

**A BRIEF TO**  
**THE PROVINCE OF ONTARIO**  
**MINISTER OF EDUCATION**

**FROM**  
**NIAGARA DISTRICT SECONDARY SCHOOL**  
**(NDSS)**  
**STRATEGY COMMITTEE**

**MONDAY, FEBRUARY 8, 2010**

## **EXECUTIVE SUMMARY**

The submission commences with a reference to the two Accommodation Reviews (ARCs) of Niagara District Secondary School (NDSS) in Niagara-on-the-Lake conducted 10 years apart by the District School Board of Niagara (Board).

The paper outlines the Board's determination to exact the school's closure and the steps taken to pursue this objective despite the strong community support before, during and after both ARCs, for this rural local secondary education facility.

Enumerated are the policies enacted by the Board that have encouraged parents to select other schools and/or 'alternate' programs. These Board policies enriched the enrollment of selected urban schools in St. Catharines which are experiencing declining enrolments and shrinking catchment areas, at the expense of rural schools.

The paper outlines the catastrophic results to enrolment at NDSS. Included in this summary is the question of publicly funding a faith-based non-Catholic schooling contrary to the *Education Act* and the various means by which the Board has disguised this questionable support. Additionally, the paper reflects on various other Board policies such as free and/or courtesy transportation, French language obfuscation and automatic sibling entitlement to 'alternate' home schools without requiring that the siblings enroll in the alternate programs. Combined, these policies have forced a decline of enrolment at NDSS.

It also outlines several lost opportunities for Ministry of Education funding programs that were available to bring NDSS, the only secondary school in Niagara-on-the-Lake up to Ministry standards. The Board has diverted funding available from both the Ministry of Education and the Ministry of Agriculture that was intended for rural schools and applied it instead to satisfy urban school objectives.

Substantiated are the efforts made by the Town of Niagara-on-the-Lake ("Town") and the Community to work with the Board to develop additional programs at NDSS. This was the result of considerable effort by individual citizens and private funding to bring about higher learning opportunities to these rural students. These efforts have met with overwhelming barriers by DSBN.

Explained are the Board's financial decisions to spend money unnecessarily. The Board appears determined to increase bus transportation activities. This environmentally unenlightened decision will create a much larger carbon footprint and is in stark contrast to the Ministry's objectives. It will also require an increase in the Transportation Grants from the Ministry of Education.

The paper confirms the Town's concern that the *Education Act* does not mandate school boards to collaborate with municipalities. It will indicate how the Town has made efforts to facilitate such collaborations, but to no avail.

This paper requests that the Minister council the Board to correct these freedoms the Board has taken with Ministry's policies, directions and guidelines. To correct the dereliction to rural schooling, the Town requests that the Minister give strong consideration to a joint submission by the Board and Town for approval of the construction of an environmentally friendly right-sized secondary school in the rural community of Niagara-on-the-Lake.

This unique proposal would encompass the community's 750 secondary school-aged students combining public, Catholic and Mennonite students and furthering the Ministry's objective for cooperation between the two School Boards. The proposal is to create a Centre of Excellence in Education to be built on existing Board property in Niagara-on-the-Lake using a 'Campus Concept' facility model. This would enable all the community's students to attend school in their home community while complying with the Greenbelt Legislation.

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# A BRIEF TO THE PROVINCE OF ONTARIO MINISTER OF EDUCATION

## A. INTRODUCTION

Niagara-on-the-Lake is a unique rural community with all public schools designated rural.

This brief offers a made in Niagara-on-the-Lake solution to the problems created by the District School Board of Niagara ("DSBN"). It outlines the policies and decisions of the DSBN that are responsible for the decline of, and the recent decision to close the only secondary school in Niagara-on-the-Lake.

The Town of Niagara-on-the-Lake ("Town"), Friends of Niagara District Secondary School, Virgil Business Association, the Rotary Club of Niagara-on-the-Lake, the Niagara-on-the-Lake Chamber of Commerce, Kinsmen Club of Niagara-on-the-Lake, International Baccalaureate Programme and International Student Recruitment Committee, parents and students of Niagara District Secondary School, the majority of parents and students of the Niagara-on-the-Lake public school system, alumni and many other individuals and businesses ("Community") have been very involved in efforts to keep Niagara District Secondary School open, viable and thriving.

The Town and Community support the DSBN's plans to consolidate and close three (3) elementary schools in Niagara-on-the-Lake.

The Town and Community do not support the closure of the community's only secondary school.

The Ministry does not mandate school boards to work with municipalities. Notwithstanding offers from the Town, this absence of reciprocity has resulted in an unsatisfactory process for finding a solution to the secondary school closure.

The Town of Niagara-on-the-Lake proposes a Centre of Excellence in Education Campus Centre. This model could:

- Accommodate all public, Catholic and Mennonite students at one facility:
  - Resolve the dilemma of publically funding a non-Catholic faith-based secondary school that does not offer alternate programming
  - Bring co-terminous boards together, as has already been done at schools in Niagara Falls and St. Catharines,
- Deliver Community developed and Community funded programs,
- Reallocate \$10.7Million from two small schools to the Campus Concept:
  - Save \$1.5-2Million on new land acquisition for a new elementary school

Save \$2Million in renovations to an elementary school with a declining catchment

Reallocate \$7.7Million granted for a new LEEDs™ elementary school towards the costs of the new C&ump Centre,

- Reduce the amount of the Ministry's Transportation Grant:
  - Save about \$700,000 annually on busing all 750 public and Catholic secondary school-age residents to other Niagara Falls and St. Catharines,
- Save the cost of renovating facilities in St. Catharines and Niagara Falls to accommodate Niagara-on-the-Lake students,
- Guarantee local education for local taxation.

## **B. BACKGROUND**

### **(i) HISTORY:**

Niagara District Secondary School ("NDSS") was established in 1954 and is the only secondary school in Niagara-on-the-Lake ("NOTL"). Over the years, the facility has undergone several additions in order to accommodate up to 1194 students in 1969<sup>1</sup>. (Tab #1)

In 1945, Virgil Bible School began. It was owned and operated by the Conference of Mennonite Brethren Churches of Ontario. In 1955, it became Eden Christian College, a private grade 9 – 12 Mennonite religious school, located one block from NDSS. Eden students attended NDSS for grade 13.

By 1987, the private religious school was at risk of being closed because of low enrolment. The public school board was approached for help in 1989. The private school joined the public board, changed its name to Eden High ("Eden") and began operating as a 'faith-based' alternative school sharing facilities and school administration with NDSS.

In 1995, Eden was looking for larger quarters and moved to St. Catharines where it shared facilities with three other schools.

There is no documentation to explain why Eden was not moved down the street into NDSS (Tab #2, pg3) where the facility was more than adequate to support all of the community's public school students while respecting the faith-based differences.

From 1995 - 2008, DSBN provided free busing for all NOTL students attending Eden. The school continued to operate as a non-Catholic faith-based publically funded school.

Eden did not have the benefit of an accommodation review when DSBN moved it into a shared facility with Lakeport Secondary School ("Lakeport") in St. Catharines, in 2002.

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<sup>1</sup> District School Board of Niagara, "Secondary School enrolment: Town of Niagara-on-the-Lake, 1969-2007" Elementary School Enrolment: Town of Niagara-on-the-Lake, 1969-2007 Information Provided to 2007-08 ARC, dated October 19, 2007. (Tab #1)

In 2003, there were discussions about the possibility of closing NDSS and enrolment at NOTL's only secondary school began to decline.

In 2004, Eden *the school* (not the programming) was designated an 'alternate program' which guaranteed free busing to 'alternate programs'. Free busing was provided to Eden students living in NOTL, that is, Eden students living outside of NOTL (e.g. in Vineland) have always been responsible for their own transportation.

Providing free busing to a school that was not threatened by closure further encouraged NOTL students to leave NDSS and join their neighbours and friends at Eden.

On June 17, 2008, DSBN Trustees passed a Motion that NDSS would remain open if the school's enrolment increased to 350 by October 31, 2009.(Tab #3 ) At that time, DSBN informed the community the enrolment at NDSS was about 250 and an increase of 100 students was required.

It wasn't until October 29, 2009 that the community learned that the enrolment in June 2008 was actually 300 Full-Time Equivalent students and that only 50 more students were needed to reach the Board's minimum.

<b>FULL-TIME EQUIVALENTS</b>	<b>NDSS Enrolment</b>
October 31st, 2007	313
June, 2008	300
October 31st, 2008	256
October 31st, 2009	254

Source: DSBN Oct 29,2009

A very large graduating senior class from NDSS, a small graduating grade 8 class and an average of about 42% of NOTL students transferring to other schools, made achieving the 350 enrolment statistically impossible. The threat of closure and the perception that recruiting 100 new students would be difficult, made it all the more challenging to achieve a 350 enrolment.

In spite of this, in March 2009, there was an increase from 40% of NOTL grade 8's in 2008 to 50% of NOTL grade 8's signing intention sheets for NDSS for September 2009. There was also a 230% increase in the number of students planning to attend NDSS from outside of NOTL.

All six of NOTL's public schools were designated rural. Laura Secord was closed and consolidated with St. Davids in September 2009. There are now four elementary and one secondary rural public schools in NOTL.

## **C. TWO ACCOMMODATION REVIEWS: 1999 and 2007/08**

### **(i) ACCOMMODATION REVIEW – 1999:**

In 1999, NDSS in NOTL, Lakeport Secondary School in St. Catharines and two other

DSBN secondary schools underwent individual accommodation reviews. **Eden was not reviewed.**

The NDSS review recommended the 13 classrooms in the Virgil Wing to be "mothballed" and "No major facility renewal for 3 years" at NDSS. (Tab #4)

Notwithstanding the lack of an accommodation review of Eden or that Eden was not included in any of the other accommodation reviews, it was recommended in the Lakeport review that Eden be moved to a shared facilities situation with Lakeport.

At the time, Lakeport was at risk of closure because of low and declining enrolment. Having Lakeport share facilities with a thriving and growing school like Eden would save the declining St. Catharines school.

With approximately 21% of NOTL high school-aged students choosing to leave their home school of NDSS to attend Eden, the NDSS review at that time, should have included Eden.

Since 1995, Eden (enrolment 460) was located in St. Catharines in a former elementary school. It was sharing facilities with Queen Elizabeth Centre, Lakeport and Grantham high school. Eden was looking for a better location and an Accommodation Review of the school in 1999 would have been appropriate.

**(ii) ACCOMMODATION REVIEW COMMITTEE – 2007/08:**

The 2007/08 Accommodation Review Committee ("ARC") for NDSS was struck because enrolment at NDSS was below 400 and the school had become an aging facility" Again, Eden was not included in the review.

"The fact that Niagara District (NDSS) was under funded is no secret, the school didn't become shaggy and drab in 1 year and lose students overnight."<sup>2</sup> (emphasis added)

DSBN Vice-Chair, Marcy Heit

The physical condition and look of the facility had become quite "shaggy" by the time of the 2007/08 ARC. This contributed to the perception that NDSS was less than able to provide the full complement of course programming necessary to graduate. This false perception in turn was the reason an increasing number of students and parents turned away from their home school of NDSS and went to schools in St. Catharines where DSBN has been developing and supporting programming.

With fewer students at NDSS, offering a full compliment of courses became more challenging. Students might be in double- or triple- classes, or have to take a course through eLearning, or need to find transportation to another school offering that course, or, take the course during summer school. All these provided further reasons for defections.

<sup>2</sup> "NDSS to stay open Fate of NOTL schools decided at DSBN meeting," Town Crier [Niagara-on-the-Lake] 20 Jun. 2008: page 2

The ARC reviewed the town's elementary and secondary schools *together and at the same time* instead of separately. This had the effect of dividing the community between those that wanted to save their elementary school and those wishing to keep a secondary school in NOTL. The ARC members included the Principals plus a representative of each of the NOTL's then, six rural schools.

