



November 25, 2011

Ministry of Education
Public Inquiries Unit
14th Floor, Mowat Block
900 Bay Street
Toronto, ON M7A 1L2

Attention: Ms. Laurel Broten, Minister of Education

Dear Minister:

Trustees:

*Diane Lloyd
(Chairperson)*

*Angela Lloyd
(Vice-chairperson)*

*Cathy Abraham
Steven Cooke
Cyndi Dickson
Gordon Gilchrist
Rose Kitney
Jaine Klassen Jeninga
Wes Marsden
Shirley Patterson
Roy Wilfong*

*Christopher Grouchy
(Student Trustee)*

Re: PCVS School Closure – Request for Administrative Review

This letter is written in response to a letter written to you dated October 27, 2011 signed by Ms. Shirl Delarue and five others concerning the above-noted matter, together with a petition containing signatures of a number exceeding 30% of the headcount of Peterborough Collegiate and Vocational School (“PCVS”).

The Kawartha Pine Ridge District School Board (the “Board”) hereby confirms that the signatories to that petition (the “Petitioners”) are parents or guardians of students enrolled at PCVS and/or are individuals who participated in the accommodation review that the Board conducted regarding PCVS in 2011.

The Petitioners seek the appointment of a facilitator to conduct an administrative review of that accommodation review process. The purpose of this letter is to provide the Board’s response to the complaints raised by the Petitioners and, more generally, to provide the Board’s perspective on the request for a review.

Background: Process Timeline:

The Board’s geographic jurisdiction stretches across an enormous area of South Central Ontario, reaching across its southern border (Lake Ontario) from Courtice/Bowmanville in the west to Trenton in the east, and north to Bobcaygeon in the west and Apsley in the east. It is responsible for the education of public school students in dozens of communities, large and small. One of those communities is the City of Peterborough.

At its March 29, 2007 Regular Meeting, the Board reviewed and received a Ten Year Capital Needs Assessment that included, as part of the plan, the need to “monitor secondary enrolment and determine need to close 1.0 secondary school in either Peterborough City or County.” Subsequent to this, the report was updated annually and presented to the Board.

In January 2010, the Board reviewed and revised Board Policy No. BA-1.2, Pupil Accommodation Review: School Closure/Consolidation (the “Policy”), which relates to pupil accommodation and accommodation reviews, as a result of new provincial directives released in June 2009 (the “Guideline”).

*W.R. (Rusty) Hick
Director of Education*

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At the April 29, 2010 Regular Board Meeting, Senior Administration presented the Annual Accommodation Review Report. The City of Peterborough – Secondary Accommodation was identified as an area for review beginning in January 2011 because of the current and projected enrolment of its four secondary schools and the number and variety of programs those schools could be expected to provide to students based on those statistics.

On December 16, 2010, the Board approved a Pupil Accommodation Review for the four secondary schools in the Peterborough community – Adam Scott Collegiate Vocational Institute, Kenner Collegiate Vocational Institute, PCVS and Thomas A. Stewart Secondary School (“TASSS”). Importantly, the adopted process was described as follows:

That, in accordance with Board Policy No. BA-1.2, Pupil Accommodation Review: School Closure/Consolidation, which relates to pupil accommodation reviews, Adam Scott Collegiate Vocational Institute and Intermediate School, Kenner Collegiate Vocational Institute and Intermediate School, Peterborough Collegiate and Vocational School, and Thomas A. Stewart Secondary School, be identified for a group review **and possible closure(s)**. [emphasis added]

The Board then convened an Accommodation Review Committee to address these schools in the Peterborough community (the “Peterborough ARC”).

On December 17, 2010, the Board sent a letter and background information outlining the process and timelines for the Peterborough ARC to all students, elementary and secondary, in the City of Peterborough.

Four public meetings were held on February 3, February 28, April 7 and May 12, 2011.

During the course of the four public meetings, the Peterborough ARC considered and investigated the benefits, issues, concerns and considerations for the possible consolidation/closure of the four schools. There was very substantial public input. Discussion by committee members at the fourth meeting led to the development of the final recommendations.

Throughout the process, committee members informed and consulted their respective communities. School newsletters included the purpose of the accommodation review and information on the dates, times and location for meetings of the ARC. All information (policies, procedures, agendas, minutes, presentations and correspondence) was posted on the Board’s website.

The Peterborough ARC reported to the Board at its meeting of May 26, 2011. The ARC recommended that the programming in the four secondary schools be consolidated into three secondary schools. No particular school was identified for closure.

A Report was received from Administration at the Board meeting of June 23, 2011. Pursuant to that Report, a feasibility study was undertaken which indicated that Administration’s preferred recommendation involving the closure of TASSS and its re-use as an Education Centre was not viable.

At its meeting of September 29, 2011, the Board adopted Administration’s alternative recommendation as outlined in the Administrative Report of June 23, 2011 that existing programming at PCVS be consolidated into the other three schools, effective September 2012.

The Board also resolved that Administration consider locating alternative services and programming at PCVS as outlined in the Administrative Report of June 23, 2011, for decision at a later date. The Board is currently pursuing this option.

1. Guidelines and Expectations of Ministry of Education:

We understand that reviews of the kind requested in this case take place pursuant to a Ministry of Education document that states that an appointed facilitator shall “determine whether the school board accommodation process was undertaken in a manner consistent with the board’s accommodation review policy”. It is our understanding from discussions with Ministry staff that such reviews are designed to ensure that the board in question has followed its own accommodation review policy, but that they are not designed to address the compliance of such policies with the Ministry’s Guideline. We understand that allegations of asserted deficiencies regarding the content of a board accommodation review policy are best made to the responsible board outside of an active review process.

The Board’s Policy has been publicly available (and therefore available to the Petitioners) even prior to the Senior Administration Report of April 29, 2010. It is noteworthy that between April 29, 2010 and the commencement of the work of the Peterborough ARC, no exception was taken to the content of the Board’s Policy. No complaints were raised that the Policy about to be used by the Board and the Peterborough ARC was somehow deficient. Indeed, virtually without exception, the concerns now raised by the Petitioners regarding the text of the Board’s Policy and its alleged inconsistency with the 2009 Guidelines were never raised until *after* the decision was made on September 29, 2011 to close PCVS.

We would be most grateful for the Ministry’s clarification regarding the scope of such reviews with this question in mind, and will obviously be pleased to co-operate fully in either event. The matter is of some significance to the case at hand, given that the majority of the concerns raised by the Petitioners in this case relate to conformity of the Board’s Policy to the Guideline rather than conformity of the Board to its Policy.

