



The Town of Niagara-On-The-Lake

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Report:	CAO-10-007B	Committee Date:	
		Due in Council:	April 06, 2010
Report To:	Lord Mayor and Council		
Subject:	Report by Councillor Gary Zalepa on behalf of the Niagara District Secondary School (NDSS) Strategy Committee April 2010 Petition to Ontario Minister of Education (Revised)		

1. RECOMMENDATION

It is respectfully recommended

- 1.1 that the recommendation contained in report CAO-10-007A be set aside and the report be received;
- 1.2 that the Council of the Corporation of the Town of Niagara-on-the Lake hereby endorses "The Petition to the Province of Ontario Minister of Education in respect of Niagara District Secondary School," dated April 2010."

2. PURPOSE / PROPOSAL

3. BACKGROUND


As members of Council will recall, the NDSS Strategy Committee presented an earlier version of this Petition to the Corporate Services Committee on Monday, March 29, 2010 as directed by Council on February 8, 2010. Committee heard from a number of delegations and in light of comments received, referred the Petition back to the Strategy Committee for refinement.

The proposed recommendation 1.2 is the same as the one presented on March 29, except this one refers to the April 2010 version rather than the March 2010 version of the Petition. As directed, changes have been made to the main document (see attached, which includes the Executive Summary and Petition) and all Appendices remain the same except for the deletion of the contents of Tab #2, Tab #5 and TAB #13 of the March 2010 version. As a result, the Tabs have been renumbered for the draft to the April 6, 2010 Council meeting.

Respectfully submitted,

**Councillor Gary Zalepa Jr.
on behalf of NDSS Strategy Committee**

ATTACHMENTS


CAO Report
10-007A.March
29 2010.pdf



First Capital of Upper Canada - 1792

NOTL Town Letterhead

DRAFT

A PETITION TO THE PROVINCE OF ONTARIO MINISTRY OF EDUCATION

**Requesting the Minister's support for a new right-sized
'Center of Excellence' to replace the loss of the only
secondary school in the rural community of
Niagara-on-the-Lake.**

Submitted to: The Honourable Leona Dombrowsky
Minister of Education

Submitted by: Lord Mayor Gary Burroughs and
Councilor Gary Zalepa, Jr.
On behalf of the Town and Council of the
Municipality of Niagara-on-the-Lake, ON

Dated: TBA

EXECUTIVE SUMMARY

Two Accommodation Reviews of Niagara District Secondary School in Niagara-on-the-Lake, Ontario were conducted 10 years apart by the District School Board of Niagara. This petition outlines the School Board's determination to exact NDSS's closure and the steps it took to pursue its objective despite the community's support for this rural local secondary education facility.

This Petition examines the School Board's decision to ignore the recommendations of the 2007/08 Accommodation Review Committee. It details a critical flaw in the unfolding of this process and details obstacles created by the School Board.

It also examines the policies enacted by the School 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 enrollments and shrinking catchment areas, at the expense of rural schools. Included in this Petition is the question of (a) free courtesy bussing, (b) French language obfuscation and (c) automatic sibling entitlement to alternate home schools without requiring that the siblings enroll in the alternate programs. Combined, these policies have forced the enrollment decline at Niagara District SS and the results have been catastrophic.

Furthermore, financial decisions by the Board to spend money unnecessarily by increasing bus transportation activities will create a much larger carbon footprint and is in stark contrast to the Ministry of Education's objectives. This in turn, will require an increase in the Transportation Grants from the Ministry.

Several opportunities for Ministry of Education funding programs that were available to bring Niagara District SS - the only secondary school in Niagara-on-the-Lake - up to Ministry standards were lost. The Board has diverted funding available from both the Ministry of Education and the Ministry of Agriculture intended for rural schools and applied it elsewhere to satisfy urban school objectives instead.

The Town of Niagara-on-the-Lake and its Community went to unprecedented lengths to work with the School Board to develop additional programs at Niagara District SS. This was the result of considerable effort by individual citizens and private funding to bring about higher learning opportunities for these rural students. All efforts were met with overwhelming barriers from the Board. The Petition describes the Town's many efforts to facilitate such collaborations, but to no avail. The Town Council is also concerned that the *Education Act* does not mandate school boards to collaborate with municipalities.

In the absence of this mandate, the Town and Council of Niagara-on-the-Lake requests that the Minister of Education to counsel the School Board and rectify the freedoms the Board has taken with Ministry policies, directions and guidelines. In order to amend the dereliction of rural secondary schooling, the Town Council requests that the Minister stay the closure of Niagara District SS in support of a joint submission by the Board and Town for approval of the construction of a new environmentally friendly, right-sized, secondary school in the rural community of Niagara-on-the-Lake.

Most importantly it offers a solution that would create a meaningful Board-Municipality relationship.

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A PETITION TO THE PROVINCE OF ONTARIO MINISTER OF EDUCATION

A. INTRODUCTION

Niagara-on-the-Lake is a unique rural community with all public schools meeting the Ministry of Education's requirements to earn a "rural" designation. While the community is aware of the difficult challenges facing all school boards in finding solutions to declining enrollment this Petition will show how the community is also unique in its attempts to work with the District School Board of Niagara in accordance with Provincial policy but with little or no reciprocity.

The Town Council of Niagara-on-the-Lake (Town Council), the Friends of Niagara District Secondary School, the Virgil Business Association, the Niagara-on-the-Lake Chamber of Commerce, the Kinsmen Club of Niagara-on-the-Lake, the International Baccalaureate Programme and International Student Recruitment Committee, the parents and students of Niagara District Secondary School, a majority of the parents, students and alumni of the Niagara-on-the-Lake public school system as well as many other individuals and businesses (the NOTL Community) have been very involved in efforts to keep Niagara District Secondary School open. These members of the NOTL Community and the Town Council are adamantly committed to keeping this rural school and rural community viable and thriving.

While the Town Council and NOTL Community support the plans to consolidate and close three (3) public elementary schools in Niagara-on-the-Lake, the Town Council and NOTL Community emphatically **do not** support the closure of their rural community's only secondary school.

The Town of Niagara-on-the-Lake proposes to accommodate Niagara-on-the-Lake's students in a new local, right-sized and environmentally-friendly Centre of Excellence in Education.

B. BACKGROUND

(i) EARLY HISTORY

Niagara District Secondary School was established in 1954 and is the only secondary school in the rural community of Niagara-on-the-Lake. Over the years, the facility has undergone several additions in order to accommodate up to 1194 students at its peak enrollment in 1969¹. (

In 1945, Virgil Bible School was established in Niagara-on-the-Lake. It was owned and operated by the Ontario Conference of Mennonite Brethren Churches. In 1955, it became

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

Eden Christian College, a private Mennonite religious school for Grades 9 – 12. For Grade 13, the students attended the public Niagara District SS, located about one (1) kilometer away.

In 1987, the public school board was approached to discuss the possibility of the private school joining the public board. As a result of a new agreement with the board its name changed to Eden High and began operating as a “faith-based” alternate school of the District School Board of Niagara (formerly the Lincoln County Board of Education) sharing facilities and school administration with Niagara District SS.

In 1995, as a result of facility issues Eden High was moved to St. Catharines where it shared facilities with three other schools. In 2000, Eden High was moved into Lakeport Secondary School, also in St. Catharines. The School Board did not conduct an Accommodation Review of Eden High in 1995 when the School Board decided to move it into another facility. There is no documentation to explain why Eden High was not moved down the street and into Niagara District SS in 1995². The Niagara District SS facility was more than adequate to support a shared facility partnership with Eden High and both were public secondary schools.

From 1995 through 2008, the School Board provided “free courtesy” bussing for all NOTL students attending Eden High and the school (not the programming) were designated an “alternate program” which guaranteed free bussing. However, “free courtesy bussing” was only provided to Eden High students living in NOTL.

Superintendent Linda Kartasinski explained “free courtesy” bussing to the 2007/08 Accommodation Review Committee:

“When Eden moved from the NOTL area to St. Catharines, there was an agreement with the Eden Advisory Board that transportation would be allowed. Currently, if there is room on the bus, then students in the NOTL area attending Eden receive courtesy bussing. [...] Students in the Jordan and Beamsville area for example pay for transportation to Eden”³

“... there is room on the busses coming from NOTL to St. Catharines, therefore, courtesy bussing is provided for NOTL students attending Eden.”⁴

(ii) 1999 ACCOMMODATION REVIEW

In 1999, Niagara District SS, Lakeport Secondary, Governor Simcoe Secondary and Laura Secord Secondary underwent individual Accommodation Reviews as part of the *North St. Catharines and Niagara-on-the-Lake Secondary School Accommodation Review*. At the time both Lakeport Secondary and Niagara District SS enjoyed an enrollment of over 400 students. However, enrollment was in decline and the Niagara District SS review

² Brenda Stokes Vernon, Board Lawyer, District School Board of Niagara, in a letter to Mr. Paolo Miele re: Freedom of Information Request Eden High School: dated 9 Dec 2008, page 3, paragraph 2

³ District School Board of Niagara, Minutes of Accommodation Review Committee Meeting, 24 Jan 2008: page 8

⁴ District School Board of Niagara, Minutes of Accommodation Review Committee Meeting, 31 Jan 2008: page 4

recommended that 13 classrooms in the Virgil Wing of the facility be "mothballed" and that there be "No major facility renewal for 3 years" at Niagara District SS. (Tab #3)

Eden High was not included in the 1999 Accommodation Review. Notwithstanding the lack of an Accommodation Review of Eden High or the fact the school was not included in any of the other Accommodation Reviews, it was recommended in the Lakeport Secondary review that Eden High be moved to a shared facilities situation with Lakeport Secondary. At that time, it was decided by the review committee that having ~~Having~~ Lakeport Secondary share facilities with a ~~thriving and growing school like~~ Eden High would benefit both schools. However, Lakeport ~~save the declining St. Catharines school.~~ Secondary's enrollment declined and the School Board subsequently approved a five-year phase out of Lakeport Secondary and a scheduled closure in June 2011. At that time, Eden High will be the only tenant in the former Lakeport Secondary School facility.