When ARC members inquired about the possibility of relocating Eden to an Eden/NDSS shared facility in NOTL (identical to the Eden/Lakeport concept) DSBN senior staff said the Eden Advisory Board ("EAB") and Eden Parent Council ("EPC") did not want to move. (Tab #5)

By accepting their decision without discussion, DSBN showed it had granted both the EAB EPC the power to make decisions that would otherwise be the responsibility of Trustees. The EAB and EPC were given the power of final arbitrators on school matters that are outside the purvue of other parent councils.

*NOTE:* Mennonite Brethren Council elects the members of the Eden Advisory Board. It appears the Mennonite Brethren Council is located in Toronto and Winnipeg.

The ARC members agreed to 16 comprehensive Recommendations, all of which included a viable and thriving secondary school in NOTL. (Tab #6)

*The Summary and Board Administration Recommendation* to the Trustees by DSBN senior staff recommended Option 'C', which included closing the only secondary school in the community. (Tab #7)

Given all of the variables and options, it is the belief of Board Administration that the recommendation presented to the Board, option C, is the most viable option.

#### **BOARD ADMINISTRATION RECOMMENDATION**

##### **OPTION C**

- Consolidate the five (5) neighbourhood schools into three (3) JK to Grade 8 elementary schools, at the Parliament Oak, St. Davids, and Virgil school sites and close Niagara District Secondary School as of August 31, 2009.

The Town, Board and Community understand the benefits of consolidating schools. It appears the logical solution is a Campus Concept for all of elementary\* and secondary students, public, Catholic and Mennonite to be located on the Board's 29.86acre property that is home to the present secondary school facility.

A recent survey by the Niagara-on-the-Lake Chamber of Commerce reports that 74% of those surveyed support the Campus Concept.

DSBN Director of Education Warren Hoshizaki's, comments regarding the opening of the Board's first "school within a school" (located in St. Catharines) said:

"...that over time, having the two schools in one shared space will benefit all students."<sup>3</sup>

Referring to his personal experience teaching in a Campus Concept school at another board, Hoshizaki said:

"I've found the older kids were really supportive of the younger students."<sup>4</sup>

\* It is understood that for practical reasons, students from St. Davids and Queenston will continue to attend the newly expanded, and much closer, St. Davids-Laura Secord Public School in St. Davids.

#### **D. THE DECLINE OF NDSS: BOARD POLICIES**

##### **(i) NO MAJOR FACILITY RENEWAL FOR OVER 10 YEARS:**

"It is a joint responsibility of the school boards and the provincial government to ensure that every student in Ontario's publicly funded schools has access to good facilities in a school that is properly funded."<sup>5</sup>  
(emphasis added)

Following the 1999 Accommodation Review, DSBN resolved there would be "no major facility renewal" at NDSS for three years. This policy was extended during the Ministry's moratorium on school closures. From 1999 – 2007, only emergency and safety repairs were made, totaling \$805,395. (Tab #1) However, in 2000, the NOTL community contributed \$61,737. to the cost of the \$81,737 gym floor. The Board contributed only \$20,000. of non-taxpayer or Ministry dollars. This appears to be a clear dereliction of responsibility.

At the same time as it was doing basic maintenance at NDSS, the Board was investing in urban secondary schools, especially developing arts programs and facilities that competed with NDSS. NDSS was supposed to be the Board's designated arts school, known as District of Niagara Arts (DNA Arts).

School	Approximate \$ Investment	2017 Forecast Enrolment
LAURA SECORD (St.C)	\$1.5M	-29%
ST. CATHARINES COLLEGIATE	\$11M	-34%
NIAGARA DISTRICT (NOTL)	\$805,000	-20%
STAMFORD COLLEGIATE (NiaFalls)	\$900,000	-34%
AN MYER (NiaFalls)	\$2.5M	-9%

<sup>3</sup> Monique Beech, "The school within a school," The Standard Sept. 2009

<sup>4</sup> Monique Beech, "The school within a school," The Standard Sept. 2009

<sup>5</sup> Ontario Ministry of Education, Hon. Gerard Kennedy, "Ontario Education excellence for all, Good Places to Learn Renewing Ontario's Schools," page 2

From Summer 2008 to Spring 2009, DSBN replaced broken windows, repaired fire doors, painted walls, cut weeds, updated the cafeteria and did other minor work at NDSS in response to pressure from the Community. The Community landscaped the area around the school and students cleaned out and painted a new weight training room.

"The fact that Niagara District (NDSS) was under funded is no secret, the school didn't become shaggy and drab in 1 year and lose students overnight."<sup>6</sup>  
(emphasis added) DSBN Vice-Chair, Marcy Heit

A new Education Campus Concept facility would provide modern education facilities right-sized for NOTL students, correct the neglect of the past and provide students with an excellent education in their own community.

(ii) **GEOGRAPHIC CATCHMENT vs POLICY G-23:**

"**Geographic Catchment** is the model for secondary and elementary schools in Ontario."

*Ontario Public School Board Association Handbook*

"Do we undercut the viability of community secondary schools by making it too easy for students to receive transportation access to alternate schools?"<sup>7</sup>

DSBN Staff Report: 1998

The *Education Act* does not mandate school boards to enforce catchment areas.

Ontario public school boards with larger numbers than DSBN, such as Durham, Halton, Hamilton-Wentworth and Kitchener Waterloo enforce Geographic Catchment (GeoC):

- The small number of students who choose to attend a school other than their designated local home school are **not** provided with transportation.
- Halton Board tracks students and returns them to the home school in their catchment area if they drop out of alternate programming

DSBN Policy G-23 supports students that wish to attend a school other than their geographic catchment area home school:

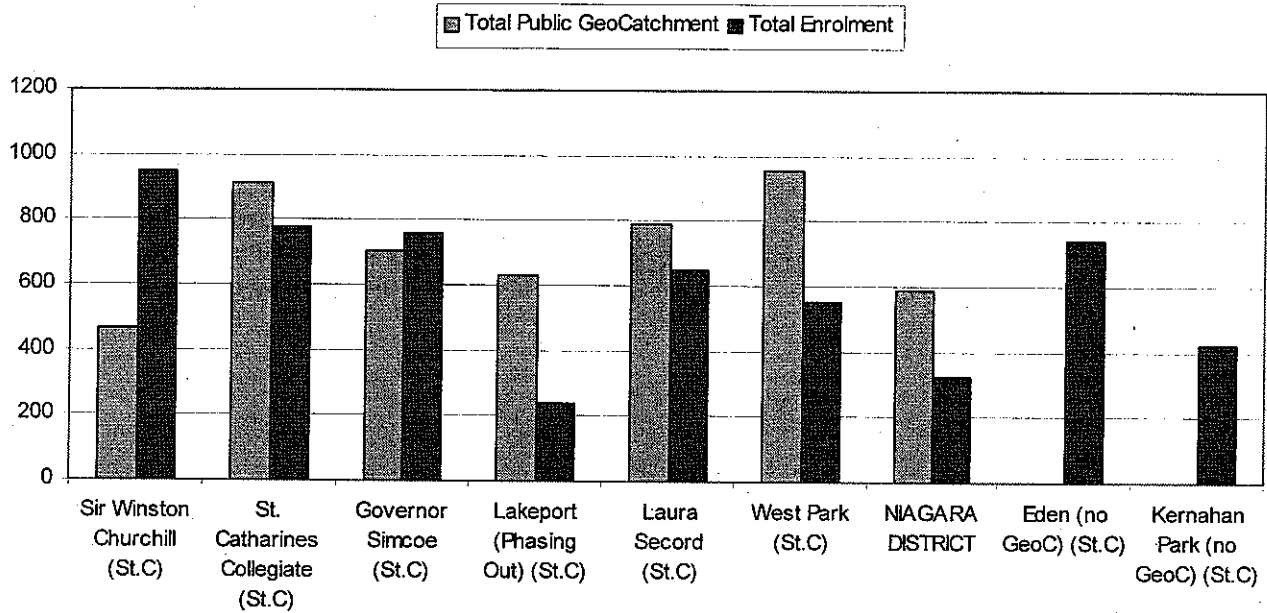
- The new school becomes the student's 'home school' for the full extent of their school career and is now the 'home school' **for all their siblings**.
- Students are not tracked to confirm that they continue, or that their siblings participate, in the system-wide or alternate program.

<sup>6</sup> "NDSS to stay open Fate of NOTL schools decided at DSBN meeting," Town Crier [Niagara-on-the-Lake] 20 Jun. 2008: page 2

<sup>7</sup> District School Board of Niagara, Bruce Russell, Business Administrator and Bob Crawford, Mgr. Planning & Transportation, "Harmonizing The Transportation Eligibility Policy For The Secondary School Students In The Two Predecessor Boards," May 15, 1998, page 4

- Free busing is provided to all system-wide programs. (Beginning September 2009, free busing to alternate programs such as Eden was only cancelled because of a change in the Ministry policy.)

2007 St. Catharines Schools Plus NDSS:  
Total # of Public Students in GeoCatchment COMPARED TO Total School Enrolment



Source: DSBN: Comparataive Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab#8

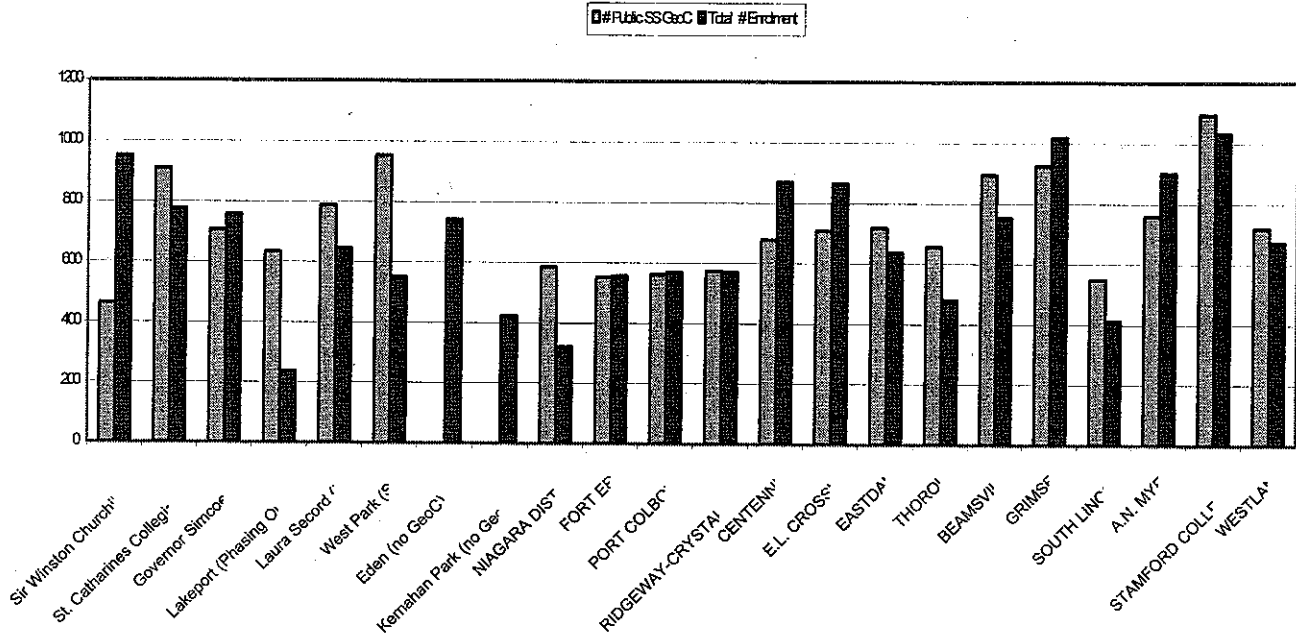
Clearly, of these schools, the public secondary school with the smallest Geographic Catchment is Sir Winston Churchill. The school's enrolment is double the catchment, the result of Policy G-23.

DSBN Secondary School	GeoCatchment Population	School Enrolment
Sir Winston Churchill	464	952
Niagara District SS	585	322

Source: DSBN: Comparataive Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab#8

In studying the **potential** enrolment based on a school's geographic catchment compared to the school's **actual** enrolment of all DSBN secondary schools, Sir Winston Churchill has the greatest disparity between catchment and enrolment. Lakeport is being phased out and the difference between those numbers are expected.