In considering this issue, the Ministry should be aware that the Board, by resolution passed at its October 27, 2011 meeting, a referral of the actual content of its Accommodation Review Policy to Administration, to bring back to the Chairpersons’ Committee for review and revision. In other words, the Policy is currently under review. Naturally, the concerns expressed by the Petitioners in their letter of October 27, 2011 will be carefully considered during that process.

That having been said, the Board will respond below to the concerns expressed regarding the conformity of the Policy to the Guideline. We provide these comments so that there may be some greater appreciation and transparency regarding the Board’s application of that Policy in the case at hand.

(a) Failure to Provide Terms of Reference:

Section 5 of the Board’s Policy describes in detail the Terms of Reference for every ARC established thereunder. Copies of the Policy were provided to every member of the Peterborough ARC at the first Peterborough ARC meeting on February 3, 2011 and it was expected that they would read the Policy carefully. The Minutes of the first Peterborough ARC meeting reflect the following:

Don Blair reviewed the Pupil Accommodation Review process, *specifically the Accommodation Review Committee Mandate* included in Board Policy, BA-1.2 Pupil Accommodation Review: School Closure-Consolidation. [emphasis added]

It was unnecessary for that “Mandate” to be repeated in a separate document.

In addition, ARC members were provided with a copy of the December 16, 2010 Staff Report that had led to the creation of the Peterborough ARC in the first place. That Report also clarified the mandate of the ARC through the following recommendation:

That, in accordance with Board Policy No. BA-1.2, Pupil Accommodation Review: School Closure/Consolidation, an Accommodation Review Committee be formed to conduct a review of Adam Scott Collegiate Vocational Institute and Intermediate School, Kenner Collegiate Vocational Institute and Intermediate School, Peterborough Collegiate and Vocational School, and Thomas A. Stewart Secondary School.

It was obvious at all times that the “terms of reference” for the Peterborough ARC were directed towards the possible closure of one of the named schools. No complaint or concern was ever raised regarding the absence of “review-specific” terms of reference at any point during the course of the ARC’s deliberations.

If it is the intent of the Guidelines that unique, “review-specific” terms of reference be separately created for each and every ARC, we would welcome the Ministry’s clarification on this point.

(b) Requirement to Provide Alternative Accommodation Option:

In December, 2010, the Board was facing seriously declining enrolment. This situation was well-understood by interested members of the public and had been noted consistently through Board Reports and press releases. The Board was operating four high schools that, cumulatively, were operating at approximately 75% capacity. In other words, based strictly on these numbers (if one were to disregard for the moment all other considerations), the Peterborough community had one more public secondary school than it required. These demographics were expected to worsen rather than improve. This was not only costly to the Board in terms of expenditures, it was (more importantly) very costly to students in terms of programming inflexibility. Funding and teaching resources for the equivalent of three schools was being spread across four.

All of this was clearly identified within the Board Report of December 16, 2010 as the motivating factor behind the establishment of the Peterborough ARC. Copies of this Report were given to the ARC members at the commencement of the Review process. The ARC and the Peterborough community were aware at all times that the “alternative accommodation option” contemplated by the Board was the closure of one of the four schools and the consolidation of four school programmes into three. While other possibilities would not have been ruled out had they been raised for discussion, in actual fact all Peterborough ARC discussions were oriented towards this contemplated outcome. As compared to situations in other boards that have been the subject of Ministerial Reviews, the situation in the City of Peterborough was simpler and the direction sought from the ARC was much clearer.

Within this context, and as stated in the Petition, Board Administration and the Board did not consider it appropriate to identify one particular school as “the preferred target”. Such a course of action immediately pits Administration against a portion of the community involved. Additionally, it invites allegations throughout the ARC process that the matter has already been decided and that the ARC process is an exercise in self-justification. These allegations intensify if the ARC’s final recommendation is consistent with the initial Board “option”. One can easily imagine this scenario unfolding in the case at hand had the Board, for example, initially identified closure of PCVS as the “alternative accommodation option” allegedly required of it by the Guidelines.

Consistent with this approach, Board Administration, over the course of the ARC’s deliberations, presented options outlining the consequences of closing *each* of the four schools under review as well as the consequences of leaving the status quo intact.

The Board submits that these steps and its overall management of this issue, designed to provide the ARC with enhanced flexibility and influence rather than contributing to a perception of prejudgment and secondary after-the-fact influence, was consistent with the spirit and the letter of the Guidelines.

(c) Failure to Provide for Full Community Involvement:

This complaint relates to the manner by which the Board Administration communicated with the Board following the delivery of the ARC’s Final Report on May 26, 2011, specifically the failure of Administration to establish and publicize a time frame for its analysis of the ARC Report and to seek “community input” regarding its analysis.

This complaint is based upon an introductory general description of the general purpose of the Guideline (page 1, paragraph 2). The Guideline does not purport to regulate the manner by which board administrators analyze the final reports of ARCs. Specifically, the Guideline does not require anything of Board Administration in terms of publicizing its analytical process or in terms of obtaining public input during the course of that analysis. It simply states at page 6:

The ARC will present its Accommodation Report to the Board of Trustees. Board administration will examine the ARC Accommodation Report and present the administration analysis and recommendations to the Board of Trustees. The Board of Trustees will make the final decision regarding the future of the school(s).

If it is the Ministry’s intention that the analytical process undertaken by Board Administration upon receipt of a final ARC report should be “publicized” and that public input be a part of final Administration review in future ARC processes, we would welcome its clarification in that regard.

It is in any event incorrect to state that Administration “made an initial recommendation in a report dated June 23, 2011 which provided for, among others, the sale of an administration building and the closure of TASSS as its preferred option”. The Report in question expressly associated the possible closure of TASSS with the following comment:

The re-purposing, *contingent upon feasibility*, of the Thomas A. Stewart Secondary School site to house our Board’s Education Centre...” [emphasis added]

In other words, Administration's "recommended" closure of TASSS was expressly made contingent upon the feasibility of relocating the Board's existing Education Centre into the TASSS facility.

Importantly, the next "alternative" recommendation set out in the Administration Report was as follows:

Closure of Peterborough Collegiate and Vocational School, with dispersal of students...

