

January 7, 2009

The Honourable Kathleen Wynne  
Minister of Education  
900 Bay Street  
Toronto  
M7A 1L2

Re: Independent Facilitator's Report on South Cramahe Public School,  
Kawartha Pine Ridge District School Board

Dear Minister:

On October 29, 2008, your Ministry appointed me as the independent facilitator to conduct an Administrative Review of the accommodation review process undertaken regarding the South Cramahe Public School.

My appointment was in response to a petition received by the Ministry in July, 2008. The petitioners requested an administrative review of the process which led to the decision of the Kawartha Pine Ridge District School Board to close South Cramahe Public School, consolidate the school populations of South Cramahe and Castleton Public Schools and build a new school on the existing Castleton Public School site. The petition from South Cramahe, which was attached to an explanatory letter from two members of the school's Parent Advisory Council, met the requirements of the Ministry of Education's *Pupil Accommodation Review Guideline*, October 31, 2006. The letter requested an "appeal and review of the decision to close South Cramahe PS" build on the Castleton site and consolidate the student population.

In conducting the Review, I received excellent support from Len Godin of the Barrie Regional Office of the Ministry of Education. I also appreciated the co-operation in the process of trustees, board officials, parents and members of the community. All were generous with their time and frank in expressing opinion and giving advice.

## **TERMS OF REFERENCE**

The following terms of reference were established by your Ministry to guide my work as the Facilitator conducting this administrative review:

### PRINCIPLES

- School boards, parents, communities and the government recognize that school boards have the legal right to close schools after following a board-approved pupil accommodation review process.
- The Ministry of Education released the new *Pupil Accommodation Review Guideline* on October 31, 2006. The guideline provides direction to school boards regarding pupil accommodation reviews undertaken to determine the future of a school or a group of schools.
- School boards are responsible for establishing and following their own accommodation review policies. School board's accommodation review policies are to reflect the requirements of the Ministry's *Pupil Accommodation Review Guideline*.
- Under the *Pupil Accommodation Review Guideline*, schools are required to make school valuation the centre of board and community decision-making. School valuation requires school boards to consider the value of a school or schools, based on community consultation.

### SCOPE OF THE REVIEW

The independent facilitator shall be responsible for:

- Determining whether the Kawartha Pine Ridge District School Board followed its board-approved pupil accommodation review process in conducting the accommodation review;

- Reviewing formal documentation, interviewing relevant participants including ARC Committee members, petitioners and board staff; and
- Submitting a written report to the Minister of Education on completion of the review.

## REPORTING TO THE MINISTER

- The report should be in the form of a letter to the Minister, indicating whether the accommodation review process followed the board's pupil accommodation review policy.
- The Minister is responsible and will make the facilitator's findings available to the board and the public in a timely fashion.

## **BOARD PROFILE AND DESCRIPTION OF SCHOOLS**

The Kawartha Pine Ridge District School Board serves the public education needs of the counties of Northumberland and Peterborough and the Municipality of Clarington. The region spreads over 7,000 square kilometres in an area bounded by the Kawarthas to the north, Lake Ontario to the south, Hastings County to the east and, to the west, the City of Kawartha Lakes and the City of Oshawa.

Enrolment in Kawartha Pine Ridge elementary schools has been in general decline. In 2000, the total number of students was 28,321. In 2008, the number was 23,485. The Board has a significant number of schools that have been declared Prohibitive to Repair (PTR) which adds complexity to the management of declining enrolment. The only growth area in the Board is the Municipality of Clarington.

While my appointment responds to a petition from South Cramahe, it is impossible to separate the interests of that community from those of the Castleton community since the Board appointed an Accommodation Review Committee (ARC) to review both schools simultaneously. The recommendations of the ARC, and the subsequent Board decisions affect the two schools. As a consequence, I visited both schools, have data from the Board on both and will include Castleton in my description of the process.

South Cramahe and Castleton Public Schools are both located in Cramahe Township. The township runs from Lake Ontario north to a point just below County Road 29. Cramahe includes the village of Colborne, whose school was not subject to review. The hamlets of Salem, Dundonald, Castleton and Morganston are within Cramahe.

