

**Province of Quebec
Western Quebec School Board**

Minutes of the **Council of Commissioners** meeting held on November 28, 2023, in a hybrid model at the Western Quebec School Board office, 15, rue Katimavik at 7:00 p.m.

PRESENT: Chair Daly, Commissioners Brushey, Cornforth, George, Giannakoulis, Graham, Goldsbrough, Kane, Labadie, Lyrette-Brennan, Shaar, and McCrank, Parent-Commissioners Brennan, Boucher-Sharma, Fortier, and Taylor Co-opted Commissioners Commonda and Garner

Personnel:

Director of Complementary Services L. Falasconi
Director of Adult Ed. & Vocational Training J.Dubeau
Director of Education S. Aitken
Contract Compliance Officer A. Gendron
Administrative Officer R. Vincent

The Director General, Mr. G. Singfield, the Secretary-General, Mr. E. Keon, and the Assistant Director General / Director of Buildings & Technology, Mr. P. Proulx, were also present.

- **Land Acknowledgment**

Call to order: 7:06 p.m.

C-23/24-53

Adoption of Agenda

IT WAS MOVED by Commissioner Goldsborough that the agenda be adopted with the following additions and removals:

- Addition Agenda item 7.1: Commitment to Success Plan
- Addition Agenda item 8.4 Heating system Chelsea
- Addition Agenda item 9.2 Outside support for budget process
- Addition Agenda item 9.3 Bill 96 financial contribution
- Addition Agenda item 9.4 Financial rules for council funds
- Removal of Agenda item 8.3 Play structures Onslow & Poltimore

Carried Unanimously

~~C-23/24-54~~

Approval of Minutes

IT WAS MOVED by Commissioner Kane that the minutes of a meeting held on October 31, 2023, be approved as circulated.

Carried Unanimously

~~C-23/24-55~~

Adoption of Electoral Divisions

WHEREAS according to the *School Elections Act*, the Western Québec School Board is entitled to 8 electoral districts for the November 2024 school elections;

WHEREAS on May 10, 2023, the Western Québec School Board was granted three (3) additional electoral districts by the Minister of Education, Mr. Bernard Drainville, for a total of eleven (11) electoral divisions for the November 2024 school elections;

WHEREAS an Electoral Division Proposal for the 2024 school elections was adopted by the WQSB at its May 30, 2023, meeting;

WHEREAS public notice of the adoption of the Electoral Division Proposal has been published according to the terms set forth in section 9 of *An Act Respecting School Elections*;

WHEREAS no electors have informed the director general of the school board of any objection to the division proposal;

WHEREAS the time in which electors may file objections to the Electoral Division Proposal has expired;

IT WAS MOVED by Parent-Commissioner Brennan that the territory of the Western Québec School Board be divided into the following electoral divisions:

Carried Unanimously

Electoral Division 01 (1238 electors):

It includes the MRCs of Témiscamingue, Abitibi-Ouest, Abitibi, and La Vallée-de-l'Or, as well as the City of Rouyn-Noranda.

It also includes the First Nations Reserves of Kebaowek, Timiskaming, Pikogan, and Lac-Simon.

It also includes the First Nations Establishments of Hunter's Point, Kitcisakik, and Winneway.

Electoral Division 02 (1454 electors):

It includes the following municipalities: Rapides-des-Joachims (M), Sheenboro (M), Chichester (CT), Waltham (M), L'Isle-aux-Allumettes (M), Mansfield-et-Pontefract (M), Fort-Coulonge (VL), L'Île-du-Grand-Calumet (M), Campbell's Bay (M), Otter Lake (M), Litchfield (M) and Bryson (M).

It also includes the Non-Organised Territory of Lac-Nilgaut.

Electoral Division 03 (1546 electors):

It includes the following municipalities: Thorne (M), Clarendon (M), Shawville (M), Portage-du-Fort (VL), and Bristol (M).

Electoral Division 04 (2149 electors):

It includes the MRC of La Vallée-de-la-Gatineau.

It also includes the Indian Reserves of Kitigan Zibi and Lac-Rapide.

It also includes the following municipalities: Allevyn-et-Cawood (M) and La Pêche (M).

