

HASTINGS AND PRINCE EDWARD DISTRICT SCHOOL BOARD
Response to Request for Administrative Review
QUINTE SECONDARY SCHOOL

EXECUTIVE SUMMARY

1. A Pupil Accommodation Review has been requested by parents of Quinte Secondary School (the “Petitioners”), a school under the jurisdiction of the Hastings and Prince Edward District School Board, which was subject a Pupil Accommodation Review of schools in Belleville.
2. The Hastings and Prince Edward District School Board respectfully submits that the Belleville area Pupil Accommodation Review was appropriately conducted, in accordance with Board **Policy No. 15 “*Student Enrolment/School Capacity: Pupil Accommodation Review*”** (the “Policy”), attached as **Appendix 1**.
3. On June 19, 2017, the Board of Trustees of the Hastings and Prince Edward District School Board approved the recommendation from its Student Enrolment/School Capacity Committee (SE/SC Committee) to:
 - consolidate Quinte Secondary School and Moira Secondary School at Moira, with a rebranded name and logo, effective September 2018;
 - modify the associated boundaries so that some students move to Centennial Secondary School in order to ensure an equitable distribution of students for programming purposes; and
 - seek Ministry of Education funding/approval to build a new Grade 9-12 secondary school in Belleville in consultation with the City of Belleville. Potential locations could include the former Hillcrest School property, current site or another location in the east end of Belleville. Should funding/approval for a new build not be approved, seek Ministry of Education funding/approval for an addition/renovation to Moira Secondary School.

Outlining the above, at **Appendix 2**, is a copy of the **Board Report No. B-2, dated June 19, 2017** from the Director of Education to the Board of Trustees.

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4. The Hastings and Prince Edward District School Board (the “Board”) respectfully submits that the Ministry of Education should *not* conduct an Administrative Review of the Belleville area Pupil Accommodation Review.

BACKGROUND

5. In 2015, the Board retained Watson & Associates Economists Ltd. (“Watson”) to review the Board’s enrolment and demographic trends, age and condition of facilities, and funding to provide recommendations with respect to accommodation. Watson delivered its Long Term Capital Study Report and Recommendations Final Report on November 9, 2015, (the **Watson Report**), attached as **Appendix 3**.
6. In October 2016, following a significant public consultation, which included information shared with families through a series of bulletins and resource documents posted on the Board’s website, on its schools’ websites, shared in newsletters, communicated to parent involvement committees and distributed through social media, the Board of Trustees approved a **Long-Term Capital Plan**, attached as **Appendix 4**.
7. On November 21, 2016, in accordance with the Board’s Policy, the Senior Administration of the Board delivered to the SE/SC Committee (a committee of the whole board of trustees) a report (the **Initial Report**, attached as **Appendix 5**) recommending that the Board conduct an accommodation review of eleven (11) schools in Belleville: Centennial Secondary School, Moira Secondary School (“Moira”), Quinte Secondary School (“Quinte”), Harry J Clarke Public School, Hillcrest School, Sir John A Macdonald School, Queen Elizabeth School (Belleville), Park Dale School, Susanna Moodie Elementary School, Queen Victoria School, and Prince of Wales Public School (the “Belleville Schools”) for the following reasons:
- the schools will experience an adverse impact on learning as a result of declining enrolment and underutilization;
 - reorganization involving the schools will enhance program and learning opportunities; and
 - one or more of the schools is experiencing higher building maintenance or renewal expenses than the average for the system and/or is in need of major capital improvements.¹

¹ 1_InitialRecommendationReportBellevilleNov1816KH.pdf, attached as Appendix 3

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8. The Board Administration's Initial Report to the SE/SC Committee identified the process of public consultation undertaken prior to the Board's approval of the Long Term Capital Plan, as well as details regarding capital planning and pupil accommodation issues such as:

- the combined renewal needs of the Belleville elementary and secondary schools is approximately \$60.6 million over the next 5 years with Moira and Quinte totaling approximately \$20.8 million; and
- there were 829 surplus secondary student spaces at the three Belleville secondary schools, with a combined utilization rate of 72%.