(iii) 2007/08 ACCOMMODATION REVIEW

The 2007/08 Accommodation Review Committee (ARC) for Niagara District SS was struck as a result of the school's enrollment being below 400 and because the building had become "an aging facility". The voting members of the ARC included the Principals plus a parent representative from each of ~~the~~ NOTL's ~~then~~, six rural schools. The 2007/08 ARC reviewed NOTL's elementary and secondary schools together and at the same time instead of separately. Eden High was not included in the ARC review even though a substantial number of NOTL students choose to attend this alternate program outside of the community.

a) ONE CRITICAL FLAW

The ARC process was independently reviewed and it has been deemed to have been conducted appropriately. However, the Town and the NOTL community has consistently maintained that there was one critical flaw.

For example, throughout the process members of the committee and community were counseled by School Board staff that capital investments and operating costing should not be taken into consideration when making recommendations. Instead, ARC members were encouraged to come up with a solution that fit the needs of the community and of the students. The 2007/08 ARC members agreed to 16 comprehensive recommendations. All the recommendations included a viable and thriving secondary school in NOTL.

As a result of this process, the Town and the NOTL community agreed upon and unanimously supported the ARC recommendation that three community elementary schools and one right-sized secondary school be established in NOTL (Tab #4)

Nevertheless, senior School Board staff developed and recommended one of their own options to Trustees (below), over-riding the ARC Recommendation.

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.

(Tab #5)

As stated, the ARC members were directed by the ARC Chair not to include financial considerations in their recommendations. However, contrary to this instruction, School Board staff gave financial reasons as the basis for their recommendation of closure.

The Town Council and the NOTL Community believe that by not including financial considerations in the ARC discussions was a critical flaw because it excluded discussions on the full spectrum of potential opportunities that might have been acceptable to the community.

For example, a Campus Concept locating elementary and secondary students at one site *might* have been one of the recommendations if presented as the only way to save the secondary school. The 2007/08 ARC members enthusiastically received the Campus Concept. However, parents intent on retaining their elementary schools in various neighbourhoods did not have the option to consider the economics or the ability of the School Board to provide a right-sized secondary school along with three elementary schools neighbourhood school in the NOTL community. (Tab #16)

The Niagara-on-the-Lake Chamber of Commerce survey public opinion in September 2009 and reported that 74% of respondents support of a Campus Concept in NOTL.⁵

⁵Niagara-on-the-Lake Chamber of Commerce, Deputation to District School Board of Niagara, PowerPoint Handouts, 27 Oct. 2009 (Tab #16)

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

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

For more details on the NOTL Community's support for the Campus Concept, see the NOTL Chamber of Commerce PowerPoint to the DSBN, October 27, 2009. (Tab #13)

The District School Board of Niagara Director of Education supports the concept of having elementary and secondary education in one shared space. Director Warren Hoshizaki, said:

"... that over time, having the two schools in one shared space will benefit all students."⁶

Referring to his personal experience teaching in an elementary-secondary shared space school, Director Hoshizaki said:

"I've found the older kids were really supportive of the younger students."⁷

⁶ Monique Beech, "The school within a school," The Standard Sept. 2009

⁷ Monique Beech, "The school within a school," The Standard Sept. 2009

b) OMISSION OF ANY DISCUSSION ON POSSIBLE RELOCATION OF EDEN HIGH

In addition to the aforementioned critical flaw in the ARC process, there were several other factors that should have been considered during the review process.

For example, when ARC members inquired about the possibility of Eden High relocating to an Eden High-Niagara District shared facility in NOTL (identical to the Eden High-Lakeport Secondary concept) School Board senior staff said the Eden Advisory Board and Eden Parent Council "... are not interested in splitting their school"⁸ and that "... the one site is very important"⁹. To support their position, the Eden Advisory Board and Eden Parent Council wrote to the School Board Director and Trustees on May 9, 2008 that:

*"We strongly believe that this is where we [Eden High] need to be"*¹⁰

Similarly, the Town Council and rural community of NOTL believe that secondary education for NOTL students needs to be where it has been for over 50 years, that is, at Niagara District SS. By accepting the Eden Advisory Board and Eden Parent Council's position without discussion during the ARC process, School Board staff abdicated their responsibility and the ARC members lost the opportunity to fully discuss and understand the possible benefits of consolidating the two public secondary schools.

c) PHYSICAL DETERIORATION OF AGING FACILITY AND THREAT OF CLOSURE

The physical condition and look of the facility had become "shaggy" by the time of the 2007/08 ARC. This deteriorated condition contributed to the false perception that Niagara District SS 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 Niagara District SS and went to schools in St. Catharines and Niagara Falls where the School Board has been developing and supporting new and additional programming.

"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."¹¹
DSBN Vice-Chair, Marcy Heit

In 2000, some repairs and the news that the school was not closing had a positive impact on the enrollment at Niagara District SS. In that year, enrollment increased by 63 students (14%). However, by 2003, discussions about the possibility of closing NDSS resurfaced and enrollment at NOTL's only secondary school began to decline again.

⁸ District School Board of Niagara, Minutes of Accommodation Review Committee Meeting , 31 Jan 2008: page 4

⁹ Fred Neufeld, Chair, Eden Advisory Board and Fran Cerminara, Chair, Eden School Council in a letter to The Director and Trustees of DSBN: dated 9 May 2008

¹⁰ Eden Advisory Board and Eden School Council letter to DSBN: dated 9 May 2008

¹¹ "NDSS to stay open Fate of NOTL schools decided at DSBN meeting ," Town Crier [Niagara-on-the-Lake] 20 Jun. 2008: page 2

In 2008, the School Board distributed a survey to 249 families representing 311 secondary school students attending school outside of NOTL instead of their community secondary school. Ninety-five families representing 118 students responded. The results strongly suggest parents have the perception that the School Board intentionally allowed Niagara District SS 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 enrollment.
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 NOTL students to attend secondary schools in St. Catharines but does not permit NDSS to recruit from other schools. recruit from other schools.	DSBN's policies are responsible for this.

d) BUSSING POLICIES, SIBLING ENTITLEMENT AND DEFINING ALTERNATE PROGRAM

School Board policies regarding bussing and how students are accepted to alternate programs should have been factored in discussions before approving the Board's staff recommendation to close Niagara-on-the-Lake's only secondary school. With fewer students enrolled at Niagara District SS, offering a ~~full complement~~ complement of courses became more challenging. Students might be in double- or triple- classes, take a course through eLearning, find transportation to another school offering that course, or need to take the course during summer school. These provided ample reasons for more defections.

This was an important discussion because School Board's Policy G-23 *Transfer of Students From Grade 8 to Secondary Schools* supports students that wish to attend a school other than their Geographic Catchment home school and retention of students from the elementary school to their home secondary school is considered the responsibility of the school board.

"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."¹²

The Ministry of Education does not define 'Alternate' or 'Alternative Program' and the definition is at the discretion of individual school boards. Throughout the review process, numerous ARC and community members requested a definition of "alternate" school programs in order to fully understand the impacts these policies had on enrollment at Niagara District SS. The School Board never provided a clear definition of what constitutes an 'alternate' program.

¹² Former Education Minister Kathleen Wynne, Town Crier, 2 May 2008

For example, in response to one question posted on the 2007/08 Niagara-on-the-Lake ARC Parking Lot, School Board staff wrote:

"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."¹³

From the School Board's own explanation, it does not have a definition of 'alternate' yet it applies that term to Eden High and others.

12. *Do students living in the school's catchment area have to travel to a school outside the review area to obtain specific programs?*

YES

If so, what are these programs and where are they located?

- French Immersion at Sir Winston
- Specialized Tech at Governor Simcoe
- Specialized School to Work courses at Kernahan Park
- Christian Education at Eden
- Japanese at A.N. Myer
- Strings at Laura Secord
- Photography at Stamford
- Computer Technology at A.N. Myer

Historically, NOTL students took advantage of free bussing to St. Catharines to attend "Christian Education at Eden" High, Extended French at Sir Winston Churchill, School To Work programs at Kernahan Park, and Japanese and Computer Technology at A. N. Myer in Niagara Falls. The new school becomes the student's 'home school' for the full extent of their school career and students are not tracked to confirm that they continue in the system-wide or alternate program. This new home school also becomes the home school for all siblings, who are not required to enroll in the alternate program but are still entitled to free bussing. The free bussing for students not attending alternate programs contradicts Policy G-23.