Electoral Division 05 (1463 electors):

It includes the municipalities of Chelsea (M) and Cantley (M).

Electoral Division 06 (1724 electors):

It includes the MRC of Papineau and the following municipalities: Val-des-Monts (M) and L'Ange-Gardien (M).

It also includes part of the City of Gatineau delimited as follows: starting from a point located at the intersection of the South limit of the City of Gatineau and the extension of Montée Mineault, this extension, Montée Mineault and the municipal limit to the starting point.

Electoral Division 07 (1803 electors):

It includes part of the City of Gatineau delimited as follows: starting from a point located at the intersection of the Gatineau River and the North limit of the City, this limit, Montée Mineault, its extension, the municipal limit, and the Gatineau River to the starting point.

Electoral Division 08 (1840 electors):

It includes part of the City of Gatineau delimited as follows: starting from a point located at the intersection of Notch Road and the North municipal limit, this limit, the Gatineau River, the South municipal limit, the extension of the South-West limit of the property located at 150 de Lucerne Boulevard, this limit, Alexandre-Taché Boulevard, the back line of Aylmer Road (North side), the extension of McConnell Road, the extension of Allen Road, Boulevard des Allumettières, the extension of the back line of Scouts Street (North side), this back line, Boulevard du Plateau, Vanier Road, de la Montagne Road and Notch Road to the starting point.

Electoral Division 09 (1799 electors):

It includes part of the City of Gatineau delimited as follows: starting from a point located at the intersection of the North municipal limit and Notch Road, this Road, de la Montagne Road, Vanier Road, du Plateau Boulevard, the back line of Scouts Street (Northside), its extension, des Allumettières Boulevard, the extension of Allen Road, and the extension of McConnell Road, the back line and the intersection of Aylmer Road (North side), Alexandre-Taché Boulevard, the South-West limit of the property located at 150 Boulevard de Lucerne, its extension, the South municipal limit, the extension of Bell Street, the back line of this Street (East side), the back line of Arial Street (North side), the back line of Foley Road (East side), Aylmer Road, Samuel-Edey Street, des Allumettières Boulevard, Klock Road, Pink Road and the municipal limit to the starting point.

Electoral Division 10 (1845 electors):

It includes part of the City of Gatineau delimited as follows: starting from a point located at the intersection of the West municipal limit and Eardley Road, this Road, Park Street, Principale Street, Wilfrid-Lavigne Boulevard, des Allumettières Boulevard, Samuel-Edey Street, Aylmer Road, the back line of Foley Road (East side), the back line of Ariel Street (North side), the back line of Bell Street (East side), the extension of this Street, the South municipal limit to the starting point.

Electoral Division 11 (2043 electors):

It includes the Municipality of Pontiac.

It also includes part of the City of Gatineau delimited as follows: starting from a point located at the intersection of the West municipal limit and Pink Road, this Road, Klock Road, des Allumettières Boulevard, Wilfrid-Lavigne Boulevard, Principale Street, Park Street, Eardley Road and the municipal limit to the starting point.

C-23/24-56

**Derogation Request No. 22560G002 to the WQSB
Purchasing Policy No. D-11 to Enter into a Mutual
Agreement with the Montreal Oral School for the Deaf
(MOSD) for the 2022-2023 school year.**

WHEREAS the Western Québec School Board wishes to enter into a mutual agreement contract with the Montreal School for the Deaf for the 2023-2024 school year;

WHEREAS the contract start date is November 30, 2023, and the contract end date is November 29, 2024;

WHEREAS s. 6.4 *Mutual Agreement Contract*, the WQSB Purchasing Policy states that:

- a) The School Board may use a mutual agreement process for contracts of an estimated value below \$5,000;
- b) The School Board communicates directly with at least one supplier, indicating the good(s), service(s) or construction work(s) required and any other relevant information;
- c) Before entering into a contract by mutual agreement, the School Board must ensure that fair prices and conditions are obtained;

WHEREAS the value of this contract to be entered into by mutual agreement is above the threshold of \$5,000 for a mutual agreement contract;

WHEREAS the tendering process for a contract above \$5,000 requires 3 written quotes;