DSBN Total #Public Students in GeoCatchment COMPARED TO Total #Enrolment



Source: DSBN: Comparative Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab#8

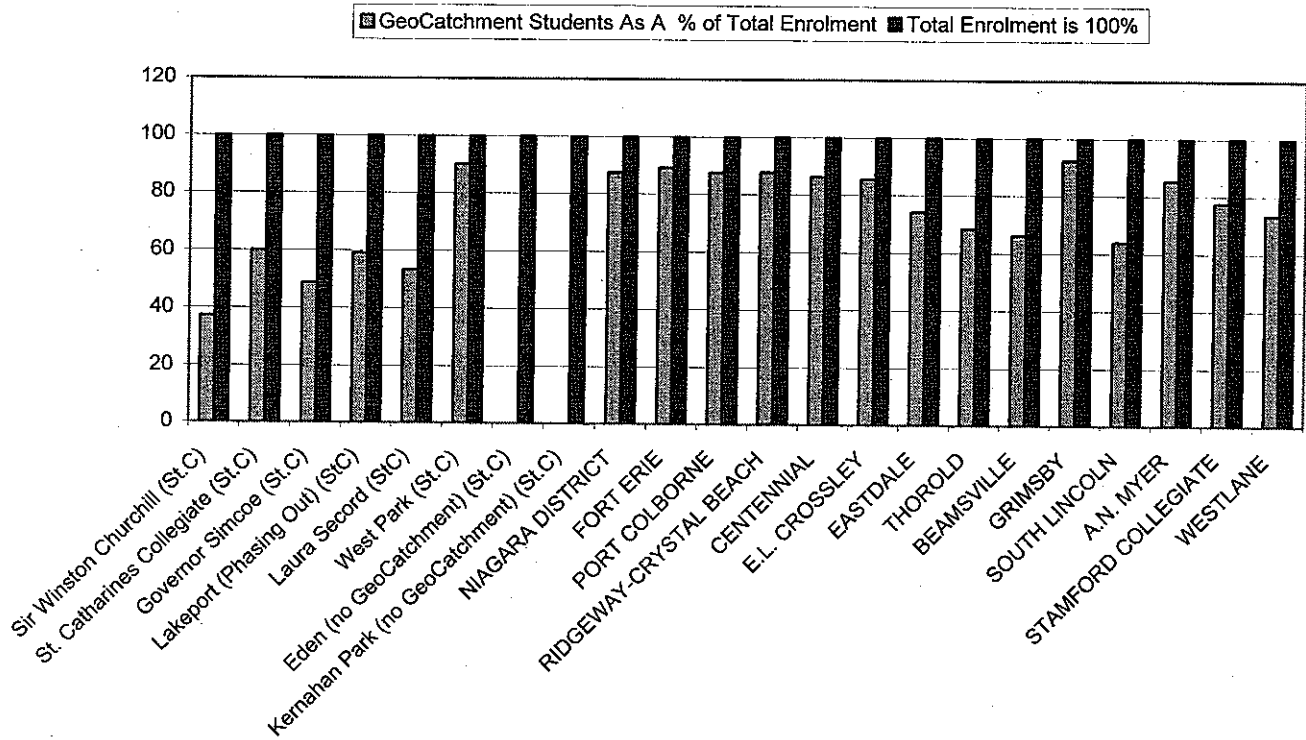
The impact of a generous and unmonitored busing and school transfer policy can be seen by examining the percentage of each school's enrolment coming from each school's own Geographic Catchment area.

Based on 2007 information provided by DSBN to the 2007-08 ARC:

2007	% of GeoCatchment Attending HomeSchool	% of Enrolment From GeoCatchment
Sir Winston Churchill	76.3%	37.2%
NDSS	48.0%	87.3%
St. Catharines Collegiate	51.9%	60.7%
ST. CATHARINES SCHOOLS	average 49.5%	average 58.8%
	range 22.1-76.3%	range 37.2 - 90.0%

Source: DSBN: Comparative Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab#8

2007: Number of GeoCatchment Students as a % of Total Enrolment



Source: DSBN: Comparative Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab#8

“With respect to the St. Catharines Collegiate renovations, Trustee Clark pointed out the enrolment at the St. Catharines Collegiate has always contributed to the school’s viability, with its lowest enrolment being approximately 750 students. At the time of the St. Catharines Secondary School Accommodation Review, there was no other high school in St. Catharines that could accommodate at least 750 students.”<sup>8</sup>

From the previous chart, it appears that a large part of the enrolment that “has always contributed to the school’s viability” is made up of a large part of students living outside the school’s catchment area.

Trustee Clark was explaining why the Board was investing \$2.5Million in St. Catharines Collegiate (“Collegiate”) and “...the decision to relocate the Queen Mary Students to the St. Catharines Collegiate”<sup>9</sup> as the first School Within a School.

<sup>8</sup> District School Board of Niagara, Minutes of Regular Public Meeting, “Report of the Finance Committee,” 28 Oct. 2008, page 10

<sup>9</sup> DSBN, Minutes of Regular Public Meeting, 28 Oct. 2008, page 10

A right-sized Campus Concept facility in NOTL will effectively establish geographic catchment for all of NOTL's public and Catholic students, and reduce some of the unbalance in St. Catharines schools. It will also save the Board on the cost of renovating St. Catharines schools to accommodate NOTL students, save the Ministry money on the Transportation Grant and reduce the need for some of the 23 portables at Niagara Falls Catholic secondary schools.

**(iii) THE COST OF FREE TRANSPORTATION:**

Free transportation costs money. The cost of busing about 600 public high school students out of NOTL was not considered by Trustees. This cost is covered by the Ministry's Transportation Grant to the Board and it appears that DSBN views this as "cost neutral" to their budget. Taxpayers may have a different opinion.

Closing NDSS means the Ministry will be asked to fund the increased transportation costs of busing all approximately 750 public and Catholic NOTL students to secondary schools in St. Catharines and Niagara Falls.

"Trustee Dame noted that transportation costs will be an additional cost to the Board and further review should take place to determine the actual cost to the Board."<sup>10</sup>

When the Board was providing free and courtesy busing for NOTL students attending Eden, all NOTL students bused to other St. Catharines schools, arrived at Eden before 8:15AM. This early arrival was timed for Eden students to attend chapel and bible study.

The Board's support of Eden's faith-based programming delivered outside of the regular school day extended the length of time all other NOTL students to St. Catharines spent on buses and waiting.

According to MapQuest, the following are the most direct driving distances between NDSS and the St. Catharines schools to which NOTL students are being bused now and after the intended closure. Note: These distances do not include any route changes to collect other students and pick-up and drop-off points en route.

DSBN provided the possible average bus ride times for NOTL students to St. Catharines schools. (Tab #9)

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<sup>10</sup> District School Board of Niagara, Minutes of Regular Public Meeting, "Report of the Program and Planning Committee," 8 Dec. 2009, page 7

FROM	TO	One-way km	Return km
Niagara District (NOTL)	Sir Winston Churchill (St.C)	17.86	35.72
Niagara District (NOTL)	Eden (St.C)	13.97	27.94
Niagara District (NOTL)	Laura Secord (St.C)	13.25	26.50
Niagara District (NOTL)	Governor Simcoe (St.C)	12.12	24.24
Niagara District (NOTL)	AN Myer (NiaFalls)	13.74	27.48

Closing Sir Winston Churchill in St. Catharines and busing those students to other St. Catharines schools appears to be significantly shorter driving distances.

FROM	TO	One-way km	Return km
Sir Winston Churchill (St.C)	St. Catharines Collegiate	4.51	9.02
Sir Winston Churchill (St.C)	Laura Secord (St.C)	7.84	15.68
Sir Winston Churchill (St.C)	Governor Simcoe (St.C)	8.47	16.94
Sir Winston Churchill (St.C)	Thorold Secondary (Thorold)	4.23	8.46

Using the geographic catchment model, could significantly reduce the Transportation Grant requested from the Ministry.

**"The DSBN already spends \$1.2 Million more on transportation than it is granted by the Ministry of Education." <sup>11</sup>**

Linda Kartasinski, DSBN Superintendent

The total transportation costs, and the total elementary and secondary students have been used to calculate the average cost of transportation per student in each board for 2009. This cost-per-student can be used to compare DSBN's transportation expenses to boards that adhere to geographic catchment (Tab #10).

Board	Transport \$/student
DSBN	\$ 403.30
NiaDistrict Catholic SB	\$ 493.51
Durham DSB (GeoCatchment)	\$ 262.52
Halton DSB (GeoCatchment)	\$ 208.61
Hamilton-Wentworth SB (GeoCatchment)	\$ 290.15
Waterloo Region SB (GeoCatchment)	\$ 242.50

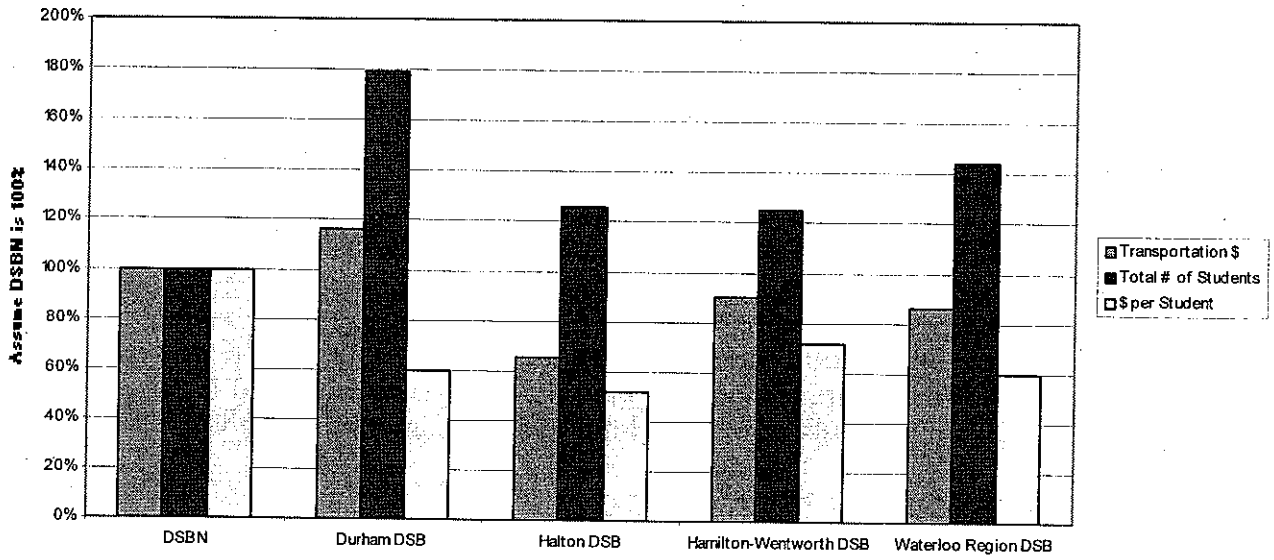
Calculated by dividing each board's actual Transportation Grant by the Total number of elementary + secondary students. Source: See Tab #10

For a more detailed study, assume that the total number of dollars and students at DSBN represent 100% and all others are shown as a percentage of DSBN.

<sup>11</sup> "School busing issues resolved," St. Catharines Standard October 2008

The graph below shows that as a percentage of DSBN's costs, the transportation cost-per-student at boards using geographic catchment are significantly lower than at DSBN. This is consistent regardless of the total dollars or total number of students.

