

**SOUTH SHORE REGIONAL SCHOOL BOARD**

**Monday, November 21, 2011**

**7:00 p.m.**

**Board Office  
Bridgewater, Nova Scotia**

**Special Board Meeting**

**A G E N D A**

1. Call to Order
2. Record of Attendance
3. Motion to Censure
  - Motion
  - In-Camera Debate
  - Public Vote
4. Adjournment

REVISED – as per friendly amendment made at the November 15, 2011, Special Board Meeting: page three, section (n) third paragraph, removing the words “public Board”.

November 7, 2011

**PRIVATE AND CONFIDENTIAL**

Ms. Lori Ferraina  
Board Secretary  
South Shore Regional School Board  
130 North Park St.  
BRIDGEWATER, N.S. B4V 4G9

Dear Ms. Ferraina:

Pursuant to the South Shore Regional School Board By-Laws (“By-Laws”), Motion to Censure, Elliott Payzant, Board Member for District 3 and Gary Mailman, Board Member for District 5, proposed the following Motion for Censure for Karen Reinhardt, Board Member for District 8, at the Special Board meeting to be held on Tuesday, November 15, 2011:

**It is moved and seconded (Payzant/Mailman) that the Board censure Board Member Reinhardt by recommending to the Minister that the member’s seat be vacated pursuant to the Nova Scotia Education Act, Section 52(A)(1)(d) for breaching the By-Laws, including the breaches of the following sections of the Code of Ethics: (b), (c), (d), (e), (f), (k), (l), (m), (n), (r), (s), at the Special Board meeting to be held on Tuesday, November 15, 2011.**

**That the Board considers the text of the above clause of this motion fulfills the requirements of the South Shore Regional School Board By-Law, Motion to Censure, clause 3(a)(i).**

The following are the provisions of the Code of Ethics which are alleged to have been violated together with particulars of that breach.

**(b) The Board Member will recognize that authority rests with the Board in legal and public session and not with individual Members of the Board.**

Your activities prior to and during the Board Meeting of March 30, 2011, dealing with the School Review Process were of such a nature as to circumvent the authority of the Board in legal and public session. Those actions subsequently led the Board at its meeting of July 20, 2011 to issue a public apology for its behaviour and to request the Minister of Education to undertake an audit of the Board.

In addition, you have engaged in the coaching of parents of students and other members of the public in regard to the methods they could use to change staff decisions when those decisions had been made in accordance with the Board's policies.

In particular, your activities in regard to the Northwind bus stop issue involved a breach of this clause of the Code of Ethics.

- (c) **The Board Member will observe the By-Laws, Rules of Order, Policies and Regulations of the Board and the laws and regulations governing education in Nova Scotia.**

At an in-camera session of the Board on April 27, 2011 you were provided with confidential information in regard to an application pursuant to the Freedom of Information and Protection of Privacy Act for certain materials related to the school review process, including the emails of individual Board Members. You utilized the material provided in-camera to approach an individual who you believed to have been the applicant to ascertain his identity as such.

You actively participated in a Personnel Committee meeting on July 27, 2011 which considered the award of a teaching position at the Board. You did not disclose to the Personnel Committee that your daughter had been an unsuccessful applicant for this position, which placed you in a conflict of interest, nor did you withdraw from consideration of the recommendation from the Director of Human Resources in regard to this position. You had previously been advised in a letter from the Chair dated October 23, 2009, that this was a "possible conflict of interest". A copy of that letter is attached.

On September 2, 2009 you met with the Superintendent concerning the reduction in hours of work of your husband, who is employed by the Board as a school bus driver. You wanted his hours of work restored to their previous level.

- (d) **Respect and share the responsibility for all decisions of the Board, and publicly support staff decisions that are in keeping with approved Board policy and/or legislation. Board Members may voice a minority viewpoint in the public only as a personal and not a Board opinion.**

You did not support the Board decision or policy in regard to the Northwind bus stop matter and endeavoured to have the Board pass a motion which was contrary to its approved policy in respect of this matter.

Subsequently, you failed to notify the Superintendent when you knew that the child in question was continuing to be picked up, in error, at the bus stop which had not been approved by the Board.

- (e) **Arrive on time for all Board meetings, Board Work Sessions, and meetings of Committees to which they have been appointed and notify the Secretary or Committee Chair as early as possible of their inability to be on time.**

- (f) **Endeavour to attend all Board meetings, Board Work Sessions, and the meetings of all Committees to which they have been appointed and notify the Secretary or Committee Chair as early as possible of their inability to be present.**

You have missed Committee and Board meetings. Subsequently, you have failed to support the decisions which have been made at those meetings.

- (k) **Encourage full and open discussion with fellow Board Members and listen carefully and with courtesy when other Board Members have the floor and are speaking during Board/Committee meetings.**

- (l) **Must show respect for others in their verbal and non-verbal language and work with fellow Board and Staff Members in a spirit of co-operation, regardless of personal differences of opinion, treating all with courtesy and respect and encouraging the free exchange of diverse views.**

- (m) **A Board Member must not pursue any procedure calculated to embarrass another school board or staff member. (Reg. Schedule D)**

- (n) **Speak about other Board Members and Staff in a respectful manner as evidenced by words and actions.**

Your conduct in meetings is disrespectful including making side comments and engaging in side conversations while others are speaking.