South Cramahe P.S. is located on Purdy Road, just south of Highway 401. The location is truly rural with no public buildings, e.g. church, store, village hall, nearby. The hamlet of Salem and the village of Colborne are within short driving distance. The school opened in 1961 and was added to in 1967. The school is on one floor and is accessible, but does not meet the requirements of the Accessibility for Ontarians with Disabilities Act, 2005 because it has no automatic doors and no barrier free washrooms. The school has the usual classrooms, a gym with stage, a library-resource centre with a small computer lab, a learning centre and two portables. The school provides JK-grade 8 programming. In 2000, there were 256 children attending the school. By 2008, enrolment had declined to 194 children. The Board projects that enrolment will continue to decline slowly and stabilize by 2015.

I visited the school and was impressed with the care that went into maintenance of the entire building. The place shone. By all accounts parents are very actively and constructively engaged with the school. It is the focal point of their sense of community. One had the sense of a happy learning environment.

The school site of roughly 5 acres is attractive but has limitations. While there is an ample play area, with both hard surface areas and a playing field, expansion on the site would be difficult because only part of it is level. Despite the attractive appearance of the school, which is a credit to the caretaking and teaching staff, there are underlying deficiencies which have caused it to be classified as PTR.

Castleton Public School is located in the hamlet of Castleton. It is at the north/south midpoint of Cramahe Township. The school was built in 1929. The school has two floors with all washrooms in the basement level which is accessible only by stairs. It therefore does not meet the requirements of the Accessibility for Ontarians with Disabilities Act. The school has the high ceilings, big windows and wooden floors of a 1920's building. There are classrooms, a library-resource centre (converted classroom) with a small

computer lab and a classroom converted to a general-purpose room for indoor activities. There is no gym. The school provides JK-grade 8 programming. In 2000, 173 children attended the school. In 2008 that number had dropped to 136.

I visited the school and again, was impressed with the care that has gone into keeping an old building handsome and functional. Given its age, it is not surprising that the school has been declared PTR. The school was immaculate and the extensive playground well kept. The school sits on 9.7 acres of level land with a hard surface play area, a baseball diamond, soccer pitch and play equipment.

### **SUMMARY OF BOARD PROCESS LEADING TO DECISIONS**

In January 2007, the Kawartha Pine Ridge District School Board held an initial community consultation meeting to discuss the Board's Draft Capital Plan for the Northumberland County area. The future of a number of the elementary and secondary schools in Northumberland was presented for discussion and advice. The planning areas under discussion stretched from Port Hope to Brighton. One of the proposals put forward for discussion was to close Castleton P.S. and send its students to Spring Valley P.S. and Percy Centennial P.S., both of which are close to Brighton. A second proposal was to close Cramahe P.S. and send its students to a new school of 550-600 students to be built in Brighton.

The reaction from the Castleton and Cramahe school communities, and from Cramahe Township was immediate and negative. Rural residents did not want their children to attend large, town schools. They wanted to keep the values of smaller, rural schools alive. The Board reviewed the community input and built it into the next stage of discussion.

In March 2007, the Board reviewed and revised its Policy BA-1.2, *Pupil Accommodation Review: School Closure* to comply with the new Ministry guidelines. The Board updates its *Ten Year Capital Needs Assessment* annually. This Report also came forward in March 2007.

In June 2007, the Board's Resource Committee received an *Annual Accommodation Review Report*. Two groups of schools were identified for review in 2007-2008. One of the groups, Castleton P.S. and South Cramahe

P.S. were identified as the subject of a 2007 Summer Project which might lead to an accommodation review. The direction was to “identify site for one new school on one of these locations and conduct a review to consolidate both schools into one common existing site.”

On October 25, 2007, the Board received, for information and action, a report titled *Castleton and South Cramahe Public Schools: Group Pupil Accommodation Review*. The Report recommended that Castleton and South Cramahe Public Schools be reviewed in accordance with Board Policy BA-1.2 and that an Accommodation Review Committee (ARC) be struck. The Report states that the spring 2007 Capital Needs Assessment suggested that “the two schools be consolidated with a new facility built on one of the current sites or a new green field location”. The formation of an ARC was approved and two trustees, one of them representing Cramahe, were appointed.

