

PROVINCE OF QUÉBEC
Western Québec School Board

Minutes of the **Council of Commissioners** meeting held on November 28, 2017 at the Western Québec School Board, 15 rue Katimavik, Gatineau, Québec, at 7:00 p.m.

PRESENT: Chair Shea, Commissioners, Brunke, Daly, Dionne, Egan, Garbutt, Guy, Labadie, Larventz, McCrank, Schaler, Young, and Parent Commissioners, Boucher, Brennan, Davis and Giannakoulis.

Personnel:

Director of Education, S. Aitken
Director of Complementary Services L. Falasconi
Director of Buildings, Equipment, and Technology, P. Proulx
Director of Finance, S. Cox

The Director General, M. Dubeau, the Assistant Director General / Director of Education, Adult Education and Vocational Training, R. Ahern, the Secretary General / Director of Human Resources, Terry Kharyati, as well as the Communications Consultant F. Raymond were also present.

Call to Order

Chair Shea called the meeting to order at 7:03 p.m.

C-17/18-61 Adoption of Agenda

IT WAS MOVED by Commissioner Egan that the agenda be adopted with the addition of:

14.4.1 Class Action Suit Resolution

14.4.2 Debate of Free Education Resolution

14.4.3 Class Action Suit- Financial Contributions required from Parents

Carried unanimously

C-17/18-62 Approval of Minutes – October 31, 2017

IT WAS MOVED by Commissioner Labadie that the minutes of a meeting held on October 31, 2017 be approved as circulated.

Carried unanimously

Chair's Report

Chair Shea presented his report as distributed.

Director General's Report

The Director General, M. Dubeau, presented written report.

Educational Matters

The Director General, M. Dubeau and the Secretary General / Director of Human Resources, Terry Kharyati spoke on the Sports-Études application refusal by the MEES and that the pursuit of a Sport-Études program at Hadley Jr. High and Philomen Wright High School will officially be cancelled.

The Communications Consultant F. Raymond presented the Beta version of the new Western Québec School Board's website. He invited all commissioners to go and see and try the many new functions of the site before it will officially go live on December 1, 2017.

C-17/18-63 MB 2016-2017 – Namur – Renovations of 3 Classrooms

WHEREAS resolution #C-17/18-10 has authorized the Director of Buildings, Equipment and Technology Mr. P. Proulx to go out to public tender for the above-mentioned project;

WHEREAS an invitation for tenders has been made for the above-mentioned contract;

WHEREAS the following persons and/or businesses were invited and received the tender documents;

Construction DLS
Gestion DMJ
Industries CAMA
Construction GMR
Amor Construction
Construction JPL

WHEREAS the following four tenders were received and recorded:

Construction DLS	\$83,750
Gestion DMJ	\$92,100
Industries CAMA	\$118,601
Construction GMR	\$129,500

WHEREAS the lowest bid conformed;

WHEREAS a straw vote was held, by email, and a majority response in the affirmative to proceed from Commissioners was communicated to the Chair;

WHEREAS authorization was given to proceed with the required change order;

IT WAS MOVED by Commissioner Schaler that the bid submitted by Construction DLS, in the amount of \$83,750 excluding taxes be approved and that the Director of Buildings, Equipment and Technology Mr. P. Proulx be mandated to sign all document necessary to give full effect to this resolution.

Carried unanimously

C-17/18-64 Gymnasium Schedule – St Michael’s High School

WHEREAS the presented initial schedule shows from the starting of the build at St. Michael’s High School with a completion date for the school year 2019-2020;

IT WAS MOVED by Commissioner Dionne to accept the schedule presented and that any revised schedule changes will be deposited at Council be approved.

Carried unanimously

C-17/18-65 Gymnasium Schedule – Poltimore Elementary School

WHEREAS the presented initial schedule shows from the starting of the build at Poltimore Elementary School with a completion date for the school year 2019-2020;

IT WAS MOVED by Commissioner Brunke to accept the schedule presented and that any revised schedule changes will be deposited at Council be approved.

Carried unanimously

- C-17/18-66 Leave of Absence – Carlee St. Denis – Hadley Junior High School**
IT WAS MOVED by Commissioner Schaler that Carlee St. Denis, Attendant to the Handicapped at the Hadley Junior High School be granted a leave of absence without pay from her position from November 13, 2017 to June 22, 2018.

Carried unanimously

- C-17/18-67 Leave of Absence – Jessie Godin Adams – Philemon Wright High School**
IT WAS MOVED by Parent Commissioner Boucher that Jessie Godin-Adams, Caretaker at the Western Québec School Board be granted a leave of absence without pay from his position from October 25, 2017 to April 16, 2018.

