fine, upstanding and most constructive Vice-Chair, and she should be supported by the Board in that role.

Thank you,

Bob Maton

**COMMITTEE REPORT**

Presented to: Board

Date of Meeting: January 17, 2022

From: Finance and Facilities Committee

Date of Meeting: December 9, 2021

The committee held a special virtual meeting from 5:01 p.m. to 6:00 p.m. on December 9, 2021 with Trustee Cam Galindo presiding.

Members participating were: Trustees Becky Buck, Dawn Danko, Cam Galindo, Alex Johnstone and Paul Tut.

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**MONITORING ITEMS:**

**A. 2021-22 Capital Priorities Submission Update**

Staff submitted 10 Capital Priority Projects to the Ministry for consideration in May 2021. On November 23, 2021, the Ministry announced the approval of \$16,667,921 for a new 650 pupil place school and three-room child care space in the Upper Stoney Creek (Nash) community. The Board was not successful in achieving funding for four other new school projects and two portapak projects. Ministry staff have indicated that a decision has not yet been made with regards to three gym expansion projects.

On the motion of Alex Johnstone, the Finance and Facilities Committee **RECOMMENDS: That the Board write a letter to the Ministry thanking them for funding for new school in the Upper Stoney Creek (Nash) community and highlight importance of gym expansion projects.**

**B. Sherwood Secondary School Update**

The Board was unsuccessful in receiving approval for funding from the Ministry for a new school on the existing property after eight attempts. As a result of not being successful, the Trustee motion from October 20, 2020, indicates that staff should move to enter into a public consultation to solicit feedback from the community on three options with respect to moving forward.

Staff will develop the consultation criteria and will report back to committee.

Respectfully submitted,  
Cam Galindo, Chair of the Committee

**COMMITTEE REPORT**

Presented to: Board

Date of Meeting: January 17, 2022

From: Finance and Facilities Committee

Date of Meeting: December 16, 2021

The committee held a virtual meeting from 5:36 p.m. to 7:21 p.m. on December 16, 2021 with Trustee Cam Galindo presiding.

Members participating were: Trustees Becky Buck, Dawn Danko, Cam Galindo, Alex Johnstone and Paul Tut.

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**MONITORING ITEMS:****A. Annual Capital Plan Update**

Staff presented some background related the Capital Plan. The Capital Plan supports the school renewal strategic direction and in the current year, it is necessary to renew the 5 year plan. This report is the first step as staff presented the proposed allocation of the budget for the next 5 years to the various components of the plan.

Staff will be bringing back reports related to the projects related to the components of the plan and will solicit public feedback.

Staff suggested the multi-year Capital Plan budget as follows:

<b>Component</b>	<b>Previous Values</b>	<b>Revised Values</b>
Secondary School Facility Benchmark	\$11,000,000	\$4,500,000
Elementary School Facility Benchmark	\$10,000,000	\$10,000,000
Secondary Program Strategy	\$2,000,000	\$1,250,000
Elementary Program Strategy	\$1,000,000	\$250,000
Annual School Renewal	\$8,000,000	\$14,000,000
Other / Maintenance	Varies	\$2,000,000
<b>Total</b>	<b>\$32 million</b>	<b>\$32 million</b>

**B. Secondary School Facility Benchmark Strategy Update**

At October 21, 2021 Finance and Facilities Committee meeting, staff presented an update on the overall Benchmark Strategy and the recommendation that the multi-year Capital Plan and its categories be reviewed and reconsidered to reevaluate priorities and categories for the next 5 years. Trustees requested staff return with cost estimates for all proposed benchmarks including the addition of cooling and funding sources.

Staff provided the costs related to proposed benchmarks and are the funding sources associated with them. Staff indicated that the cooling benchmark was not feasible given the budget required for this benchmark.

The next step will be to solicit public feedback on the proposed benchmarks.