"Once a student has been accepted at an alternate secondary school, that school shall now be deemed to be the student's home school."¹⁴

¹³ District School Board of Niagara, Accommodation Review Committee, Niagara-on-the-Lake, Parking Lot

Information provided to the Accommodation Review Committee of 2007/08 illustrates the low retention of NOTL students from Grade 8 to Grade 9 at Niagara District SS. (Tab # 6)9

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

**WHERE NOTL STUDENTS ATTEND
SECONDARY SCHOOL**

TOTAL STUDENTS	554	100%
NIAGARA DISTRICT SS	281	50.7%
Eden High	169	30.5%
Governor Simcoe SS	14	2.5%
Kernahan Park SS	16	2.9%
Lakeport SS	4	.7%
Laura Secord SS	6	1.1%
St. Catharines Collegiate	10	1.8%
Sir Winston Churchill SS	54	9.8%

Source: DSBN Comparative Summary of Home and Alternate
Secondary School Attendance Numbers for Niagara-on-the-Lake,
October 200. Tab #6

(iv) POST 2007/08 ACCOMMODATION REVIEW

On June 17, 2008, School Board Trustees passed a Motion that Niagara District SS would remain open if the school's enrollment increased to 350 by October 31, 2009 (Tab #2). At that time, School Board staff told the community that enrollment at Niagara District SS was approximately 250 and an increase of 100 students was required. However, on October 29, 2009 School Board staff said that the enrollment in June 2008 was actually 300 Full-Time Equivalent students, and that only 50 more students were needed to reach the Board's minimum.

FULL-TIME EQUIVALENTS NDSS Enrollment

October 31st, 2007	313
June, 2008	300
October 31st, 2008	256
October 31st, 2009	254

Source: DSBN Oct 29, 2009

¹⁴ 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.

The threat of closure and the perception that recruiting 100 new students would be difficult made it all the more challenging to achieve the goal of a 350 enrollment. A very large graduating senior class from Niagara District SS, a small graduating Grade 8 class, and an average of about 42% of NOTL students transferring to other schools made achieving the 350 enrollment statistically impossible. Nevertheless, in March 2009, there were positive signs in early enrollment figures. There was an increase from 40% of NOTL Grade 8's in 2008 to 50% of NOTL Grade 8's signing intention sheets for Niagara District SS for September 2009. There was also a 230% increase in the number of students planning to attend Niagara District SS from outside of NOTL.

a) CHALLENGES IN PROMOTING NDSS

After the Motion to keep Niagara District SS open if enrollment should reach 350, the School Board struck a new committee was struck to develop strategies to support efforts to achieve the 350-goal. The committee was comprised of Municipal Councillors, Town staff, NOTL community members, School Board staff and a School Board Trustee. The Town Council and the NOTL community was at first encouraged by this development. Over time, it became evident the School Board was being less than cooperative.

For example, the School Board repeatedly informed the Town Council and the NOTL Community that the Board does not permit recruiting students away from their home school. The School Board limited distribution of material promoting Niagara District SS while many NOTL parents reported receiving literature from other DSBN secondary schools recruiting Grade 8 students from NOTL. The other secondary schools tried to entice NOTL's Grade 8 students to visit their facilities and even offered pizza lunches for the students.

Town Council and NOTL Community began to recruit internationally but were cautioned by a School Board superintendent to not recruit too many international students. School Board staff also refused to sign a contract to pay commissions to international recruiters from the fees paid to the School Board by international students. This is the accepted global practice between school boards and International recruiters.

The School Board also informed Town Council and the NOTL Community that if the International Baccalaureate Programme (I.B.), another initiative to work toward boosting enrollment, received final approval for Niagara District SS, that the programme did not satisfy the School Board's definition of an 'alternate' program. Consequently,

- I.B. would not be considered a system wide program, even though it delivers the Ontario curriculum during the entire regular school day and delivers it using the advanced and challenging I.B. technique in every class.
- I.B. would not be available to all students in the School Board.
- The I.B. programme could not recruit students from other DSBN schools.
- Free bussing would not be provided for I.B. students living outside of NOTL whether it was a system wide program or not.

In the spring of 2009 NOTL Town Council formally requested a public meeting or workshop with School Board Trustees to discuss the future of NOTL's only secondary school. On June 1st, 2009, four NOTL Town Councillors and five School Board Trustees met for a workshop. The School Board insisted the workshop was to be a private meeting.

During the workshop, a '500-5' Motion was proposed to the Trustees and discussed. The Town Council and NOTL Community would commit to increasing enrollment to 500 in return for keeping the school open for five (5) years. Town Council thought they had found a middle ground that the Trustees would be willing to support. However, at the School Board meeting of June 9, 2009, senior School Board staff advised the Chair that the '500-5' Motion was out-of-order, and the Motion was not accepted for a vote.

Later in 2009, the School Board invited the Town to work together on a request to the Ministry for funding a low enrollment rural school. The Town responded in favour but the School Board did not follow up.

C. FUNDING MANAGEMENT AND THE DECLINE OF NDSS

(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."¹⁵
(emphasis added) Good Places to Learn Renewing Ontario's Schools

Following the 1999 Accommodation Review, the School Board resolved that there would be "no major facility renewal" at Niagara District SS for three years. The School Board's decision was extended during the Ministry of Education's moratorium on school closures.

Yet:

- A *Facility Condition Summary for NDSS* (circa 1999) describes recommended 5-year Capital Expenditures of \$1,965,000. (Tab #15)
- In 2000, the NOTL Community contributed \$61,737 to the cost of an \$81,737 gym floor. The School Board contributed only \$20,000 of non-taxpayer dollars earned by leasing rooms at Niagara District SS to a community group.
- From 1999 – 2007, only emergency and safety repairs totaling \$805,395 were made at Niagara District SS. (Tab #15).
- An independent review in 2003, detailed a schedule of high priority work for 2003 – 2007 totaling \$3,075,000. (Tab #15).

At the same time as it was limiting renewal and maintenance work at Niagara District SS, the School Board was investing in urban secondary schools and developing arts programs and

¹⁵ Ontario Ministry of Education, Hon. Gerard Kennedy, "Ontario Education excellence for all, Good Places to Learn Renewing Ontario's Schools," page 2

facilities that competed with the NDSS alternate arts program called “District of Niagara Arts” or “DNA Arts”.

School	Approximate \$ Investment	2018 Forecast Enrollment
LAURA SECORD (St.C)	\$1.5M	-29%
ST. CATHARINES COLLEGIATE	\$11M	-34% -36%
NIAGARA DISTRICT (NOTL)	\$805,000	-20% -5%
STAMFORD COLLEGIATE (NiaFalls)	\$900,000	-34% -41%
AN MYER (NiaFalls)	\$2.5M	-9% -11%

Source: report to Program & Planning, Facility Usage and Current and Projected Enrollment in Secondary Schools as of October 2008, dated June 2, 2009 DSBN

For the 2008-2009 school year, the School Board received \$602,036 in *Rural Top-up Funding* "...to recognize the higher per pupil costs of cleaning and maintaining facilities where the enrollment is less than the capacity of the school." The estimated *Rural Top-up Funding* for 2009-10 is \$649,628.¹⁶

From Summer 2008 to Spring 2009, the School Board replaced broken windows, repaired fire doors, painted walls, cut weeds, updated the cafeteria and did other minor work at Niagara District SS in response to pressures from the NOTL Community. In addition, community volunteers donated their time and materials to landscape the area around the school and students cleaned out and painted a new weight training room.