Carried unanimously

- C-17/18-68 Leave of Absence – Beatrice Kelly Butler – Pierre Elliott Trudeau Elementary School**
IT WAS MOVED by Commissioner Schaler that Beatrice Kelly Butler, Teacher at Pierre Elliott Trudeau Elementary School be granted a leave of absence without pay from her position from January 29, 2018 to June 30, 2018.

Carried unanimously

- C-17/18-69 Leave of Absence – Jeff Harvey – Western Québec School Board**
IT WAS MOVED by Commissioner Daly that Jeff Harvey, Teacher D' Arcy McGee High School be granted a leave of absence without pay from his position from October 25, 2017 to October 24, 2018.

Carried unanimously

- C-17/18-70 Long-Term Loan**
ATTENDU QUE, conformément à l'article 78 de la Loi sur l'administration financière (RLRQ, chapitre A-6.001), la Commission scolaire Western Québec (l'« Emprunteur ») désire instituer un régime d'emprunts lui permettant d'effectuer, de temps à autre d'ici le 30 septembre 2018, des emprunts à long terme auprès du ministre des Finances, à titre de responsable du Fonds de financement, pour un montant n'excédant pas 20 699 000\$;

ATTENDU QUE, conformément à l'article 83 de cette loi, l'Emprunteur désire prévoir, dans le cadre de ce régime d'emprunts, que le pouvoir d'emprunter et celui d'en approuver les conditions et modalités soient exercés par au moins deux de ses dirigeants;

ATTENDU QU'il y a lieu d'instituer un régime d'emprunts permettant à l'Emprunteur d'effectuer des emprunts à long terme, d'établir le montant maximum des emprunts qui pourront être effectués en vertu de celui-ci, ainsi que les caractéristiques et limites

relativement aux emprunts à effectuer et d'autoriser des dirigeants de l'Emprunteur à conclure tout emprunt en vertu de ce régime et à en approuver les conditions et modalités;

ATTENDU QUE le ministre de l'Éducation, du Loisir et du Sport (le « Ministre ») a autorisé l'institution du présent régime d'emprunts, selon les conditions auxquelles réfère sa lettre du 8 novembre 2017;

sur la proposition du commissaire Dionne il est résolu :

1. QU'un régime d'emprunts en vertu duquel l'Emprunteur peut, sous réserve des caractéristiques et limites énoncées ci-après, effectuer de temps à autre d'ici le 30 septembre 2018, des emprunts à long terme auprès du ministre des Finances, à titre de responsable du Fonds de financement, pour un montant n'excédant pas 20 699 000\$, soit institué;
2. QUE les emprunts à long terme effectués par l'Emprunteur en vertu du présent régime d'emprunts soient sujets aux caractéristiques et limites suivantes :
 - a) malgré les dispositions du paragraphe 1 ci-dessus, l'Emprunteur ne pourra, au cours de chacune des périodes de quinze mois s'étendant du 1er juillet au 30 septembre et comprises dans la période visée au paragraphe 1, effectuer des emprunts qui auraient pour effet que le montant total approuvé pour l'Emprunteur, pour une telle période, par le Conseil du trésor au titre de la programmation des emprunts à long terme des commissions scolaires, soit dépassé;
 - b) l'Emprunteur ne pourra effectuer un emprunt à moins de bénéficier d'une subvention du Gouvernement du Québec conforme aux normes établies par le Conseil du trésor, au titre de l'octroi ou de la promesse de subventions aux commissions scolaires, ainsi qu'aux termes et conditions déterminés par le Ministre et pourvoyant au paiement en capital et intérêt de l'emprunt concerné même si, par ailleurs, le paiement de cette subvention est sujet à ce que les sommes requises à cette fin soient votées annuellement par le Parlement;
 - c) chaque emprunt ne pourra être effectué qu'en monnaie légale du Canada auprès du ministre des Finances, à titre de responsable du Fonds de financement;
 - d) le produit de chaque emprunt ne pourra servir, outre le paiement des frais inhérents à l'emprunt concerné, que pour financer les dépenses d'investissement et les dépenses inhérentes aux investissements de l'Emprunteur subventionnées par le Ministre;
3. QU'aux fins de déterminer le montant total auquel réfère le paragraphe 1 ci-dessus, on ne tienne compte que de la valeur nominale des emprunts effectués par l'Emprunteur;
4. QU'en plus des caractéristiques et limites énoncées précédemment, les emprunts comportent les caractéristiques suivantes :