**C. Capital Projects Construction Update**

Staff presented the quarterly report that provides an updated summary of all the capital projects in various phases. The project status updates are current as of December 8, 2021. In addition, an update on the CVRIS funded projects was provided.

**D. Athletic Fields - Community Use**

Staff provided an update on Resolution#21-122. Staff initiated discussions with the City of Hamilton staff in fall 2021 where City staff recommended that Board staff submit a formal letter to the City of Hamilton outlining a detailed request from the Board regarding athletic facility use and the proposed role of the City. Board staff thought this would be best tabled at the next City/Board Liaison Committee meeting. Board staff also engaged other school boards regarding access agreements other boards may have with their local municipalities to allow the public to use school board outdoor amenities outside of school hours.

**E. Sir John A. MacDonald Update**

Board has received inquiries from a number of community organizations/representative related to the ability to use Sir John A. MacDonald (SJAM) to address the needs of unhoused people in Hamilton. Board has asked all advocates to work through the City of Hamilton in order to ensure that there is collaboration and provided some criteria that would have to be in place in order for SJAM to be used for this purpose.

**F. Priorities for Budget Consultation**

In the past number of years, the Board has approved budget priorities to assist in the development of the next year's budget and often the Board has done a public consultation to affirm the budget priorities. Committee members thought it would be beneficial to engage the public and seek their input on what priorities the Board should focus resources on and support a public consultation process for the development of the budget priorities to guide the development of the 2022-23 budget.

**G. Enrolment Summary October 31, 2021**

Staff presented the report and provided enrolment data on a school by school basis. The actual enrolment has increased by 327.50 students from the projected enrolment for October 31, 2021.

**H. Review Proceeds of Disposition (POD) Practice**

Staff provided verbal steps of Phase 2 – Sale of Property on the Open market of the Property Disposition Procedure. The Committee discussed the criteria related to accepting bids.

On the motion of Dawn Danko, the Finance and Facilities Committee consented to the request that staff explore opportunities to consider criteria in addition to fair market value through phase 2 of the Board's disposition process, and bring back finding to Finance and Facilities committee.

Respectfully submitted,  
Cam Galindo, Chair of the Committee

## Committee Report

Presented to: Board

Meeting date: January 10, 2022

From: Human Rights & Equity Community Advisory  
Committee

Meeting date: December 16, 2021

The committee held a meeting on December 16, 2021, from 4:00 – 6:00 p.m. via MS Teams with Co-Chair Neha Gupta presiding.

Members present were: Neha Gupta, Christopher Daoud, Nancy Silva Khan, Temidayo Olowoyeye, Maise Raymond Brown, Lyndon George, Gachi Issa, Tianna Thompson, Deborah Brown Simon, Jessica Bowen, Trustee: Maria Felix Miller

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### ACTION ITEMS:

#### A. Election of Board Trustee Vice Chair

In light of Trustee Becky Buck's recent election to the position of HWDSB Vice Chair, members discussed the possibility of submitting a recommendation to share their concerns with the Board, provided that Trustee Buck was one of the Board Trustees implicated in the 2021 *Final Report of the External Investigation for Hamilton Wentworth District School Board Re: Student Trustee Complaint of Breach of Code of Conduct*.

Moved by Gachi Issa, seconded by Tianna Thompson; the Human Rights & Equity Committee RECOMMENDS:

1. **Call for the full resignation of Becky Buck from the position of Vice Chair without a condition to return.**
2. **Call for Trustees Becky Buck, Kathy Archer, Alex Johnstone and Carole Paikin-Miller to not be allowed to run for Chair or Vice Chair positions.**
3. **Ballots for the election of the Chair and Vice Chair be made public. As the vote is currently made anonymous, it should be changed so that the vote no longer remains anonymous for future Chair and Vice Chair elections.**
4. **Call for Becky Buck to step down from the Trustee position**

**CARRIED**

### MONITORING ITEMS:

#### B. Member Introductions

The committee introduced themselves to each other and welcomed new member, Christopher Daoud. Christopher is replacing Carmen To who resigned from the committee.