A new right-sized modern facility ~~would provide modern education facilities right-sized for~~ NOTL's secondary school students, ~~would~~ 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?”*¹⁷
DSBN Staff Report: 1998

The *Education Act* does not mandate school boards to enforce catchment areas however many Ontario public school boards such as Durham, Halton, Hamilton-Wentworth and Kitchener Waterloo, do choose to **enforce** their Geographic Catchment (GeoC):

¹⁶ Brenda Stokes Verworm, DSBN in a letter to Paolo Miele re Rural and Top-up Funding 2008-2009; 2009-2010: dated 22 Oct. 2009, page 3

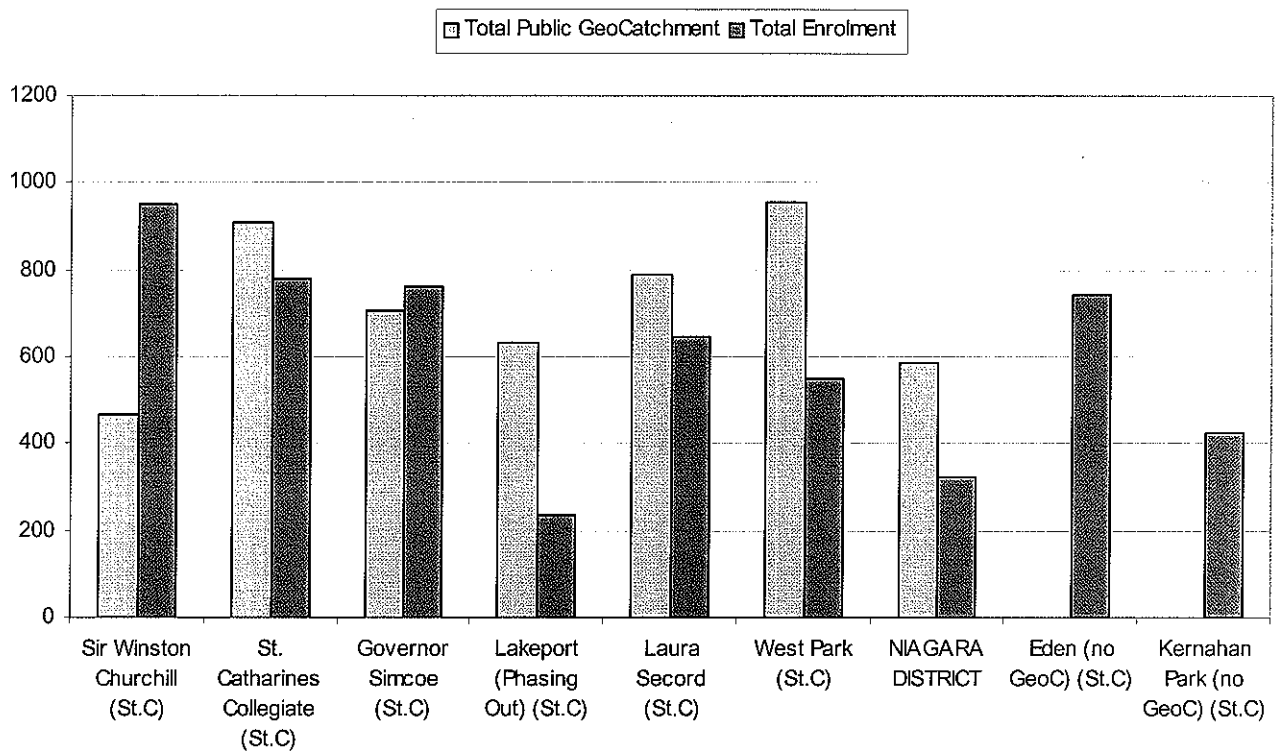
¹⁷ District School Board of Niagara, Bruce Russell, Business Administrator and Bob Crawford, Mgr. Planning & Transportation, “Harmonizing The Transportation Eligibility Policy For The Secondary School Students In The Two Predecessor Boards,” May 15, 1998, page 4

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- 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

The following graph illustrates that the DSBN secondary school with the smallest Geographic Catchment is Sir Winston Churchill in St. Catharines, not NDSS.

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



Source: DSBN: Comparative Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab #6

Another impact of the School Board's Policy G-23, is that enrollment at Sir Winston Churchill Secondary School is twice the size of the school's catchment population.

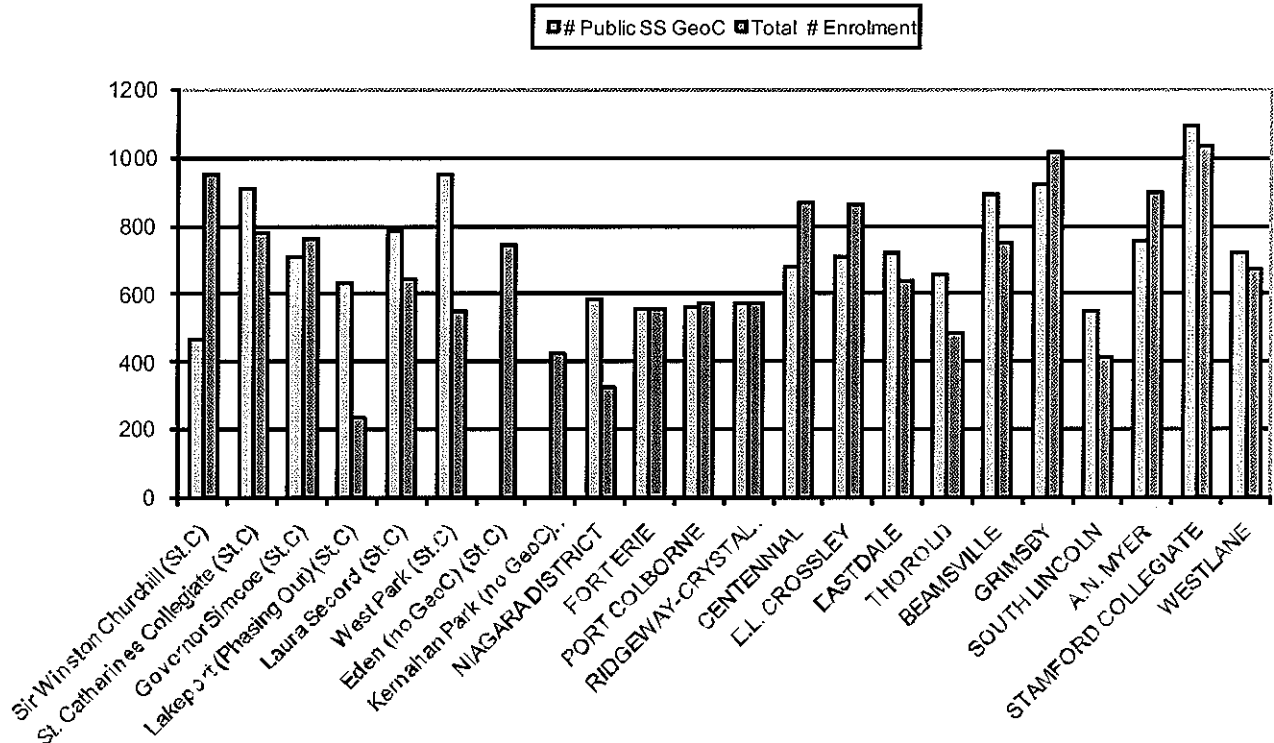
DSBN Secondary School	GeoCatchment Population	School Enrolment
Sir Winston Churchill	464	952
Niagara District SS	585	322

Source: DSBN: Comparative Summary of Home and Alternate School Attendance Numbers For All DSBN Secondary Schools, October 2007 Tab #6

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The following graph studies the **potential** enrollment based on a school's Geographic Catchment compared to the school's **actual** enrollment. Of all the School Board's secondary schools, Sir Winston Churchill has the greatest disparity between catchment and enrollment. (NOTE: Lakeport Secondary School is being phased out and the difference between its numbers are is to be 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 #6

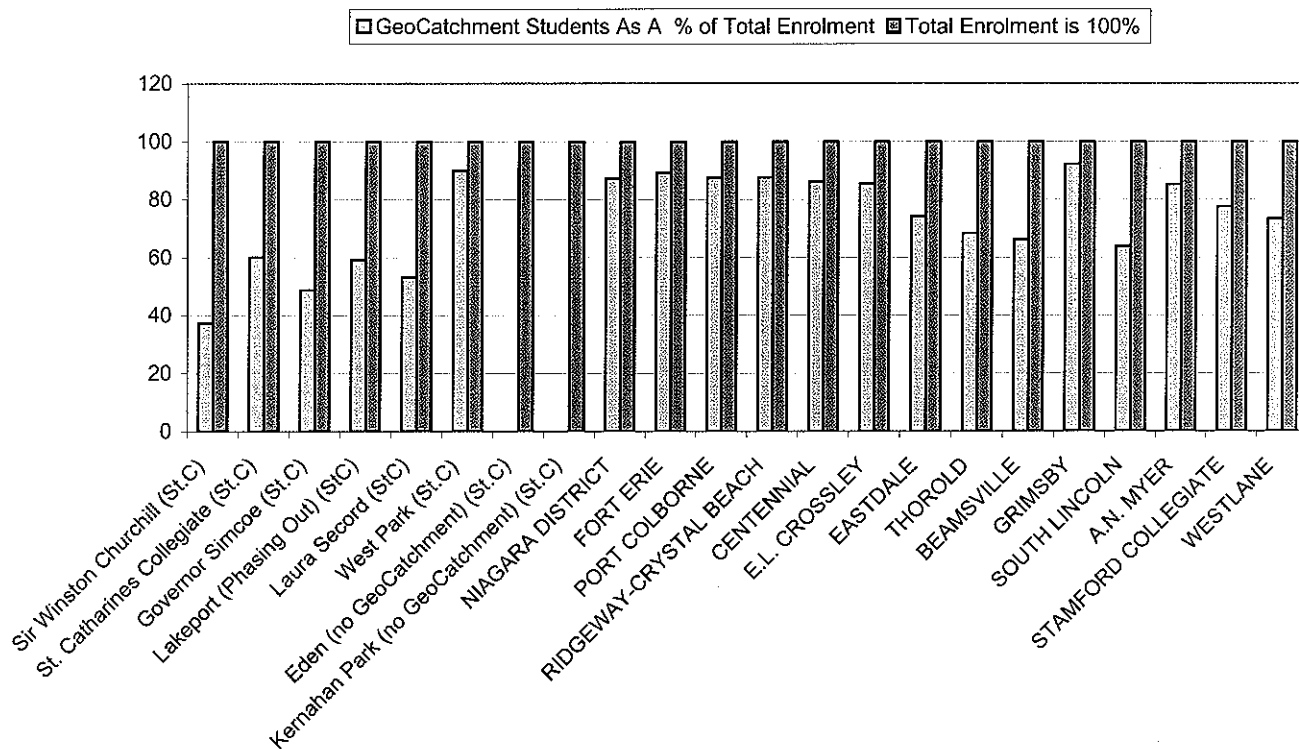
Further impact of the School Board's generous bussing and student-sibling school transfer Policy G-23 can be seen by studying the percentage of each school's enrollment that actually comes from the school's Geographic Catchment area.