The ARC membership included trustees, the principal responsible for both schools, board staff, parents (School Council Representatives), community members and business and municipal representatives. It was facilitated by Sherry Summersides, Associate Director of Education and supported by a superintendent and an administrative assistant.

The first meeting of the ARC was held on January 7, 2008. At this meeting a work plan was agreed to and the mandate of the ARC was provided. There was a detailed analysis of the Board’s Policy BA-1.2 on *Accommodation Review: School Closure* and three Regulations under that Policy: BA-1.2.1, *Timelines and Procedures for Conducting a School Accommodation Review*; BA-1.2.1A *Data Collection Report, Questions about the School*; and BA-1.2.1B *Generic School Valuation Framework*. With these documents the ARC had three very detailed tools to assist it in focusing on the issues. The Valuation Framework was to enable discussion of key values: to students, to the Board and to the community/local economy.

The first meeting of the ARC was open to the community as were the subsequent meetings on February 20th, March 3rd and April 10th. The meetings alternated between the two school buildings.

The February 20<sup>th</sup> meeting received input from the community. The participants emphasized the value of a rural school to the community and its children.

The ARC proceeded to work on the Valuation Template.

At the March 3, 2008 meeting of the ARC the Valuation Framework document, which had been worked on in February, was tabled. No change was proposed. After extended discussion the ARC came to a consensus on consolidating Castleton and South Cramahe Public Schools. The Committee then focused on criteria which would assist in selecting a location for new school. This discussion was introduced with a given, the school must be in Cramahe Township. The Facilitator presented a short list of non-negotiable criteria which included a building start date of Fall 2008, with the school opening by December 2009. A site with “level topography... and a minimum of 7 acres if not attached to a park setting” was also listed. The ARC added to the criteria. This led to a discussion of a “neutral” greenfield site, which would have to be purchased, or the existing Castleton site. The cost of bussing and length of time on busses was an issue. There was no consensus on location.

The April 10 meeting of the ARC presented its draft report on Pupil Accommodation to the public and all of the Board trustees. The Committee had been asked to gather more information. A possible greenfield site had been found. Formal presentations were made by South Cramahe parents, in favour of greenfield and by Castleton, in favour of building on its existing school site. Each of the options would increase bussing costs by \$120,000. The greenfield site would have to be purchased, municipal approvals obtained and services to the site arranged. All of these would cause delays in starting to build. There was no consensus. As the meeting was coming to a close a Committee member suggested an addition to the Report “The Committee supports the decision that the Trustees make regarding a location for the new replacement school as long as the school remains in Cramahe Township.” This was added by consensus.

On June 19, 2008, the Administration submitted the Report of the Castleton and South Cramahe Public Schools: Accommodation Review Committee and the Administration’s Report and recommendations to the Board. Both Reports describe the areas of agreement and disagreement, the latter being location. The Administration Report describes the options and the pros and cons of Castleton and greenfield. It does not identify one over the other in the formal recommendations. The Trustees voted for Castleton with only two dissenting votes.

## **THE PETITION**

The explanatory letter, to which the petition from South Cramahe PS is attached, identifies several areas in which they believe the Board did not follow its approved accommodation Policy, BA1.2. Their areas of concern focus on the first three subsections of Section 2, *Criteria for Identifying an Accommodation Review*, specifically whether or not a school is underutilized, overcrowded or has problems with program viability.

In addition, the petitioners challenge the identification of South Cramahe as Prohibitive-to-Repair under Section 2.1.4.

The petition claims that the decision to build on the Castleton site was pre-determined and that, during the ARC process, information was manipulated to drive towards that decision. As examples they cite the insistence of the Facilitator (the Associate Director) on making the decision on consolidation prior to debating location, and the non-negotiable criterion of a start of building date of Fall 2008 which made a greenfield site almost impossible to consider.

