

Ministry of Education

Ministère de l'Éducation

Office of the ADM
Business & Finance Division
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Toronto ON M7A 1L2

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Division des opérations et des finances
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900, rue Bay
Toronto ON M7A 1L2



June 4, 2008

Kevin Kobus
Director of Education
Toronto Catholic District School Board
80 Sheppard Avenue East
Toronto, ON M2N 6E8

Dear Mr. Kobus,

On June 4, 2008, the Lieutenant Governor in Council duly considered and subsequently concurred with the recommendation from the Minister based on the investigators' report that control and charge over the administration of the affairs of the Toronto Catholic District School Board (the "Board") be vested in the Ministry of Education, as provided in 257.31(2) of the Education Act (the "Act").

I am forwarding a copy of the order (attached) to you in your capacity as Secretary of the Board in accordance with subsection 257.31(4) of the Act. Notice of the order will be published in *The Ontario Gazette* as soon as possible. Under clause 257.32 (1) (b), you are directed to post a copy of the notice of the order on the Board's website.

The terms of reference for the now appointed Supervisor, Norbert Hartmann, are as follows:

1. Implement the recommendations of the report entitled "Enhancing Public Trust and Confidence" as it applies to the Board.
2. Develop and implement a balanced budget plan to return the Board to a balanced financial position while protecting the best interest of students.
3. Develop communication measures to inform parents, board trustees, student trustees, staff and members of the public of the actions taken by the Supervisor and to assure them of the Supervisor's commitment to a quality education for students of the board.
4. Seek the advice of the Board's trustees, student trustees, staff and parents in any manner and at any time the Supervisor deems appropriate.
5. Respect the Board's denominational rights, collective agreements and other financial contracts and obligations.
6. Provide progress updates to the Assistant Deputy Minister of the Business and Finance Division.
7. Ensure that trustees have access to information from the Board's staff, as appropriate.

We have also appointed an Associate Supervisor, Norm Forma, to advise and assist the Supervisor as needed.

If you have any questions regarding the above please do not hesitate to contact me at (416) 325-6127 or email at Nancy.Naylor@ontario.ca.

Sincerely,



Nancy Naylor
Assistant Deputy Minister
Ministry of Education

cc: Steve Marshall, Deputy Minister
Catherine LeBlanc-Miller, Chair

I, Kevin Kobus, Director of Education for the Toronto Catholic District School Board, hereby acknowledge receipt of the Order in Council vesting control and charge over the administration of the affairs of the Toronto Catholic District School Board with the Ministry of Education.



Kevin Kobus
Director of Education
Toronto Catholic District School Board

Signed at Toronto this 4TH day of June, 2008.



Ontario
Executive Council
Conseil exécutif

Order in Council
Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation de la personne soussignée, le lieutenant-gouverneur, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

WHEREAS the Minister of Education (the "Minister"), on May 25, 2008, directed an investigation of the financial affairs of the Toronto Catholic District School Board (the "Board") under clause 257.30 (1) (d) of the *Education Act*, R.S.O. 1990, c. E.2, as amended (the "Act"), because she had concerns about the Board's ability to meet its financial obligations;

AND WHEREAS the Minister on May 25, 2008 appointed an Investigator, who is a person employed in the Ministry of Education (the "Investigator");

AND WHEREAS the Investigator completed an investigation and submitted a written report to the Minister on June 3, 2008;

AND WHEREAS a copy of the report was transmitted to the secretary of the Board on June 4, 2008;

AND WHEREAS the investigation disclosed evidence of a probable deficit and serious financial mismanagement, including the mismanagement of trustee expenses, on the part of the Board;

AND WHEREAS the Investigator recommended that control and charge over the administration of the affairs of the Board should be vested in the Ministry of Education;

AND WHEREAS the Minister has reviewed the Investigator's report and has considered the findings and recommendations;

AND WHEREAS the Minister recommends that control and charge over the administration of the affairs of the Board be vested in the Ministry of Education;

NOW THEREFORE, under subsection 257.31 (2) of the Act, control and charge over the administration of the affairs of the Board be vested in the Ministry of Education;

AND THAT, under subsection 257.31 (4) of the Act, a true copy of this order, certified by the Clerk of the Executive Council, be promptly transmitted to the secretary of the Board.

Recommended 
Minister of Education

Concurred 
Chair of Cabinet

Approved and Ordered JUN 04 2008
Date


Lieutenant Governor



Delegation and Terms of Reference

Supervision of Toronto Catholic District School Board

Pursuant to subsections 2 (4) and 257.48 (2) of the *Education Act* (the "Act"), I delegate my powers and duties under Part IX, Division "D" of the Act, except those powers that I reserve below, to the Supervisor to assume control over the exercise and performance by the board of its powers, duties, and obligations with respect to all matters including, but not limited to, matters set out in section 257.33 of the *Education Act*.

I reserve the following powers, which I may delegate to other persons:

- My authority under subsection 257.32 (2) of the Act to grant leave for the commencement or continuation of any proceeding in any court against the Board or for the enforcement of a court order against the Board.
- My authority under clause 257.33 (2) (a) and subsection 257.45 (4) of the Act to appoint or dismiss teachers of the Board, or respecting their powers, duties, salaries and remuneration.
- My authority under subsection 257.32 (1) to direct notices of the vesting order.
- My authority under subsection 257.48 (2) to determine the Supervisor's salary.
- My authority under subsection 257.48 (4) to direct a board under supervision to pay the cost related to the supervision.

In carrying out his duties, the Supervisor shall take measures that bring the Toronto Catholic District School Board (the "Board") into full and immediate compliance with the recommendations set out in the report entitled "Enhancing Public Trust and Confidence", released on May 7, 2008, and prepare and implement a plan that returns the Board to a balanced financial position.

For this purpose, the Supervisor shall:

1. Implement the recommendations of the report entitled "Enhancing Public Trust and Confidence" as it applies to the Board.
2. Develop and implement a balanced budget plan to return the Board to a balanced financial position while protecting the best interest of students.
3. Develop communication measures to inform parents, board trustees, student trustees, staff and members of the public of the actions taken by the Supervisor and to assure them of the Supervisor's commitment to a quality education for students of the board.