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

2007	% of GeoCatchment Attending HomeSchool	% of Enrollment 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 #6

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 #6

“With respect to the St. Catharines Collegiate renovations, Trustee Clark pointed out the enrollment at the St. Catharines Collegiate has always contributed to the school’s viability, with its lowest enrollment being approximately 750 students. At the time of the St. Catharines Catharines Secondary School Accommodation Review, there was no other high school in St. Catharines that could accommodate at least 750 students.”¹⁸

DSBN Trustee Dalton Clark

From the previous chart, it appears that a large part of St. Catharines Collegiate enrollment that “has always contributed to the school’s viability” is actually made up of a large part of a majority of students living **outside** of the school’s catchment area. (Trustee Clark was explaining why the Board was investing \$2,500,000 in St. Catharines Collegiate and “...the

¹⁸ District School Board of Niagara, Minutes of Regular Public Meeting, “Report of the Finance Committee,” 28 Oct. 2008, page 10

decision to relocate the Queen Mary ~~Students~~ students to the St. Catharines Collegiate¹⁹ as the first “school within a school.”²⁰)

A new right-sized secondary school facility in NOTL ~~will~~ could provide the community’s secondary students with an enticing option within their own community and effectively establish ~~geographic catchment for all of NOTL’s~~ reduce some of the ~~unbalance~~ imbalance in St. Catharines schools. It would save the School Board the cost of renovating St. Catharines schools to accommodate NOTL students. It would also reduce the size of the Ministry of Education’s Transportation Grant to the District School Board of Niagara and reduce the transportation carbon footprint. ~~and reduce the need for some of the 23 portables at Niagara Falls Catholic secondary schools~~

(iii) INCREASED COSTS IN TRANSPORTATION

“Free” transportation costs money. The cost of bussing a significant number of about 600 ~~public high- secondary school~~ students out of NOTL was **not** considered by School Board Trustees in their decision to close NDSS. ~~Significant numbers of studnets being bused out of the community.~~

“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.”²¹

The majority of bussing costs are covered by the Ministry’s Transportation Grant but only to a maximum amount. It appears, therefore, that the School Board may be viewing this as “cost neutral” to their budget, whereas, these funds will be additional School Board costs. ~~Taxpayers may have a different opinion.~~

Closing Niagara District SS means the Ministry will be asked to fund the increased transportation costs to bus all of NOTL’s ~~public and Catholic~~ NOTL secondary students to schools in St. Catharines and Niagara Falls.

According to MapQuest, the following are the most **direct** driving distances between Niagara District SS and the St. Catharines schools to which NOTL students are being bused now and after the intended closure. NOTE: These distances do not include side trips to student at pick-up and drop-off points en route.

FROM	TO	One-way	Return
		km	km
Niagara District (NOTL)	Sir Winston Churchill (St.C)	17.86	35.72

¹⁹ DSBN, Minutes of Regular Public Meeting, 28 Oct. 2008, page 10

²⁰ Monique Beech, “The school within a school,” The Standard Sept. 2009

²¹ District School Board of Niagara, Minutes of Regular Public Meeting, “Report of the Program and Planning Committee,” 8 Dec. 2009, page 7

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Niagara District (NOTL)	Eden High (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

The following graph shows that closing Sir Winston Churchill Secondary in St. Catharines and bussing those students to other St. Catharines schools would result in significantly shorter driving distances for Sir Winston Churchill Secondary students.

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—pplying the Geographic Catchment model used at other school boards could significantly reduce the District School Board of Niagara (DSBN) Transportation Grant request from the Ministry.

“The DSBN already spends \$1.2 Million more on transportation than it is granted by the Ministry of Education.”²²

Linda Kartasinski, DSBN Superintendent

The total transportation costs and the total number of elementary and secondary students in each board have been used to calculate the average cost of transportation per student per board for 2009. This cost-per-student can be used to compare DSBN’s transportation costs to boards that adhere to the Geographic Catchment model. (Tab #8).

Board	Transport \$/student
District School Board of Niagara (No GeoCatchment)	\$ 403.30
Durham DSB (GeoCatchment)	\$ 262.52
Halton DSB (GeoCatchment)	\$ 208.61 218.29
Hamilton-Wentworth SB (GeoCatchment)	\$ 290.15\$ 270.49
Waterloo Region SB (GeoCatchment)	\$ 242.50 242.25

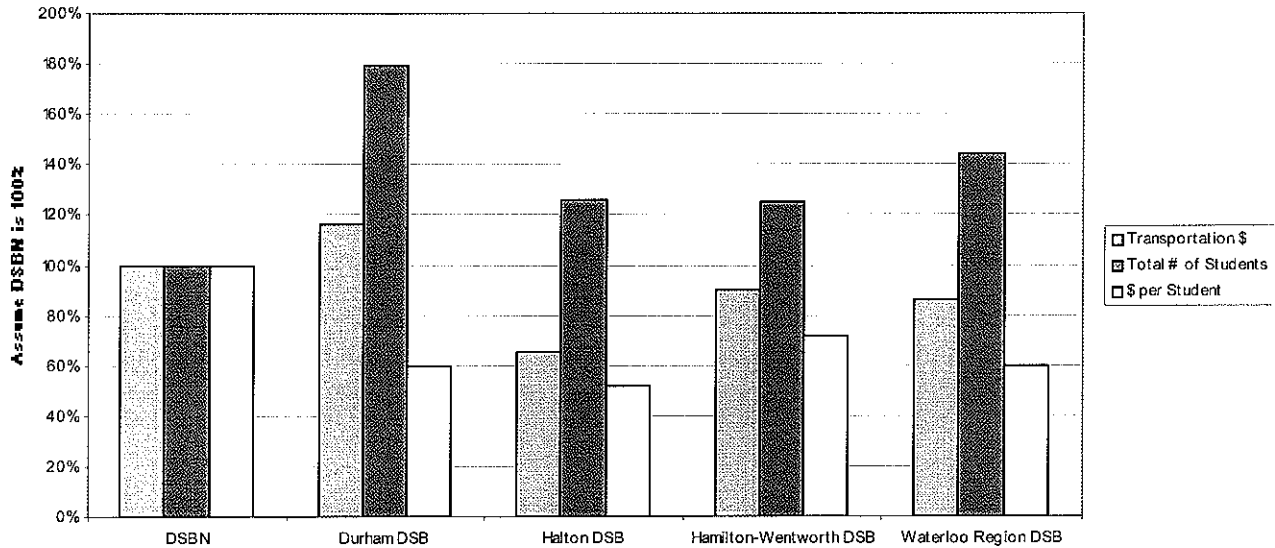
Calculated by dividing each board’s actual Transportation Grant by the Total number of elementary + secondary students. Source: See Tab #8

The next graph shows that the transportation cost-per-student at school boards using Geographic Catchment is significantly lower than at DSBN. This pattern continues regardless of the total dollars or total number of students. Assume that the total number of dollars and

²² “School bussing issues resolved,” St. Catharines Standard October 2008

students at the DSBN represent 100%, and that all others are calculated as a percentage of the DSBN's costs.