WHEREAS Policy D-11, s. 7 provides an exception to the tendering process:

*Except for contracts where the estimated expenditure is equal to or above the thresholds established by the **Act Respecting Contracting by Public Bodies**, the Council of Commissioners may authorize the School Board, in exceptional circumstances and for legitimate reasons, to enter into a contract without following the tendering processes described herein.*

WHEREAS the Montreal Oral School for the Deaf has provided integrated services for our students in the past and is the only firm that can provide this service to the WQSB;

WHEREAS the annual value of the contract is \$71, 634;

WHEREAS by its resolution E-23/24-40 the Executive Committee recommends Council approve the derogation request;

IT WAS MOVED by Parent-Commissioner Fortier that, as recommended by the Executive Committee, Council approve the derogation request to enter into a mutual agreement contract with the Montreal School for the Deaf for the 2023-2024 school year.

Carried Unanimously

C-23/24-57

Public Tender – Dr S.E. McDowell – Replacement Exhaust Fan – Contract # 23510B004

WHEREAS a budget of \$200,000.00 was set aside for this project from the measure 50624 from the school year 2019-2020;

WHEREAS a public tender was completed;

WHEREAS the following persons and/or businesses retrieved the tender documents:

- D.L.S. CONSTRUCTION INC.
- DEFRAN INCORPORÉE

WHEREAS the following bids were received:

D.L.S. CONSTRUCTION INC.	\$115,000
DEFRAN INCORPORÉE	\$145,422

WHEREAS the lowest bid conformed;

IT WAS MOVED by Commissioner Graham that Council award the contract to D.L.S. CONSTRUCTION INC. for \$115,000.00 and give Mr. P. Proulx signature authority for this contract.

Carried Unanimously

C-23/24-58

Public Tender – Chelsea Elementary School – Removal of the Oil Heating System and Installation of an Electric/Natural Gas Heating System – Phase 2 – Contract #23510B007

WHEREAS the resolution C-22/23-200 authorized Phase 1 of the project;

WHEREAS Phase 2 includes the replacement of the oil boiler, the removal of the oil tank, and the reconfiguration of the heat pump system;

WHEREAS the resolution C-22/23-236 approved the Buildings and Technology 2023-2024 investment plan;

WHEREAS the amount of \$600,000 from 2023-2024 measure 50621 was allocated to this phase;

WHEREAS a public tender was completed for phase 2;

WHEREAS the following persons and/or businesses retrieved the tender documents:

- Barette Bernard – Enerflamme Inc.
- Boless Inc.
- D.L.S. Construction Inc.
- Emile Seguin & Fils Ltee
- Les Industries CAMA
- Lexco Construction Inc.

WHEREAS the following bids were received:

Barette Bernard – Enerflamme Inc.	\$ 480,750
Lexco Construction Inc.	\$ 514,920
D.L.S. Construction Inc.	\$ 520,600
Boless Inc.	\$ 524,500
Les Industries CAMA	\$ 548,945

WHEREAS the lowest bid conformed;

IT WAS MOVED by Commissioner Cornforth that Council award the contract to Barette Bernard – Enerflamme Inc. in the amount of \$480,750 and give the Assistant Director General the signing authority for this contract.

Carried Unanimously

C-23/24-59

Governance & Ethics Committee Report – October 25, 2023

IT WAS MOVED by Parent-Commissioner Taylor that the Council acknowledge receipt of the Governance & Ethics Committee Minutes of October 25, 2023.

Carried Unanimously

C-23/24-60

Governance & Ethics Committee Report – November 8, 2023

IT WAS MOVED by Parent-Commissioner Taylor that the Council acknowledge receipt of the Governance & Ethics Committee Minutes of November 8, 2023.

Carried Unanimously

C-23/24-61 Governance & Ethics Committee Report – Special Meeting November 8, 2023

IT WAS MOVED by Commissioner Shaar that the Council acknowledge receipt of the Governance & Ethics Committee Minutes of a Special meeting held on November 8, 2023.

Carried Unanimously

C-23/24-62 Parents' Committee Report – May 15, 2023

IT WAS MOVED by Parent-Commissioner Fortier that the Council acknowledge receipt of the Parents' Committee Minutes of May 15, 2023.

