

**HASTINGS AND PRINCE EDWARD DISTRICT SCHOOL BOARD**  
**Response to Request for Administrative Review**  
**QUEEN ELIZABETH SCHOOL**

**EXECUTIVE SUMMARY**

1. A Pupil Accommodation Review has been requested by parents of Queen Elizabeth School (Picton) (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 Prince Edward County.
2. The Hastings and Prince Edward District School Board respectfully submits that the Prince Edward County 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 approved the recommendation from its Student Enrolment/School Capacity Committee (SE/SC Committee) to
  - consolidate Pinecrest Memorial Elementary School (Pinecrest) and Queen Elizabeth School (QE) at the Queen Elizabeth School site for grades Kindergarten to 6 effective September 2017;
  - move grades 7 and 8 of Pinecrest and QE to Prince Edward Collegiate Institute (PECI) effective September 2017; and
  - effective September 2018 consolidate QE and PECI at the PECI site creating a K-12 school

Outlining the above, at **Appendix 2**, is a copy of **Board Report No.B-4, June 19, 2017** from the Director of Education to the Board of Trustees.

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 Prince Edward County area Pupil Accommodation Review.

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**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 and Recommendations Report on November 9, 2015.<sup>1</sup>
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.
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 recommending that the Board conduct an accommodation review of six schools in Prince Edward County: C.M.L. Snider School, Kente Public School, Pinecrest Memorial Elementary School, Prince Edward Collegiate Institute, Queen Elizabeth School and Sophiasburgh Central School (collectively the “Prince Edward County Schools”) for the following reasons:
  - the group of schools will experience an adverse impact on learning opportunities for students due to declining enrolment;
  - reorganization involving the schools will enhance program and learning opportunities for students; 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.<sup>2</sup>
8. The Board Administration’s Report to the SE/SC Committee dated November 21, 2016 (the “Initial Report”) 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:
  - renewal needs for the Prince Edward County Schools over the next five years would be approximately \$33.5 million dollars;

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<sup>1</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/watson\\_report\\_nov15.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/watson_report_nov15.pdf)

<sup>2</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/public\\_B-](http://www.hpedsb.on.ca/wp-content/uploads/arc/public_B-)

<sup>3</sup> [InitialRecommendationReportPrinceEdwardCountyNov1816KH.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/public_B-InitialRecommendationReportPrinceEdwardCountyNov1816KH.pdf)

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- there were 674 surplus secondary student spaces at PECl; and
- there were 1098 surplus elementary student spaces among the five Prince Edward County elementary schools

Attached as **Appendix 3** is a copy of the **Initial Report**.

9. The Initial Report contained the Administration's Initial Recommendation for the purpose of public consultation, namely:
  - Close Pinecrest Memorial Elementary School and Queen Elizabeth School and consolidate students at Pince Edward Collegiate Institute for September 2017;
  - Close Sophiasburg Central School and move students to Prince Edward Collegiate Institute for September 2018
  - Close C.M.L. Snider School and Kente Public School and seek Ministry of Education funding/approval to build a new K-8 elementary school on the C.M.L. Snider property or in Wellington for September 2020
  - Explore opportunities for community partnerships aligned with the 2015-2020 Strategic Plan
10. In addition, the Initial Report recommended consolidation of C.M.L. Snider School and Kente Public School; however, as a result of the consultation process this recommendation did not move forward to the Board of Trustees for consideration in June 2017.
11. On November 21, 2016 the Board passed a motion approving an Accommodation Review for the Prince Edward County Schools.
12. 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 regions of the Board, including Prince Edward County. 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.<sup>3</sup> On the same date, the Director of Education forwarded correspondence to municipal and community partners advising of the Accommodation Review process for the Prince Edward County Schools.
13. Throughout the Accommodation Review process the Board's website was routinely updated to include new information to the dedicated webpages for the three

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<sup>3</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/arc\\_parent\\_letter\\_arc\\_schools\\_nov16.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/arc_parent_letter_arc_schools_nov16.pdf)

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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 4**.

