

....For Different Folks

....while this mother took her school board to court — and won!

By Maureen Agar

We sat quietly with our heads bowed. Some held hands with tears trickling down their faces. I found myself actually holding my breath as I waited for Justice Archie Campbell to read the verdict.

And on May 19, 2000, the Supreme Court of Ontario found that our school board, the Avon-Maitland District School Board, had not met its duty of procedural fairness in deciding to close the Seaforth District High School and the Seaforth Public School. Consequently, the Court ruled, the schools would stay open and the board was ordered to pay us \$15,000 to cover our court costs.

As the judges rose to leave, the Director of Education and his staff remained seated with looks of disbelief on their faces.

The young mayor of Seaforth, by way of contrast, jumped in the air, clicking his heels together. The rest of us ran to the phones, spreading the fantastic news to the people of Seaforth. We hugged, we cried, as months of frustration, anger, and hard work were forgotten in the exhilaration of victory.

We returned to Seaforth for a victory ride on our town's fire engine, so that the whole community could celebrate with us. It was one of the best days of our lives!

Seaforth District High School (SDHS) had been on the closure list three times since the amalgamation of the old Huron and Perth school boards. It was an easy target, the smallest (not the costliest) high school in both counties.

The first time we were targeted, I was the chair of the school council. We were appalled at the prospect of our students being bused for up to two hours a day. I started a petition and in three days collected more than 700 signatures (in a town of 3500 souls). The community knew the importance of the high school to our town.

A committee formed that was ultimately known as the Seaforth Student Success Foundation (SSSF).

When the SSSF held a rally through the streets of Seaforth, students carried banners, and businesses closed their doors to attend. One member of the community donated \$5000 to start a fundraising campaign. Cheques began to pour in and people walked into local banks to deposit cash to our account. By the end of three weeks, we had \$13,000.

The pressure worked — for a while.

Supreme Court Findings

1. The Avon-Maitland Board school closure policy did not comply with the Minister's guidelines for community consultation and therefore lacked the statutory authority to close the school.
2. By denying Seaforth a review committee similar to other communities prior to the closure recommendation, the board denied Seaforth the same opportunities.
3. The board's staff breached its duty of fairness by denying the Seaforth committee the chance to consider reasonable alternatives.
4. The board's staff breached its duty of fairness by denying access to financial data.
5. The board's staff breached its duty of fairness by denying the Seaforth community a reasonable time to complete its work, particularly after the discovery and acknowledgement of the staff's \$200,000 error in savings.

During the second and third attempts to close our school, a list of several schools lay on the slaughter table. There was a massive outcry.

Parents from many areas tried to explain the consequences of closing the only high school in a town. Feelings ran high, as community was pitted against community.

Board administration seemed to be doing their best to fuel the emotion, issuing often-contradictory information and playing favourites. One of our committee members, Charles Smith, worked many hours on the skimpy and confusing financial information available, at one point discovering a \$200,000 error in the board's calculations — in our favour.

In all the public meetings after this, not one trustee showed interest in this error, or indeed any of the other errors discovered by our group.

The members of our community proposed many ingenious and creative ways of saving money and/or generating more revenue, but they were ignored. Even when several financial analysts showed that the board's overall budget figures were suspect and that the board was actually projecting a surplus, nothing changed. The trustees were simply determined to close our schools.

As a last resort, we decided to take the board to court. And, fortunately for us, we won — for a while. This is not the end of the saga. The court ruling buys us a year, but the school board still has the power to close our schools, provided that they meet their duty of procedural fairness.

November 13, 2000, municipal election day in Ontario, is the day that citizens can take back the education system by voting for trustees who put students and communities first. Our children are worth it!

(Mrs. Agar (519-527-1857, magar@odyssey.on.ca) will be supporting Charles Smith in his bid to become a trustee. She would be happy to discuss the SSSF's strategies with anyone who has an unresponsive school board. Mrs. Agar highly recommends a University of Guelph report entitled "Educational Reform and the Rural Community: An Ontario Perspective" by Allan Lauzon and Danielle Leahy)