The petition also claims that the Mayor of Cramahe Township, who was a member of the ARC, was biased in favour of the Castleton site and that his negative opinions on time required for approvals and potential problems with the greenfield site influenced the Trustees' decision.

The petition also raises fears of children being on a bus for up to one hour (in good weather). The petition makes the point that a number of parents (they suggest 30%) may send their children to closer area schools, some of them 10 minutes from home, thus threatening the viability of the new school.

The petition claims that the suggestion of including the existing Colborne P.S. in the consolidation process, and specifically on the greenfield site, was dismissed as not part of the ARC process.

When I met with 16 of the petitioners and 2 very articulate students they focused almost exclusively on the issue of location. Despite its lack of a visible "centre" South Cramahe has a very real sense of community, much of it focused on the school. When they agreed to consolidate with Castleton,

they thought that a green field location was a real option. This they saw as fair to all. It also ensured reasonable bussing times especially for special needs students and those in the southeast section of the Township.

The petitioners made the point that the bulk of the population lives on either side of the 401 corridor, and that 2/3 of the new school population will be from south Cramahe. The greenfield site was only 10 minutes away from the present school. The petitioners believed that a decision favourable to a greenfield site would have eliminated dissension. However, the non-negotiable date and threats of delays before the Ontario Municipal Board appeared to have made such a decision impossible

### **THE BOARD'S RESPONSE**

The Board responds that Policy BA1.2, *Pupil Accommodation Review-School Closure*, sub-section 2.1 states that “The Administration shall bring to the attention of the Board...those schools that fall under one or more of the following categories...underutilized, overcrowded, program viability, physical condition”. The last is defined as “Any school which is in such a physical condition that it is deemed to be Prohibitive-to-Repair (PTR).”

The Board maintains that it has followed its policy. South Cramahe has been identified as PTR which meets one of the criteria for review. The Board endeavours to ensure that its buildings are well maintained but this does not mean that there are no underlying infrastructure issues.

The Board points out that it accepted community feedback on the draft *Capital Needs Assessment* in January 2007 and in May and June 2007 moved to support consolidation and the building of a replacement school in rural Cramahe Township.

The Board does not believe that the ARC process was compromised. The Minutes of the four ARC meetings confirm that 3 options, the Cramahe site, Castleton site and greenfield site were considered. The minutes of meetings 2, 3 and 4 show that Committee members identified the criteria for an “ideal” school site.

In forming an ARC, Board Policy states that local politicians shall be invited to be members of the Committee. The Mayor of Cramahe was a legitimate member of the Committee, one among equals, whose expertise on Township bylaws and timelines was a valuable resource. Since all decisions were made by consensus, he had no more influence than any other member.

Regarding the non-negotiable date to start building, school boards, when discussing PTR funding with Ministry staff, must indicate a commitment to getting the school open for a particular date. The date for opening of the consolidated school was proposed as December, 2009. That created the Fall 2008 date. This was discussed at the public meetings of the ARC.

The concerns of South Cramahe parents were heard and are well documented in the Minutes of the ARC. All but one Trustee attended the fourth meeting of the ARC where the concerns were again expressed. The Board received additional public presentations (at 2 meetings) in June 2008. All Trustees were very aware of the issues: bussing, distance and location.

There had been neither research nor public consultation on the closing of Colborne P.S. The Colborne community had neither due notice of any change in the status of its school, nor representation on the ARC. The Committee was told that discussion of Colborne, as part of the South Cramahe/Castleton consolidation was therefore not in keeping with board policy and process.

When I met with senior administration they explained that the accommodation review was part of an effort to consolidate in the eastern area of the Board. They have many rural, small schools which have been declared PTR. Their initial plan to merge the Castleton and Cramahe students into the Brighton area was not acceptable to the public. The ARC was the result. The Castleton site is owned by the Board, and in terms of extra distance, it is 6 km from the greenfield site. The estimated longest bus ride is 45 minutes, which is under the board guideline of 1 hour.