Carried Unanimously

C-23/24-63 Parents' Committee Report – October 23, 2023

IT WAS MOVED by Parent-Commissioner Fortier that the Council acknowledge receipt of the Parents' Committee Minutes of October 23, 2023.

Carried Unanimously

C-23/24-64 Special Education Advisory Committee Report – October 30, 2023

IT WAS MOVED by Parent-Commissioner Fortier that the Council acknowledge receipt of the Special Education Advisory Committee Minutes of October 30, 2023.

Carried Unanimously

C-23/24-65 Intercultural Relations and Education Committee – November 6, 2023

IT WAS MOVED by Co-opted Commissioner Garner that the Council acknowledge receipt of the Intercultural Relations and Education Committee Minutes of November 6, 2023.

Carried Unanimously

C-23/24-66 Advisory Committee on Indigenous Education Notes – October 25, 2023

IT WAS MOVED by Commissioner McCrank that the Council acknowledge receipt of the Advisory Committee on Indigenous Education notes of October 25, 2023.

Carried Unanimously

C-23/24-67 Extension of Meeting Time

IT WAS MOVED by Chair Daly to extend the meeting time by 30 minutes.

Carried Unanimously

C-23/24-68

Extension of Meeting Time

IT WAS MOVED by Chair Daly to extend the meeting time by 30 minutes.

For: 13

Against: 2

Abstention: 0

Motion Carried

**9:44 p.m. Parent-Commissioner Boucher left the meeting

C-23/24-69

Bill 96 Intervenor Motion Amendment

IT WAS MOVED BY Parent-Commissioner Taylor to add the following WHEREAS to the Bill 96 intervenor motion:

- WHEREAS legal fees will be paid out of the operational budget surplus of the school board.

For: 5

Against: 8

Abstention: 1

Motion defeated.

C-23/24-70

Bill 96 intervenor

WHEREAS Bill 96, *An Act respecting French, the official and common language of Québec*, was assented to on June 1, 2022;

WHEREAS the same day the English Montreal School Board brought an application to challenge the constitutionality of numerous provisions of Bill 96 and the *Charter of the French Language*;

WHEREAS the English Montreal School Board's constitutional challenge to Bill 96 has been joined with the constitutional challenges of other parties and is progressing through the court system, though, like all constitutional challenges, it is expected to be a lengthy process;

WHEREAS amendments to the *Charter of the French Language* that came into force on June 1, 2023, would require that English language school boards communicate with key institutions of the English-speaking community, such as the Quebec English School Boards Association, in French exclusively;

WHEREAS on September 29, 2023, the Office québécois de la langue française provided the English Montreal School Board with an interpretation of provisions of Bill 96 and the *Charter of the French Language*, which would effectively require that most

internal written communications at the English Montreal School Board be conducted in French;

WHEREAS such an interpretation would also require that most written communications between commissioners of English-language school boards be conducted in French;

WHEREAS such an interpretation would also require that most written communications between English-language school boards be conducted in French;

WHEREAS the Québec Court of Appeal in its decision on the stay of Bill 40 recently reaffirmed that section 23 of the Canadian Charter prevents the province from interfering “with the linguistic and cultural concerns of the minority”;

WHEREAS implementing provisions of Bill 96 and the *Charter of the French Language*, as interpreted by the Office québécois de la langue française, would fundamentally alter the linguistic culture;

WHEREAS implementing provisions of Bill 96 and the *Charter of the French Language*, as interpreted by the Office québécois de la langue française, would detract from the needs and priorities of the nine English language school boards, their students, parents and the broader community it serves;

WHEREAS all of these effects would lead to irreparable harm for the English-language community;

WHEREAS the Quebec English School Boards Association and all nine English school boards obtained a stay of Bill 40 in 2020, which was confirmed by the Québec Court of Appeal, based on the irreparable harm that implementing Bill 40 would cause to the English-speaking community, while waiting for a decision on the merits of the challenge;

IT WAS MOVED BY Commissioner Shaar THAT the Western Quebec School Board become an intervenor in the constitutional challenge put forward by the English Montreal School Board;

IT WAS FURTHER RESOLVED THAT the Western Quebec School Board Council of Commissioners mandate the legal firm, Power Law, to institute on its behalf the appropriate legal proceeding.