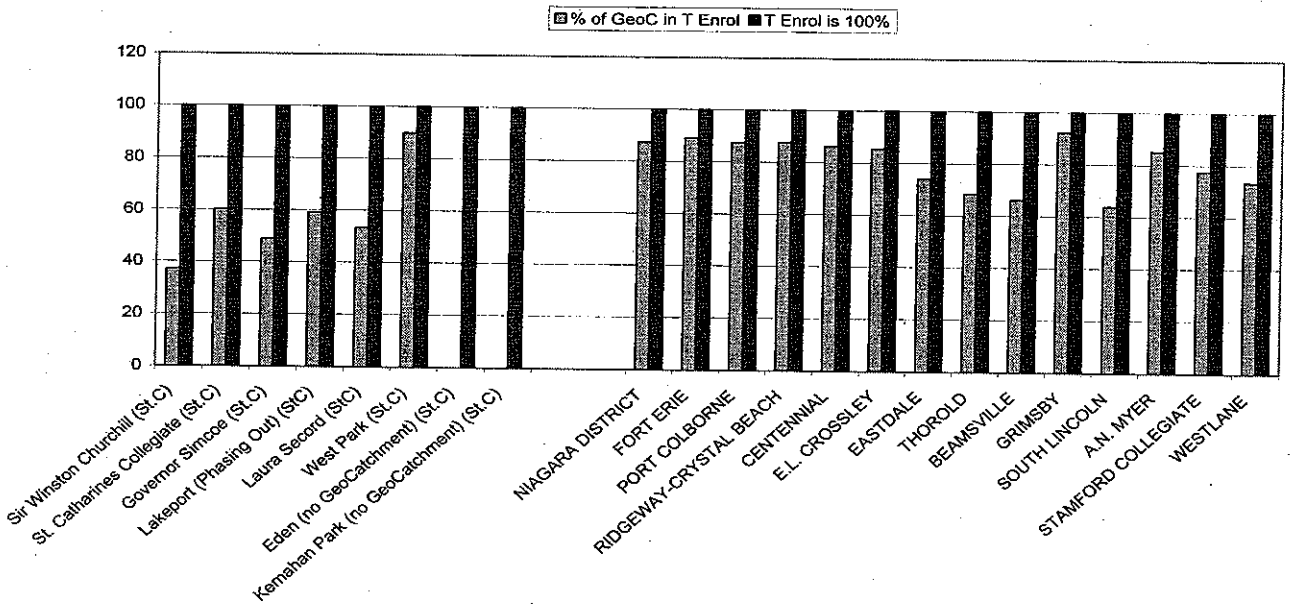
**GEOGRAPHIC CATCHMENT: Reduces the Transportation Cost/Student, regardless of total \$ or # of students**



Source: See Tab #10

The following graph shows the percentage of a school's enrolment that is made up of students from its geographic catchment. For schools outside of St. Catharines, over 60% of students live in the school's catchment area. In St. Catharines (except West Park) fewer than 60% of students live in their school's catchment area.

**More Students Outside of St. Catharines, Attend their Home School Than in St. Catharines: As a % of Total Enrolment**



Source: DSBN: Comparative Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab#8

Over the years, the proposed Education Campus Centre in NOTL could save the Ministry millions of Transportation Grant dollars in NOTL. Busing would be limited to NOTL's boundaries and eliminate the cost of busing about 750 public and Catholic secondary school students to St. Catharines and Niagara Falls.

**(iv) INTERFERENCE IN PROMOTING NDSS**

“Once a student has been accepted at an alternate secondary school, that school shall now be deemed to be the student’s home school.”<sup>12</sup>

DSBN has repeatedly informed the Town and Community that it does not permit:

1. Recruiting students away from the home school even if it is not the school in their geographic catchment area.
2. Promoting one DSBN school as being better than another DSBN school

DSBN put the onus on the Town and Community to promote NDSS but limited distribution of promotional material, retracted a commitment to assist, unilaterally changed agreed to joint marketing plans, effected unreasonable limitations and contractual demands.

It is difficult to view these actions as anything other than barriers intended to prevent NDSS achieving the required enrolment of 350 in order to remain open.

For example:

- The Town and Community began to recruit internationally but were cautioned by a DSBN superintendent to not recruit too many.
- DSBN refused to sign a contract to pay commissions to international recruiters after taking the full tuition amount from fees paid to the board by international students.
- Agreements on communications messaging were unilaterally revised by board staff. E.G. An agreement to use the slogan “2010 & Beyond” to promote NDSS was changed on board material to “2009 & Beyond” causing mixed messages, confusion and undermining the community efforts.

With a new Campus Concept facility, all NOTL students\* will spend their school career in their own community, regardless of their beliefs. The increased school enrolment numbers will ensure a full compliment of courses along with a selection of alternate and special programs determined by the student requirements. Time, energy and expenses that would normally go into recruitment transfers can be allocated to education at NDSS.

\* It is understood that for practical reasons, students from St. Davids and Queenston will continue to attend the newly expanded, and much closer, St. Davids-Laura Secord Public School in St. Davids.

<sup>12</sup> District School Board of Niagara, DSBN Policy Manual, Section: School Operations, Policy G-23, Topic: Transfer of Students From Grade 8 to Secondary Schools, Date: January 2005.

## E. FUNDING MISMANAGEMENT

### (i) TRANSPORTATION GRANT:

**“The DSBN already spends \$1.2 Million more on transportation than it is granted by the Ministry of Education.”<sup>13</sup>**

Linda Kartasinski, DSBN Superintendent

### (ii) RURAL TOP UP GRANT:

The 1999 ARC recommended mothballing, and that consideration be given to, demolishing 16 rooms (23% of the school rooms). The rooms were not demolished, even with an offer of financial assistance from the Town.

Consequently, the capacity at NDSS remains 1101 and the facility is much larger than either the enrolment or geographic catchment.

By mothballing rather than demolishing the 16 rooms DSBN has earned extra money from the Rural Top Up program and disqualified the school from funding programs that could have been used to build a right-size facility.

Rural Top Up grant originates with the Ontario Ministry of Agriculture and is given to school boards to help keep rural and distant schools open by defraying some of the extra costs of being rural.

In 2005, the Ministry of Education defined NOTL's six public schools (five elementary plus one secondary) as Distant and/or Rural. In a memo (October 2005), DSBN explained it expected to receive \$1,944, 448. for the 2005-06 fiscal year “for the additional costs needed to help the board better meet the education needs of our students in these schools”. These additional funds were not necessarily used in NOTL schools.

The 2008 Annual Report of the Office of the Auditor General of Ontario (Tab #11) addressed School Renewal and Maintenance. DSBN was one of three Ontario school boards examined for the Auditor General's report. Recommendation 4 was that the Ministry of Education should “ensure the grants are meeting their intended purpose”<sup>14</sup>. The Ministry agreed to do this.

**“But rural schools can qualify for funding that covers the full operating cost projected for the capacity of the school regardless of actual utilization.”<sup>15</sup>** (emphasis added)

<sup>13</sup> “School busing issues resolved,” St. Catharines Standard October 2008

<sup>14</sup> Government of Ontario, Report from the Auditor General on Special Education, “School Renewal and Maintenance,” 2008 (Tab #11)

<sup>15</sup> Report from the Auditor General on Special Education, 2008

In 2008/09, DSBN received \$600,000. in Rural Top Up grant for NDSS along with funding for the five public elementary schools in NOTL. In the past three fiscals, it is estimated that NDSS has earned the school board at least \$1.5Million. From the condition of NDSS and the decision to close the school it appears the grants were not meeting "their intended purpose".

#### **RECOMMENDATION 4**

To help school boards make the best possible decisions on closing schools, the Ministry of Education should:

- review the impact that top-up grants have on keeping schools open to ensure the grants are meeting their intended purpose; and
- assess the impact that its guidelines are having on school closures and address any concerns identified.

It should be noted that the Ministry did not envelop these funds to limit their use to the specific school for which they have been granted.

NDSS will continue to earn Rural Top Up grants for DSBN, as they will for the three elementary schools slated for closure because the funding continues whether the school is open or closed.

#### **(iii) PROHIBITIVE TO REPAIR FUNDING:**

This combination of a student capacity of 1101 and low enrolment disqualified all three of NDSS's applications for Prohibitive To Repair funding. This funding could have been used to build a new secondary school facility.

DSBN staff have not answered whether NDSS would have qualified for this funding if the 16-mothballed rooms had been demolished. Requests to see the applications were directed to apply under Freedom of Information and pay costs.

#### **(iv) GOOD PLACES TO LEARN FUNDING:**

DSBN received the 3<sup>rd</sup> greatest amount of Good Places To Learn ("GPL") Stage 4

Allocation of funds in Ontario. Since 2003, the McGuinty government has distributed \$4.8Billion, to repair, rebuild and expand schools, over 200 new schools have been opened or are under construction and there are plans for an additional 100 schools.<sup>16</sup>

Based on available DSBN documents, it appears that none of this money was allocated to any of NOTL's six rural public schools.

However, Lakeport and Eden – two schools housed in the same building – each had their own school number and each received money for their own “facility”. Since Lakeport is being phased out and closed, the real beneficiary of the GPL funds will be Eden.

### Allocations and Project Expenditures to October 2008

(As Reported by School Boards)

In Order of		Stage 4	Stage 1, 2, 3	Total Projects	# of Students
Total Grant	Name of School Board	Allocation	Total Allocation	Complete/Underway	In the Board
		\$	\$	#	#
#1	Toronto District School Board	\$ 42,397,269	\$ 371,088,290	2060	257,000
#2	Peel District School Board	\$ 11,300,888	\$ 102,816,545	580	150,000
#3	District School Board of Niagara	\$ 9,734,608	\$ 93,637,650	249	39,450

In 2008, Board senior staff said GPL funds were not allocated to NDSS because **staff decided in 2005** that the school would be closing; several years before Trustees voted to close it. GPL money could have been used to repair and improve the facility.

However, Board staff did not apply the same discretion to Lakeport, and allotted money to that school even though it would be closed in less than 10-years.

The London Regional Office of the Ministry of Education provided clarification on funding:

“Once a group of schools within a board has been identified as “rural”, the group of schools is collectively used to generate additional funding for the board. This funding is generated as part of several Ministry grants including:

- School Foundation Grant, which ensures that all schools have support for in-school administration, regardless of enrolment;
- “Top-up” allocation for school operations and renewal for schools under 100% capacity;
- Remote and Rural Allocation that helps rural boards with the higher costs for goods and services, and which responds to declines in enrolment;
- Supported Schools Allocation for schools that have low enrolment and are far from other schools;
- Declining Enrolment Adjustments; to help schools experiencing financial and operating pressures;
- Community Use of Schools Allocation to help maintain schools as community

<sup>16</sup> Ontario Ministry of Education, “Good Places To Learn,” 5 Feb. 2009

- hubs; and
- Rural and Small Community Allocation for boards with many students from rural and small communities.

“It is within a board’s discretion as to how to allocate this cumulative amount of funding provided by the Ministry to its portfolio of schools, which includes top-up funding.”<sup>17</sup>

In another letter, London Regional Office of the Ministry of Education wrote:

“... rural and supported schools receive operations and renewal grants that recognize the full capacity of the school, regardless of actual enrolment. This means that the school is funded as if utilized at 100%. The school operations grant includes funding for heating, lighting, maintenance and cleaning. The school renewal grant includes funding for repairing and renovating schools.

“While the Ministry provides school boards with an allocation for operations and renewal, each board has the discretion to make decisions as to how this funding is allocated to meet the specific operation and renewal needs of each school in its jurisdiction.”<sup>18</sup>

**There are several funding programs provided by the Ministry to assist school boards with maintaining rural schools but does not require those funds be allocated to the school for which it is provided.**

**It appears that DSBN has exercised it’s discretion and chosen to divert the money provided for NDSS.**

## **F. ALTERNATE PROGRAMMING**

### **(i) ALTERNATE PROGRAMS**

The Ministry does not define ‘Alternate’ or ‘Alternative program’. It is up to individual school boards to define it.

The Toronto District School Board has 19 elementary and 22 secondary alternative schools, and all of them deliver the Ontario curriculum “...in a learning environment that is flexible and meets the needs of individual students.”<sup>19</sup> The “alternate”, “alternative”, “system wide program” is delivered **during** the regular school day.

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<sup>17</sup> Ministry of Education, London Regional Office, Gerry Treble, Regional Manager (Acting), in a letter to Mr. Butch Rive and Mrs. Teresa Rive, 26 Jan. 2010

<sup>18</sup> Ministry of Education, London Regional Office, Gerry Treble, Regional Manager (Acting), in a letter to Ms. Bernadette Secco, 26 Jan. 2010

<sup>19</sup> Toronto District School Board, “Alternative Schools”,

<http://www.tdsb.on.ca/site/ViewItem.asp?siteid=122&menuid=490&pageid=379>

DSBN has not been able to provide a definition for 'alternate'. From the 2007/08 ARC parking lot, DSBN says:

"The definition of alternate school is in [...] Policy G-23 [...] which does not define the term [...] but indicates that students may apply to attend an alternate school for the following reasons: system wide program [...].