14. 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 25, 2017 there was an orientation meeting for the ARC at PECL, which was open to the public<sup>4</sup>. The identification of ARC members was posted on the Board’s website together with information regarding the ARC’s role.<sup>5</sup>
15. On Wednesday, February 1, 2017 at 6:30pm, the first Public Meeting was held, in PECL’s gymnasium. 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.<sup>6</sup>
16. On February 16, 2017 and March 29, 2017 the ARC held working group meetings, the notes from which were made available on the Board’s website.<sup>7</sup>
17. For its working group meetings, the ARC had available to it:
  - Capital Planning Forecasts for each of the schools under review;
  - Census Population Data;
  - Report of the Expert Panel on Capital Standards;
  - Recommendation and Rationale Overview
  - Draft floor plans for PECL;
  - Transportation data;
  - Information regarding the potential financial implications of consolidation;

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<sup>4</sup> Orientation Presentation, [http://www.hpedsb.on.ca/wp-content/uploads/arc/pec\\_arc\\_orientation\\_jan17.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/pec_arc_orientation_jan17.pdf);  
Notes: [http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC\\_02\\_01\\_17\\_notes.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC_02_01_17_notes.pdf)

<sup>5</sup> Notes: [http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC\\_02\\_01\\_17\\_notes.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC_02_01_17_notes.pdf);  
Presentation: [http://www.hpedsb.on.ca/wp-content/uploads/arc/pec\\_arc\\_orientation\\_jan17.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/pec_arc_orientation_jan17.pdf)

<sup>6</sup> Notes: [http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC\\_02\\_01\\_17\\_notes.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC_02_01_17_notes.pdf);  
Presentation: [http://www.hpedsb.on.ca/wp-content/uploads/arc/pec\\_arc\\_public\\_meeting1\\_feb17.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/pec_arc_public_meeting1_feb17.pdf)

<sup>7</sup> [http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/#ert\\_pane1-3](http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/#ert_pane1-3)

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- Correspondence from local businesses, municipal and provincial government and community members;
  - Updated Prince Edward County Accommodation Review Question and Answers; and
  - School Information Profiles for each school being reviewed by the ARC, which contained information such as:
    - the programs, grades and extra-curricular offerings;
    - 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.<sup>8</sup>
18. The ARC identified and prepared rationales for several alternative options to those presented by Board Administration. They included the following:
- relocating the grade 7 and 8 students to PECl beginning September 2017;
  - expansion of the catchment area for Sophiasburg and developing it as a community hub;
  - re-alignment of the catchments for C.M.L. Snider, Kente; and
  - seeking funding for a new school for the students at C.M.L Snider, Kente and Massasaga Rednersville Public School (which had not been identified as part of the AR process).
19. The Board reviewed the feedback from the public consultations and the ARC to identify common themes and messages, which included issues regarding:
- green space,
  - community,
  - programming for students with special needs,
  - supporting rural schools,
  - timing and student transitions,
  - staff transitions,

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<sup>8</sup> [http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/#ert\\_pane1-3](http://www.hpedsb.on.ca/board/board-resources/accommodation-reviews/#ert_pane1-3)

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- transportation time,
  - programming options, and
  - K-12 school model
20. 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 as alternative options and their rationales. Board Administrative staff also developed a draft Transition Plan with consultation from the ARC. All of these documents were made available to the public on the Board's website.
21. 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 Prince Edward County Accommodation Review **Question and Answer Chart** (identifying questions from the public and the administration's answers) was created, updated regularly and made available on the webpage, attached as **Appendix 5**.
22. On April 20, 2017, at 6:30pm, the second Public Meeting was held, in PECl'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.<sup>9</sup>
23. On Monday, May 8, 2017, the SE/SC Committee met and was provided with the Prince Edward County Area Accommodation Review Final Report (the Final Report)<sup>10</sup> by Senior Administration, which contained a recommended outcome.<sup>11</sup> The agenda from that meeting<sup>12</sup> as well as the Final Report were posted on the Boards website. The Final Report included not only the data and analysis previously compiled by the Senior Administration, but also summaries of the public feedback, an updated Prince Edward County Accommodation Review Question and Answer sheet compiling the questions submitted to the Board over the course of the process and the correspondence received by letter and electronic mail from the public, local businesses and municipal and provincial governments. A copy of the **Final Report** is attached as **Appendix 6**.