#### C. De-streaming Update

Superintendent Bill Torrens shared a presentation on de-streaming with the committee and answered questions from members about the initiative.

#### D. Graduation Coach for Black Students Program Update

System Principal of Equity, Michelle Rodney Bartalos, provided an update on the Graduation Coach for Black Students Program, as well as its purpose and expansion to three coaches for four secondary schools (Bernie Custis, Sherwood, Sir Allan McNab and Westdale). Members expressed interest in expanding the program to elementary schools.

#### E. Trustee Update

On behalf of Trustee Maria Felix Miller, Associate Director, Sue Dunlop, informed the committee that the Student Behaviour and Discipline Policy has been revised with updated language that is more inclusive without gender binary language. The policy now has additional definitions around bias, discrimination, hate crimes and mitigating circumstances. The updated policy is now available on the Board website.

Respectfully submitted by  
Neha Gupta, Co-Chair



## EXECUTIVE REPORT TO BOARD

**TO:** BOARD

**FROM:** Manny Figueiredo, Director of Education

**DATE:** January 17, 2022

**PREPARED BY:** Heather Miller, Officer of Trustee Services

**RE:** Process to fill Trustee Vacancy, Wards 1 & 2

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Action  Monitoring

### Recommended Action:

That Trustees select a process to fill the Trustee Vacancy in Wards 1 and 2.

### Background:

All vacancies on the board are required to be filled, under the Education Act, unless the vacancy is within one month of the next Municipal Election [s. 224(a)]. The Board of Trustees will have 90 days to decide how to fill the vacancy whether it be by appointment or by holding a by-election.

On December 6, 2021, the Board passed the following resolution:

**RESOLUTION #21-197:** *Trustees Deathe/Johnstone moved: That the Option 2: the Appointment Process be initiated.*

#### Filling a Vacancy: Appointment.

The Board may pass a resolution to fill the vacancy by appointment within 90 days of the position becoming vacant (by February 27, 2022). The person being appointed must be eligible to serve on the Board and be willing to accept the appointment. The legislation does not set out any criteria and it is up to the Board to determine how they will decide whom to appoint.

Eligibility Criteria – EDUCATION ACT, R.S.O. 1990, C. E.2

<https://www.ontario.ca/laws/statute/90e02#BK206>

#### **Qualifications of members**

219 (1) A person is qualified to be elected as a member of a district school board or school authority if the person is qualified to vote for members of that district school board or that school authority and is resident in its area of jurisdiction. 1997, c. 31, s. 112.

Same

(2) A person who is qualified under subsection (1) to be elected as a member of a district school board or school authority is

qualified to be elected as a member of that district school board or school authority for any geographic area in the district school board's or school authority's area of jurisdiction, regardless of which positions on that district school board or school authority the person may be qualified to vote for. 1997, c. 31, s. 112.

### **Disqualifications**

(4) Despite subsection (1), a person is not qualified to be elected or to act as a member of a district school board or school authority if the person is,

- (a) an employee of a district school board or school authority;
- (b) Repealed: 2002, c. 18, Sched. G, s. 9 (1).
- (c) the clerk or treasurer or deputy clerk or deputy treasurer of a municipality or an upper-tier municipality, all or part of which is included in the area of jurisdiction of the district school board or the school authority;
- (d) a member of the Assembly or of the Senate or House of Commons of Canada; or
- (e) otherwise ineligible or disqualified under this or any other Act. 1997, c. 31, s. 112; 1999, c. 6, s. 20 (5); 2002, c. 17, Sched. F, Table; 2002, c. 18, Sched. G, s. 9 (1).

Note: It is the responsibility of the candidate to determine whether he or she is qualified to be elected to and hold office. Once selected, the candidate must remain qualified throughout the remainder of the term of office

Trustees may determine additional criteria requested of interested candidates.