Eden is considered a system wide program because students apply to go to the school and although the curriculum is the same as all secondary schools, they have the SLD [Spiritual Life Department] program outside of the school day which makes it different than the other schools."<sup>20</sup>

From DSBN's own explanation, the board does not have a definition of 'alternate' yet it applies that term to Eden, and, programs outside of the regular school day can determine if a school offers a system wide program. Eden is a regular secondary school that happens to offer a non-Catholic Chapel and Bible study outside of the regular school day just like NDSS offers football, environment club and Interfaith Christian Fellowship club.

Another system wide program popular with NOTL students is the Extended French program at Sir Winston Churchill in St. Catharines. The French program is delivered during the regular school day along with the Ontario curriculum.

DSBN informed the Town and community that if the International Baccalaureate Programme ("I.B.") was approved for NDSS, it did not satisfy the board's definition of 'alternate' program. Consequently,

- i) I.B. would not be considered a system wide program, even though it delivers the Ontario curriculum and delivers it using the advanced and challenging I.B. technique in every class during the entire regular school day
- ii) I.B. would not be available to all students in the board
- iii) NDSS could not recruit from other schools for the I.B. programme
- iv) Free busing would not be provided for I.B. students from out of town whether it was a system wide program or not.

**(ii) EDEN: A PUBLICLY FUNDED NON-CATHOLIC FAITH-BASED SCHOOL:**

There has been a Mennonite faith-based secondary school in NOTL from 1945 to 1995. Today it is a publicly funded non-Catholic faith-based school located in St. Catharines and now called "Eden High". It continues its close working relationship with the Mennonite Brethren Council (located in Toronto and Winnipeg).

Approximately 21% of the NOTL public secondary school-aged residents (169 students) attend Eden. About 18% from Beamsville's catchment (161 students) and 19% from Lakeshore's catchment (122 students) also attend Eden. (Tab #8)

<sup>20</sup> District School Board of Niagara, Accommodation Review Committee, Niagara-on-the-Lake, Parking Lot

DSBN and Eden are responsible for many mixed messages about the school (see the chart below). This confusion, the power ceded to the Mennonite Brethren Council by the school board, the refusal of the Mennonite elected Eden Advisory Board to consider a satellite Eden in a joint partnership with NDSS, and 13-years of free busing have been significant factors in creating the conditions leading to the closure of the only secondary school in NOTL.

DSBN's Director of Education in a letter dated, January 18, 2010, addressed the question of the impact of Policy #119 on Eden<sup>21</sup>. Emphasis added below.

"We have contacted the Ministry and in terms of the equity policy, provincially, there is no problem with Eden asking students and parents to commit to the students: a) attending chapel before school, and b) wearing a uniform.

"School administration may not give a detention or suspension for missing chapel, however an agreed upon consequence is acceptable."

"The families of the students who choose to skip chapel will work with the school staff to encourage their attendance at chapel."

It appears that DSBN will not permit a student to enroll at Eden for example, because it is a public school with uniforms, and respect their constitutional rights to not attend faith-based programming delivered outside of the regular school day without some sort of "agreed upon consequence".

Regardless, Eden is a success. By putting a satellite Eden within a NOTL Campus expands on that success and opens up about 160 spaces for students on the waiting list from other parts of the Niagara Region.

The on-going debate on publicly funding non-Catholic faith-based school in NOTL can be resolved with a Campus Concept facility for the education of all of NOTL's elementary and secondary, public (including Mennonite) and Catholic students that provides a Chapel and embraces those things that make Eden the desired education program for about 160 NOTL students.

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<sup>21</sup> District School Board of Niagara, Warren Hoshizaki, Director of Education, in a letter to Mr. Paolo Miele, 18 Jan. 2010

<b>Eden offers an 'Alternate' program because ...</b>	<b>Eden is NOT an 'Alternate' program because ...</b>
<p>DSBN supports Eden delivering the Ontario curriculum with religious programs delivered outside of the regular school day. Student must have a copy of the Holy Bible for school. Visuals at edenhigh.ca show religious symbols throughout the school to remind students of Eden's religious views.</p>	<p>Delivering the religious program outside of the regular school day suggests the school day curriculum and delivery is not in any way 'alternate'. Parents &amp; students should expect the 'alternate' program to take place during the school day as it does for Extended French, performing arts, ESA etc at DSBN.</p>
<p>Chapel &amp; Bible Study: "Remember that attendance is expected ..." Attendance is mandatory; absence receives a detention; there are tests, reports &amp; minimum grades are required of the religious programs in order to pass onto to the next level.</p>	<p>Mandatory attendance of religious programs in a public school violates the Human Rights Code and s51 (2) of the <i>Education Act</i>. The new Equity Policy makes attendance of religious programs optional.</p>
<p>Chapel &amp; Bible classes are mandatory for gr 9 &amp; 10s but not gr 11 &amp; 12s.</p>	<p>The 'alternate' program is not mandatory for all grades in the school making only some of the grades alternate.</p>
<p>In 2004, free busing for 'alternates'; NOTL students get free Busing to Eden, others Eden student must provide their own. 13-yrs of free busing was discontinued in Sept 2009 following changes by the Ministry to end free busing to alternate' schools.</p>	<p>A program shouldn't be 'alternate' for some and not others. For 13-yrs, free busing was only provided to Eden students from NOTL; all other Eden students had to provide their own transportation.</p>
<p>uniforms</p>	<p>Uniforms do not affect curriculum or the delivery of it.</p>
<p>curriculum delivered with a "Judeo-Christian world view on life issues"</p>	<p>All non-faith-based public schools deliver programs with a Judeo-Christian world view.</p>
<p>"a highly disciplined atmosphere"</p>	<p>There is nothing exceptional about the 'discipline' or the disciplined atmosphere' at Eden from other DSBN secondary schools.</p>
<p>edenhigh.ca says Spiritual Life Department staff are always available to students. SLD are paid by the Mennonite Brethren Conference and student fees.</p> <p>SLD are paid by the (MBC) and student fees. MBC elects the 9 members of the Eden</p> <p>Mennonite Brethren Conference elects the 9 members of the Eden Advisory Board (EAB). EAB and Eden Parent Council have been given the power to make decisions that would otherwise be the responsibility of the Trustees.</p>	<p>Spiritual Life Department only operate outside of the regular school day.</p>

## G. POPULATION GROWTH vs RETENTION RATES

### (i) NOTL: GROWING POPULATION:

"The secondary school aged population base in NOTL has risen some 14% in the past 10 years"<sup>22</sup>. (emphasis added)

DSBN used 2001 Census of Canada ("Census") figures, the pupil/dwelling methodology and historic retention rates to conclude there would not be sufficient growth to 2017 to support a high school in NOTL.

The Altus Group used 2006 Census data, the same pupil/dwelling methodology and population growth rather than retention rates, to provide a Letter of Opinion (Tab #13) that,

"In fact, the decline in the percentage of eligible persons [retained] is the sole contributor to declines in student enrolment. The secondary school aged population base in NOTL has risen some 14% in the past 10 years."<sup>23</sup>  
(emphasis added)

Altus expressed concern of "a significant risk"<sup>24</sup> that basing decisions on retention rate "may underestimate the need for a local secondary school in NOTL in the future."<sup>25</sup>

"The primary driver of the decline in enrolment in recent years has been the decline in share capture of the eligible persons in the population – something that is within the Board's ability to remedy through program and facility improvements."<sup>26</sup> (emphasis added)

The Altus opinion states the population growth in the high school cohort (14 – 17 years) is likely to accelerate from 2008 – 2018. The 2006 Census indicates a decidedly younger demographic in the new growth areas of NOTL which will increase the school-aged population.

The Ontario Division of the Canadian Union of Public Employees ("C.U.P.E.") believes that according to demographic data produced by the Ministry of Finance, the decline will level off within five years. C.U.P.E. advises "to not over estimate the magnitude of the declining enrolment situation currently facing us."<sup>27</sup>

The 2001 Canada Census shows that St. Catharines was the only municipality in Niagara that experienced a negative change in total population growth between 1996 and 2001. All other municipalities had a positive growth.

All municipalities had a positive growth in total population between 2001 and 2006.

<sup>22</sup> Altus Group, Peter Norman, Senior Director, Economic Consulting, in a Letter of Opinion to Mr. Lew Holloway, CAO, Town of Niagara-on-the-Lake, dated 29 May. 2008. (Tab #13)

<sup>23</sup> Altus, 29 May. 2008

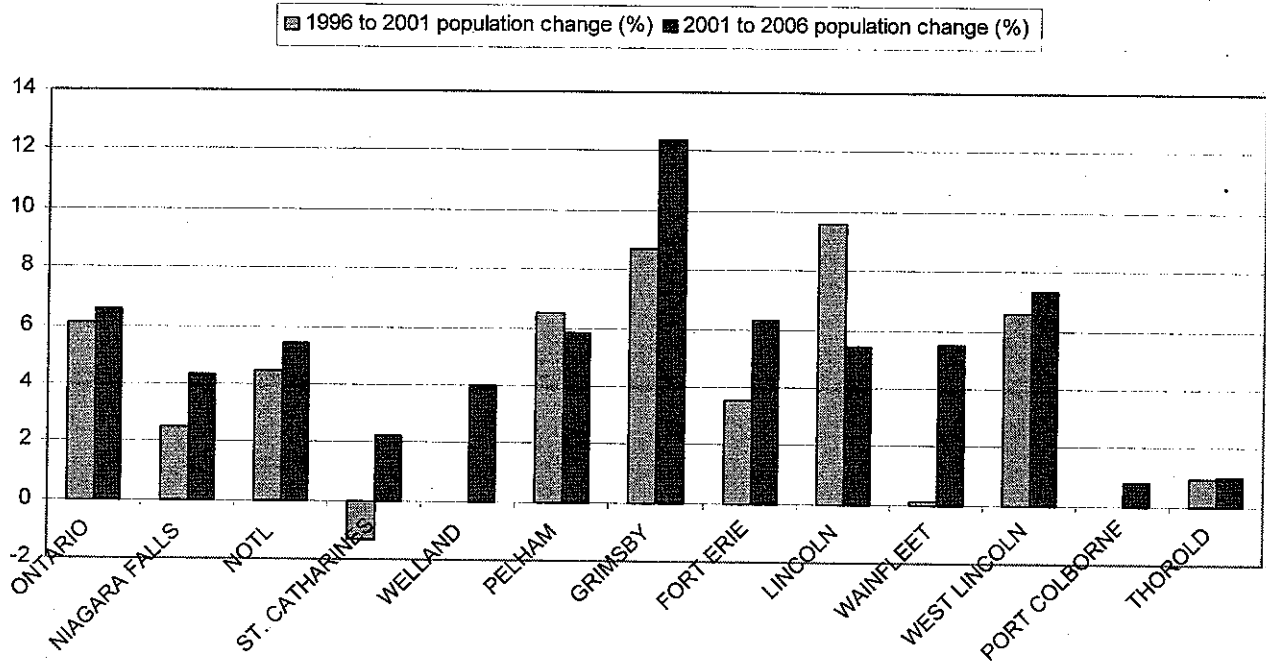
<sup>24</sup> Altus, 29 May. 2008

<sup>25</sup> Altus, 29 May. 2008

<sup>26</sup> Altus, 29 May. 2008

<sup>27</sup> CUPE SCFP Ontario, Submission to the Ontario Declining Enrolment Working Group, Co Hairs Hon. Dave Levac and Eleanor Newman, August 8, 2008.

**ALL AGES: Percentage Change in Total Population**



Source: Canada Census 2001, Canada Census 2006, Total Population

Between 2001 and 2006, Niagara-on-the-Lake gained an additional 30 persons aged 0-19 years. The largest change was in St. Catharines, which experienced a loss of 7525 persons 0-19 years, during the same time period. This would be reflected in the number of empty school spaces in St. Catharines.