In other words, the same document relied upon by the Petitioners to support their claim regarding the "recommended" closure of TASSS told them a) that this "recommended" alternative was "contingent upon feasibility" and b) that the next "recommended" alternative was closure of PCVS. This alternative recommendation was ultimately adopted in the sense of a re-assignment of the existing PCVS students to other facilities and a re-use of the PCVS as a combined education/community use centre. The important fact is that the identification of the possible "closure" of PCVS at this stage as an alternative outcome distinguishes this case from that involving other boards that have been the subject of Ministerial Review.

Immediately following the *public* delivery of the June 23 Administration Report to the Board, a feasibility study was commissioned to determine whether or not the closure of TASSS as a school and its conversion into an Education Centre was feasible.

The Board met on August 25, 2011. At this time, the Administration's preferred option was still to consolidate TASSS. On that occasion, there were nevertheless delegations to the Board (2 announced and 2 unannounced) in support of keeping PCVS open, involving three of the six signatories to the letter requesting the current Ministerial Review. This demonstrates that concerned supporters of PCVS (and specifically those requesting the Review in this case) remained well aware of the potential for the closure of PCVS as of August 25, 2011.

The Feasibility Report was received on or about September 16, 2011 and was posted on the Board's website at that time. It stated that the "probable cost" of the project would be in excess of \$20 million.

On the same day, the Board issued a press release (also posted on the Board's website) that included the following statements from the Director of Education and the Chair:

Depending on final design, the initial feasibility report from ZAS has concluded that potential costs for relocating the Education Centre at a minimum of \$10M. In light of these potential costs,... Board administration can no longer support the viability of a relocation of the board office to the Thomas A. Stewart school site....

"We moved forward with the concept of relocating the Education Centre as a way in which we could find a 'win-win' scenario for both the board and our school communities," says Rusty Hick, Director of Education. "While we believe that, through working with our architects it may be possible to lower the cost of any possible move from this initial amount we don't think, at the end of the day, that we could reduce it to a point where it is economically viable for the Board's consideration."

This transparent identification of the factors involved in the decision-making process again distinguishes this case from previous reviews involving other boards.

From the outset of the Peterborough ARC process, the publicly available “Critical Path” identified September 29, 2011 as the date upon which the “final decision” of the Board would be made. The “PCVS Community” very clearly recognized the implications of the Feasibility Study and the subsequent press release – 21 of 33 delegations made to the Board at its September 29, 2011 meeting were made by supporters of PCVS. The Petitioners cannot, with great respect, claim that the abandonment by Administration of the “recommended alternative” (closure of TASSS) and the adoption by the Board of the next alternative (closure of PCVS) on September 29, 2011 came as a surprise.

As stated, the Guideline did not regulate these steps in the process. But in any event, and as compared to cases involving other boards, the public was aware of what it needed to know in order to mobilize itself in connection with the decision it seeks to challenge.

As a final point, it is to be noted that PCVS is not being “closed” as an academic institution. The secondary school programme currently in place at PCVS will be re-distributed across the remaining three schools in the Peterborough community. The PCVS building will continue to be used as an alternative education setting. Students aged 16 – 21 as well as adults will be able to access various credit and non-credit programs at the site.

The Board takes its role as community partner seriously, and feels that the PCVS school site lends itself well to use as a centre for alternative student programs. Interest has also been expressed by several different community services in being housed there. This would enhance further the maintenance of a strong, viable educational and community service presence in downtown Peterborough.

(d) Failure to Consider Community Value and Other Government Initiatives:

Once again, the Petitioners rely upon general statements made in the “purpose” section of the Guideline. The Board has understood that the Ministry has addressed the general “purposes” articulated in these introductory paragraphs through the more specific sections that follow which, to our understanding, adequately “operationalize” these general purposes. If we are incorrect in this understanding of the structure of the Guideline, (i.e., if the Ministry requires compliance with every line of the general purposes set out at the beginning of the Guideline), we would be grateful for the Ministry’s guidance in that regard.

Having said that, the Complaint reflects a fundamental disagreement between the understandable perspective of the Petitioners and that of the Board regarding the notion of “community” as it relates to the directions in the Guideline regarding “impact on the community”. Whereas the Petitioners regard the “community” affected as “the downtown core”, the Board perceives the issues confronting the Peterborough ARC to have related to the broader community of the City of Peterborough as a whole.

This is not a case where a single school in an isolated village is considered for closure. In such a case, the impact of closure on such a community can be much greater than where more than one school exists. In the case at hand, residents of the City of

Peterborough will still be left with three outstanding secondary schools, ranging in distance between 2.8 and 4.4 km from PCVS.

Mobility of secondary students across the City of Peterborough is an established fact. Indeed, the “signature” specialized arts programme at PCVS draws students from across the City and County of Peterborough. There is no credible suggestion that the “closure” of PCVS will lead to Peterborough becoming a “ghost town” or that the downtown core will be “hollowed out” as a result of the Board’s decision. Indeed, while the “closure” of PCVS will obviously disappoint those who feel an allegiance to it, the closure of any one of the three schools and the resulting consolidation (and improvement) of programme in the three remaining schools will, if anything, be likely to enhance Peterborough’s overall attractiveness as “a community”. This concept of the City of Peterborough as one community in terms of economics was discussed at various times within the Peterborough ARC.

And once again, we emphasize that PCVS will not be “closed” as a school. Rather, it will serve different yet critically important student demographic groups – adult learners and students aged 16 to 21 in need of alternative programs – as well as many other important community groups. To the extent that the “local economy” of the “downtown core” is a material consideration, PCVS will continue to attract and serve members of the community.

Peterborough is one of many dozens of “communities” served by the Board. Absent clearer direction in the Guideline, the Board does not, in this context, consider it appropriate to distinguish between “sub-communities” within a few kilometres of one another. The economy of Peterborough will not, in the Board’s respectful view, suffer by virtue of the closure of PCVS. Rather, the consolidation of schools and the resulting improvement in programme coupled with the more efficient use of financial and other resources will be a benefit to that community. The Board’s decision was based upon its perception of the optimal value to the “community” of Peterborough.

Viewed in this way, the focus of the Policy and the Peterborough ARC on the “value” of the four schools to the “community” of Peterborough *as a whole* was entirely appropriate. The consideration of “value to the community” was the central focus of everything the Peterborough ARC did. Any failure of the Board’s Policy or the implementation thereof by the Peterborough ARC to “sub-divide” the City of Peterborough was not, in our respectful submission, inconsistent with the Guideline.

The sole “government initiative aimed at strengthening communities” that the Petitioners claim was improperly overlooked is the *Places to Grow Act, 2005*.