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<sup>9</sup> Agenda: [http://www.hpedsb.on.ca/wp-content/uploads/arc/agenda\\_public\\_meeting2\\_pec\\_apr17.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/agenda_public_meeting2_pec_apr17.pdf); Notes: [http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC\\_04\\_20\\_17\\_notes.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/PrinceEdwardCountyARC_04_20_17_notes.pdf)

<sup>10</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/public\\_C-2\\_PrinceEdwardAccommodationReviewFinalReport.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/public_C-2_PrinceEdwardAccommodationReviewFinalReport.pdf)

<sup>11</sup> Final Report, p. 5

<sup>12</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/SESC\\_05\\_08\\_17\\_publicagenda.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/SESC_05_08_17_publicagenda.pdf)

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24. On Monday, May 29, 2017, the SE/SC Committee held a meeting for public delegations.<sup>13</sup>
25. On Monday, June 12, 2017 the SE/SC Committee met in public to consider the **final recommendations** for decision by the Board of Trustees, attached as **Appendix 7**.
26. On Monday, June 19, 2017, the Board of Trustees held a public meeting to make a decision. Board Report No. B-4, dated June 19, 2017, attached as **Appendix 2**, identifies the 4 recommendations made and approved by the Board of Trustees, as follows:

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 recommendation(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 #1**

Moved: D. Patterson  
Seconded: L. Kyle

That Hastings and Prince Edward District School Board approve Sophiasburgh Central School to remain open subject to conditions one to three (1-3) below:

1. That all agreements relative to establishing “The Sophiasburgh Opportunity” a Community Hub at Sophiasburgh Central School are signed in accord with the Hastings and Prince Edward District School Board’s Administrative Procedure 570, version October, 2015;
2. Signed contractual agreement(s) with the Sophiasburgh Community hub and The County of Prince Edward fund sourcing and governance building stakeholders are required, by no later than April 30, 2018;
3. Student population sustainability, to ensure program viability must be part of the ongoing contractual consideration;

Should by May 1, 2018, signed contractual agreement(s) are not realized, for the establishment of a financially viable community hub at Sophiasburgh Central School; then the students from Sophiasburgh Central School are consolidated with students at Prince Edward Collegiate Institute (PECI) for September, 2018, as contained in Board Report No. B-4, dated June 19, 2017.

**Recommendation #2**

Moved: D. Inch  
Seconded: D. Patterson

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<sup>13</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/RequestforDelegationStudentEnrolment\\_SchoolCapacityCommittee2.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/RequestforDelegationStudentEnrolment_SchoolCapacityCommittee2.pdf)

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That Hastings and Prince Edward District School Board approve the consolidation of students from Pinecrest Memorial Elementary School and Queen Elizabeth School (Picton) at the Queen Elizabeth School (Picton) site effective September 2017 to form a Kindergarten to Grade 6 school, as contained in Board Report No. B-4, dated June 19, 2017;

**Recommendation #3**

Moved: D. Inch  
Seconded: D. Patterson

That Hastings and Prince Edward District School Board approve effective

September 2017, relocating Grade 7 and 8 students from Pinecrest Memorial Elementary School, and Queen Elizabeth School (Picton) to Prince Edward Collegiate Institute, creating a Grade 7-12 school, as contained in Board Report No. B-4, dated June 19, 2017.

**Recommendation #4**

Moved: D. Inch  
Seconded: D. Patterson

That Hastings and Prince Edward District School Board approve consolidating students from Queen Elizabeth School (Picton) and Prince Edward Collegiate Institute at Prince Edward Collegiate Institute creating a Kindergarten to Grade 12 School, effective September 2018, as contained in Board Report No. B-4, dated June 19, 2017.<sup>14</sup>

27. On Tuesday, June 20, 2017, the Board published on its website Bulletin #9 *Long-Term Capital & Accommodation Planning: Decisions have been made, now what?*, which summarized the final decisions of the Board of Trustees, including with respect to QE and Pinecrest.<sup>15</sup> Bulletin #9 was also sent to all schools to distribute to their school communities.