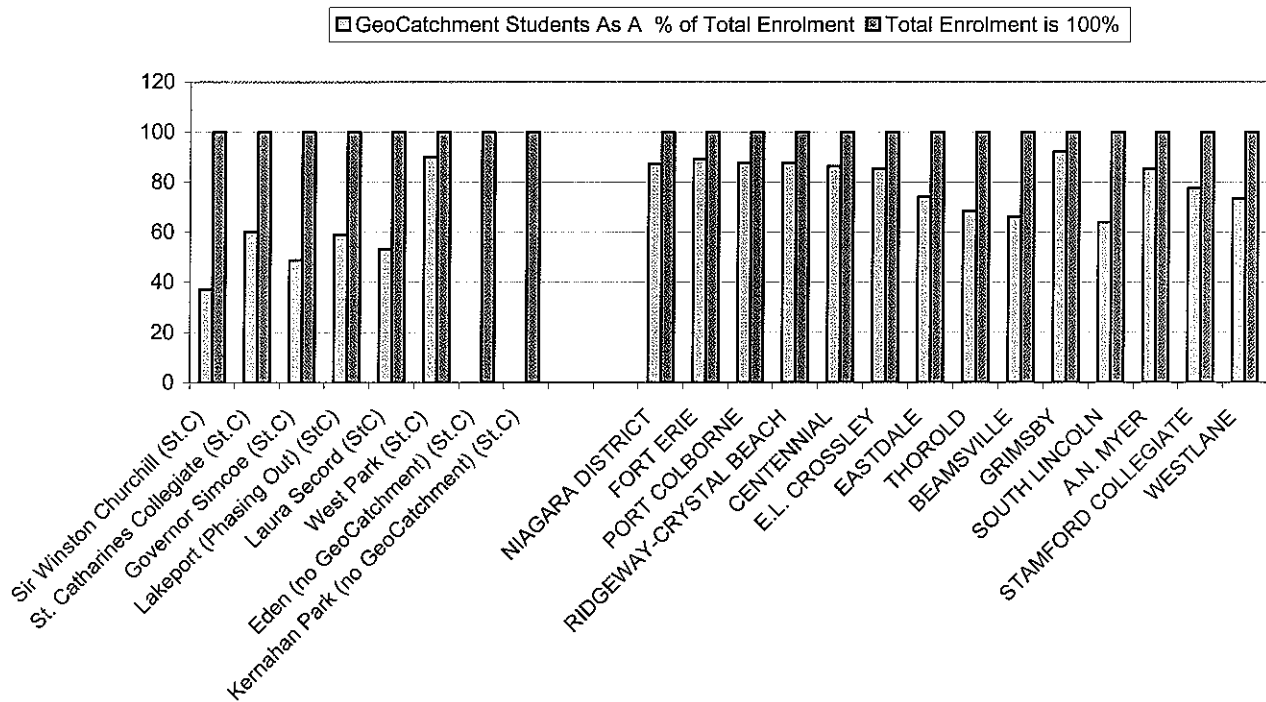
GEOGRAPHIC CATCHMENT: Reduces the Transportation Cost/Student, regardless of total \$ or # of students



Source: See Tab #8

The following graph studies all District School Board of Niagara secondary schools and demonstrates the percentage of a school's enrollment that is made up of students from its Geographic Catchment. At schools outside of St. Catharines, 60% – 90% of students attend the secondary school in their home catchment area. In St. Catharines (except at West Park SS) only about 35% to 60% of students attend the secondary school in their home catchment area.

2007 St. Catharines Secondary Schools Enrol Fewer Student From Their Catchment Than Other Schools Draw From Their Catchment: 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 #6

With a new right-sized, secondary school, NOTL students* will be encouraged to~~will~~ spend their secondary school careers in their own community, ~~regardless of their beliefs.~~ The increased school enrollment numbers will ensure a ~~full complement~~ complement 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 student transfers could be allocated to education at Niagara District SS.

The proposed "Centre for Excellence in Education"~~Education Campus Centre~~ in NOTL could save the Ministry of Education millions of Transportation Grant dollars, ~~in NOTL.~~ Bussing could be limited to NOTL's boundaries and eliminate the cost of bussing all ~~public and Catholic~~ secondary school students to St. Catharines and Niagara Falls.

(iv) Rural Top-up Grant

The 1999 ARC recommended that Niagara District SS be right-sized by mothballing 13 rooms (23% of the school rooms) and that consideration be given to having them demolished. ~~16~~The rooms were not demolished, even with an offer of financial assistance from Town Council to do so.

Consequently, the capacity at Niagara District SS remains at 1101 and the facility is much larger than either the enrollment or Geographic Catchment requires.

By mothballing rather than demolishing the 46_13 rooms, the School Board has received *Rural Top-up* funding for the full facility capacity rather than for the 77% that is being used. The *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), the School Board wrote that it expected to receive \$1,944,448 in 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. The District School Board of Niagara 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"²³. 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."²⁴ (emphasis added)

In 2008/09, the School Board received \$602,036 in *Rural Top-up* grants for Niagara District SS and \$24,218 for one of the five public elementary schools in NOTL. The projected amount for 2009/10 is \$649,628 for Niagara District SS and \$44,577 for four NOTL elementary schools.

It is estimated that in the past three fiscal years, Niagara District SS has earned the School Board at least \$1,500,000. From the present condition of Niagara District SS and the decision to close the school, it appears the grants were not meeting "their intended purpose" as reinforced by Recommendation 4 of the Auditor General's Report.

²³ Government of Ontario, Report from the Auditor General on Special Education, "School Renewal and Maintenance," 2008 (Tab #9)

²⁴ Report from the Auditor General on Special Education, 2008

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 of Education did not envelop ~~envelop~~ envelope these funds to limit their use to the specific school for which they were granted.

Former Education Minister Kathleen Wynne confirmed that Niagara District SS and the three elementary schools slated for closure would continue to earn *Rural Top-up* grants for the School Board whether the schools were open or closed.

(v) Prohibitive to Repair Funding

School Board documents list the Niagara District SS facility capacity at 1101 and 1143 (OTG). These high capacity numbers combined with low enrollment figures have resulted in all three applications for *Prohibitive To Repair* funding being disallowed. This funding could have been used to build a new secondary school facility.

(vi) Good Places to Learn Funding

The District School Board of Niagara received the 3rd largest amount of *Good Places To Learn* (GPL) Stage 4 Allocation in Ontario. Since 2003, the McGuinty government has distributed \$4.8 Billion 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.²⁵

²⁵ Ontario Ministry of Education, "Good Places To Learn," 5 Feb. 2009

Allocations and Project Expenditures to October 2008

(As Reported by School Boards)

In Order of Total Grant	Name of School Board	Stage 4 Allocation	Stage 1, 2, 3 Total Allocation	Total Projects Complete/Underway	# of Students 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

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

However, Lakeport Secondary and Eden High – two schools housed in the same building – each had their own Ministry school number (Lakeport Secondary #5469, Eden High #10268) and each received money for their own “facility”. Since Lakeport Secondary is being phased out and closed, the real beneficiary of those GPL funds is Eden High.

In 2008, School Board senior staff said GPL funds were not allocated to Niagara District SS because staff decided three years earlier that the school would not remain open for 10 years. However, there was no mention in the recommendations of the 1999 Accommodation Review regarding closing the school within 10 years.

“Superintendent of Business, Jane Roth, indicated that staff were asked to provide a comparative summary of capital projects at secondary schools in Niagara-on-the-Lake, Niagara Falls, and St. Catharines from 1999-2000 to 2006-2007. Superintendent Roth explained that the report provides a summary of facility renewal projects and Good Places To Learn projects. Superintendent Roth noted that no Good Places To Learn projects were completed at Niagara District Secondary School in 2005, the year the Good Places to Learn initiative was introduced, as the Ministry of Education directed that Good Places To Learn funds be used in schools that will remain open for ten years. Given the 1999 recommendations regarding the school, funds were not directed to Niagara District Secondary School under the Good Places To Learn initiative.”²⁶

DSBN Superintendent Roth

Senior School Board staff already knew in 2005 that Lakeport Secondary would be closed in less than 10 years. Nevertheless, GPL money was allotted to the St. Catharines school partnered with Eden High. GPL money could have been used to repair and improve Niagara District SS.

²⁶ District School Board of Niagara, Minutes of Special Public Meeting, 17 June 2008: page 4

(vii) FUNDING AVAILABLE FOR RURAL SCHOOLS

The London Regional Office of the Ministry of Education provided clarification on funding available for rural schools:

“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 enrollment;*
- *“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 enrollment;*
- *Supported Schools Allocation for schools that have low enrollment and are far from other schools;*
- *Declining Enrollment Adjustments; to help schools experiencing financial and operating pressures;*
- *Community Use of Schools Allocation to help maintain schools as community 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.”²⁷

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

“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.”²⁸ (emphasis added)

There are several funding programs provided by the Ministry of Education to assist school boards with maintaining rural schools but the Ministry does not require that the funding ~~these funds~~ be allocated to the school for which it is provided. It appears that District School Board of Niagara has exercised ~~its~~its discretion and chosen to divert the money provided for Niagara District SS.

²⁷ 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 (Tab #10)

²⁸ Ministry of Education, London Regional Office, Gerry Treble, Regional Manager (Acting), in a letter to Ms. Bernadette Secco, 26 Jan. 2010 (Tab #10)

D. POPULATION GROWTH

(i) NIAGARA-ON-THE-LAKE: A GROWING POPULATION

"The secondary school aged population base in NOTL has risen some 14% in the past 10 years."²⁹ (emphasis added)

Information provided by the School Board to the 2007/08 ARC used 2001 Census of Canada 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 Niagara-on-the-Lake.

Town Council and members of the NOTL Community retained the Altus Group (Toronto) "to undertake an examination of the demographic situation..." specifically with respect to the "... prospect for secondary school aged population residing in the town." In its analysis the Altus Group used the same pupil/dwelling methodology but applied data from the more current 2006 Census, and **population growth** rather than retention rates, to provide a Letter of Opinion that,

"In fact, the decline in the percentage of eligible persons [retained] is the sole contributor to declines in student enrolment [sic]. The secondary school aged population base in NOTL has risen some 14% in the past 10 years."³⁰ (emphasis added)

Altus expressed concern of "a significant risk"³¹ that basing decisions on retention rate "may underestimate the need for a local secondary school in NOTL in the future."³²

"The primary driver of the decline in enrolment [sic] 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."³³ (emphasis added)

The Altus opinion states that the population growth in the high school cohort (14 – 17 years) is likely to accelerate from 2008 – 2018. The 2006 Census data 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 enrollment situation currently facing us."³⁴

²⁹ 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.