The Act’s preamble expressly mandates “making efficient use of existing infrastructure” so as to “enable planning for growth in a manner that reflects a broad geographical perspective and is integrated across...municipal boundaries”. While not directly applicable in our context, these words suggest a broader approach to planning than an exclusive focus upon any given “downtown core”.

The Board disagrees that “cursory mention” was given to the Greater Golden Horseshoe Growth Plan. In fact, the Peterborough ARC was addressed in its first meeting by Norman Breitner, the Board’s Manager of Planning Services. He spoke to them about the Growth Plan for the Greater Golden Horseshoe in relation to the City of

Peterborough. This Plan requires intensification of residential units and the provision of jobs across the entire Peterborough community through the use of Greenfield intensification targets, intensification corridors, Brownfield redevelopment, infill, downtown revitalization, higher order major transit stations and the creation of urban growth centres. The Plan emphasizes the creation of “complete communities” which extends the Plan’s application to the entire City of Peterborough rather than focusing solely on the urban growth centre in the downtown area.

Once again, we emphasize that PCVS will not be “closed” as a school. Rather, it will serve a different yet critically important student demographic group – adult learners – as well as many other important community groups. It will not be “the same” school that it was before. Fundamentally, this is the Petitioners’ concern. This fact is not inconsistent with the *Places to Grow Act, 2005*.

The Board’s decision to consolidate four secondary schools into three and to re-use the PCVS building conforms to the many requirements of the Plan when the Plan is looked at in its entirety. The Board’s decision is a balanced approach that supports building a complete community and addresses other Growth Plan objectives of providing a competitive economy, optimizing the use of existing infrastructure while providing a different approach to managing growth that recognizes the diversity of communities.

Although the Board’s Policy has been publicly available for years, no issue was taken with any suggested deficiency of the Policy in connection with this issue (or with the Peterborough ARC’s method of addressing it) until after the decision to “close” PCVS was made.

(e) Failure to Inform ARC Committee of Meeting Prerogatives:

The Board’s Policy satisfies the minimum requirements of the Guideline. Its experience with accommodation reviews is that they are painful, draining processes that divide elements of a community that would typically work cooperatively together. Whether or not “Board members” acknowledged the “inappropriateness” of this decision, at an ARC meeting or elsewhere, it is a decision of the Board – certainly not the only one with respect to which individual trustees may disagree. The Board has not “deemed” this process (either abstractly or in this particular case) to be “flawed”.

The ability of the Board to extend timelines is, with great respect, entirely irrelevant to the question of the number of ARC meetings to be held. For example, an ability to extend the deadline for the submission of a Report from the Director does not mean that the Report can be dispensed with or written by a trustee designated by the Director.

The number of ARC meetings is fixed by Board Policy. Had additional meetings been held in this case, other members of the Peterborough community could quite properly complain that the Board was *not* following its policy. Thus, for example, had a fifth Peterborough ARC meeting been held that resulted in a recommendation for the closure of PCVS as the primary option, one might well have anticipated and understood if the current Petitioners had protested that outcome as being inconsistent with Board Policy.

The Policy’s insistence on four meetings has been evident for years. The Critical Path for the Peterborough ARC was publicized at the outset of the process. No issue was taken at that time with either the Policy or the Critical Path in this regard.

(f) Failure to Consider Partnerships:

The particular passage from the Guideline relied upon by the Petitioners is incompletely cited. The passage concerning “opportunities for partnerships with other public school boards and appropriate public organizations” is made in the context of the Ministry’s expressed expectations regarding *long-term enrolment and capital planning*. It is not a stated expectation that each and every accommodation review must incorporate an independent analysis of such partnerships. If this is indeed the Ministry’s expectation, we would be grateful for clarification on this point.

In this context, the Board observes that it has been in consistent contact over the past several years with the Peterborough Victoria Northumberland and Clarington Catholic District School Board, Sir Sandford Fleming College and Trent University. Consistent with the Guideline, the Board’s long-term planning has taken partnership possibilities into account. The Guideline requires nothing more than that.

In any event, the Petitioners’ claim that the Director simply said at the September 29, 2011 Board meeting that “no one from Trent had contacted him” is inaccurate. Board Minutes of that meeting reflect the following:

It was noted that administration has held informal conversations with President Franklin of Trent University. The President confirmed that Trent is not looking for a large site, but may look at joint usage arrangements. It was noted that the President was not specific as to whether this might be a downtown facility or not.

The Director of Education also explored the needs of other institutions in the context of the Peterborough ARC. Sir Sandford Fleming College is in the process of building new facilities of its own and, with particular regard to PCVS, is leaving space it currently occupies in the downtown core in order to make use of these facilities. The Catholic Board has indicated that its needs are satisfactorily met by its current Peterborough high schools.

In addition to the foregoing, Administration considered partnership with the Ontario Science Centre in connection with the contemplated move of the Education Centre to TASSS. As stated above, this entire project was ultimately found to be unviable.

The Administration erred technically in not advising the ARC “at the beginning” of the Review Process about the lack of partnership opportunities. However, this information was clear to the ARC (and the Board) by the time decisions had to be made.

(g) Failure to Complete School Information Profiles:

The Petitioners’ comments in this area address two issues. One concerns the format in which issues concerning the “value” of a school, considered from various perspectives, are addressed. Specifically, is it permissible for a Board or an ARC to consolidate the “value to the community” and “value to the local economy” components of a School Information Profile (SIP) into a combined consideration. The Board maintains that the Guidelines are not nearly so prescriptive as that, and are satisfied if the SIPs employed by an ARC are sufficient to achieve their intended purpose. If the Ministry intends the Guidelines to be applied so rigidly, we would be grateful to receive that direction. It is to

be noted that the expressly intended primary focus of the SIP, namely “value to the student”, was not impaired by the format used by the Peterborough ARC.

The second issue again reflects a disagreement with the Board regarding the breadth of the “community” in question. Obviously, if one interprets the word “community” in an increasingly narrow sense, it is always possible to describe a particular secondary school as “the only school within the community”, unless it is across the street from another secondary school. This cannot be the intent of the Guideline since, by this test, every ARC would have to consider every school as “the only school in the community”.

The Board has interpreted the term “community” more broadly. By the Board’s interpretation, there are presently four secondary schools in the Peterborough community. Consequently, the Guideline’s suggestions regarding impact assessments for “single school communities” were inapplicable in the context of the Peterborough ARC. If the Ministry intends the “single school” consideration to be applied in the manner suggested by the Petitioners, we would be grateful for that direction.