### **Process Considerations:**

The Board may decide to:

**Option 1:** Appoint the candidate who came in second in the last election

- [2018 Municipal Election Results, City of Hamilton, Wards 1 and 2](#)

**Option 2:** Offer the appointment to a member of the community

- Trustees would generate a list of names on their own and ask staff to confirm eligibility and willingness to hold the position of Trustee for the remainder of the term of office and report back to the Board

**Option 3:** Invite any interested persons to apply for the position

- Candidates interested in filling the vacancy as Trustee for Wards 1 and 2 submit a letter of interest addressed to trustees that outlines their interest and qualifications to hold the position of trustee.

*Note: Interested candidates will be advised that by submitting their letter of interest, personal information such as name, address and the contents of their letter of interest may be posted to the HWDSB Board website as part of a meeting package of materials and discussion of candidates would take place in a public forum.*

- Trustees meet and review letters of interest and select **one** of the following next steps:
  - a. Invite and interview **all** qualified candidates to a public special meeting and then vote by ballot for the candidate to fill the vacancy

**OR**

- b. Invite and interview a **short-list** of qualified candidates, based on selection criteria (tbd)\* at a public special meeting and then vote by ballot for the candidate to fill the vacancy

**OR**

- c. Appoint an eligible candidate by conducting a random lottery where the appointment is chosen from the pool of qualified candidates who submitted a letter of interest

Should trustees decide to move forward with Option 3b, selection criteria should be determined prior to any candidate submitting their letters of interest so that they are aware of what trustees will be evaluating their submission against.

**Timelines:**

Should Trustees determine that they wish to move forward with collecting letters of interest (Option 3), the following is proposed:

- Letter of interest due by January 31, 2022
- Special Board held February 8 – 10<sup>th</sup> for the purpose of interviews

**OR**

- Names of all qualified candidates forwarded to Board Meeting on February 14 for random lottery draw during public meeting.

Resources:

*Education Act: Part VII: Board Members – Qualifications, Resignations and Vacancies (Section 221)*

<https://www.ontario.ca/laws/statute/90e02#BK208>

*Municipal Elections Act: By-Elections (Section 65)*

<https://www.ontario.ca/laws/statute/96m32#BK90>

**Notice of Motion: Medical Masks For HWDSB Students**

Submitted by Student Trustees Mahmoud & Abdel Hafeez

Sponsored by Trustee Miller

January 17, 2022 Board

Whereas: Provincial reporting shows that schools, and especially elementary schools, account for the bulk of COVID-19 outbreaks in Ontario

Whereas: 37% of Hamilton's students ages 5-11 years are fully vaccinated and 84% of students ages 12-17 years are fully vaccinated meaning that the vast majority of students are only partially vaccinated or not yet eligible to be vaccinated

Whereas: A tightly fitting mask has been identified by Public Health officials as one of the top lines of protection against COVID-19.

Whereas: Public Health Agency of Canada (PHAC) has stated for both children and adults that "while non-medical masks can help prevent the spread of COVID-19, medical masks and respirators (such as N95 and KN95 masks) provide better protection."

Whereas: The Ministry provides medical grade level 2 masks to Ontario's education staff free of charge under workplace health and safety requirements and where the Ministry recently recognized the need for enhanced masking in schools and is now provisioning unfitted respirators free of charge to all education staff

Whereas: The same workplace health and safety protections offered to education staff also need to be extended to students who are required by law to attend school

Whereas: Masking needs to be considered through an equity lens as affordability and availability of paediatric and adult medical masks and respirators is a significant barrier for many families. Further, many families who cannot afford enhanced masking also do not have the financial privilege of choosing online learning.