1. l'Emprunteur pourra contracter un ou plusieurs emprunts pendant toute la durée du régime d'emprunts jusqu'à concurrence du montant qui y est prévu, et ce, aux termes d'une seule et unique convention de prêt à conclure entre l'Emprunteur et le ministre des Finances, à titre de responsable du Fonds de financement;
2. chaque emprunt sera constaté par un billet fait à l'ordre du ministre des Finances, à titre de responsable du Fonds de financement;
3. le taux d'intérêt payable sur les emprunts sera établi selon les critères déterminés par le gouvernement en vertu du décret numéro 1267-2001 du 24 octobre 2001, modifié par les décrets numéro 1057-2013 du 23 octobre 2013 et numéro 1152-2015 du 16 décembre 2015, tel que ce décret peut être modifié ou remplacé de temps à autre; et
4. aux fins d'assurer le paiement à l'échéance du capital de chaque emprunt et des intérêts dus sur celui-ci, la créance que représente pour l'Emprunteur la subvention qui lui sera accordée par le Ministre, au nom du Gouvernement du Québec, sera affectée d'une hypothèque mobilière sans dépossession en faveur du ministre des Finances, à titre de responsable du Fonds de financement.
5. QUE l'Emprunteur soit autorisé à payer, à même le produit de chaque emprunt contracté en vertu du présent régime, les frais d'émission et les frais de gestion qui auront été convenus;
6. QUE l'un ou l'autre des dirigeants suivants :
 Le Président
 Ou le Directeur général
 Ou le Vice-président
 Ou la Directrice générale adjointe

de l'Emprunteur, **pourvu qu'ils soient deux agissant conjointement**, soit autorisé, au nom de l'Emprunteur, à signer la convention de prêt, la convention d'hypothèque mobilière et le billet, à consentir à toute clause et garantie non substantiellement incompatible avec les dispositions des présentes, à livrer le billet, à apporter toutes les modifications à ces documents non substantiellement incompatibles avec les présentes, ainsi qu'à poser tous les actes et à signer tous les documents, nécessaires ou utiles, pour donner plein effet aux présentes;

7. QUE, dans la mesure où l'Emprunteur a déjà adopté une résolution instituant un régime d'emprunts pour les mêmes fins, la présente résolution remplace la résolution antérieure, sans pour autant affecter la validité des emprunts conclus sous son autorité avant la date du présent régime d'emprunts.

Adoptée à l'unanimité

(3) year contract as External Auditors for the financial years 2015 – 2016, 2016 – 2017 and 2017 – 2018;

WHEREAS the total amount for the three (3) year contract is 97,500 \$ (31,000\$ for 2015 – 2016, 32,500\$ for 2016 – 2017 and 34,000\$ for 2017 – 2018)

WHEREAS Raymond Chabot Grant Thornton completed the audit of the Western Québec School Board's (WQSB) financial statements and for the student files for the year ended June 30, 2017;

WHEREAS during the performance of the audit there was some additional work due to delays in obtaining documentation from WQSB and minor anomalies in the payables;

WHEREAS Raymond Chabot Grant Thornton submitted their final invoice, with an additional fee for the additional work performed in the amount of 4,375\$ before taxes;

WHEREAS the Western Québec School Board was selected by the Province of Québec's General Auditor for additional requirements not specified in the broad provincial audit mandate;

WHEREAS the invoice paid for the March mandate was considered by the audit firm as relative to the additional requirements in the amount of 15,000\$ therefore becoming an extra above the contracted value;

WHEREAS these extra costs bring the total extras on the current year contract to 59.6 % and the 3 year cumulative to 28.8 %;

IT WAS MOVED by Commissioner Dionne that payment of the submitted final invoice by Raymond Chabot Grant Thornton in the amount of \$25,150.78 for the audit of the WQSB's financial statements and for the student files for the year ended June 30, 2017 be approved.

Carried unanimously

- C-17/18-72 C.S des-Hauts-Bois-de-l'Outaouais - Invoice C6-000313**
 WHEREAS the Western Québec School Board students use the Cite Étudiant Hauts Gatineau facilities;
 WHEREAS C.S des-Hauts-Bois-de-l'Outaouais submitted their invoice in the amount of \$138,485.23;
 WHEREAS the invoice amount exceeds the signing authority of senior administration;
 IT WAS MOVED by Commissioner Labadie that Council approve payment of the invoice from C.S des-Hauts-Bois-de-l'Outaouais in the amount of \$138,485.23\$