**Gain/Loss in Total Population  
of persons 0-19 years,  
between 2001-2006**

	GAIN	LOSS
NIAGARA FALLS	125	
NOTL	30	
ST. CATHARINES		-7525
WELLAND	30	
PELHAM		-10
GRIMSBY	255	
FORT ERIE	50	
LINCOLN		-205
WAINFLEET		-75
WEST LINCOLN	30	
PORT COLBORNE		-410
THOROLD		-275

Source: Canada Census 2001 and 2006: Age 0-4, 5-14, 15-19

Building a new Campus Concept facility in NOTL today to house all public and Catholic elementary\* and secondary school students will ensure the necessary infrastructure is in place as enrolment in the 14-17 years population begins to increase.

The Town understands and respects the Greenbelt legislation. In NOTL, it confines the potential residential development within a limited urban space. These residences need schools and schools need 8-acres. NOTL cannot afford to lose its ability to grow in a well-planned strategic manner. Schools could be built outside of the Greenbelt, but there is a better solution.

By supporting the Campus Concept facility on 29.86-acres within the Greenbelt in NOTL that are already zoned institutional and are home to the high school, the Ministry supports the Town's commitment to education, the Greenbelt and sustainable future growth.

\* It is understood that for practical reasons, students from St. Davids and Queenston will continue to attend the newly expanded, and much closer, St. Davids-Laura Secord Public School in St. Davids.

**(ii) RETENTION RATES**

"The board has to look at ways to draw students to that school," Wynne said of NDSS [...]. "Specialty programs do not create students for a school, but attract them to the facility, she added."<sup>28</sup> (emphasis added)

Retention of students from the elementary school to their home secondary school is the responsibility of the school board.

Instead of a major effort to increase retention rates in NOTL, DSBN put the onus to promote NDSS, increase retention rates, recruit new students and develop new programs on the Town and Community.

Information provided to the Accommodation Review Committee of 2007/08 illustrates the low retention of NOTL students at NDSS. (Tab #9)

**WHERE NOTL STUDENTS ATTEND SCHOOL**

TOTAL STUDENTS	554	100%
<b>NIAGARA DISTRICT</b>	<b>281</b>	<b>51%</b>
<b>Eden</b>	<b>169</b>	<b>31%</b>
<b>Governor Simcoe</b>	<b>14</b>	<b>3%</b>
<b>Kernahan Park</b>	<b>16</b>	<b>3%</b>
<b>Lakeport</b>	<b>4</b>	<b>1%</b>
<b>Laura Secord</b>	<b>6</b>	<b>1%</b>
<b>St. Catharines Collegiate</b>	<b>10</b>	<b>2%</b>
<b>Sir Winston Churchill</b>	<b>54</b>	<b>10%</b>

Source: DSBN Comparative Summary of Home and Alternate Secondary School Attendance Numbers for Niagara-on-the-Lake, October 200. Tab #8

<sup>28</sup> Former Education Minister Kathleen Wynne, Town Crier, 2 May 2008

Historically, NOTL students and their siblings, took advantage of free busing to St. Catharines to attend faith-based programming at Eden, Extended French at Sir Winston Churchill, School To Work programs at Kernahan Park, Japanese and Computer Technology at A. N. Myer in Niagara Falls.

**Share of NOTL Secondary-Age Population, as at Jan31/08**

Attending: NDSS	37.60%
Other DSBN Schools & Private Schools	42.40%
Catholic Board	20.00%
NOTL Population attending Secondary Schools	100.00%

Source: DSBN to ARC

In 2008, DSBN distributed a survey to 249 families representing 311 secondary school students attending school outside of NOTL instead of NDSS. Ninety-five families representing 118 students responded. The results strongly suggest parents have the perception that DSBN intentionally allowed NDSS to wither away:

**SURVEY RESULTS**

**INTERPRETATION**

a) Most parents are disappointed with the academic programming at NDSS and so send their children out of town for secondary education.	DSBN is responsible for the academic programs that make schools competitive.
b) Based on some comments, parents believe NDSS is not well administered.	DSBN should be blamed for the falling enrolment.
c) Respondents felt NDSS had no future and decided to send their children elsewhere.	DSBN is to blame for this.
d) DSBN makes it easy for students to attend other secondary schools but does not permit recruiting students from other schools, and does not provide all schools with equal access to resources.	DSBN's policies are responsible for this.

**H. EDUCATION ACT and MUNICIPAL ACT:**

**(i) JURISDICTIONAL CONFLICTS**

Municipalities and school boards are both funded by tax dollars received from the same group of taxpayers.

The imbalance of power between *EDUCATION ACT* and *MUNICIPAL ACT* can result in misunderstandings and legal expenses.

1. School boards are not obligated to partner or work collaboratively with Municipalities.
2. School boards are not obligated to respect or comply with a Town's Official Plan.

3. The *Municipal Act* permits a school board to appeal a Town's **decision** to the Ontario Municipal Board.
4. The *Education Act* permits an appeal of a Board's **process** but does not permit the appeal of a Board decision.

For example: DSBN can appeal to the Ontario Municipal Board if it is not in favour of a zoning decision made by the Town. However, there is no process that allows the Town to appeal the DSBN decision to close the community's only secondary school.

(ii) **PARTNERSHIPS: DSBN, TOWN, COMMUNITY:**

The *Education Act* does not mandate school boards to work with, consult, partner or collaborate with a municipality or community.

In 1999/2000, DSBN declined an invitation to consider partnering on the location and shared facility options of a new library to be built by the Town.

DSBN also declined an invitation to partner with the Town on locating a new \$6.6Million community centre on the NDSS site in exchange for keeping the school open.

In 2008, NOTL Town Council passed a motion to establish a joint Town-DSBN committee to work together to find ways to keep NDSS open. DSBN declined and struck its own committee of board employees. Eventually, two town councillors and some Community representatives were added to the Board's committee. While the Community took on the Board's responsibilities of program development, recruitment, promotion and more, the Board continued to plan for the closure.

On June 1<sup>st</sup>, 2009, four town councillors and five trustees met for a workshop on NDSS, initiated by the Town. DSBN insisted on a private meeting.

A '500-5' motion was proposed and discussed: the Town and committee made a commitment to increase enrolment to 500 in return for keeping the school open for five (5) years. Council had found a middle ground that Trustees were willing to support. One of the Trustees asked that the Community stop criticism of the board for two weeks until the motion was tabled. The criticism was stopped.

At the meeting of June 9, 2009, senior DSBN staff advised the Chair that the '500-5' motion was Out of Order, and the motion was not tabled.

DSBN prepared a four-page presentation to NOTL council enumerating the board's time, costs and efforts for NDSS. There is nothing extraordinary listed in this document and it is in fact, a list of what Board staff are expected to do. As impressive as it may appear at first glance, it pales compared to the on-going efforts of the Community, Town and volunteers.

DSBN invited the Town to work together on a request to the Ministry for funding a low enrolment rural school. The Town responded in favour but the Board has yet to reply.

## **I. NEW PROGRAMS DEVELOPED BY THE COMMUNITY**

The school board put the onus of developing new programs on the Town and Community. There were many excellent ideas. The following are some of the programs conceived and developed by the Community using private, Community and non-taxpayer funding. The Community believes all of these new programs could have been in place for September 2010.

### **(i) THREE (3) NEW AGRICULTURE COURSE:**

NOTL is a small rural community within the Greenbelt. Agriculture is an important aspect in the lives of many residents and students and offers a myriad of opportunities for skilled workers.

NDSS supporter Donald Ziraldo offered DSBN a one-of-a-kind Agriculture program that would only be available to NDSS. As Chair of the Vineland Research Station, farmer and winemaker, Ziraldo garnered interest and support from Niagara College, Brock University, Guelph University, the Vineland Research Facility and the NOTL farming community. He also arranged for students to have access to farmland in NOTL and farm equipment. *OPPORTUNITY LOST: October 27, 2009.*

“Animal Science” and “Crop Science” are two courses developed for NDSS. NOTL farmer and Board teacher Laura Kozloski has conceived, developed and written the syllabus with two other teachers under the guidance of a Board superintendent. Kozloski already delivers Agriculture, an on-line course with an experiential learning component; an agricultural co-operative education course, during the year and in the summer which is farming time!

The “Animal Science” and “Crop Science” courses are being taught and are only available to senior students at NDSS. Approved in 2007 by the Ministry, they were not offered until September 2009.

These courses provide students with the opportunity to understand the role of agriculture in the Niagara Region and beyond. They are designed to meet current interests and student career opportunities.

Students will study concepts and theories as they conduct investigations in animal husbandry, land management, plant science, safe use of agricultural equipment and supplies, propagation and establishment, and production. Emphasis will be placed on developing skills in the areas of experimentation, research, critical thinking, and analysis.

The course studies will apply as much to a small hobby farmer as it does to a large corporate farm entrepreneur. *OPPORTUNITY LOST: June 2010.*

**(ii) FOOTBALL:**

The Community and students wanted to reinstate football at NDSS. DSBN agreed and put the onus on students to find a coaching staff that would commit to a five-year term, and, the students/Community would have to purchase the uniforms and equipment.

It appears that no other DSBN school has had either of these expectations placed on their football program.

The Board eventually approved a shorter term for the coaching staff. The new football uniforms and equipment were purchased and are owned by the Town.

**(iii) GOLF:**

There are over 50 golf courses in Niagara ranging from Par-3, 9-Hole, Executive, Private Clubs and those designed in collaboration with international Pros. There are more courses being developed.

The Community conceived a special program in which students would study golf skills and courses designed to better prepare them for the projected global growth of golf and related industries. Golf skills would be taught by a local golf instructor and a CPGA Class 'A' Pro, a golf fitness instructor would lead a specialized course with students working on a personalized workout specific to their body and swing type, and the course credits would go towards earning their secondary school diploma. *OPPORTUNITY LOST: AUGUST 2009.*

**(iv) INTERNATIONAL BACCALAUREATE PROGRAMME:**

Significant members of the Community of Niagara-on-the-Lake determined that augmenting the Ontario Education curriculum by incorporating the International Baccalaureate Programme would be of value. Private funds were raised to cover the application costs for a Grade 11 and 12 I.B. Programme at NDSS. In addition, the Community fully funded teacher training and all ancillary expenses.

The Community and school staff enthusiastically supported the initiative. The New York office of I.B. provided conditional approval, and a final inspection date established. The Board's decision to close NDSS, deferred any further development of this project. The conditional approval is not transferable to another DSBN school. *OPPORTUNITY LOST: January 31, 2010. (Tab #14)*

**(v) INTERNATIONAL STUDENT RECRUITING:**

The Community arranged to recruit international students and provide Homestays. Senior Board staff cautioned the Town not to recruit too many international students. DSBN refused to sign an agreement to pay commissions to recruiters according to international practices. The Town promoted on-line at [www.StudyNiagara.ca](http://www.StudyNiagara.ca) *OPPORTUNITY LOST: August 2009. (Tab # 15)*

## **(vi) DISTRICT OF NIAGARA ARTS (DNA Arts) and Specialist High Skills Major**

The world-famous Shaw Festival Theatre is a community partner with NDSS and has a working relationship with the school and students.

In the mid-1980's, the Board developed a special Certificate Arts program at NDSS as a system-wide program known as "DNA Arts". In the beginning, the program had its own Artistic Director on staff promoting and developing the program. DNA Arts was open to all DSBN students but free busing was not provided to out-of-town students. Today, there is no Artistic Director and DNA Arts competes against several arts programs DSBN has developed in other schools.

In the DNA Arts program, students study the history, science, language and techniques of the Arts; they work in a group, choir or solo; use their imagination to develop, write and present their work; study the role of culture and criticism in the Arts.

DANCE: Ballet, Hip Hop, Jazz and Tap

DRAMA: From the Classics to Avant-garde and Music Theatre

MUSIC: Guitar, strings, brass and woodwinds, Jazz, Blues, modern, theatre and world music, and singing

VISUAL ARTS: Drawing, painting, commercial design, stage design.