9. The Initial Report contained the Administration's Initial Recommendations for the purpose of public consultation, and set out 2 options for the secondary schools at issue, namely:

Option 1

- Close Quinte Secondary School and modify boundaries so that some students move to Centennial Secondary School for September 2018;
- Close Moira Secondary School and seek Ministry of Education funding/approval to build a new Grade 9-12 secondary school which consolidates Moira Secondary School and Quinte Secondary School in the east end of Belleville for September 2020;
- Relocate the Destinations Program currently at Moira Secondary School to the new elementary school after construction
- Explore opportunities for community partnerships aligned with the 2015-2020 Strategic Plan priorities

Option 2

- Close Quinte Secondary School and modify the boundaries so that some students move to Centennial Secondary School and others to Moira Secondary School for September 2018
- Seek Ministry of Education funding/approval to build an addition/renovation at Moira Secondary School for September 2019
- Relocate the Destinations Program currently at Moira Secondary School to a new elementary school

10. On November 21, 2016 the Board passed a motion approving an Accommodation Review for the Belleville Schools.

11. On November 23, 2016, the Director delivered a letter to families and students of affected schools to advise that the Board of Trustees approved Accommodation Reviews in three

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regions of the Board, including Belleville. The Director's letter enclosed a one-page summary of the options being considered in the Accommodation Reviews as well as a complete timeline for all anticipated steps in the process, from November 2016 to June 2017. The Director's letter was also made available on the Board's website.² On the same date, the Director of Education forwarded correspondence to municipal and community partners advising of the Accommodation Review process for the Belleville Schools.

12. Throughout the Accommodation Review process the Board's website was routinely updated to include new information to the dedicated webpages for the three Accommodation Reviews being undertaken. This process created a centralized bank of all of the information regarding the Accommodation Reviews, including notices and links to relevant documents and resources. **Screen shots** of the relevant Board webpages are attached at **Appendix 6**.
13. An Accommodation Review Committee (the "ARC") was struck with members from each school community, including students, parents, school council members, community representatives, teaching and non-teaching representatives, for the purpose of providing feedback regarding the Administration's Initial Recommendation. On January 26, 2017 there was an orientation meeting for the ARC at Quinte, which was open to the public. The identification of ARC members was posted on the Board's website together with information regarding the ARC's role.³
14. On Wednesday, February 8, 2017 at 6:30pm, the first Public Meeting was held at Quinte. Families and students were provided notice of the meeting by way of social media, the Board's website, school websites and local media. The meeting notes and the power point presentation from the meeting were both made available on the Board's website.⁴
15. On February 15, 2017 and March 23, 2017, the ARC had working group meetings, the notes from which were made available on the Board's website.⁵
16. For its working group meetings, the ARC had available to it:
 - Capital Planning Forecasts for each of the schools under review;
 - Census Population Data;

²<http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/>

³ Ibid

⁴ Ibid

⁵ Ibid

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- Report of the Expert Panel on Capital Standards;
 - Recommendation and Rationale Overview;
 - transportation data;
 - Belleville Accommodation Review Questions and Answers;
 - School Information Profiles for each school being reviewed by the ARC, which contained information such as:
 - the programs, grades and extra-curricular offerings;
 - special purpose rooms, building and property size;
 - pupil capacity, enrolment, utilization rate, surplus capacity;
 - dates of construction and additions/renovations (if any);
 - school site map, attendance boundary and zoning map;
 - instructional room summary and school staffing;
 - facility condition index, summary of recent facility improvements and costs; renewal needs and costs; and accessibility; and
 - transportation needs for existing students.⁶
17. The ARC identified and prepared rationales for several alternative options to those presented by Board Administration. They included the following:
- Close Centennial Secondary School (“Centennial”) and relocate the majority of its students to Quinte, with some to go to Bayside Secondary School (“Bayside”);
 - Close Moira and relocate its students to Quinte;
 - Close Bayside and Quinte and build a new school north of Belleville;
 - Seek Ministry of Education funding/approval to build a new Grade 9-12 secondary school which consolidates Moira Secondary School and Quinte Secondary School in the North end of Belleville for September 2020.
 - Seek Ministry of Education funding/approval to build a new Grade 7-12 secondary school which consolidates Moira and Quinte.⁷
18. The Board reviewed the feedback from the public consultations and the ARC to identify common themes and messages, which included issues regarding:

⁶ Ibid, please see Appendix 11

⁷ see the Final Report, Appendix 7, also available on the Board’s website: <http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews>

