

Minutes of the proceedings of a **special** meeting of the **Council of Commissioners** of the New Frontiers School Board held at the School Board offices, 214 McLeod, Chateauguay, Québec on **Tuesday, June 16, 2020**, at 19:00 hours and at which the following commissioners were present on “Teams”, representing a quorum of the Council of Commissioners:

David D’Aoust, Chair
Lina Chouinard
Kenneth Crockett
Barbara Ednie
Howard (Buzz) Gibbs
Dana Hoshowatiuk, Commissioner representing the Parents’ Committee
Shannon Keyes, Commissioner representing the Special Needs Advisory Committee
Raymond Ledoux
Dianne McKell Eastwood
Abdul Pirani
John Ryan, Vice-Chair
Peter Stuckey
Karin Van Droffelaar
Debra Wright, Commissioner representing the Parents’ Committee

Absent with Regrets:

Anne-Marie Yelle, Commissioner representing the Parents’ Committee

Also in attendance, in Howick:

Rob Buttars, Director General
Mike Helm, Assistant Director General & Secretary General

Also in attendance, via “Teams”:

Eric Colbert, Director of Material Resources
Chantal Martin, Director of Continuing Education
Cuthbert McIntyre, Director of Human Resources
Terence Savoie, Director of Financial Services
James Walker, Director of Educational Services

Call to Order

The Chair opened the 299th meeting at 19:00 hours and welcomed members. It was confirmed by the Secretary General that this special meeting was called in compliance with Article 163 of the Education Act.

Chair & Secretary

Chair D. D’Aoust presided the meeting; Mr. M. Helm served as recorder.

Recognition Statement

Commissioner K. Van Droffelaar acknowledged that the land on which we gather is the traditional and unceded territory of the Mohawk; a place which has long served as a site of meeting and exchange amongst Nations.

Public Question Period

There were no questions asked.

Resolution #CC20-06-16sp-001

Motion to Rescind Resolution #CC20-05-26sp-001

It was moved by Commissioner H. Gibbs that Resolution #CC20-05-26sp-001 be rescinded.

MOTION CARRIED unanimously.

Resolution #CC20-06-16sp-002

Co-Applicant to QESBA’s Constitutional Challenge

Whereas the National Assembly introduced a bill to reform the province’s public education system entitled An Act to amend mainly the Education Act with regard to school organization and governance (“Bill 40”) on October 1, 2019; and whereas the English-speaking community in Quebec has expressed grave concerns with the effects of Bill 40 on the English-language minority’s power of management and control protected by s. 23 of the Canadian Charter of Rights and Freedoms; and whereas the National Assembly gave assent to Bill 40 on February 8, 2020; and whereas Bill 40 provides for the election of the members of the boards of directors of the new English-language school service centres on November 1, 2020; and

Resolution #CC20-06-16sp-002 - Co-Applicant to QESBA's Constitutional Challenge – cont'd

Whereas the Quebec English School Boards Association (“QESBA”) has launched a constitutional challenge to Bill 40 on May 15, 2020 filed jointly with Lester B. Pearson School Board and Mr. Adam Gordon, Chairman of the Sir-Wilfrid Laurier School Board Parents Committee, as co-applicants; and whereas, until a judgment on the merits is rendered, the application of Bill 40 will have significant harmful effects on s. 23 rightsholders’ management and control; and whereas the QESBA and its co-applicants have also applied for an exemption for all English-language school boards from Bill 40 until a final judgment on its constitutionality is rendered; and whereas the New Frontiers School Board (NFSB) wishes to be exempt from Bill 40 before a final judgment on its constitutionality is rendered; and whereas this intervention is also on behalf of Ms Shannon Keyes, a parent and NFSB Commissioner, a S.23 rights’ holder under the Canadian Charter of Rights and a member of the English-language minority in Quebec, and is fully supported by the NFSB in her request to be a co-applicant in this case;

Therefore, it was moved by Commissioner R. Ledoux and resolved that the New Frontiers School Board expresses its full support for the QESBA and its co-applicants’ challenge to Bill 40’s constitutionality; and that the New Frontiers School Board also expresses its full support for QESBA and its co-applicants’ application to obtain an exemption from Bill 40 for all English-language school boards in Quebec before a final judgment on its constitutionality; and that the New Frontiers School Board wishes to benefit from any exemption from Bill 40 granted by the courts in order to protect the power of management and control for s. 23 rightsholders residing in its territory before a judgment on Bill 40’s constitutionality is rendered; and that the New Frontiers School Board has mandated the law firm of Borden Ladner Gervais LLP to file a declaration of voluntary conservatory intervention on its behalf and on behalf of Ms Shannon Keyes in order to support the co-applicants’ constitutional challenge to Bill 40 and benefit from any exemption granted by the court from Bill 40 before a final judgment on its constitutionality is rendered.

MOTION CARRIED unanimously.

Second Public Question Period

There were no questions asked.

Adjournment

There being no further business, the meeting was closed at 19:24 hours on a motion by Commissioner H. Gibbs.

MOTION CARRIED unanimously.

David D’Aoust
Chair

Mike Helm
Secretary General