Even if “community” is interpreted narrowly, the anticipated “closure” of PCVS is, in the Board’s estimation, unlikely to cause “downtown core” residents to move 3 km simply to be closer to one of the remaining three schools. Apart from money spent by students and staff at lunch, the financial impact on the downtown core will be non-existent, as will the impact on the economy of the “community” of Peterborough as a whole. And as stated, the re-use of PCVS (adult education/community use centre) will substantially mitigate the effects of the relocation of the existing student body on the “local economy” of the “downtown core”, assuming that is a consideration relevant to the Guideline.

The Petitioners now take issue with the fact that two of the categories “suggested” by the Guideline were collapsed into one and that disproportionate weight was allegedly given to the value to certain factors, allegedly diminishing emphasis on the “local economy”. Four of the signatories to the letter requesting the Review were members of the Peterborough ARC. One such member was the representative for local business. As evidenced by the minutes of the meeting, no one took issue with the final format of the SIP used in this case at any point prior to the Board’s decision on September 29, 2011. This is despite the express, repeated invitation by the ARC Chair at the first meeting of February 3, 2011 to members of the ARC to suggest desired modifications to the SIP format they would be using.

In response to the concern expressed now, the Board first regards some of the community/economic concepts included in the Guideline to be inapplicable to a situation involving four secondary schools located within 4 km of one another, all within the same urban setting. Second, the combination of considerations is precisely the type of modification and local adaptation that the Guideline contemplates.

Third, the Board received, both from the ARC and through individual deputations, a clear understanding of the perceived impact of closures on “the local economy” surrounding the four schools in question. The Petitioners have not identified any relevant information that was left undisclosed by the combined use of the SIPs and the availability of public consultations. The conclusion to be drawn is that the ARC process did what the Guidelines required of it.

Finally, the SIP also stated expressly that it was open to the Peterborough ARC to customize the form of the SIP to better reflect the community schools being reviewed so long as the same customized profile was applied to each school being considered in the review. Discussion of the SIP took place and the final format was accepted by the committee members. At no time was the supposed “deficiency” in the SIP raised before the Peterborough ARC for consideration.

(h) Failure to Properly Define “Groups” for Community Consultation:

The concern expressed in the email in question was in connection with an insensitive remark about the PCVS community interest made during a deputation of parents by a parent who is an elementary teacher in the Board and whose husband is employed at one of the other Peterborough high schools. This prompted an inquiry from the Chair of the PCVS School Council. The Board acknowledges that the content and tone of Mr. Blair’s email regarding staff participation was poorly expressed. It should, at the same time, be recognized that the email in question was sent to a member of a School Council, not to school staff.

It is to be noted more importantly that the concern expressed by the Petitioners in this connection has nothing to do with the Board’s Policy or any asserted inconsistency between that Policy and the Guideline.

2. Board Policy – Preamble:

Any attempt to reduce complex questions within a school board regarding the optimal use of resources (of all kinds) to a simple mathematical equation involving “capacity” and FTEs is, with great respect, a colossal oversimplification. Indeed, the Petitioners’ quote from the Preamble is quite incomplete, leaving out many other listed factors, completely obscuring the complexity of the task at hand as well as the particular drawbacks associated with the PCVS site that were well-understood by all involved. This particular complaint relates simply to the perceived wisdom of the Board’s decision and has nothing to do with “failing to follow” the Policy in some particular way.

3. Board Policy – Sections 5.2.1, 5.2.2 and 5.2.4:

At the first meeting of the Peterborough ARC on February 3, 2011, “Data Collection Reports” were given to ARC members that provided substantial amounts of information regarding each of the four schools under consideration.

Over time, School Information Profiles (SIPs) were developed to capture additional information contemplated by the Guideline and the Policy. The Guideline makes it clear that the SIPs provided to an ARC by a board are effectively starting points rather than finished products. A SIP is a work in progress. An ARC is expected to discuss, consult on, *modify* and finalize SIPs. A specific invitation to this effect was extended to members of the Peterborough ARC by the Chair at the first meeting on February 3, 2011. The Chair also stated:

The Valuation Framework Document will be up-dated at each meeting. Comments and notes will be collated and forwarded electronically to Committee members following each meeting for the Committee’s review prior to the next meeting.

This step was called for by Section 1.3 of the Administrative Regulation supporting the Policy, which states:

The Accommodation Review Committee members meet to review the data report and customize the Board's Generic School Information Profile if required.

In every case, the SIPs used by the Peterborough ARC were remitted to the schools and school councils for input. There were, as well, six members of the Peterborough ARC who were specifically associated with PCVS and were in a position to provide knowledgeable input about PCVS to the Committee.

As stated, during the ARC process the SIPs were referred back to the four schools in issue for comment and contribution. The fact that the PCVS SIP did not contain information on two topics is reflective of the response received by the ARC to its request for information from the school, its school council and its representatives.

It is noteworthy as well that, however well or poorly the PCVS SIP was completed, the Peterborough ARC did not recommend closure of PCVS, nor of any school. The decision to re-use PCVS was made by the Board based on the recommendation of Senior Administration following the Feasibility Study. By the time it made its decision, the Board had heard over twenty-five deputations, both scheduled and unscheduled, from persons opposing the closure of PCVS. If there were any considerations supporting the maintenance of PCVS in its present form that were not brought to the attention of the Board, they have not been identified by the Petitioners.

The Board disagrees with the allegation that the SIPs were “effectively abandoned” and with the suggestion that they were not considered by the members of the Peterborough ARC. The fact that they were “not substantially completed” until the third ARC meeting on April 7, 2011 means that they were available for consideration by the members of the Peterborough ARC and the public for a period of more than a month prior to the last scheduled meeting of May 12, 2011. These documents are neither technical nor complex, and their contents could have been easily understood in the allotted time.

There is no obligation in the Board Policy that their specific contents be individually discussed in public meetings. They are resource documents. Having said that, the Board categorically denies that claim that the SIPs were not discussed in meetings of the Peterborough ARC.

None of the four signatories to the letter to the Minister requesting a review who were members of the Peterborough ARC took issue with the final condition of the SIPs prior to the Board's decision on September 29, 2011. It is to be noted that two signatories of the letter to the Minister requesting a Review were members of the PCVS School Council, which was specifically asked to comment on and contribute to the PCVS SIP. Moreover, those two signatories were also members of the Peterborough ARC. The content of the PCVS SIP was very much within their control.

The content and use of the SIPs by the Peterborough ARC was entirely consistent with Board Policy.