**BOARD RESPONSE TO REQUEST FOR ADMINISTRATIVE REVIEW**

28. The Petitioners allege that the Board failed to follow its Policy in eight (8) ways. The allegations are reproduced below followed by the Board's response.

**(1) The ARC will be provided with information and support materials necessary to carry out its mandate; Policy 15, Section 7**

29. The Petitioners allege:

*The board's policy states (Policy 15, Section 7): 'The ARC will be provided with information and support materials necessary to carry out its mandate'. Instead, the board consistently failed to provide relevant or accurate material regarding*

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<sup>14</sup> Board Report No. B-4, June 19, 2017, refer to pages 19-21 in the link below  
[http://www.hpedsb.on.ca/wp-content/uploads/boardmeetings/PBM06\\_19\\_17AgendaPackage.pdf](http://www.hpedsb.on.ca/wp-content/uploads/boardmeetings/PBM06_19_17AgendaPackage.pdf)

<sup>15</sup> [http://www.hpedsb.on.ca/wp-content/uploads/arc/capital\\_planning\\_bulletin\\_9.pdf](http://www.hpedsb.on.ca/wp-content/uploads/arc/capital_planning_bulletin_9.pdf)



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*the financial rationale for closure, transportation times, programming changes, the facility plan, safety concerns and other vital issues.*

30. The Board submits that the ARC was provided with all required information to make an informed and considered decision regarding the recommendations for school consolidation/closure. The following documents were provided to the ARC.
31. **Capital Planning Forecasts** for each of the schools, attached as **Appendix 8**, containing information regarding funding necessary for each renewal and non-renewal operational need;
32. **Condition Assessment Reports** for each school, attached as **Appendix 9**, containing information regarding mechanical, electrical, architectural and site condition information
33. **Transportation Ride Times** for each school, attached as **Appendix 10**, were provided.
34. **School Information Profiles** for each of the schools, attached as **Appendix 11**, containing information regarding:
  - the programs, grades and extra-curricular offerings;
  - 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.

**(2) School board officials will attempt to respond to all reasonable questions relevant to the ARC; Procedure 178, Section 4**

35. The Petitioners allege:

*The board's policy states (Procedure 178, Section 4): 'School board officials will attempt to respond to all reasonable questions relevant to the accommodation review during the ARC meetings. Questions that cannot be answered at a meeting will be addressed and posted on the school board website, and shared at a subsequent meeting.' Instead, the board consistently failed to deliver relevant answers at any point in the ARC process regarding financial planning, transportation times, the facility plan, programming changes, safety concerns and other vital issues. The updated questions and answers sheet provided by the HPEDSB on March 29th 2017 - immediately prior to the ARC's final report -failed to provide meaningful answers on a significant number of urgent and pertinent questions.*

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36. The Board submits that questions submitted to the Board were answered by Board officials and contained either in the Prince Edward County Accommodation Review Question and Answers Chart (Appendix 5), summarized in the Final Report (Appendix 6), or in documentation available to the public on the Board's website. In addition to specific questions about the potential impact of school consolidations and/or closures in Prince Edward County, the Board also posted generic answers to questions about the accommodation review process in a separate Question and Answer document posted on the website.
37. The Prince Edward County Accommodation Review Question and Answer Chart included answers to approximately 160 questions submitted. As well, interested individuals were referred to Board policies, and other documents shared with the ARC (noted above).
38. In addition to ARC specific documents available to the public, members of the public through the Board's website, could access documents regarding the funding and spending contained in the Board's budget documents, as well as all of the Board's policies and procedures regarding a variety of issues including student safety and wellbeing, school transfers and student transportation.