On February 2, 2011 at a meeting you accused the Co-ordinator of Transportation of having no concern for safety.

At the Board meeting held on April 27, 2011 you stated that staff are not capable of developing high quality policies.

- (r) **Confine Board action to policymaking, planning, community relations, system evaluation and deciding appeals as required by the *Education Act* and policy. Board Members will recognize that the Superintendent is responsible for day-to-day administration of the school system and the principal is responsible for the administration of the school, as per Appendix B.**

In addition to your behaviour in regard to the Northwind bus stop noted forth in respect of the alleged breach of clause (d), you recently spoke directly with an employee who is a member of the NSGEU bargaining unit, questioning her about perceived problems which she may have in the work place. This has resulted in a grievance from the NSGEU dated October 20, 2011 a copy of which is attached.

You have consistently interfered with the day to day operations of the Board.

- (s) **Make all efforts to ease difficult situations and encourage any parent/guardian or member of the public who has raised a school concern, to contact the appropriate teacher or principal for resolution. If there is no resolution, advise her/him to refer the concern to the Superintendent or appropriate staff person. Refer all other system complaints, which are not related to a particular school, to the Superintendent, or appropriate person for resolution.**

You have become involved in investigations including investigations concerning a child who was dropped off at the wrong bus stop location.

The undersigned request that the Board impose the sanction specified in the Motion for these breaches of the Board's Code of Ethics.

Sincerely,



Elliott Payzant  
South Shore Regional School Board Member, District 3



Gary Mailman  
South Shore Regional School Board Member, District 5

Encls.

cc South Shore Regional School Board Members



OFFICE OF THE SOUTH SHORE REGIONAL SCHOOL BOARD

Elliott Payzant

Board Chair

Phone: (902) 682-2662

Fax: (902) 682-3225

epayzant@ssrsb.ca

October 23, 2009

Ms. Karen Reinhardt, Board Member  
South Shore Regional School Board  
450 Watermills Road  
New Cumberland, NS B0R 1G0

Dear Karen,

Thank you for meeting with Gary, Marg and me this past Monday, October 19, 2009, to discuss some issues that were recently brought to Gary's and my attention.

CUPE Executives expressed a concern about proper process in your direct involvement in the problem of a resting place for one of our buses. A concern was also raised about a note that you handed to Carl Crouse at the end of a meeting with the CUPE Labour Management Committee. CUPE Members questioned the wisdom of having you serve as a Member of this Committee.

In discussion with our Regional Education Officer, it was suggested that there may be a possible "conflict of interest" by your previous actions and/or direct involvement with Transportation. Also, the role of a board member is not to be involved in the day to day management but in policy development.

Your questioning of the short listing process for staff where your daughter was one of the candidates was questioned as possible conflict of interest.

As a result of our meeting on Monday, we agreed on three actions. The first is that you will not be involved in any decisions that directly relate to your husband's position as a driver for the South Shore Regional School Board. Secondly, you will not serve on the CUPE Labour Management Committee. Thirdly, you will not offer for Chair of the Board's Finance and Operations Committee when new Committees are formed in November.

While transportation and the Board's short listing process for staff have concerned you for some time, when family members may be affected, the perception of conflict becomes a concern. It is my opinion that we as Board Members must be cognizant of the differences between our role in governance and staff's role in management. Our issues and concerns have to be directed through the proper channels following established process.

Again, thank you for meeting and for agreeing to the above resolutions.

Sincerely,

Elliott Payzant, Board Chair  
South Shore Regional School Board

c. Gary Mailman  
Mary Forbes  
Gaye Rowding, RBO  
~~Personal File~~

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NSGEU

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www.nsgeu.ca  
E-mail: inquiry@nsgeu.ca

By Fax: (902) 641-3012 and Mail  
October 20<sup>th</sup>, 2011

Ms. Tina Munro  
Director of Human Resources  
South Shore Regional School Board  
130 North Park Street  
Bridgewater, NS B4V 4G9

Dear Ms. Munro:

It has come to the Union's attention, that one of the South Shore School Board Members has approached one of our unionized members in regard to her working conditions.

This Board Member, Karen Reinhardt, questioned this employee about perceived problems she may have had in her workplace. She also told her she could be available to offer assistance with respect to any issues she may have. As you are aware, the questioning of an employee in this manner is in violation of the employee's contract, Article 1.1 (b) and Article 3.3. We feel it was very inappropriate for this Board Member to approach this staff member. I would also be of the opinion, that personnel have a regular process in place to discuss any issues and would feel that any other involvement could be seen as intimidation or harassment.

As well, there is already a process in place within the confines of our Collective Agreement should this employee need assistance.

This member doesn't want her name used for fear of reprisal.

I look forward to your response.

Yours truly,

Lyn Smith  
Employee Relations Officer

LS/oc