

APPROVED

MINUTES

The Special Meeting of the Board

Monday, February 6, 2023

A Special Meeting of the Durham District School Board was held on this date.

1. Call to Order:

Chair Donna Edwards called the meeting to order at 8:02 p.m.

Members Present: Trustees Michelle Arseneault (virtual), Tracy Brown, Emma Cunningham, Stephen Linton, Kelly Miller, Carolyn Morton, Deb Oldfield (virtual), Shailene Panylo, Christine Thatcher, Student Trustees Lauren Edwards, Gwen Kuyt

Regrets: Trustee Linda Stone, Student Trustee Ben Cameron

Officials Present: Director of Education and Secretary to the Board Camille Williams-Taylor, Associate Directors Jim Markovski, David Wright, Superintendents Gary Crossdale, Georgette Davis, Erin Elmhurst, Mohamed Hamid, Margaret Lazarus, Andrea McAuley, Heather Mundy, Stephen Nevills, Kandis Thompson, Executive Lead Robert Cerjanec, General Counsel Patrick Cotter

Recording Secretary: Kathy Fitzpatrick

2. Declarations of Interest

There were no declarations of interest at this time.

3. Land Acknowledgement

Chair Donna Edwards gave the Land Acknowledgment: The Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with home to many Indigenous peoples from across Turtle Island (North America). We acknowledge that the Durham Region forms a part of the traditional and treaty territory of the Mississaugas of Scugog Island First Nation, the Mississauga Peoples and the treaty territory of the Chippewas of Georgina Island First Nation. It is on these ancestral and treaty lands that we teach, learn and live.

4. Adoption of Agenda

2023:SB01

MOVED by Trustee Emma Cunningham

SECONDED by Trustee Christine Thatcher

THAT THE AGENDA IS APPROVED.

CARRIED

5. Recommended Actions

(a) Integrity Commissioner Report

Chair Donna Edwards provided trustees with an overview of the report that was received from the Integrity Commissioner (IC) dated January 23, 2023.

Chair Donna Edwards introduced external Legal Counsel Dolores Barbini who provided the Board of Trustees with information on the process when considering the Report of the Integrity Commissioner dated January 23, 2023. Counsel Barbini advised that the Board of Trustees needed to make its own assessment and decision of the following six issues or finding in the IC report:

1. Whether Trustee Stone *did not breach OR breached one or more of* sections 1.4, 6.1, 6.3, 6.13, and 6.49 of the operative Code of Conduct (the Old Code of Conduct) as a result of comments concerning gender identity and expression which she made at Governance & Policy Committee meetings between October 25th and January 31st, as set out at pages 19-20 of the Integrity Commissioner's report.
2. Whether Trustee Stone *did not breach OR breached one or more of* sections 1.4, 6.1, 6.3, 6.13, and 6.49 of the operative Code of Conduct (the Old Code of Conduct) as a result of her pre-May 5, 2022, twitter comments concerning gender identity, as set out at pages 7 and 8 of the Integrity Commissioner's Report.
3. Whether Trustee Stone *did not breach OR breached one or more of* sections 1.2, 6.3, 6.11, and 6.44 of the operative Code of Conduct (the New Code of Conduct) as a result of social media posts concerning gender identity and expression issues between May 5 to 14, 2022, as set at pages 7-8 of the Integrity Commissioner's Report.
4. Whether Trustee Stone *did not breach OR breached* section 6.6 of operative Code of Conduct (the Old Code of Conduct) as a result of the content of her speech at the end of the January 24, 2022 Governance & Policy Committee meeting, as set out pages 21-23 of the Integrity Commissioner's report.
5. Whether Trustee Stone *did not breach OR breached* section 6.49 of the operative Code of Conduct as result of the retweet she made concerning race on April 18, 2022, as set out at page 48 of the Integrity Commissioner's Report.

6. Whether Trustee Stone *did not breach OR breached* of the operative Code of Conduct (the Old Code of Conduct) as result of her comments regarding the definition of “white supremacy” in the then draft Human Rights Policy, as set out at pages 18 and 19 of the Integrity Commissioner’s Report.

2023:SB02

MOVED by Trustee Emma Cunningham

SECONDED by Trustee Shailene Panylo

1. THAT TRUSTEE STONE BREACHED ONE OR MORE OF SECTIONS 1.4, 6.1, 6.3, 6.13, AND 6.49 OF THE OPERATIVE CODE OF CONDUCT (THE OLD CODE OF CONDUCT) AS A RESULT OF COMMENTS CONCERNING GENDER IDENTITY AND EXPRESSION WHICH SHE MADE AT GOVERNANCE & POLICY COMMITTEE MEETINGS BETWEEN OCTOBER 25TH AND JANUARY 31ST, AS SET OUT AT PAGES 19-20 OF THE INTEGRITY COMMISSIONER’S REPORT.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards	Ben Cameron
Gwen Kuyt	