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- facilities for extra-curricular activities,
 - community facilities (YMCA &/or childcare),
 - programming for students;
 - timing and student transitions,
 - staff transitions,
 - transportation times,
19. Over the course of their working group meetings, the ARC members discussed and synthesized feedback and data into a Consolidated Recommendation Analysis Template for the Board of Trustees to consider, which identified positive and negative aspects of the Initial Recommendation, including additional implications and considerations, as well alternative options and their rationales. Board Administrative staff also developed a draft Transition Plan with consultation from the ARC. All of information was made available to the public on the Board's website.⁸
20. In addition to the dedicated webpage, the Board also established an email address for members of the public to submit questions, provide feedback to the Board and obtain further information. A Belleville Accommodation Review Question and Answer Chart (identifying questions from the public and the administration's answers) was available on the Board's website, provided to the ARC and included in a copy of the Final Report.⁹
21. On Wednesday, April 19, 2017, at 6:30pm, the second Public Meeting was held, in Quinte's gymnasium. Members of the public were able to provide feedback regarding the proposals being considered by the ARC. The agenda and notes from the meeting were posted on the Board's Website and contained details regarding the public opinions shared during the meeting.¹⁰
22. On Monday, May 8, 2017, the SE/SC Committee met and was provided with the **Belleville Area Accommodation Review Final Report** (the Final Report), attached as **Appendix 7**¹¹ by Senior Administration, which contained a recommended outcome.¹² The agenda from that meeting as well as the Final Report were posted on the Boards website.¹³ The Final Report included not only the data and analysis previously compiled by the Senior Administration, but also summaries of the public feedback, Belleville Accommodation

⁸ <http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/>

⁹ Ibid, see also the Final Report, Appendix 7

¹⁰ <http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/>

¹¹ Ibid

¹² Ibid

¹³ Ibid

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Review Question and Answer sheet, transition plans and program plans regarding each school cluster, and the correspondence received by letter and electronic mail from the public, local businesses and municipal and provincial governments.

23. On Monday, May 29, 2017, the SE/SC Committee held a meeting for public delegations.¹⁴
24. On Monday, June 12, 2017 the SE/SC Committee met in public to consider the final recommendations for decision by the Board of Trustees identified in Report, attached as **Appendix 8**.
25. On Monday, June 19, 2017, the Board held a public meeting to make a decision on the recommendations. Board Report No. B-2, dated June 19, 2017, attached as Appendix 2, identifies the 6 recommendations made and approved by the Board of Trustees. Recommendation 2, applies to Quinte and Moira, it states:

According to Policy 15: Student Enrolment/ School Capacity: Pupil Accommodation Review, the Student Enrolment/School Capacity Committee (SE/SCC) was required to review the final report from administration and public input and prepare its recommendation to the Board. The recommendations are based on the final report and recommendations from administration, and feedback compiled from the public delegation. The SE/SCC had the discretion to approve the recommendations(s) as presented by administration or to recommend a different outcome. At its meeting on June 12, 2017, the SE/SCC prepared the following recommendations for Board consideration.

Recommendation #2

Moved: D. Patterson
Seconded: L. Kyle

That Hastings and Prince Edward District School Board approve, effective September 2018, the consolidation of Quinte Secondary School and Moira Secondary School at Moira Secondary School, with a rebranded name and logo; and the associated boundaries modified so that some students move to Centennial Secondary School in order to ensure an equitable distribution of students for programming purposes; and seek Ministry of Education funding/approval to build a new Grade 9-12 secondary school in Belleville in consultation with the City of Belleville. Potential locations could include the former Hillcrest School property, current site or another location in the east end of Belleville.

Should funding/approval for a new build not be approved, seek Ministry of Education funding/approval for an addition/renovation to Moira Secondary School, as contained in Board Report No. B-2, dated June 19, 2017.

¹⁴ http://www.hpedsb.on.ca/wp-content/uploads/arc/RequestforDelegationStudentEnrolment_SchoolCapacityCommittee2.pdf

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26. On Tuesday, June 20, 2017, the Board published on its website **Bulletin #9 Long-Term Capital & Accommodation Planning: Decisions have been made, now what?**, attached as **Appendix 9**, which summarized the final decisions of the Board of Trustees, including with respect to Quinte. Bulletin #9 was sent to all schools to distribute to their school communities, was posted on the Board’s website and was uploaded to effected school websites.

REQUEST FOR ADMINISTRATIVE REVIEW AND BOARD RESPONSE

27. The Petitioners allege that the Board failed to follow its policy in three (3) ways.

1) Policy 15, Section 2(f)

28. The Petitioners allege that the Board breached section 2(f) of Policy 15, which states: *“The Board will exemplify open decision-making, Board oversight and public participation in capital planning.”*

29. The Petitioners allege that,

The Board lacked oversight by presenting options to the Board of Trustees that did not include detailed information regarding the financial implications of consolidating the schools, such as estimated costs to ensure accessibility standards are met, additional costs for portables and long term Facility Condition Index (“FCI”) ratings in relation to the buildings in question.

