

QUESTIONS AND ANSWERS

1. What does “notice of motion to intervene”, “leave to intervene” and “intervenor” mean?

A non-party who wants to participate in a legal proceeding involving other parties (i.e., to “intervene”) must first obtain the court’s permission (i.e., “leave”). Seeking “leave to intervene” means seeking the court’s permission to participate in a legal proceeding.

The TDSB requested and was granted “intervenor status” in the City’s application.

To ask for permission, the TDSB sent a document called a “Notice of Motion to Intervene” to the judge and counsel giving notice of our request to participate and a preview of the evidence we would file in the City’s proceeding. TDSB sought, and was granted, leave to file limited evidence and to make written and oral arguments.

2. What would have happened if you hadn't filed a Notice of Motion to Intervene on August 24?

We may not have received permission to participate in the City’s case, and without such permission, the TDSB would not have any involvement whatsoever. We had to take immediate action to preserve our ability to participate.

3. Can TDSB withdraw from participation in the City’s application?

Yes the TDSB may withdraw from participation with the court’s permission.

4. How many challenges are there right now and who is involved?

There are currently three applications:

- a) Rocco Achampong (candidate for City Council)
- b) Chris Moise (as candidate for City Council), Ish Aderonmu (an elector), and Prabha Khosla (an elector and member of Women Win TO); and
- c) City of Toronto.

Although they are three separate challenges, the Judge will deal with all of them at the same time.

5. What will TDSB's involvement be?

As an intervenor, the TDSB will file evidence and make oral and written submissions on the changes to its Trustee Wards and to address relevant provisions of the *Education Act* and related Regulations. Our focus is mainly on the impact of Bill 5 on the TDSB and the *Education Act*.

6. What are TDSB's argument(s)?

The TDSB will focus primarily on two arguments. Firstly, in the event that Bill 5 is struck out in whole or in part, the related provisions in the *Education Act* regulation ought to be struck out as well because they were made only to align the TDSB's boundaries with the 25 ward boundaries mandated by the provisions of Bill 5.

Secondly, that changes made to the *Education Act* Regulations requiring re-alignment of trustee wards with 25 City ward boundaries does not apply to the current 2018 election, which is already underway, but only to the "next regular election...or any by-election proceeding that next regular election" as expressly stated in section 58.1(4) of the *Education Act*.

The TDSB will also confirm that, should the result be that there are 47 City wards, we can revert to our previous alignment.