4. Board Policy – Section 5.2.5:

The Board acknowledges that the identity of the person charged with the responsibility of delivering the Report of the Peterborough ARC was not determined by the ARC. The process in this case was based upon past practice (never before objected to). The Petitioners' statement that "there was no *permitted* discussion" regarding this matter at the last meeting of the ARC suggests that attempts were made to discuss the matter but were somehow "not permitted". This is not the case. The matter was simply one of oversight, perhaps reflecting the relative importance of the issue to the ARC compared to the other matters before it.

5. Board Policy – Section 5.4.1:

The Board denies that its Senior Administration disregarded their obligations to facilitate the work of the ARC. The Board denies that Senior Administration impeded the work of the Peterborough ARC. The Board denies that Senior Administration consistently failed to deliver requested information in a timely manner. The Board denies that no effort was made by Senior Administration to provide updated or current information.

An accommodation review process places extraordinary demands upon members of the school administration over and above those required of them simply to ensure the day to day running of the system and to attend to other emergent situations. The Petitioners' list of complaints identifies the breadth of the demands placed, often with little or no notice, upon Senior Administration. Many of these requests were completely unanticipated and many of them required highly involved analyses of matters and comparisons that had not been previously undertaken.

With particular reference to the Facility Condition Index, it was explained to ARC members that these figures were generated by a Ministry audit conducted in 2003 and was no longer current. However the ARC was provided with updated information regarding facility conditions to the extent possible.

Contrary to the allegation of the Petitioners, the Peterborough ARC had at all times opportunities to discuss and analyze the information provided. It was expected that ARC members would review the information on their own in advance of the meetings held. ARC meetings were not time-limited.

In all cases, Senior Administration made its best efforts to facilitate the work of the Peterborough ARC and provided all requested information as soon as it became available. Their support of the Peterborough ARC was entirely consistent with Board Policy.

6. Board Policy – Section 5.5.1:

As stated above, Board Policy is compliant with the Guideline. The question at this stage is whether the ARC followed Board Policy. Clearly, it did.

The Petitioners' suggestion regarding possible "non-public meetings" of the Peterborough ARC does not address sections 207(1) and 207(2)(c) of the *Education Act*, which state in part:

207(1) The meetings of a board and, subject to subsection (2), meetings of a committee of the board, including a committee of the whole board, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.

(2) A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves,...(c) the acquisition or disposal of a school site;...

It is not at all clear that “non-public” meetings of an ARC are even permitted by the exempting language of section 207(2)(c). The Board would welcome the Ministry’s guidance on this important issue.

In any event, had such “non-public meetings” been held in this case, this might well have been criticized (by the Petitioners or by others) as reflecting a lack of transparency as contemplated by section 207 and a failure to provide for the “full involvement of an informed community”, a passage in the Guideline relied upon elsewhere by the Petitioners. More concretely, Section 5.2.2 of the Board’s own Policy states unequivocally that “All meetings of the Committee shall be open to the public”. The Petitioners are, in this instance, criticizing the Board for following its Policy, not for violating it.

The Board’s Policy states clearly that there are to be a maximum of four “public” meetings. This may well be different from the situation in Barrie, referred to by the Petitioners. That is a matter for local board determination.

The Peterborough ARC held four public meetings. This was not the misinterpretation of a statute or a Ministry Guideline. This was an interpretation of a “domestic” document (i.e., a Board Policy) by the Peterborough ARC that conformed precisely to the manner intended by the Board, for reasons noted above. Had the Peterborough ARC held five or six or seven meetings, it once again could have been rightfully accused (by the Petitioners or others) of having acted inconsistently with Board Policy. If the Ministry has suggestions as to the wording the Board has used to express its intentions, we would welcome them.

Once again, a dispute arises between the Board and the Petitioners on a matter of interpretation, in this case concerning the word “recess”. In point of fact, the Chair of the Peterborough ARC did agree, as a point of order, to permit a motion to be made to “recess” the last ARC meeting on May 12, 2011 to be reconvened at the same location the following afternoon. This was designed, given the late hour, to allow students and working persons a chance to get some sleep, to attend to their duties of the following day and resume to the discussion precisely where it left off the night before. This suggestion was not adopted.

The motion that was ruled out of order was a motion to reconvene the ARC five days later. This was viewed as, in effect, an attempt to create a fifth meeting of the ARC, in violation of both the Policy and the critical path established by the Board for the ARC. As stated above, this attempt to establish a fifth meeting of an ARC could not be “saved” by reference to a provision in the Board’s Rules allowing for the extension of time limits. The Petitioners’ suggestion would have generated more procedural, practical and legal difficulties than it would have solved.

As stated, the Board’s Policy was followed in this regard.

7. Board Policy – Section 5.5.3:

Section 1.7 of the Administrative Regulation states:

The committee prepares an Accommodation Report which is presented to the public *at the fourth public meeting*. The committee may alter its report and recommendations based on feedback at this meeting.

The Peterborough ARC Critical Path was approved by the Board at the December 16, 2010 meeting and was distributed at the first meeting of the ARC on February 3, 2011. It stated that the fourth and final meeting of the Peterborough ARC would be held on May 12, 2011. That Critical Path also made it clear that the ARC's Final Report would be posted on the Board's website on May 18, 2011.

Items 6 and 7 on the Agenda for the May 12, 2011 meeting were "Committee Recommendations" and "Adoption of the Final Report". Posted at the same time as the Agenda was a template for the Final Report, called a "Conceptual Framework for ARC Report". This template clearly set out spaces for recommendations to be completed by the Peterborough ARC.

Although it was not referred to expressly as an "information meeting", the Board perceived that the fourth meeting of the Peterborough ARC would, consistent with the Administrative Regulation, be used to satisfy the requirements of Section 5.5.3 of its Policy. In retrospect, its communication of this understanding was unclear. However, the public was undeniably aware that the May 12 meeting would be its last opportunity for comment on the ARC process prior to the issuance of the ARC's Final Report. There were, in point of fact, extensive representations at this meeting by members of the public.

No member of the public and no member of the Peterborough ARC took issue with any alleged failure to follow Section 5.5.3 of the Policy at the time or, indeed, when the Critical Path was posted at the outset of the process. No member of the public and no member of the Peterborough ARC took issue with any alleged failure to follow Section 5.5.3 of the Policy until after the Board announced its decision to "close" PCVS on September 29, 2011. Similarly, no member of the public took issue with any alleged failure to follow Section 5.5.3 of the Policy when the Board announced its decision to close TASSS subject to a feasibility study on June 23, 2011. The first complaints regarding Section 5.5.3 have appeared within the letter requesting a Ministerial Review.