**(3) The options presented must address: program changes; transportation; capital investment; information from community partners; Policy 15, Section 6(b)**

39. The Petitioners allege:

*The board's policy states (Policy 15, Section 6.b.): 'The options presented must address the following: ...identify any program changes as a result of the proposed option; how student transportation would be affected if changes take place; if new capital investment is required as a result of the pupil accommodation review, how the school board intends to fund this, as well as a proposal on how students would be accommodated if funding does not become available; and; any relevant information obtained from municipalities and other community partners prior to the commencement of the pupil accommodation review, including any confirmed interest in using the underutilized space.' Instead, none of the topics list above were effectively addressed by the initial options and report, and remained fundamentally unexplored throughout the ARC process.*

40. The Board submits that information regarding programming, transportation, capital investment and community partnerships was contained in specific documents referenced at paragraphs 29-31 above, as well as in the Final Report (Appendix 6).
41. In summary, specific school programs were identified in the School Information Profile documents, and the Final Report (Appendix 6) noted that programming enhancements would be possible with school consolidations by creating a larger school body in a larger

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school building with more facilities and with more staff able to provide a greater range of curriculum and extra-curricular options.

42. The Transportation Ride Times document (see Appendix 10) and the Final Report (Appendix 6) indicated that changes to transportation costs, ride lengths, and routes for the students of QE, Pinecrest and PECL were determined to be negligible. Ride times were expressed as minimum and maximum estimated times, and in many cases there was no change anticipated.
43. Capital spending for renovations to PECL to accommodate grades K – 8 would be less than the renewal capital expenditures forecast for the existing schools (Appendix 8).
44. The recommendations submitted to the Board of Trustees were amended from the Initial Report, in part to reflect interest in a community hub at Sophiasburg. The final decision of the Board of Trustees reflected this change.
45. Further, as a result of the community consultation process, recommendations regarding C.M.L. Snider and Kente were removed from Trustee consideration.

**(4) Transition planning; Policy 15, Section 11**

46. The Petitioners allege:

*The board's policy states (Policy 15, Section 11): 'Transition Planning-: It is important that the transition of students and staff into their new school(s) is achieved in a way that is positive and supportive for the students and parents/guardians of the respective school communities. The transition of students should be carried out in consultation with parents/guardians and staff.' Instead, no finalized transition plan was ever produced, to the best of our knowledge. Certainly no such document was made available to the public. Only a 'Transition Plan - initial Thinking' document was produced, the purpose of which was to highlight transition planning needs that were never fulfilled.*

47. The Board submits that it complied with its obligations in part 11 of the Policy. A Transition Plan was developed in consultation with the ARC and contained in the Final Report, a copy is included in Appendix 6. As well, a **Transition Plan** was received from the Board's **Special Education Advisory Committee**, attached as **Appendix 12**. The Transition Plan would not and could not be finalized until the decision of the Board of Trustees was made on June 19, 2017.

**(5) Annual Meeting pursuant to the Ministry of Education Community Planning and Partnerships Guideline**

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48. The Petitioners allege:

*The Ministry of Education's Community Planning and Partnership policy states (Page 5): 'Annual CPP Meeting: Boards are to hold at least one meeting per year to discuss potential planning and partnership opportunities with the public and community organizations ... Boards are expected to notify both the entities on their notification list and the general public about the annual meeting.' Instead, there are no indications that any such meetings were held, indicating that the community did not have adequate time and opportunity to develop partnerships in support of community hubs that might have allowed the subject schools to remain open. A request for further information regarding CPP Meetings was sent to the board on May 17th 2017, and received no reply.*

49. The Board submits that the Ministry of Education's document regarding **Community Planning and Partnerships Guideline** is not a policy, but rather a guideline, attached as **Appendix 13**. The Board's **Community Planning and Partnerships Administrative Procedure #570**, attached as **Appendix 14**, identifies expectations for regular communication with community partners.

50. The Board undertook significant consultation with the community prior to approving its Long-Term Capital Plan in October 2016 (please see paragraphs 3 and 4 above).

51. Further, the Board submits that consultation with the local municipal government took place as required in part 8 of the Board's ARC Policy. As required by the Board's Policy, the Director of Education notified all community partners and municipal governments within 5 days of the Board's decision to conduct an accommodation review. The Board's decision was made on November 21, 2016 and notice was provided on November 23, 2016 (please see paragraphs 9 and 10 above).