2023:SB03

MOVED by Trustee Emma Cunningham

SECONDED by Trustee Christine Thatcher

2. THAT TRUSTEE STONE BREACHED SECTIONS 1.4, 6.1, 6.3, 6.13, AND 6.49 OF THE OPERATIVE CODE OF CONDUCT (THE OLD CODE OF CONDUCT) AS A RESULT OF HER PRE-MAY 5, 2022, TWITTER COMMENTS CONCERNING GENDER IDENTITY, AS SET OUT AT PAGES 7 AND 8 OF THE INTEGRITY COMMISSIONER’S REPORT.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards	Ben Cameron
Gwen Kuyt	

2023:SB04

MOVED by Trustee Shailene Panylo

SECONDED by Trustee Tracy Brown

3. THAT TRUSTEE STONE DID BREACH ALL SECTIONS 1.2, 6.3, 6.11, AND 6.44 OF THE OPERATIVE CODE OF CONDUCT (THE NEW CODE OF CONDUCT) AS A RESULT OF SOCIAL MEDIA POSTS CONCERNING GENDER IDENTITY AND EXPRESSION ISSUES BETWEEN MAY 5 TO 14, 2022, AS SET AT PAGES 7-8 OF THE INTEGRITY COMMISSIONER'S REPORT.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards	Ben Cameron
Gwen Kuyt	

February 6, 2023

2023:SB05

MOVED by Trustee Stephen Linton

SECONDED by Trustee Emma Cunningham

4. THAT TRUSTEE STONE DID BREACH SECTION 6.6 OF OPERATIVE CODE OF CONDUCT (THE OLD CODE OF CONDUCT) AS A RESULT OF THE CONTENT OF HER SPEECH AT THE END OF THE JANUARY 24, 2022, GOVERNANCE & POLICY COMMITTEE MEETING, AS SET OUT PAGES 21-23 OF THE INTEGRITY COMMISSIONER'S REPORT.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards	Ben Cameron
Gwen Kuyt	

2023:SB06

MOVED by Trustee Christine Thatcher

SECONDED by Trustee Tracy Brown

5. THAT TRUSTEE STONE DID BREACH SECTION 6.49 OF THE OPERATIVE CODE OF CONDUCT AS RESULT OF THE RETWEET SHE MADE CONCERNING RACE ON APRIL 18, 2022, AS SET OUT AT PAGE 48 OF THE INTEGRITY COMMISSIONER'S REPORT.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards
Gwen Kuyt

Ben Cameron

2023:SB07

MOVED by Trustee Tracy Brown

SECONDED by Trustee Carolyn Morton

6. THAT TRUSTEE STONE DID BREACH THE OPERATIVE CODE OF CONDUCT (THE OLD CODE OF CONDUCT) AS RESULT OF HER COMMENTS REGARDING THE DEFINITION OF "WHITE SUPREMACY" IN THE THEN DRAFT HUMAN RIGHTS POLICY, AS SET OUT AT PAGES 18 AND 19 OF THE INTEGRITY COMMISSIONER'S REPORT.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards
Gwen Kuyt

Ben Cameron

2023:SB08

MOVED by Trustee Deb Oldfield

SECONDED by Trustee Shailene Panylo

1. THAT TRUSTEE STONE BE BARRED FROM ALL OF THE NEXT BOARD MEETING;
2. THAT TRUSTEE STONE BE BARRED FROM SITTING ON ANY AND ALL COMMITTEES OF THE BOARD UNTIL OCTOBER 31, 2023; AND
3. THAT TRUSTEE STONE BE CENSURED.

Trustee Shailene Panylo moved to amend the above motion (2023:SB08) to change the date from October 31, 2023 to December 31, 2023 on item number 2.

2023:SB09

MOVED by Trustee Shailene Panylo
SECONDED by Trustee Tracy Brown

2. THAT THE DATE IN ITEM #2 BE AMENDED SUCH THAT TRUSTEE STONE BE BARRED FROM SITTING ON ANY AND ALL COMMITTEES OF THE BOARD, UNTIL DECEMBER 31, 2023.

CARRIED

2023:SB10

MOVED by Trustee Deb Oldfield
SECONDED by Trustee Shailene Panylo

1. THAT TRUSTEE STONE BE BARRED FROM ALL OF THE NEXT BOARD MEETING;
3. THAT TRUSTEE STONE BE BARRED FROM SITTING ON ANY AND ALL COMMITTEES OF THE BOARD UNTIL DECEMBER 31, 2023; AND
4. THAT TRUSTEE STONE BE CENSURED.

The motion was carried on the following recorded vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Michelle Arseneault			
Tracy Brown			
Emma Cunningham			
Stephen Linton			
Kelly Miller			
Carolyn Morton			
Deb Oldfield			
Shailene Panylo			
Christine Thatcher			
Donna Edwards			

Student Trustees (Non-Binding Vote)

Lauren Edwards	Ben Cameron
Gwen Kuyt	

7. Adjournment

2023:RB11


MOVED by Trustee Shailene Panylo
SECONDED by Trustee Carolyn Morton

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

Meeting of the Special Board, Minutes
February 6, 2023

The meeting adjourned at approximately 9:07 p.m.



Chair



Secretary