The Board submits that there was effective compliance with Section 5.5.3.

8. Board Policy – Section 5.5.4:

The public received in excess of fourteen days' notice of the May 12, 2011 meeting.

9. Board Policy – Section 5.6:

The Board disagrees that the consensus model for decision making was ignored at the final meeting of the Peterborough ARC on May 12, 2011.

The statement that the ARC members were "given less than three (3) hours" to reach consensus suggests that more time was necessary. As stated, the 34 members of the ARC

were invited by the Chair to consider recessing the May 12 meeting until the following afternoon. This option was not pursued. The fact that, *on average*, Committee members may have received “approximately five (5) minutes each” does not, of itself, demonstrate that many or any members felt the need for additional time to express their views. In point of fact, no ARC member was restricted in the time they were given to speak to the issue – put bluntly, no ARC member was told that “their time was up”.

The Policy expressly does not anticipate “consensus” approaching unanimity. Consensus for the purposes of the Policy reflects a process more than a percentage. Section 5.6 states:

Unanimity is not the goal but rather the opportunity for each committee member to have had the opportunity to express their opinion, be listened to and accept a group decision based on its logic and feasibility considering all relevant factors.

As stated, no ARC member was told their time was up. All had the opportunity to accept the final Recommendation (i.e., the consolidation of four school programmes into three, without identification of the school to be closed) based on the logic and feasibility thereof. The “consensus” process as contemplated by the Policy was followed.

Section 5.6 of the Policy obviously anticipates that achievement of consensus, even by this broad definition, may not be possible. It states:

When an Accommodation Review Committee is unable to reach consensus on recommendations to be made to the Board, the issues, concerns and factors contributing to the impasse will be noted in the final report to the Board.

Given a committee of 34 members, the expectation of “consensus” on an issue as divisive as school closures may be somewhat ambitious. And it is of course always possible to argue that “more discussion” would have led to “true consensus”. Having said that, the fact (according to the Petitioners) that approximately 2/3 of the members of the Peterborough ARC affirmatively supported the final recommendation with only 5 members expressing dissent is indicative of a meaningful consensus, defined in most dictionaries as “a general agreement”.

It is significant that the Petitioners do not suggest what the outcome of the process would have been (or how it would have been different) had a further, undefined period of discussion been undertaken.

The Petitioners observe that the three “independent” members of the ARC are among the five signatories of the minority report. While the Board would be slow to distinguish amongst ARC members, and while the contributions of these three members were unquestionably of great value, the results of the vote suggest a relatively high degree of acceptance of the Recommendations by those members of the ARC who were more immediately associated with the schools in question.

The Board does not accept that, as a matter of fact, the motion for a vote “was imposed”, nor does it accept as a matter of fact that any motion was “proposed by the Peterborough ARC Chair”, if by that it is meant that the Chair formally moved that a vote be taken. As the meeting in question wore on, members began to ask how the deliberations might be concluded. The Chair facilitated this discussion by offering the alternative of a vote. This process appeared generally agreeable and so was undertaken.

Even had the Chair “proposed” that a vote be taken, the Board disagrees that, as a matter of procedure, this would have been “an unusual breach of protocol”, or indeed any kind of “breach of protocol”. No authority is cited in support of this statement. According to the Board’s general procedural rules, a Chair is permitted to speak to and vote on motions. Nothing prohibits a Chair from asking a committee to entertain a motion. ARCs are large, unusual committees, often made up almost entirely of persons unfamiliar with conducting business through a meeting mechanism. The Board does not accept that any guidance given to the Peterborough ARC in this regard by its Chair was untoward, let alone a “breach of protocol”.

The Board agrees that the Report of the Peterborough ARC did not refer to the issues, concerns and factors that contributed to the impasse between the authors of the “minority report” and the rest of the Peterborough ARC. This was only required in the event of a lack of consensus. As stated, consensus was achieved – unanimity was not required. The Chair of the Committee concluded that “consensus” for the purposes of the Policy was evident. The Board agrees.

This is a matter of the interpretation of the Board’s own Policy. The Board maintains that there was no violation of its Policy in this regard.

It is also worth noting that the “minority report” was provided to all trustees in their information package for the May 26, 2011 Board Meeting at which the Report of the Peterborough ARC was received. In addition, two of the signatories of the minority report, Eileen Madder (Community Representative on the Peterborough ARC) and Keith Riel (Municipal Representative on the Peterborough ARC) both presented as unannounced delegations at the May 26 Board meeting where they outlined their concerns. The Board was well aware of the minority concerns.

10. Board Policy – Section 5.7:

The Petitioners complain that the Chair of the Peterborough ARC was not selected by the vote of the members, but rather was appointed by the Board. ARCs are ad hoc committees. Consequently their “terms and conditions [and] composition” are determined under Section 2.1.1 of Board Policy B-2.2 – Annual Meetings and Committees of the Board, which states:

2.1.1 Ad Hoc Committees

The Board may designate an ad hoc committee to consider a specific issue. The terms and conditions, composition, and timelines shall be approved by the Board. When the final report of such a committee has been submitted to the Board the committee will normally be dissolved.

Nowhere in the Board’s Policies is it stated that the Chair of an ARC (or any other ad hoc Board committee) is to be selected by the members of the committee itself. The role of Chair of a 34-member committee dealing with issues as sensitive and diverse as those confronting the Peterborough ARC demands both experience and familiarity with the *Education Act*. The Board was acting consistently with its Policies in appointing the Chair of the Peterborough ARC and consistently with its past practice in appointing a supervisory officer to that role.

The Board disagrees that the vote held at the end of the May 12 meeting of the Peterborough ARC was held pursuant to “a motion proposed by” the ARC Chair. The Board disagrees with the comment that this step effectively prevented the opportunity for a consensus to be achieved. Consensus was achieved on the final Recommendations. If this is disputed, the Board disagrees with the suggestion that consensus of some other content might have been achieved within the Peterborough ARC. It is, with great respect, difficult to understand how the Ministry can place itself in a position to verify whether or not the Petitioners’ allegation in this regard is accurate.

We have already responded to what the Petitioners refer to as a “motion to recess”, which was regarded by the Chair as an improper motion to hold a fifth ARC meeting. The Board denies that the Director did anything to create a legitimate perception of inappropriate influence, recognizing that the Director commonly acts as a resource to the Board on both substantive and procedural matters.