In mid-2009, NDSS learned that after many requests, a Specialist High Skills Major in Arts and Culture was finally granted to NDSS. It was also granted to Laura Secord Secondary School in St. Catharines. With the closing of NDSS, the SHSM course will only be available at Laura Secord; one of the planned schools for NDSS students after closure. *OPPORTUNITY LOST: June 2010.*

**The closing of NDSS means the students in this rural community have lost the opportunity of benefiting from these very special programs.**

## **J. CAMPUS CONCEPT**

*"74% of respondents support the campus concept".*

2009, NOTL Chamber of Commerce Survey

The Campus Concept education facility for NOTL is a community solution to a community problem caused by the declining retention of about 750 secondary school-aged students and the Board's decision to close the community's only secondary school.

The existing NDSS facility situated on 29.86-acre property owned by DSBN, would be demolished and a right-sized high school would be built to accommodate all of NOTL's public and Catholic students. New facilities to house all of NOTL's public and Catholic elementary students\* would also be built on this site.

- ✓ The 2007/08 ARC members enthusiastically received the Campus Concept.
- ✓ In September 2009, the results of the NOTL Chamber of Commerce survey (Sept 2009) of the public opinion regarding the acceptance to a campus concept showed 74% of respondents support the Campus Concept.<sup>29</sup>
- ✓ The DSBN Director of Education supports Campus Concept. Warren Hoshizaki, said: "that over time, having the two schools in one shared space will benefit all students."<sup>30</sup>
- ✓ Referring to his personal experience teaching in a Campus Concept school, Hoshizaki said: "I've found the older kids were really supportive of the younger students."<sup>31</sup>

Following the ARC, DSBN used a vocal minority focused on retaining their own declining neighbourhood elementary school, as an excuse to eliminate the Campus Concept which would by default require that the secondary school remain open, viable and in improved condition.

After ignoring the support for a Campus Concept in NOTL, DSBN opened a Campus Concept facility in St. Catharines, referring to it as "a school within a school".



## CHAMBER SURVEY QUESTIONS

**OPTION 1 46%**

Retain high school; build a new combined PO/ Virgil/ CJB on the NDSS site

**OPTION 2 28%**

Retain high school; build a new combined Virgil/ CJB on the NDSS site; PO stays

**OPTION 3 26%**

Retain high school; build a new combined Virgil/ CJB on a different site; PO stays

**OPTION 4 >1%**

Close high school; build a new combined Virgil/ CJB on a new site; PO stays

<sup>29</sup>Niagara-on-the-Lake Chamber of Commerce, Deputation to District School Board of Niagara, PowerPoint Handouts, 27 Oct. 2009 (Tab #16)

<sup>30</sup>

<sup>31</sup>

The advantages of the Campus Concept far outweigh the disadvantages, as shown below. For a complete list of advantages and more details on the community support for the Campus Concept, please see the slides from the NOTL Chamber of Commerce PowerPoint to the DSBN, October 27, 2009. Tab #16

Niagara-on-the-Lake  
**CHAMBER | of | COMMERCE**  
 VISITOR AND CONVENTION BUREAU

## ARC: Campus Concept

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• <b><u>DISADVANTAGES</u></b></li> <li>• Programming issues may still remain</li> <li>• Does not give students the opportunity for transition</li> <li>• Exclusion of some</li> <li>• So big and so many kids</li> <li>• Has to be done right</li> <li>• To maintain the community feeling</li> <li>• Pressure for good management</li> <li>• Maintain the energy of the parent community</li> <li>• Potential of younger students feeling intimidated</li> <li>• Comfort level of parents</li> <li>• Transportation of younger and older students</li> <li>• Creates a large % of bussed students</li> <li>• Distance greater for travel teams</li> <li>• Grade 7 &amp; 8s – not a good influence close to high school</li> <li>• Would cause ‘angst’ with children who are used to a very small setting</li> <li>• Parents might choose a smaller community setting</li> <li>• Issues around redevelopment</li> </ul> | <ul style="list-style-type: none"> <li>• <b><u>ADVANTAGES</u></b></li> <li>• Potentially new - “centre of education” - brand new concept - low JK to 12</li> <li>• New clean school for current needs and style for students</li> <li>• More competitive sports teams</li> <li>• More staff to draw on for talent - ‘person power’</li> <li>• Brings community and kids together</li> <li>• A- mentoring of older to young, B- fewer splits</li> <li>• Provides a vision of education for Niagara – community</li> <li>• No one left out</li> <li>• Ultimate in flexibility</li> <li>• Whole community aspect</li> <li>• Great mentoring opportunities</li> <li>• Next step to high school right there</li> <li>• Huge ‘school spirit’ - siblings together - plus all around</li> <li>• Draw new students in for more programs and opportunities</li> <li>• Promotes citizenship and empathy for all students</li> <li>• Tax money - can see a result NOTL can be proud of the school</li> <li>• No portables</li> <li>• More students could be attracted to stay</li> <li>• Reduce cost of bussing</li> <li>• More students more enrichment</li> <li>• Combining parent councils and more energy</li> <li>• Close to medical, library, community centre etc.</li> <li>• Central site</li> <li>• Safer for bussing - space could accommodate</li> <li>• Opportunity for extension to pre school, post secondary, growth</li> <li>• Environmentally friendly school</li> <li>• Cooperation with business</li> <li>• Take away the black cloud - remove the uncertainty</li> </ul> |
|--|--|

**(i) COST SAVINGS**

A DSBN senior staff report indicates that of the three options presented to the Trustees by Board staff, keeping the secondary school open would result in \$978,546 in annual savings. Closing the school would cost the board \$4,720 each year. (Tab #17  
If consolidating five elementary

schools into three elementary schools generates an annual saving of \$978,546 how much will consolidating five schools into one Campus Concept \* save?

DSBN has received funding and has budgeted for the capital costs of building one new \$7.7Million LEEDs™ elementary school on 8-acres of land to be purchased for \$1.5 – 2Million, and another \$2Million to renovate another elementary school.

**REPORT OF BOARD ADMINISTRATION  
ON THE 2007-08 NIAGARA-ON-THE LAKE ACCOMMODATION REVIEW**

**COMPARISONS OF OPTIONS A, B AND C**

	OPTION A		OPTION B		OPTION C	
	Consolidate the five elementary schools into three JK-Gr 8 elementary schools with minor renovations to Niagara DSS		Consolidate the five elementary schools into three JK-Gr 6 elementary schools & renovate Niagara DSS to Grades 7-11		Consolidate the five elementary schools into three JK-Grade 8 elementary schools and close Niagara DSS	
	Capital \$	Annual \$	Capital \$	Annual \$	Capital \$	Annual \$
Total Estimated Cost:	13,928,000	158,536	23,624,400	158,536	11,928,000	977,119
Less: Total Estimated Savings for the Board	-	1,107,082	-	1,107,082	-	972,399
Less: Anticipated Revenue to the Board	6,600,000	30,000	6,600,000	30,000	6,600,000	-
Net Cost (Savings) to the Board	7,328,000	(978,546)	17,024,400	(978,546)	5,328,000	4,720

Source: Follow-up Report on the Niagara-on-the-Lake Accommodation Review Board Administration Report, 2008.

**(ii) CONFORMING TO GREENBELT LEGISLATION**

Building a new Campus Concept facility in NOTL makes the best the province's Greenbelt legislation.

The Town understands the importance of the Greenbelt legislation. In NOTL, it limits potential residential development within a defined urban area. These residences need schools and schools need 8-acres. NOTL cannot afford to lose its ability to grow within a well-planned strategic manner. NOTL's could be built in outside of the Greenbelt, but there is a better solution.

By supporting the Campus Concept facility on 29.86-acres already zoned institutional and home to the high school, and situated within the Greenbelt, the Ministry supports the Town's commitment to education, the Greenbelt and sustainable future growth.

\* It is understood that for practical reasons, students from St. Davids and Queenston will continue to attend the newly expanded, and much closer, St. Davids-Laura Secord Public School in St. Davids.

### (iii) **'GREEN' DECISIONS**

Being a rural community, the Town and Community support the government and Ministry initiatives to 'green' the province and education.

The proposed increase in busing does not serve the Ministry's expectations that school boards reduce their carbon footprints.

The Board's plans for a LEEDs™ elementary school will add to the growing number of LEEDs™ certified facilities in NOTL. Relocating the new elementary school to the NDSS site would maximize the financial investment in the new technology and infrastructure while serving as a basis for a LEEDs™ certified Campus Concept.

Providing elementary education in a 'green' facility and then busing all the students out-of-town for their secondary schooling are diametrically opposed practices.

### **K. CONCLUSION**

This submission has highlighted the long-term intent by the District School Board of Niagara to close the only rural high school in Niagara-on-the-Lake, thereby deferring the closure of any St. Catharines schools. It brings to the forefront, the Board's improper support of a non-Catholic faith-based high school that is contrary to the *Education Act*.

It clearly establishes the lack of meaningful collaboration with the Town of Niagara-on-the-Lake by the School Board, notwithstanding the Ministry's recently expressed concern for the environment and the need for reduction of the carbon footprint, the paper explicitly states the Board's intention to double transportation at the expense of the Ministry's Transportation Grant.

The paper outlines the Board's lack of appropriate application of Ministry funds to support Niagara District Secondary School and compounds this with a questionable use of Ministry of Agriculture funds intended to support rural schools, of which Niagara-on-the-Lake now has five.

In light of these decisive Board policies to pressure Niagara-on-the-Lake high school parents to choose education outside of their children's home location and compounding the negative implications on student learning, taxpayer funds and the life and spirit of the community, the Council of the Town of Niagara-on-the-Lake requests the Minister's assistance in implementing a unique solution to the situation.

The Town and Community further request a temporary stay of any immediate closure of Niagara District Secondary School to allow a full and independent review of these disclosures, and the Minister's support to seek a mutual solution for the delivery of secondary school programming to the students of Niagara-on-the-Lake.

**TAB**

**# 1**

**ELEMENTARY SCHOOL ENROLMENT: TOWN OF NIAGARA-ON-THE-LAKE, 1969-2007**

School	Enrolment Reported Every Fourth Year										Enrolment Reported Every Year									
	1969	1973	1977	1981	1985	1989	1993	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007		
Bethel	76	96	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Brockview	111	74	95	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Col. John Butler	231	205	161	228	194	199	232	206	232	247	259	234	226	212	192	175	161	159		
Eastwood	178	157	141	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Lakeshore East	64	--	9	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Laura Secord	156	97	137	132	131	177	187	123	123	122	125	120	118	114	108	101	101	106		
Maple Leaf	128	135	76	67	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Parliament Oak	449	378	357	287	295	253	257	222	216	222	210	189	175	173	172	185	174	182		
St Davids	174	172	156	132	177	165	168	203	209	197	178	163	167	168	147	143	151	131		
Virgil	373	392	300	302	284	329	386	348	336	339	336	292	294	294	299	305	293	304		
JK-8/Sp.Ed. Total	1940	1646	1432	1148	1061	1123	1230	1102	1116	1127	1108	998	980	961	918	909	880	882		
Less: JK Enrol.	--	--	--	--	60	106	105	--	72	83	78	60	53	61	67	66	64	71		
SK-8/Sp.Ed. Total	1940	1646	1432	1148	1021	1017	1125	1102	1044	1044	1030	938	927	900	851	843	816	811		

**ELEMENTARY SCHOOL ENROLMENT BY GRADE: TOWN OF NIAGARA-ON-THE-LAKE (SEPT. 30, 2007)**

Grade	JK	SK	Gr.1	Gr.2	Gr.3	Gr.4	Gr.5	Gr.6	Gr.6	Gr.7	Gr.8	Sp.Ed.	Total
Enrolment	71	69	87	71	91	85	100	113	96	99	0	0	862

**SECONDARY SCHOOL ENROLMENT: TOWN OF NIAGARA-ON-THE-LAKE, 1969-2007**

Year	1969	1973	1977	1981	1985	1989	1993	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
N.D.S.S. Enrolment	1194	1103	949	716	534	574	509	444	440	455	518	525	488	428	414	391	371	321

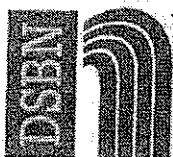
**NUMBER OF BIRTHS TO MOTHERS RESIDENT IN THE TOWN OF NIAGARA-ON-THE-LAKE**

Year	1969	1973	1977	1981	1985	1989	1993	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
No. of Births	N/A	139	110	126	151	146	109	91	91	101	99	89	90	112	88	113	104	--

Note: The enrolment for 2007 is based on September 30th rather than the normal October 31st Ministry of Education reporting date.