52. A meeting between the Board and the Prince Edward County Mayor, Chief Administrative Officer, Clerk and Director of Development took place on December 16, 2016, before the ARC was struck.

53. Following the meeting, the Board received correspondence from the County Council on January 26, 2017, which expressed that Council was not supportive of an Accommodation Review process. However, the County was aware of all meeting dates, and had access to all information made available to the public.

54. Two members of the County Council participated as members of the ARC.

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55. Follow-up correspondence from the Board's Manager of Planning to the Chief Administrative Officer of the County was sent on March 14, 2017, and again from the Director of Education to the Mayor of the County on April 26, 2017.

**(6) Duty to provide Members of the Board Information for Informed Decision-Making, Education Act, s. 218.4(d)**

56. The Petitioners allege:

*According to the Education Act (Section 218.4 (d)): 'The duties of the board chair include ensuring that the members of the board have the information needed for informed discussion.' Instead, there is no information to prove that the board received any more than a four-line estimated budget for the savings to be gained from the proposed school closures. This financial information is crucial to evaluating the potential value of the closures and consolidations, and no informed discussion could take place without a more detailed budget.*

57. The Board submits that the Board of Trustees was provided with all the information identified herein, including the Watson Report, the Initial Report and the Final Report. Moreover, the Board, through the SE/SC Committee heard delegations from the public, and reviewed the Questions and Answers.

58. 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.<sup>16</sup>

**(7) Compliance with the Board Code of Conduct, s. 2.4**

59. The Petitioners allege:

*According to the HPEDSB Board Members Code of Conduct (Section 2.4): 'Board members will represent everyone Hastings and Prince Edward District School Board Serves, not only a particular interest group or geographic area.' Instead, board members were frequently absent from ARC meetings and public consultations that did not take place in their specific geographic area. A request for trustee attendance records was sent to the board on May 17th 2017, and received no reply.*

60. The Board submits that the Trustees complied with the **Board Members' Code of Conduct**, attached as **Appendix 15**, and met their individual and collective obligations to

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<sup>16</sup> 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) ; [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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all residents of the Hastings and Prince Edward Counties in making their decision regarding the Prince Edward Accommodation Review.

61. Board members were not members of the ARC, and were not required to attend the ARC meetings; however, many members did attend the meetings to hear the feedback from the community and ARC members.
62. The Board members participated the SE/SC Committee meetings held during this period.
63. Board members on an individual basis received feedback from community members.
64. Members of the Board of Trustees (except 1) were present for and participated in the Board meeting on November 21, 2016 approving the Prince Edward Accommodation Review process.
65. All members of the Board of Trustees were present for the SE/SC meeting on June 12, 2017 approving the recommendation to be submitted to the Board of Trustees for approval, and all members of the Board of Trustees were present at the Board meeting on June 19, 2017 approving the final recommendations submitted to the Board of Trustees for their decision.

**(8) Board Members Code of Conduct, s. 2.1**

66. The Petitioners allege:

*According to the HPEDSB Board Members Code of Conduct (Section 2.1), 'Board members will demonstrate commitment to public education and loyalty to Hastings and Prince Edward District School Board.' Instead, the board did not consider alternative options - such as the construction of a purpose-build K-12 or the closure of portions of PECL - and moved forward with the limited available information as described above. Further, when given the chance to participate in Minister Hunter's engagement on new approaches to support education in rural and remote areas, the board chair effectively rejected this initiative, replying in a letter dated Apr 11 2017: "Your letter has caused our communities to question the validity of the current accommodation review process." This unwillingness to engage with the Ministry of Education demonstrates a clear lack of interest in supporting the best possible outcome for HPEDSB overall and Queen Elizabeth Public School (Picton) in particular.*

67. The Board submits that the decision of the Board on June 19, 2017 was made in the best interest of all students, and taking into consideration the view of the local Prince Edward community.