In addition, in June the Board did vote on the greenfield site. The vote was 9-2 against. The Board believes that it is uneconomic to buy land when it owns land which is easily accessible by students. The Board also has a preference for placing schools in a community rather than greenfield.

I met with four of the Trustees, including the Chair of the Board and those who served on the ARC. The two Trustees who served on the ARC saw the process quite differently from each other. The local Trustee essentially supported the viewpoint of the petitioners. The second Trustee representative on the ARC said that of the non-negotiables, some came from Board Policy and others were arrived at during a brainstorming session where items were added to sheets on the wall. That Trustee believed that, while there were understandable tensions, the process had been open, fair and effective. The third Trustee felt that the ARC had followed Policy

The Chair of the Board also believed that their Policy had been followed and observed that school closures are always difficult. The Board tries to bring communities together, "...but they withdraw back into their own schools as fortresses".

### **OBSERVATIONS FROM THE ARC**

When I met with the ARC, the divisions which were apparent in the Minutes of their meetings were repeated.

From the viewpoint of the South Cramahe members, the committee was "steered". They felt strongly that the sequencing of the decisions, that is consolidation before any discussion of location, and the construction start date of Fall 2008 had "disadvantaged" their argument, and their search, for a suitable neutral site. There was also a real misunderstanding of the nature of the Board's long-term planning process. Dates, for school renewal for instance, which the Board would not see as engraved in stone may seem to be rock solid to a member of the public. As well, because their school looks so attractive and well cared for, the significance of PTR is not well understood.

On the other hand, Castleton ARC members expressed the view that once the two schools were declared PTR they were certain to close. They also took the position that the ARC had decided, by consensus, on the site criteria for a new school and that neither Cramahe, the first greenfield, nor the last minute greenfield sites met the criteria. It may be easier for Castleton to have a feeling for PTR given the age of the school.

Both sides of the group had a strong sense that if a decision were not reached, on time, by this ARC, the money from the Ministry for a new school might disappear.

### **MY OBSERVATIONS**

The initial public consultation process for the Northumberland County section of the Board began in January 2007 after the Board had received the Ministry's *Pupil Accommodation Review Guideline* but before the Board had completed its review of its own Policy. Nevertheless, the initial consultation, with emphasis on the fact that draft documents were used to assess broad public reaction to concepts for the various planning areas, was an open and fair process.

All the data indicate that the Board, which is experiencing substantial declining enrolment and has a number of small, rural, PTR schools, must consolidate its student population into larger schools if it is to serve students well. Castleton and South Cramahe are continuing to experience enrolment decline. The negative reaction from South Cramahe and Castleton to the idea of consolidating with the Brighton area made it inevitable that the two schools would be considered, as a pair, for a rural solution.

While no process is perfect, the Kawartha Pine Ridge Board has developed a policy on pupil accommodation which is remarkable in its use of plain language and in its detail. The Policy places value to the student front and foremost. It is an excellent tool to assist ARCs in managing the painful task of recommending school consolidation and closure.

My responsibility was to examine the petition and determine whether the issues raised constitute violations of the Board approved Accommodation Review Policy. I have reviewed the petitions, met with the petitioners, Board officials, trustees and the ARC.

### **SOUTH CRAMAHE PUBLIC SCHOOL**

The petition claims that the board was in violation of the policy section which deals with the grounds for identifying an Accommodation Review. In fact the board was in full compliance with its policy. South Cramahe had

been declared PTR by the Ministry. The Policy is explicit; a single criterion from the list may trigger a review.

The petition claims that the outcome was pre-determined. The Minutes of both ARC and Board meetings indicate that more than one school site was discussed throughout the process. The ARC, unable to reach consensus on a site, specifically supported the right of the Board to decide on the location of the new school in Cramahe Township. The Board did consider the possibility of greenfield and voted against it. They then voted in favour of the Castleton site. The ARC and the Board were in compliance with policy.

A number of issues raised in the Petition are not violations of Policy. The order in which issues are dealt with in a series of meetings is not a policy matter, and in any case there is no record in the ARC minutes of any disagreement with the initial work plan or the agendas of meetings. Similarly, the fact that the Mayor, who was a member of the ARC, had opinions and expertise, is not a policy issue.