**TAB**

**# 2**



# District School Board of Niagara

Achieving Success Together

191 Carlton Street, St. Catharines, Ontario L2R 7P4 (905) 641-1550 Fax: (905) 685-8511

December 9, 2008

**TO BE PICKED UP**

Paolo Miele  
1566 Concession 4 Road  
Niagara-on-the-Lake, ON LOS 1J0

Dear Mr. Miele:

Re: Freedom of Information Request  
Eden High School

---

I serve as the Board Lawyer and Freedom of Information Coordinator for the District School Board of Niagara. On November 24, 2008, you submitted a written freedom of information request under the *Municipal Freedom of Information and Protection of Privacy Act*, accompanied by your \$5 application fee.

Your specific freedom of information request was for the following information:

**“a copy of all documents and/or explanation of Eden becoming part of the public system up to it being relocated to Scottlea School and not Niagara District Secondary School, including how did Eden become part of the public system, and including what persons were involved during the process, and including why Eden was not relocated to Niagara District Secondary School”**

As we discussed in our subsequent telephone conversation, most recently as of December 3, 2008, you have waived your request for the Board to search documents for the names of all persons involved during the process. You were aware of the prior Directors of Education (Garry Holmes and William McLean), Eden Advisory Board members (Jake Warkentin), and prior Niagara District Secondary School administrators (Ara Torigian and Robert Canham).

We have reviewed our records and have assimilated this historical chronology as set out below.

Our files indicate that Eden Christian College was founded in 1945 by the Virgil Bible School Society. The former Eden site, known as Locust Grove located at 2016 Niagara Stone Road (also known as Highway 55), in Niagara-on-the-Lake, was subsequently acquired in 1948 by the Ontario Conference of Mennonite Brethren Churches. We understand that the Conference decided in 1955 that the Bible School should move to Kitchener, while the high school would continue in Niagara as Eden Christian College.

Historically, Eden has only provided Grades 9 - 12 courses and students requiring OAC (Grade 13) would access the public system for the academic / university level courses.

Our records indicate that in November 1987 a draft proposal was presented to the former Lincoln County Board of Education (when Garry Holmes was Director of Education) to explore the possibility of Eden becoming an alternate secondary school within the Lincoln County Board of Education. It was seen as a system school with no school boundaries, that could draw students into the public system that had been home schooled or attended private school or the separate school system. Thereafter, on March 22, 1988, the former Lincoln County Board of Education approved a framework for the Eden Christian Alternate School. The Board Minutes of March 28, 1989, indicate that a Board motion was passed, "That Eden Christian College be an alternative school within the Lincoln County Board of Education effective September 1<sup>st</sup>, 1989." Each of the above mentioned documents are enclosed with this letter.

Initially, on September 1, 1989, Eden continued to operate from its former site in Niagara-on-the-Lake with supervising Principal from Niagara District Secondary School, Bob Canham, and its own Vice-Principal, Keith Vrieswyk. In the early years it appears some Eden students took secondary classes, in such subjects as Science, at Niagara District Secondary School, and that they were transported from Eden to Niagara District Secondary School to access this program.

Discussions took place during the 1990's on Eden possibly relocating into a shared facility or stand alone site at Grantham High School, Merriton High School, or Niagara District Secondary School. Interestingly, it appears from a Board motion on June 26, 1990, that the relocation of Eden was approved in principle to be established at Grantham High School effective September 1991. However the provincial decision to extend public funding to the separate school system appears to have curtailed those plans as the Lincoln County Board of Education was required to hand over Grantham High School to the separate school board in 1991.

In October 1993, the former Lincoln County Board of Education established a Scottlea School Accommodation Review Committee. On May 10, 1994, the Board approved the relocation of Eden to the Scottlea Public School site. In September 1995, Eden officially moved into a closed elementary school known as "Scottlea" on Scott Street in St. Catharines. Since Scottlea was a former elementary school, the facilities were not entirely suitable for a secondary school use without some enhancements. Due to the lack of an appropriate gymnasium, students were transported to Lakeport, or the Queen Elizabeth Centre, or Grantham High School to access gymnasium facilities. This led to discussions about how the Scottlea site could be enhanced for secondary use. Thereafter, in December 1994, the Lincoln County Board of Education and the Ontario Conference of Mennonite Brethren Churches signed a two page agreement. As I explained in our telephone conversation, in order to obtain a copy of this two page agreement, the Municipal Freedom of Information and Protection of Privacy Act requires third parties to be contacted. This would require me to contact the Ontario Conference of Mennonite Brethren Churches as to their views on disclosing this document. Due to the urgency of your request, I can tell you that the short agreement only dealt with costs (construction for a possible new gymnasium) at the former Scottlea Public School site. Since Eden moved to Lakeport Secondary School before any construction took place, and the Board then sold the Scottlea site to Wheatley Private School, the agreement really is null and void. You were satisfied that this document was not relevant to your request and advised me it was not necessary to contact the Ontario Conference of Mennonite Brethren Churches about accessing this document.

After the amalgamation of the Lincoln County Board of Education and the Niagara South Board of Education in 1998, discussions took place about school accommodation and alternate sites were looked at for Eden, specifically Merritton High School (which was moth balled), the Niagara Falls Secondary School, Lakeport High School, and Niagara District Secondary School (all of which had declining enrolment and/or surplus space at the time).

In the year 2000, following the St. Catharines Accommodation Review, Eden was moved from Scottlea to a shared school facility with Lakeport. The Ontario Conference of Mennonite Brethren Churches sold the old Eden site in Niagara-on-the-Lake and the proceeds were given to the District School Board of Niagara in order to pay for an expansion of the cafeteria at Lakeport High School. There are no records that exist that specifically indicate why Eden was not relocated to Niagara District Secondary School.

Due to the fact we had recently reviewed some of the documents, the additional fee was kept to a minimum as follows.

Search Time / Preparation Time 1 hour @ \$30 / hour)	\$ 30.00
Photocopies (8 @ \$.20/page)	1.60
<b>TOTAL</b>	<b>\$ 31.60</b>

Please remit payment in the amount of **\$31.60** by cash or cheque, payable to "District School Board of Niagara," upon pick up of the information.

Sincerely,



BRENDA STOKES VERWORN  
Board Lawyer

BSV/llf  
Encls.

- November 24, 1987 - Memorandum to the Board with attached proposal dated September 18, 1997
- March 22, 1988 - Memorandum to the Board with attached Pilot Project Framework
- March 28, 1989 - Excerpt from Minutes of the Regular Meeting of the Board

copy: Warren Hoshizaki, Director of Education  
Linda Kartasinski, Superintendent  
John Stainsby, Superintendent

*Paid by  
cheque  
15/08  
31.60  
J. Foster*

**TAB**

**# 3**



**DISTRICT SCHOOL BOARD OF NIAGARA**  
Achieving Success Together

**THE MINUTES OF THE  
SPECIAL MEETING OF THE  
DISTRICT SCHOOL BOARD OF NIAGARA**

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BOARD ROOM - EDUCATION CENTRE  
7:00 p.m. (Public Session)

JUNE 17, 2008

---

Special Public Meeting - page 19

June 17, 2008

**BOARD RECESS**

The Board recessed from 9:30 - 9:50 p.m.

Moved by Liz Fulford

Seconded by Lora Campbell

“That Niagara District Secondary School remain open for the upcoming school year 2008-2009. If the school’s average daily enrolment does not reach 350 students as indicated by the October 31, 2009, Ministry Report, then Niagara District Secondary School will close for instructional purposes effective August 31, 2010.”

**CARRIED**

**TAB**

**# 4**



DISTRICT SCHOOL BOARD OF NIAGARA  
Achieving Success Together

**1999**

**ACCOMMODATION REVIEW COMMITTEE  
RECOMMENDATIONS  
AND FOLLOW-UP**

Report of Board Administration  
April 8, 2008

**1999 ACCOMMODATION REVIEW COMMITTEE RECOMMENDATIONS AND FOLLOW-UP**

<p><b>It was recommended that Niagara District Secondary School remain open under the following conditions:</b></p>	<p><b>Follow-up to the 1999 Recommendations:</b></p>
<p>a) That the school maintain the ability to offer guaranteed minimum programming as described in the District School Board of Niagara Administrative Procedure 4 - 3 (Appendix A);</p> <p style="text-align: center;">AND</p> <p>That if the guaranteed minimum program cannot be offered and/or the projected student enrolment is below 400, a supplementary accommodation review of Niagara District Secondary School within the framework of the District School Board of Niagara Accommodation Review Policy be initiated.</p>	<p>a) The enrolment of Niagara District Secondary School did drop below 400 in 2005, however, in 2003, the Ministry of Education imposed a moratorium on school closures by removing the guidelines for accommodation review.</p> <p>In October 2006, new guidelines were issued by the Ministry of Education and the Board approved a Policy for Accommodation Review on March 27, 2007. As a result of declining enrolment and aging facilities in Niagara-on-the-Lake, the Board requested an accommodation review for elementary and secondary schools in Niagara-on-the-Lake.</p>
<p>b) That under the direction of the Plant Department, thirteen (13) classrooms in the Virgil Wing, and in consultation with the Principal, other classrooms not necessary for instructional purposes be "mothballed," beginning September 2000;</p> <p style="text-align: center;">AND</p> <p>That no major facility renewal projects be initiated for at least three (3) years.</p>	<p>b) Since September 2000, thirteen (13) classrooms in the Virgil Wing of Niagara District Secondary School have been "mothballed."</p> <p>Even though no major facility renewal projects have been initiated, \$805 000 has been spent on Niagara District Secondary School for new boilers, electrical work, roofing and parking lot repairs.</p>

<p><b>It was recommended that Niagara District Secondary School remain open under the following conditions:</b></p>	<p><b>Follow-up to the 1999 Recommendations:</b></p>
<p>c) That the Board initiate an examination of the feasibility of the demolition of all or portions of the Virgil Wing;</p> <p style="text-align: center;">AND</p> <p>That prior to any large expenditures of funds for major facility renewal projects, an analysis be done comparing the cost benefits of such projects versus the cost benefits of demolition of space not needed for instructional use.</p>	<p>c) A feasibility study was completed in 2007 on the cost of the demolition of a portion of Niagara District Secondary School to reduce its size by 26%. The estimated cost of the demolition was \$2 050 000.</p> <p>In addition, existing mechanical and electrical systems will require alterations to accommodate the demolition. Also, when undertaking a major renovation project (i.e. demolishing a wing of a school), the Board may be required to update the existing facility under the Building Code, which could result in additional costs of approximately \$4 000 000.</p>
<p>d) That if the Board wishes to examine the possibility of moving Grade 7 and 8 students to Niagara District Secondary School so as to better utilize the facility and thereby making the continued operation of the secondary school facility feasible under the provincial funding formula, that they initiate a supplementary accommodation review of the elementary schools within the municipality of Niagara-on-the-Lake.</p>	<p>d) According to this recommendation, if the Board wished to discuss the possibility of moving the Grade 7 and 8 students to Niagara District Secondary School, a supplementary accommodation review was needed. With the 2003 removal of the guidelines by the Ministry of Education, and the moratorium on closures, this could not occur.</p>
<p>e) That the District School Board of Niagara ask the municipality of Niagara-on-the-Lake to work with it in partnership to encourage and support the establishment of lease agreements, investigate the possibility of reducing surplus site acreage and other possible means of generating revenue with individual businesses and agencies that are appropriate and compatible with policies and by-laws of the District School Board of Niagara and the Town of Niagara-on-the-Lake.</p>	<p>e) Currently there are two (2) lease agreements for the use of surplus space in Niagara District Secondary School, including Central Gospel Church, which leases two (2) classrooms and a lecture hall and Prelude Antiques; which leases a shop. The amount of revenue from these leases is approximately \$30 000 annually.</p>

**TAB**

**# 5**