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68. The Board submits that alternative options were considered. The decision of the Board of Trustees was not in fact the same as the Initial Recommendation or the Final Report with recommendations submitted by Senior Administration.
69. Alternative options were identified in the working meeting notes of the ARC, which were provided to the Trustees, which included:
- relocating the grade 7 and 8 students to PECl beginning for September 2017;
  - expansion of the catchment area for Sophiasburg and developing it as a community hub;
  - re-alignment of the catchments for C.M.L. Snider, Kente; and
  - seeking funding for a new school for the students at C.M.L. Snider, Kente and Massassaga Rednersville Public School (which had not been identified as part of the AR process).
70. The recommendation regarding Sophiasburg was amended from the Initial Recommendation, and C.M.L. Snider and Kente were removed from Trustee consideration (see the Final Report).
71. The Board submits that the Director of Education and Chair were both in attendance during the Minister's meeting. In its letter to the Minister of Education, enclosed in the Final Report **Appendix 6** in its entirety, the Board expressed appreciation for the government's plan to engage in consideration of new approaches to supporting education in rural and remote communities. Further, the Board's letter emphasized the Board of Trustees' desire to continue to have responsibility for local decisions regarding school facilities and student accommodation.
72. Contrary to the allegation, the Board is pleased to work with the Ministry to develop a plan to support education in rural Ontario communities.

## **CONCLUSION**

73. A Pupil Accommodation Review has been requested by parents of Queen Elizabeth School, which was subject a Pupil Accommodation Review of schools in Prince Edward County.
74. The Petitioners allege that the Board breached Policy 15, Section 7; Procedure 178, Section 4; Policy 15, Section 6(b); Policy 15, Section 11; the Ministry of Education

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Community Planning and Partnerships Guideline; the *Education Act*, ss. 218.4(d); and the Board Members Code of Conduct, sections 2.4 and 2.1.

75. The Board submits that the Board provided significant materials required pursuant to Policy 15, Section 7 and expected pursuant to the Ministry of Education Guideline, including, but not limited to: Capital Planning Forecasts, Condition Assessment Reports, Transportation Ride Times Report, Transition Plan and School Information Profiles to the public and to the Board of Trustees.
76. The Board respectfully submits that the information provided to the public and to the Board of Trustees included a detailed Prince Edward Accommodation Review Question and Answer report, as required pursuant to Procedure 178, Section 4.
77. The Board respectfully submits that issues such as programming, transportation, capital investment and community partners was addressed in various documents, and included in the Board Administration's Final Report to the Board of Trustees.
78. The Board respectfully submits that the draft Transition Plan was developed in consultation with the ARC, and recommendations from SEAC regarding transition were also shared with the public, pursuant to Policy 15, Section 11.
79. The Board respectfully submits that prior to the Accommodation Review process being approved, the Board undertook a lengthy community consultation regarding its Long-Term Capital Plan, which involved community partners. In addition, the Board specifically communicated with the County, and County councilors were members of the ARC. The Annual meeting for 2017, is being held in August, 2017.
80. The Board respectfully submits that through the Chair, each member of the Board of Trustees received each report provided, as well as the Questions and Answers of the community, the work of the ARC, in accordance with the duties outlined in section 218.4(d) of the Education Act.
81. Further, the Board respectfully submits that there was no breach of the Trustee Code of Conduct **sections 2.4 and 2.1**. All members of the Board of Trustees were present for the decision of the Board on June 19, 2017. The work of the Board is evidenced by the decision by the Board, which does not reflect the Initial Recommendation or the Final Recommendation by Senior Administration, but rather includes some of the



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recommendations that the Board of Trustees heard through the public consultation process.

- 82. The Board respectfully submits that the Prince Edward County area Pupil Accommodation Review was appropriately conducted, in accordance with Board Policy No. 15 “*Student Enrolment/School Capacity: Pupil Accommodation Review*” (the “Policy”).**
- 83. Further, the Board respectfully submits that the Ministry of Education should *not* conduct an Administrative Review of the Prince Edward County area Pupil Accommodation Review.**
84. Finally, the Board of Trustees believes that it is important 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.