Carried unanimously

- C-17/18-73 C.S du Lac-Témiscamingue- Invoice 5010**
 WHEREAS the Western Québec School Board students use the Gilbert-Théberge facilities;
 WHEREAS the Western Québec School Board rents the l' Envol facilities to C.S du Lac-Témiscamingue;

WHEREAS C.S du Lac-Temiscamingue submitted their invoice for the difference for the rental, in the amount of \$127,410;

WHEREAS the invoice amount exceeds the signing authority of senior administration;

IT WAS MOVED by Commissioner Egan that Council approve payment of the invoice from C.S du Lac- Temiscamingue in the amount of \$127, 410\$

Carried unanimously

C-17/18-74 Special Education Advisory Committee (SEAC) Report – March 13, 2017

IT WAS MOVED by Parent Commissioner Davis that the Council acknowledge receipt of the approved SEAC minutes of March 13, 2017.

Carried unanimously

C-17/18-75 Special Education Advisory Committee (SEAC) Report – November 6, 2017

IT WAS MOVED by Parent Commissioner Davis that the Council acknowledge receipt of the approved SEAC minutes of November 6, 2017.

Carried unanimously

C-17/18-76 Affiliation au Réseau du Sport Étudiant du Québec en Outaouais

IL EST PROPOSÉ PAR LE COMMISSAIRE Larventz et résolu que la Commission scolaire Western Québec paie une affiliation de 0.71¢ basée sur un critère PER CAPITA de la population scolaire de la commission scolaire et ce au 30 septembre de l'année scolaire en cours. Cette affiliation symbolise la reconnaissance de la commission scolaire aux buts que poursuit le Réseau du sport étudiant du Québec en Outaouais conformément aux lettres patentes de cette dernière.

Pour : 13

Contre : 1

Motion adoptée

C-17/18-77 La Délégation au Réseau du Sport Étudiant du Québec en Outaouais

IL EST PROPOSÉ PAR LE COMMISSAIRE Larventz et résolu que le conseil de la Commission scolaire Western Québec mandate M. George Singfield à titre de délégué auprès du Réseau du sport étudiant du Québec en Outaouais. Le mandat de cette délégation sera essentiellement en rapport avec le programme d'activités que le RSEQ Outaouais a soumis à notre attention, À cet effet, il est officiellement mandaté pour participer au processus de décision de ladite association et donner suite à la décision prise, conformément aux procédures établies dans notre commission scolaire.

Pour : 13

Contre : 1

Motion adoptée

C-17/18-78 Affiliation au Réseau du sport étudiant du Québec (Abitibi-Témiscamingue)

IL EST PROPOSÉ PAR LE COMMISSAIRE Labadie que la Commission scolaire Western Québec paie une affiliation de base de 600 \$, en plus d'une cotisation de 0.35 \$ per capita pour la clientèle primaire et secondaire de la commission scolaire, et ce, au 30 septembre 2016, pour un total de 753.65\$ (439 élèves). Cette affiliation symbolise la reconnaissance de la commission scolaire aux buts que poursuit le Réseau de sport étudiant du Québec Abitibi-Témiscamingue, conformément aux lettres patentes de cette dernière.

Pour : 13

Contre : 1

Motion adoptée

C-17/18-79 School Board Exemption from Construction Holiday

WHEREAS the Ministère du Travail, de l'Emploi et de la Solidarité sociale has a bylaw concerning the mandatory Québec (MESS) construction holidays;

WHEREAS said by-law is reflected in the Commission de la construction du Québec (CCQ) respective collective agreements;

WHEREAS there are certain exemptions to this rule listed in the CCQ collective agreements such as all civil engineering work (streets, highways, bridges, etc.) residential construction work and maintenance, repairs and emergencies;

WHEREAS the majority of the construction projects for school boards must take place during the summer break when there are no students or employees present, commencing after the last day of school in June and concluding before the first day of school in August;

WHEREAS during the summer break period there are approximately 20 days lost due to pedagogical days, statutory holidays and the construction holidays therefore reducing the number of weeks allowed for the completion of a project in its entirety;

WHEREAS that construction specific to school boards should be considered as one of the notable exceptions to avoid delaying important construction and late deliveries on projects undertaken during the summer that could have a direct impact on the classroom and students;

WHEREAS the Québec English School Boards Association has a mandate to support its member school boards on this initiative;

Commissioner Guy MOVED THAT the Council of Commissioners of the Western Québec School Board mandate Pascal Proulx, Director of Buildings, to send this resolution and a formal request to the Commission de la construction du Québec (CCQ) requesting that general contractors and materials resources team of the school boards of Québec be permitted to work on school board construction projects during the two-week summer construction holiday;

AND THAT a copy of this resolution be sent to the Ministère de l'Éducation et de l'Enseignement supérieur (MEES), the Ministère du Travail, de l'Emploi et de la Solidarité sociale (MESS) and the Québec English School Boards Association (QESBA).