**Be It Resolved That:** The HWDSB write a letter to the Ministry of Education requesting that medical grade level 2 masks and unfitted respirators (such as unfitted N95 and KN95 masks) be fully funded and provided to every student in the province in the same way that unfitted respirators are being fully funded and provided to education staff

**Be It Further Resolved That:** Where the Ministry is now providing unfitted respirators (N95) instead of medical masks to education staff, that the HWDSB consider repurposing the remaining supply of medical grade level 2 masks to students using an equity framework

**Be It Further Resolved That:** The HWDSB prepare a report on the cost of provisioning every HWDSB student with a medical grade level 2 masks for the remainder of the year and the feasibility of applying COVID-19 related funds including reserves and deficits to pay for masks to ensure that both students and staff are provisioned equally with the PPE needed to safely learn and work.

**Motion: HWDSB To Continue Publicly Reporting COVID-19 Cases**

Submitted by Student Trustees Mahmoud & Abdel Hafeez

Sponsored by Trustee Johnstone

January 17, 2022 Board Meeting

Whereas: On January 6, 2022, Hamilton reported the worst COVID-19 case rate in the province and it stated that the reported local numbers are likely only a fraction of the actual cases counts stating that it estimates that only one in seven to one in ten actual cases are being reported.

Whereas: Provincial reporting shows that schools, and especially elementary schools, account for the bulk of COVID-19 outbreaks in Ontario

Whereas: 37% of Hamilton's students ages 5-11 years are fully vaccinated and 84% of students ages 12-17 years are fully vaccinated

Whereas: At the height of the pandemic to date, the Ministry is no longer requiring school boards to report COVID-19 cases, Public Health Units are no longer conducting contacting tracing efforts for schools, and where the province has reduced access to publicly funded PCR testing

Whereas: The Ministry will be providing school boards with a limited number of take-home PCR-tests, however they will only be available to symptomatic students and staff who arrived at school and who need to leave the school during the day as result of new symptoms. Previously, all students and staff could access publically funded PRC-tests through participating local pharmacies

Whereas: These changes have significant implications for managing virus spread, disruptions to student learning and achievement and school staffing and operations

Whereas: These changes also need to be considered through an equity lens, the affordability for students and staff to be able to privately purchase PCR tests and the privilege of being able to stay home

Whereas: Students, staff and families rely on COVID-19 reporting to make informed decisions about isolating, notifying close contacts and keeping at-risk family members safe

Whereas: The Ontario Principal's Council has put out a statement highlighting that principals still have a legal responsibility under the Education Act to report the existence of any communicable disease and to refuse admission to school of any person infected with a communicable disease

Whereas: HWDSB Trustees requested over the winter break, through the Director to Hamilton Public Health, that priority be provided to staff and students to receive vaccinations and boosters in order to keep schools safely open as schools account for the majority of COVID-19 outbreaks in Hamilton and Ontario. Further more, local and provincial employee groups and The Ontario Principal's Council have also made this request. Further more, this request was originally denied by Public Health as it was not consistent with Government direction and starting January 7<sup>th</sup> the Ministry has approved priority vaccination clinics for education workers across the province but has not provided the same urgent and targeted vaccine clinics for students in order to afford a safer school reopening.

**Be It Resolved That:** The HWDSB publicly report suspected COVID-19 Cases as identified through Rapid Antigen Test and continue to publicly report confirmed cases as identified through PCR tests, in accordance with the democratic values of public accountability and transparency

**Be It Further Resolved That:** HWDSB write to Hamilton Public Health (HPH) and request that HPH continue to support local school boards in targeted vaccine clinics for our schools and to increase the clinics ahead of the return to in-person learning to support a safe return to class.

**Be It Further Resolved That:** HWDSB write a letter to the Ministry of Education to request their continued commitment to student and staff access to PCR testing in all cases of high risk of exposure and suspected COVID-19 in a concerted effort for schools and families to effectively manage known and suspected cases of COVID-19 and to keep schools safely open

**Be It Further Resolved That:** The HWDSB write a letter to the Ministry of Education to request that priority status be given to students in the same way that priority status is being provided to education staff to receive vaccines and boosters, as schools account for the bulk of COVID-19 outbreaks in Ontario and it is in the public's interest to keep schools safely open