30. The Board submits that it complied with section 2 of the Policy by ensuring that the Board of Trustees had detailed information regarding population growth, facilities ratings, the costs of facilities remediation, and costs savings regarding school consolidations.

31. Prior to the Belleville Accommodation Review process being undertaken, the Board of Trustees had detailed information regarding accommodation needs, outlined in the Watson Report, see Appendix 3, and had engaged in consultations as part of the Long-Term Capital Plan approval process, see Appendix 4.

32. The Senior Administration ensured that the Board of Trustees had detailed information regarding facility conditions, identified in the **Capital Planning Forecast** documents for each of the Belleville schools (attached as **Appendix 10** are the Capital Planning Forecasts for Moira, Quinte and Centennial), as well as **School Profiles** for each of the Belleville schools under review, including Quinte, Moira and Centennial secondary schools,

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attached as **Appendix 11**. These documents were also available on the Board's website.¹⁵

33. In addition, the Board of Trustees was provided with the Senior Administration's Initial and Final Reports which contained summary information regarding school capacity and utilization, facilities costs, and estimates of savings as a result of consolidation, questions and answers, summary of delegations, and correspondence from the community and broader public, see Appendices 5 and 7.
34. The approximate calculated renewal needs (next 5 years) for Quinte was estimated to be \$13.3 million and for Moira \$7.5 million (see Initial Report page 14, Appendix 5).
35. The Board of Trustees was also involved in the Board's budget deliberations and approval of the Board budget throughout the spring of 2017, and as such, had very detailed information regarding Ministry of Education funding and budget issues for the entire Board.¹⁶ Including changes to funding for pupil places.
36. The Board of Trustees, through the SE/SC Committee reviewed all of the reports, including a Recommendation Analysis for each school and heard delegations from the public.
37. The recommended course of action with respect to either the option to close Quinte and move students to Moira, or the option to close Moira and move students to Quinte, recommended that a new secondary school be built on a property to be determined in consultation with the City of Belleville and parents of Belleville students in order to provide students with quality educational programming.
38. The Petitioners additionally allege:

During this process it was made clear by several trustees that it was their intention to keep MSS open and no amount of data, information or common sense would change this. Three trustees in particular voiced their concerns throughout the process that HPEDSB was heading in the wrong direction when it became apparent that they decided to change their initial recommendation and close MSS. One trustee in particular (MSS grad) stated to a student member of the ARC that "MSS was my school and it will not close". Finally the trustees were pressured by a community group representing specially funded students attending MSS. The trustees were informed from the start that if MSS were to close that these students and their funding would be removed from the board.

¹⁵ <http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/>

¹⁶ Budget Meetings were held on June 7, 2017 and June 19, 2017: http://www.hpedsb.on.ca/wp-content/uploads/boardmeetings/BC_06-07-17_PublicAgenda.pdf ; http://www.hpedsb.on.ca/wp-content/uploads/boardmeetings/BC_06-07-17_PublicAgenda.pdf

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39. The Board submits that the Trustees were provided with an Initial Recommendation from Senior Staff, which was subject to amendment pursuant to the feedback received through the ARC process.
40. The Board submits that Trustees maintained an open mind as to the decisions to be made regarding accommodation planning for students, and that the decision of the Board of Trustees on June 19, 2017 was made in the best interest of all students, taking into consideration the views of the Belleville community and the Mohawks of the Bay of Quinte.
41. The Board submits that the decision of the Board of Trustees prioritizes the building of a new school facility for both Moira and Quinte students with a new name and location. The name and location of the new school is still to be determined in consultation with the community of Belleville and Mohawks of the Bay of Quinte.
42. The Board submits that the decision, in effect, was a decision to have both Quinte and Moira secondary schools cease to exist once a new school is built. The decision, which is not identical to the Initial or Final Recommendations, demonstrates that a predetermination was not made by the Board of Trustees, but rather considered the views and recommendations received.