These complaints, in any event do not relate to the Board’s Accommodation Review Policy or to any claim that *that* Policy was not followed. Similarly, they do not relate to an alleged failure to follow “the procedures outlined in the administrative regulations supporting” the Policy. All of these complaints concern “pure” procedural/governance matters that are covered in other policies of the Board. Accordingly, they would not fall within the scope of the particular Ministerial Review requested in this case.

11. Board Policy – Section 8.4:

In December 2010, the Board established a website section dedicated to the Peterborough ARC process - <http://www.kprdsb.ca/Spotlight/spotlight7.html> - that was linked from the front page of the Board website. This area included Board reports, current board policies, presentations, minutes and information related to the ARC process. The Board acknowledges that another, general area of its website for school reviews incorrectly linked to the 2006 version of the Ministry of Education Guideline.

12. Board Policy – Section 8.5:

It is to be noted that this portion of the Board’s Policy obviously relates to the following statement found on page 4 of the 2009 Guideline:

The Ministry recommends that, wherever possible, schools should only be subject to an accommodation review once in a five-year period, unless there are *exceptional* circumstances. [emphasis added]

Without minimizing its importance, and while it is obviously impossible to predict the future, it is not suggested that any “exceptional circumstances” are apparent on the face of the accommodation review conducted by the Peterborough ARC that would justify, *at this moment*, departure from the presumptive five-year rule. The Director’s statement that Administration does not presently anticipate any further review of these schools was entirely consistent with the Board Policy. The Board denies that the Director’s responses to inquiries caused any confusion, as alleged. In any event, even if true, this would not constitute a “failure of the Board to follow its Accommodation Review Policy” that would be of any relevance to a Ministry Review.

Petitioners' Summary and Request for Independent Facilitator:

The Petitioners maintain that the ARC process is designed to provide a “community solution” to a pupil accommodation issue. With the greatest respect, this is incorrect. Any ARC is local in nature, whether it involves one school in an isolated rural community or four schools in the same urban community. By contrast, school boards are not “local”. They must balance the interests of communities spread across an enormous geographic/demographic area. An ARC is designed to generate community *input* in the form of recommendations to the board that created it. The “solution” is for the board to determine, bearing in mind the best interests of all of the students for which it is responsible.

The Board’s Policy provides for substantial community input. This potential was amply realized in the case at hand. Rather than having “private” meetings as the Petitioners advocate, everything was done transparently. Indeed, it is only by virtue of this very transparency that the Petitioners are able to know what occurred and how to frame their complaints. The refusal of the Administration to “target” a specific school by calling it an “option” avoided to the extent possible the “pitting” of one school against another. This allowed the ARC, if it was able to do so, to identify a school for closure. The ARC chose not to do this, leaving the matter in the hands of the Board.

Members of the Peterborough community, including the Petitioners, had the information available to them to understand the “change” in school closure recommendations well in advance of the September 29 meeting. This information was available in the same location where all other information concerning the Peterborough ARC was publicly maintained – in a dedicated section accessed from the front page of the Board’s website. If members of the community were not aware of that information at the time, we trust that this document will assist them in understanding more clearly the sequence of events and the reasons involved in the Board’s final decision.

The process has not “been publicly criticized by the Board itself”, as the Petitioners allege. In assessing this claim, one must bear in mind section 218.4(e) of the *Education Act*, which states that the chair of a board shall:

“... act as spokesperson to the public on behalf of the board, unless otherwise determined by the board”;

The Petitioners allege that Ms. Lloyd, the Chair of the Board, stated that the Board’s “ARC policy was flawed” and that “the Board would never use it again”. It is alleged that she later reiterated this opinion on local television, again repeating the term “flawed”.

A review of the audio tape of the May 26, 2011 Board meeting discloses that Ms. Lloyd had this to say:

“I think we’ve heard very loud and clear that the policy needs to be looked at and I am sure that we will be doing that.”

A review of the television tapes of which the Board is aware do not confirm the Petitioners’ allegation. The word “flawed” is clearly used in a question posed by the television reporter. It is not used by the Chair. The Chair in that interview said, “We regret that there were these hurdles in the committee for these people who gave of their time to come out and help us with this.”

The Board does not equate the potential for improvement with being “flawed”. Nor does the fact that the Board wishes to improve its Policy or demonstrate empathy for persons who found the process difficult amount to a concession that the process suffered from material “shortcomings”.

As set out above, the vast majority of complaints set out in the Petitioners’ request relate to differing interpretations of provisions of the Guidelines and the Policy and/or differing perceptions of events. The disappointment of members of the Peterborough community who support the retention of PCVS in its present form is understandable. That disappointment, and the differences in perceptions that can be caused by that disappointment, do not warrant a formal Ministerial Review of the work of the Peterborough ARC.

Concluding Remarks

Accommodation reviews of any kind are enormously challenging. This is particularly so when the board in question is facing declining enrolment and the potential closure of schools. The accommodation review process has evolved over time and across the province, and we have revised our Policy accordingly. Here in Kawartha Pine Ridge District School Board, as in most other boards across our province, we are faced with a huge demographic challenge and in the face of that are doing our utmost to respond in ways that support quality programming for students. Most fundamentally, that is what the Peterborough ARC was all about – consolidating schools and student bodies to offer as much programming flexibility as possible in facilities presently capable of delivering those programmes.

We continue to act with transparency and accountability, as evidenced throughout this extensive process by the number of public delegations and the extensive information provided. With an excess capacity of over 1,000 student spaces, expected to grow to an excess capacity of over 1,700 spaces in a few years, the negative impact on the availability of programming to secondary students in the City of Peterborough requires serious action. By taking the necessary action, the Board was well aware that upset and dissatisfaction for some people would result, but it did so knowing it was acting in the overall best interests of students of the Board, now and into the future. The Board feels strongly that it has followed its Policy. However, should a facilitator be appointed for such a Review, we look forward to discussing the details of the Peterborough ARC process with that person in a positive manner and continue to look forward to resolving the concerns of some members of the community with respect to this matter.

Sincerely,



Diane Lloyd
Chairperson of the Board



W.R. (Rusty) Hick
Director of Education

Copies: Nancy Whynot, Director, Capital Programs Branch, Ministry of Education
Joan Fullerton, Regional Manager, Barrie Regional Office, Ministry of Education
Trustees, Kawartha Pine Ridge District School Board
Shirl Delarue, Petitioner
Margaret Marchen, Petitioner
Andrew Pyle, Petitioner
Jay Amer, Petitioner
Eileen Madder, Petitioner
Michael Saunders, Petitioner