Carried unanimously

- C-17/18-80 Motion to move into Camera**
IT WAS MOVED by Commissioner Daly that the Council moves into Camera.

Carried unanimously

- C-17/18-81 Motion to move out of Camera**
IT WAS MOVED by Commissioner Daly that the Council moves out of Camera.

Carried unanimously

- C-17/18-82 Class Action Suit**
WHEREAS the authorization request for the class action lawsuit against the Western Québec School Board (the “school board”) and 67 other school boards regarding the expenses charged to parents was filed in the district of Chicoutimi bearing the Court number 150-06-000007-138 (herein called the « Class Action »);
WHEREAS the judgement of the Superior Court of the District of Chicoutimi authorizing the Class Action was rendered on December 6, 2016;
WHEREAS a judicial demand in the Class Action was served on the school board on June 22, 2017;
WHEREAS in accordance with the liability insurance policy which it holds, the school board has notified its insurers of the Class Action;
WHEREAS a forced intervention (recourse in warranty of the liability insurers) was filed into the Court record on October 30 2017 against the insurers of the school board in this Class Action;
WHEREAS the school board wants all settlement discussions with the plaintiffs in this case to be confidential and conditional to a preliminary and forward agreement with the insurers;
IT IS MOVED BY Commissioner Labadie to authorize the Secretary General to inform the attorneys ad litem for the school board, namely the Morency law firm, that the school board requires that all settlement discussions with the plaintiffs in this file be confidential and conditional to a preliminary forward agreement with the insurers involved.

Carried unanimously

- C-17/18-83 Debate on Free Education**
WHEREAS the principle of free education was introduced in Québec more than 50 years ago. Since then, teaching methods in public schools have changed to ensure the academic success of the largest number of students;
WHEREAS school boards have shown innovation in teaching methods, including early childhood development programmes often designed in cooperation with social, cultural and economic professionals in the community who work with students in their milieu;

WHEREAS school boards are facing a class action which asserts that all school supplies and services should be free, thereby calling into question whether many of the school activities can take place;

WHEREAS the Western Québec School Board believes in the importance of preserving schools that support the academic success of its students using a variety of teaching methods;

IT IS MOVED BY Commissioner Egan that the Minister of Education be asked to participate, with school boards, in a substantive debate on the scope of free education in the Québec society of today. This social discussion should focus on what students need to facilitate their success in a vibrant, stimulating and welcoming school environment.

Carried unanimously

C-17/18-84 Class Action Suit – Financial Contributions Required From Parents

WHEREAS the Western Québec School Board (WQSB), like 67 other school boards in Québec, is involved in the class action concerning the financial contributions required from parents, which was authorized by the Superior Court of Québec on December 6, 2016.

WHEREAS the legal grounds of this class action concerning the financial contributions required from parents are based in particular on the *Education Act* and the applicable rules that only the National Assembly or the Government may amend on a proposal from the *Ministre de l'Éducation, du Loisir et du Sport*;

WHEREAS the class action has serious financial implications for the WQSB and could adversely affect the quality and diversity of educational services provided to students within the school board's territory;

WHEREAS the judicial conclusions of the class action could jeopardize certain public school programs promoting school perseverance and academic success, thereby calling into question the financing of public schools;

WHEREAS the outcome of the class action could put the WQSB in a budget deficit situation, despite the school board's consistently excellent budget management;

WHEREAS it has become necessary to reflect on the desired practices and method of financing in relation to the financial contributions required from parents and the WQSB wishes to actively take part in this reflection;

WHEREAS it is imperative and urgent that the *Ministre de l'Éducation, du Loisir et du Sport* become actively involved in developing financial and legislative solutions concerning this issue;

Commissioner Guy MOVED THAT the Council of Commissioners for the Western Québec School Board ask the *Ministre de l'Éducation, du Loisir et du Sport* to become actively involved in developing financial and legislative solutions in connection with this class action against 68 school boards in Québec, in an effort to maintain and develop public schooling;

And THAT this resolution be submitted to the Chairperson of the other 67 school boards involved in the class action concerning the financial contributions required from parents, to the Québec English School Boards Association and to the Fédération des commissions scolaires du Québec.

Carried unanimously

C-17/18-85 Adjournment

IT WAS MOVED by Commissioner Egan that the meeting be adjourned at 9:20 p.m.