2) Policy 15, Section 6(b)

43. The Petitioners allege that the Board violated section 6(b)(iv) of Policy 15, which states: *“(iv) identify any program changes as a result of the proposed option”*, because the options presented to the Board of Trustees lacked relevant information and the decision lacked complete and full justification, including proposed program changes and detailed transition related to where the students would be accommodated.
44. The Board submits that it complied with its obligations in part 6 of the Policy.
45. The Board submits that Senior Administration presented the alternative options generated through the ARC process, including a Recommendation Analysis for each school at issue and Answers to Questions posed by the community, please see the Final Report at Appendix 7.
46. Further, transition plans were outlined in the Initial Report and in the Final Report. Also, a detailed Program Plan for Belleville Area Schools was included in the Final Report. The Transition Plan will have more than one stage, given the nature of the decision of the

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Board of Trustees decision, which is to have a new school built and a new name for the school. Transition Planning would not and could not be finalized until the decision of the Board of Trustees was made on June 19, 2017.

3) Policy 15, Sections 10(d)(i) and (iv)

47. The Petitioners allege that neither the Board's final recommendation nor the reason behind the decision were provided in writing to the affected students and families and therefore, the Board violated s.10(d)(i)(iv) of the Policy 15, which states:

10) COMPLETING THE ACCOMMODATION REVIEW PROCESS

d) Board meeting to consider school accommodation

i) The Board will make its decision regarding the school accommodation recommendations from the SE/SCC.

iv) Parents, guardians, employees and school council members will be informed within five business days in writing, through their respective schools, of the Board's decision, which will also be posted on the school board website.

48. The Board submits that, pursuant to the Policy 15, the Board's SE/SC Committee on May 8, 2017 received the Final Report of the Accommodation Review for the Belleville area schools, see Appendix 7.
49. The Board submits that, pursuant to Policy 15, the SE/SC Committee made its recommendation to the Board of Trustees as outlined in the **Public Meeting Agenda** of the Board of Trustees for June 19, 2017, attached as **Appendix 12**, which was also posted on the Board's website.¹⁷
50. The Board submits that the affected students and families were informed of the decision of the Board of Trustees on Tuesday, June 20, 2017, (the day after the decision was made). The Board published on its website Bulletin #9 *Long-Term Capital & Accommodation Planning: Decisions have been made, now what?*, which summarized the final decisions, including with respect to Quinte, which stated: "*In September 2018, Moira Secondary School and Quinte Secondary School will come together as one newly-branded school on the Moira site.*"¹⁸ Bulletin #9 was also uploaded to the websites of all effected schools through the Board's newsfeed.

¹⁷ <http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/>

¹⁸ http://www.hpedsb.on.ca/wp-content/uploads/arc/capital_planning_bulletin_9.pdf

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51. Further information regarding the decision was made available on the Board's website in the **Board Meeting Update #144**, attached as **Appendix 13**, which serves as notice to the community about decisions made, pending the final Minutes of the Meeting being approved.
52. The Board submits that the Board's Policy 15 does not require that the rationale for the decision of the Board of Trustees to be articulated in the resolution or final motion. Moreover, the rationale of each Trustee with respect to how s/he voted may be different.
53. The decision of the Trustees was made in public and the Petitioners were permitted to attend to hear the deliberations of the Board of Trustees prior to the decision being made. Moreover, Minutes of the Board's meetings are available to the public.¹⁹

CONCLUSION

54. The Board respectfully submits that it has met its duties and responsibilities pursuant to Policy 15.
55. The Board respectfully submits that Senior Administration provided the Board of Trustees and the public significant, detailed information, as required pursuant to Policy 15 and expected pursuant to the Ministry of Education Guideline, including, but not limited to: Capital Planning Forecasts, School Information Profiles, Recommendation Analysis, and program and transition plans included in the Final Report.
56. The Board respectfully submits that the Board of Trustees made the decision to prioritize the building of a new school facility for both Moira and Quinte students, which will be renamed. The location of the new school building is still to be determined in consultation with the community of Belleville and Mohawks of the Bay of Quinte.
57. The Board respectfully submits that the decision made by the Board demonstrates that there was **no** predetermination by the Board of Trustees to close Quinte and keep Moira open.
58. The Board respectfully submits that the school communities of Quinte and Moira had access to all of the reports and recommendations made, as well as access to the public

¹⁹ <http://www.hpedsb.on.ca/board/boardroom/board-committee-meetings>

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Committee meetings and the meeting of the Board of Trustees on June 19, 2017 wherein the decision was made, and thus, the deliberative process.

Finally, the Board of Trustees believes that it is important that decisions regarding school facilities and student accommodation remain local, and is pleased to work with the Ministry to develop a plan to support education in rural Ontario communities.