While the non-negotiable construction start date may have made some decisions more difficult that too, is not a violation of Policy.

The petition focuses less on violations of Board policy than on disagreements about timing of items for discussion, the role of a specific member of the committee, the opinions of local “experts” on the PTR designation and the difficult question of time on the bus, especially for special needs students.

The long term planning process and the fate of a number of other schools is also questioned. And Colborne, with no consultation with its community, is drawn into the mix. Again, these indicate disagreement with the decision and attempts to change it. They are not policy issues.

## **SUGGESTIONS**

Any accommodation review is a substantial and time-consuming undertaking. The Board is to be commended for focusing on the capacity of its schools to provide equitable access to program whether the schools be urban or rural. As enrolment declines, consolidation of some schools is inevitable, in both rural areas and towns, if the Board is to fulfill its mandate.

There was real confusion in the ARC over the Board's Ten Year Plan and what ARC members described as the Watson Report. There was also sketchy understanding of the PTR process and its financial implications. It would be useful to present, at the first meeting of an ARC, a clear description of how and why long term planning is adjusted on a year-to-year basis. In the Board's present circumstances, a clear description of who makes the PTR decision and of the real costs underlying PTR identification would be helpful to ARC members.

The cost of bussing has two aspects, the social cost to children of long bus rides at either end of the day and the dollar cost of transportation. I urge the board to ensure that its estimates of time on the bus, particularly for children in the southeast quadrant of the Township, and for special needs children are accurate. This may lead to adjustments for some children.

The Board may wish to develop some long-term estimates of the cost of bussing. Some planning decisions, but not this one, may merit re-thinking depending on where gas costs are going.

Sherry Summersides, the Facilitator of the ARC used the phrase "non-negotiable" at the March meeting of the ARC, in her introduction to the development of criteria for a school site. I heard, from one of the two Trustee members of the ARC, that the items, such as size and topography of site and construction start date, were within Board Policy. A number of community members interpreted the list as part of steering the direction. In any case, non-negotiable is an unfortunate choice of words in what is meant to be an open and transparent community consultation. Rather than non-negotiables, any future ARCs might be given, early in the process, any program, planning, financial or other policies which might legitimately constrain their decision making.

The position of Board staff on an ARC is fraught with difficulties. They are known to the community and are expected to have knowledge in terms of the schools, education policy etc. Community members also expect them to have opinions. But the community observes that, in an ARC situation, Board staff, and particularly teachers and principals do not feel free to express opinions, or sometimes say anything. And indeed, opinions from staff may be quite inappropriate. I believe that it would be useful to develop a Board protocol to guide and support all levels of staff who are assigned to an ARC

process. This could also be used to adjust the expectations of community members of the ARC.

Lastly, the Board policy that all meetings of the ARC are open to the public is commendable, but the role of the public at the meetings should be clarified. At most of the meetings the public engaged in question and answer sessions. As the persons present at the meetings changed, issues which were raised at previous meetings had to be dealt with again. This took time away from the ARC discussions. It also meant that there was little or no time, nor a structure which would encourage it, for any formal presentations which might have clarified some of the positions, for instance that of the Township. I recommend that the Board consider developing some procedures to guide the public presence at meetings. This might encourage not only questioning, but also some formal presentations from the community. This could reduce both repetition and some of the emotion which became apparent as the ARC attempted to do its work.

## **CONCLUSIONS**

School closure decisions are best made at the local level because the school board has knowledge of the local community and the needs of the local students. School boards are directly accountable to their constituents.

I appreciate the advice and input from the petitioners. It is clear that they have a very real sense of community. They value public education and care about their children. I also want to thank the board for its assistance. While there are strong differences of opinion on the location of the new school in Cramahe Township, the Board has acted responsibly and in the interest of all of the students. I am sure that, when the new school is built, it will be received enthusiastically by its new, combined community.

Based on my review and consultations, I conclude that the Kawartha Pine Ridge District School Board did not violate their Board approved accommodation review policy

Margaret Wilson

Facilitator