³⁰ Altus, 29 May. 2008

³¹ Altus, 29 May. 2008

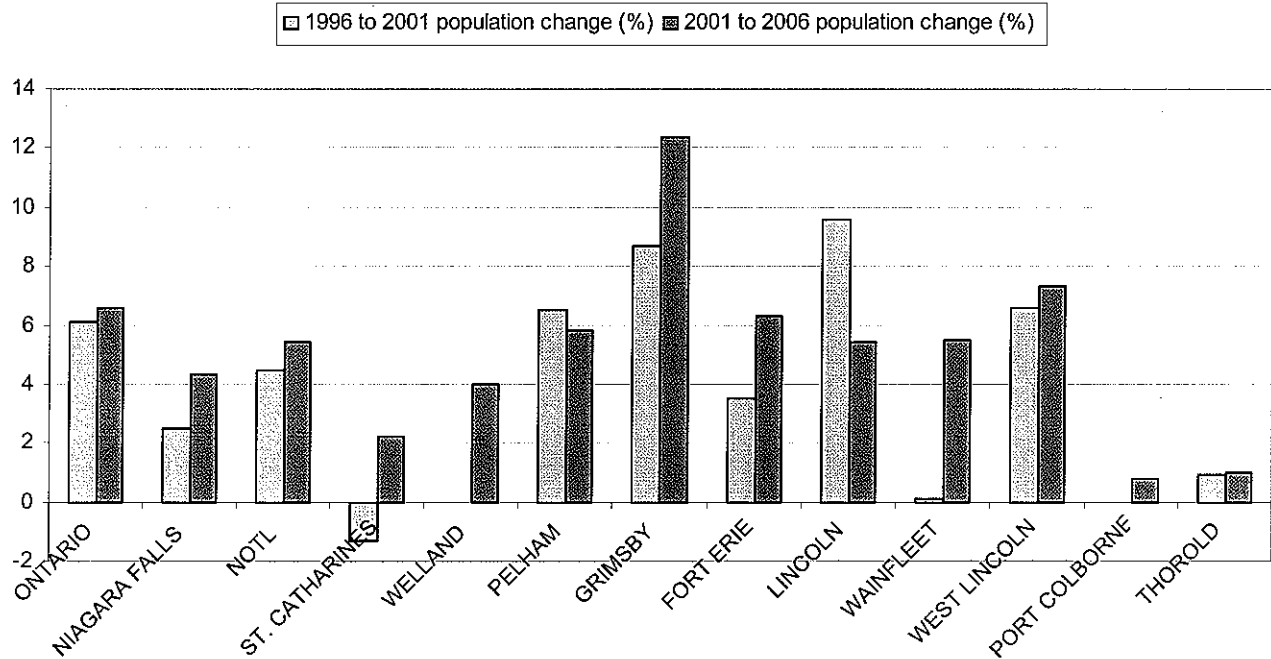
³² Altus, 29 May. 2008

³³ Altus, 29 May. 2008

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The 2001 Canada Census shows that St. Catharines was the only municipality in the Niagara Region 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.

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 spaces in St. Catharines' schools.

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

³⁴ CUPE SCFP Ontario, Submission to the Ontario Declining Enrolment [sic] Working Group, Co-Chairs Hon. Dave Levac and Eleanor Newman, August 8, 2008.

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

The Town needs to grow in a well-planned strategic manner while respecting the Greenbelt Legislation. In Niagara-on-the-Lake this legislation confines potential residential development to a defined and limited urban space. Residential developments need schools and schools need 8-acres. Schools could be built outside of the Greenbelt, but in NOTL, there is a better solution.

By endorsing a new right-sized modern secondary school ~~the Campus Concept~~ facility on a 29.86-acre site owned by the School Board located within the Greenbelt and which is already zoned institutional, ~~and are home to the high school~~, the Ministry of Education would be supporting the Town Council's commitment to education, Greenbelt Legislation and sustainable future growth.

E. 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 the *EDUCATION ACT* and *MUNICIPAL ACT* can result in misunderstandings, legal expenses and the inability to meet Provincial requirements.

1. School Boards do not appear to be obligated by the Province to contribute and participate in the Province's Growth Plan policies to build "complete communities".
2. Without the full participation of School Boards, Municipalities might not be able to build the "complete communities" according to the Growth Plan.
3. The *Municipal Act* permits a School Board to appeal a Town's **decision** to the Ontario Municipal Board.
4. The *Education Act* only permits an appeal of a **process** and does not permit the appeal of a School Board decision.
5. The appeal is heard by a single adjudicator rather than by a board or tribunal.

Two examples: Not having a secondary school reduces the Town's ability to ensure Niagara-on-the-Lake is a "complete community" in compliance with the Ontario Growth Plan. The School Board can appeal to the Ontario Municipal Board if it is not in favour of a zoning

decision made by Town Council. However, there is no process that allows the Town Council to appeal the School Board's decision to close the community's only secondary school.

(ii) PARTNERSHIPS: SCHOOL BOARD, TOWN AND COMMUNITY

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

In 1999/2000, the School Board declined an invitation from Town Council to consider partnering on the location and shared facility options of a new library to be built by the Town. They also declined an invitation to partner with the Town on locating a new \$6,600,000 community centre on the existing secondary school site as part of a solution to keep in exchange for keeping the Niagara District SS open.

Prior to the 2007/08 ARC, the Town's senior staff invited School Board staff to discuss education in NOTL. The Director of Planning suggested a community wide process to develop a vision for delivering education in NOTL. This collaborative approach was not embraced by the School Board who said it did not meet the Ministry's guidelines on an ARC.

In 2008, Town Council passed a motion to establish a joint Town-School Board committee to work together to find ways to keep the rural community's only secondary school open. The School Board declined and struck its own committee made up of School Board employees, and student parent council representatives. Eventually, two Town Councilors, the Town's Chief Administrative Officer and some Community representatives were added to the School Board's committee. While the Town Council and NOTL Community took on the Board's responsibilities of program development, recruitment, promotion and more, the School Board continued to plan for closure.

F. NEW PROGRAMS DEVELOPED BY THE COMMUNITY

The Town Council and NOTL Community conceived and developed excellent programs for Niagara District SS. With a new right-sized modern secondary school facility, the following programming would be delivered in NOTL. The majority of these programs would be funded by private, community and non-taxpayer sources.

(i) NEW AGRICULTURAL COURSE:

Niagara-on-the-Lake is a small rural community within the Greenbelt. Agriculture is an important aspect in the lives of many residents and it offers a myriad of opportunities for skilled workers.

Niagara District SS supporter Donald Ziraldo offered a one-of-a-kind cutting-edge Agriculture program that would only be available to Niagara District SS. As Chair of the Vineland

Research Station, farmer and winemaker, Ziraldo garnered support for this new program 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 and farm equipment in NOTL.

(ii) TWO UNIQUE AGRICULTURAL COURSES

“Animal Science” and “Crop Science” are two courses developed for Niagara District SS by NOTL farmer and School Board teacher Laura Kozloski. She conceived, developed and wrote the syllabus with two other teachers under the guidance of a School Board superintendent. Kozloski already delivers an on-line agriculture course with an experiential learning component. This is an agricultural co-operative education course throughout the year and in the summer, which is the busiest farming time. The “Animal Science” and “Crop Science” courses 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 study concepts and theories as they conduct investigations in animal husbandry, land management, plant science, the safe use of agricultural equipment and supplies, propagation, establishment, and production. Emphasis is placed on developing skills in the areas of experimentation, research, critical thinking, and analysis. The course studies apply as much to a small hobby farmer as it does ~~it does to~~ a large corporate farm entrepreneur.

(iii) FOOTBALL

The NOTL Community and students wanted to reinstate football at Niagara District SS. The School Board agreed and then put the burden on the students to find a coaching staff that would commit to a five-year term. The School Board also expected ~~and~~ the students and NOTL Community to purchase the uniforms and equipment. It appears that no other District School Board of Niagara secondary school has had either of these expectations placed on their football program. The School Board eventually approved a shorter term for the coaching staff. The new football uniforms and equipment were purchased and are owned by the Town.

(iv) GOLF ACADEMY:

There are approximately 50 golf courses in the Niagara Region ranging from Par-3, 9-Hole, Executive and Private Clubs ~~and to~~ those designed in collaboration with international Pros. More courses are being planned and developed.

Community members conceived a special program in which students would study golf skills and follow a curriculum 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. Course credits would go towards earning a secondary school diploma.

(v) INTERNATIONAL BACCALAUREATE PROGRAMME

Members of the NOTL Community determined that augmenting the Ontario Education curriculum by incorporating the International Baccalaureate Programme would be of great value to students, to Niagara District SS, the School Board and the Niagara Region. Private funds were raised to cover the application costs for a Grade 11 and 12 I.B. Programme at Niagara District SS. In addition, the NOTL Community fully funded teacher training and all ancillary expenses for 10 DSBN employees.