For: 11

Against: 2

Abstention: 1 (Taylor)

Motion Carried

WHEREAS the requirements and the budgetary sources from the MEQ have increased and the expenditures division is more complex as a result;

WHEREAS the process with external auditors for the completion of the Financial Statement for June 2023 illustrated the importance of revising our tools and processes;

WHEREAS it is necessary to revise these tools and processes for creating the budget 2024-2025 and for its follow-up;

WHEREAS a strategy was determined that includes the hiring of an external company to review the process and the hiring of a temporary employee to review the tools;

WHEREAS there is a posting for the temporary employee;

WHEREAS there is an ongoing tender by invitation for the selection of an external company;

WHEREAS the following companies were invited to tender:

- Raymond Chabot Grant Thornton
- Deloitte
- Decimal
- 4CPA

WHEREAS it is estimated that the contract will cost between \$60 000 and \$90 000 dollars;

WHEREAS the tender opening is on December 5;

WHEREAS to be prepared for the budget 2024-2025, the process needs to begin in December 2023;

WHEREAS the Director General needs to be delegated the authority to sign this contract;

WHEREAS the name of the winning bidder will be provided at the January Council;

IT WAS MOVED by Commissioner Goldsborough to delegate the Director General the authority to sign this contract and to report the name of the winning bidder at the January council meeting.

For: 14
Against: 0
Abstention: 1 (Taylor)

Motion Carried

- **10:06 p.m. Co-opted Commissioner Commonda left the meeting
- **10:11 p.m. Commissioner Lyrette-Brennan left the meeting
- **10:17 p.m. Commissioner George left the meeting.

**10:24 p.m. 3 Commissioners recused.

C-23/24-72

Appointment of The Designated Person as Ethics Commissioner

CONSIDERING that the Council of Commissioners gave the mandate to the Governance and Ethics Committee to commence the process for the selection of the Designated Person to investigate complaints under BY-LAW NUMBER 15, C-21/22-120.

CONSIDERING that by motion of the Governance and Ethics Committee, a selection committee was formed comprised of Vice Chair McCrank, Parent-Commissioner Fortier, Co-opted Commissioner Garner, Parent-Commissioner Boucher, and Commissioner Shaar.

After having reviewed the candidates' curricula vitae and conducted interviews, the selection committee unanimously recommends Me Vincent Guida of Holmested & Associés s.e.n.c.r.l./LLP for the position of Designated Person.

IT WAS MOVED by Commissioner Shaar that as recommended by the selection committee Council appoint Me Vincent Guida of Holmested & Associés s.e.n.c.r.l./LLP for the position of Designated Person.

Carried Unanimously

C-23/24-73

Terms of Engagement for the Designated Person

WHEREAS the Western Québec School Board will pay the Designated Person for his services in accordance with the Regulation respecting the remuneration of arbitrators (Chapter C-27, s. 103);

WHEREAS the above-mentioned rate includes all expenses directly related to the execution of the position of the Designated Person;

IT WAS MOVED by Commissioner Shaar that Council acknowledge the terms of Engagement for the Designated Person.

Carried Unanimously

C-23/24-74

Adoption of a By-Law 1 Rules of Governance for Commissioners and Committees of the Western Québec School Board Council

WHEREAS several Commissioners have expressed the desire to participate in virtual Council meetings;

WHEREAS according to section 169 of the *Education Act*, council meetings may be conducted virtually, provided that it is outlined in a by-law;

WHEREAS at present, the Council's rules of order are outlined in a policy;

WHEREAS The Governance and Ethics Committee has drafted a by-law for the rules of order that includes the option for Commissioners to participate virtually in council meetings;

IT WAS MOVED by Commissioner Shaar to adopt By-Law #1 Rules of Governance for Commissioners and Committees of the Western Québec School Board Council as drafted by the Governance and Ethics Committee.

Carried Unanimously

C-23/24-75

Adjournment

IT WAS MOVED by Parent-Commissioner Fortier that the meeting be adjourned at 10:53 p.m.