The Town Council, NOTL Community and school staff enthusiastically supported the initiative. The New York office of I.B. provided conditional approval, and a final inspection date was established. The School Board's decision to close Niagara District SS, deferred any further development of this project. The conditional approval is not transferable to any other District School Board of Niagara school.

(vi) INTERNATIONAL STUDENT RECRUITMENT

The March 2010 Throne Speech at Queen's Park outlines the advantages of increasing international enrollment at Ontario's colleges and universities by 50 per cent. NOTL is the home of the world-renowned culinary and oenology programs of Niagara College and is a short drive from Brock University.

The Town Council and NOTL Community arranged to recruit international students and provide Homestays. Bringing international students to Niagara District SS and preparing them for post-secondary education in Ontario was part of the plan to increase enrollment at Niagara District SS. The Town promoted on-line at www.StudyNiagara.ca and produced a recruitment brochure that was distributed to recruiters in Hong Kong, Columbia, Mexico, Brazil, Japan and France.

School Board staff cautioned the Town not to recruit too many international students. "As a Board, we do not believe that a large percentage of a school's population should be composed of visiting international students." (Tab #11, page 2, para 2)

The School Board also refused to sign an agreement that would pay commissions to recruiters according to international practices. (Tab #12)

(vii) DISTRICT OF NIAGARA ARTS (DNA Arts) and ARTS SPECIALIST HIGH SKILLS MAJOR

Niagara-on-the-Lake is home to the world-famous Shaw Festival Theatre. The "Shaw" is a community partner with Niagara District SS and has a working relationship with the school and its students.

In the mid-1980's, the School Board developed a special Certificate Arts program at Niagara District SS 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 School Board students but free bussing was available only to St. Catharines students. Today, there is no Artistic Director and DNA Arts competes against several arts programs, which the Board has developed in other schools.

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

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, Niagara District SS learned that after many requests, a Specialist High Skills Major in Arts and Culture was finally granted to the school. The School Board had applied for the same SHSM course for Laura Secord Secondary School in St. Catharines, which was also granted. With the closing of Niagara District SS, the only Specialist High Skills Major in Arts and Culture course will be at Laura Secord Secondary.

G. CONCLUSION

The District School Board of Niagara's intent is to close the only high school in rural Niagara-on-the-Lake, thereby deferring the closure of any urban St. Catharines schools. As outlined in this Petition there has been no meaningful collaboration between the Town of Niagara-on-the-Lake and the School Board, notwithstanding the Town Council's many attempts to find a collaborative solution.

It is the opinion of the Town Council of Niagara-on-the-Lake that the School Board has failed to appropriately apply for Ministry funds to support Niagara District Secondary School compounded with the questionable use of Ministry of Agriculture funds intended to support rural schools, of which Niagara-on-the-Lake now has five. Notwithstanding the Ministry's recently expressed concern for the environment and the need for reduction of the carbon footprint, the School Board's explicit intention is to double transportation at the expense of the Ministry's Transportation Grant and to use Board funds that could more properly be directed to support rural schools.

In light of these ~~decisive~~-divisive School Board policies to pressure Niagara-on-the-Lake secondary 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 to grant a temporary stay of any immediate closure of Niagara District Secondary School to allow a full and independent review of these disclosures.

The Town Council and NOTL Community also request the Minister's support to seek a mutually acceptable solution for the delivery of secondary school programming to the students of Niagara-on-the-Lake, that is a new right-sized "Centre of Excellence in Secondary Education".

A right-sized "Centre of Excellence in Secondary Education" would:

1. Incorporate community-developed and community-funded programs,
2. Reduce the amount of the Ministry's Transportation Grant:
 - ✓ Potentially saving over \$500,000 annually on bussing NOTL's public secondary school-age residents to other Niagara Falls and St. Catharines schools,
3. Eliminate the cost of renovating facilities in St. Catharines and Niagara Falls to accommodate Niagara-on-the-Lake students,
4. Guarantee that local public school taxes are supporting education facilities in their originating community delivering competitive programming for taxpayers choosing local public education.

In conclusion, the Town Council of Niagara-on-the-Lake seeks a proper and collaborative resolution for the provision of secondary school education in a new local, right-sized and environmentally-friendly facility which would establish a meaningful Board-Municipality Partnership.

**APPENDICES
TO
A PETITION TO
PROVINCE OF
ONTARIO
MINISTRY OF
EDUCATION**

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- Tab #11 DSBN letter to Jim Collard, Committee Chair International Baccalaureate Program Committee: 30 Apr. 2009
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- Tab #15 Sandwell Engineering *Facility Condition summary 7.4 Niagara District Secondary School: 23 Sep. 1999*
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- Tab #16 NOTL ARC Minutes of February 6, 2008, excerpts
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NOTL ARC Minutes of February 13, 2008, excerpts

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	--	--	--	--	--	--	--	--	--	--		
Eastwood	178	157	141	--	--	--	--	--	232	247	259	234	226	212	192	175	161	159		
Lakeshore East	64	--	9	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Laura Secord	156	97	137	132	131	177	187	123	--	--	--	--	--	--	--	--	--	--		
Maple Leaf	128	135	76	67	--	--	--	--	123	122	125	120	118	114	108	101	101	106		
Parliament Oak	449	378	357	287	295	253	257	222	--	--	--	--	--	--	--	--	--	--		
St Davids	174	172	156	132	177	165	168	203	216	222	210	189	175	173	172	185	174	182		
Virgil	373	332	300	302	284	329	386	348	209	197	178	163	167	188	147	143	151	131		
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.7	Gr.8	Sp.Ed.	Total
Enrolment	71	69	87	71	91	85	100	113	96	99	0	882

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

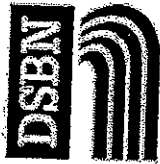
NUMBER OF BIRTHS TO MOTHERS RESIDENT IN THE TOWN OF NIAGARA-ON-THE-LAKE

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	108	91	91	101	98	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.
File: Enrsmm12 (Niagara)

TAB

2



DISTRICT SCHOOL BOARD OF NIAGARA
Achieving Success Together

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

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

3



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

It was recommended that Niagara District Secondary School remain open under the following conditions:	Follow-up to the 1999 Recommendations:
<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>

It was recommended that Niagara District Secondary School remain open under the following conditions:	Follow-up to the 1999 Recommendations:
<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

4



DISTRICT SCHOOL BOARD OF NIAGARA
Achieving Success Together

2007/08

**ACCOMMODATION REVIEW COMMITTEE
RECOMMENDATIONS AND COSTING**

Report of Board Administration
April 8, 2008

2007/08 ACCOMMODATION REVIEW COMMITTEE - RECOMMENDATIONS AND COSTING

RECOMMENDATIONS:

1. THAT the District School Board of Niagara recognize the significant educational, cultural, social value and the environmental merit of providing secondary education *within* Niagara-on-the-Lake and initiate the process to reinvent Niagara District Secondary School as a viable sustainable high school;
2. THAT the District School Board of Niagara construct a new high school on the existing site of Niagara District Secondary School for a student capacity of 400 to 500;
3. THAT the District School Board of Niagara provide sufficient staffing allocations to ensure a teaching complement allowing delivery of courses for completion of a high school education;
4. THAT the District School Board of Niagara explore community partnerships for joint facilities, including collaborating with the Town of Niagara-on-the-Lake toward shared community facilities;
5. THAT the District School Board of Niagara encourage the Ontario Ministry of Education to create an alternate funding formula to support quality secondary education in municipalities not qualifying for rural funding but having a single secondary school near a large urban centre (such as Port Dover, Strathroy and Niagara-on-the-Lake);
6. THAT the District School Board of Niagara supports the creation of a shared vision for a secondary school that reflects local academic, athletic, artistic/cultural and social needs and values, thereby positioning the school to become the secondary school of choice for a majority of Niagara-on-the-Lake's secondary school students. The visioning process may include but not be limited to: academics/course selection, competitive sports, uniforms/dress codes, codes of conduct, spiritual life, and specialty (district-wide) programming that meets *local* needs first and foremost.
7. THAT the District School Board of Niagara increase support for the existing Performing Arts program by:
 - a. extending busing to students from Niagara Falls;
 - b. ensuring Niagara District Secondary School is offered exclusivity in all newly created regional Performing Arts programming.
8. THAT the District School Board of Niagara supports Niagara District Secondary School's application for two new high skills majors in:
 - a. arts and culture
 - b. agriculture
9. THAT the District School Board of Niagara provide Niagara-on-the-Lake's "new" secondary school with marketing and communication support to create a positive new image and brand including a new name;
10. THAT the District School Board of Niagara support a partnership with the local churches to foster a spiritual aspect at the high school;
11. THAT the District School Board of Niagara investigate a Magnet program for Niagara District Secondary School;
12. THAT the District School Board of Niagara recognize and consider the effect any future school or system reviews and/or decisions may have on the sustainability and viability of Niagara District Secondary School;