COURT OF APPEAL FOR ONTARIO

CITATION: Del Grande v. Toronto Catholic District School Board, 2024 ONCA 769
DATE: 20241023
DOCKET: COA-23-CV-1052

Hourigan, Trotter and Gomery JJ.A.

BETWEEN

Michael Del Grande

Applicant (Appellant)

and

Toronto Catholic District School Board

Respondent (Respondent)

Charles Lugosi, Cory Giordano and Thomas Slade, for the appellant

Jonathan Lisus and Philip Underwood, for the respondent

Heard: September 23, 2024

On appeal from the order of Justices Robert J. Smith, Elizabeth M. Stewart, and Sandra Nishikawa of the Divisional Court, dated January 13, 2023, with reasons reported at 2023 ONSC 349.

Gomery J.A.:

[1] The appellant, Michael Del Grande, a trustee of the respondent Toronto Catholic District School Board ("TCDSB"), appeals the dismissal of his application for judicial review. In that application, he challenged four decisions (the "Decisions") of the TCDSB's Board of Trustees (the "Board") in November and

December 2020. As a result of the Decisions, Mr. Del Grande was found to have breached the TCDSB's code of conduct (the "Code of Conduct") during a public meeting in 2019 and he was sanctioned.

[2] Mr. Del Grande argues that the Board was not empowered to find that he breached the Code of Conduct because, when the issue was first put to the Board at an earlier meeting, a motion that he had breached the Code did not pass. He argues that the Board's reconsideration of its first decision was not authorized under the *Education Act*, R.S.O. 1990, c. E.2 (the "*Education Act*" or the "Act"), and the Board's own procedural by-law (the "By-law"), and that reconsideration offends the doctrines prohibiting re-litigation — *res judicata*, issue estoppel, *functus officio*, double jeopardy, and abuse of process. He also argues that the Board's Decisions violated his rights under ss. 2(a), 2(b), and 3 of the *Canadian Charter of Rights and Freedoms*.

[3] The Divisional Court found that the Board acted within the scope of its authority in reconsidering its initial decision; that no re-litigation doctrines were offended; that the Board's Decisions were reasonable; and that they reflected an appropriate balancing of Mr. Del Grande's *Charter* rights and the Board's mandate

under the Act and the Code of Conduct.[1] I agree and would accordingly dismiss the appeal.

Background

[4] Like other Ontario school boards, the TCDSB was required to adopt a code of conduct for its twelve elected trustees pursuant to s. 218.2(2)(a), *Education Act*, and O. Reg. 246/18, s. 1(1).[2] The TCDSB's Code of Conduct Policy No. T.04 recognizes that its trustees represent all citizens in the Catholic community in Toronto, who expect "the highest standard" from the trustees they elect. Trustees must "respect differences in people" and "respect and treat others fairly". They must "treat one another with dignity and respect at all times, and especially when there is disagreement", using "appropriate language and professionalism". A trustee who breaches the Code of Conduct may be sanctioned.

[5] At a November 2019 public meeting of trustees, the Board considered a motion to add four new grounds on which discriminatory practices are specifically barred: gender identity, gender expression, family status, and marital status. Based on submissions at the meeting, the Catholic Archdiocese of Toronto supported the addition of these grounds. Mr. Del Grande, however, questioned

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[1] The Divisional Court also found that the Board's Decisions were procedurally fair. Mr. Del Grande has not challenged this finding on this appeal.

[2] Effective January 1, 2025, a new version of s 218.2 will come into force. This does not affect any issue in this appeal.

how the TCDSB would deal with teachers involved in polygamous marriages. He proposed an amendment to the motion such that, if the four new proposed grounds were added, so too should a long list of sexual fetishes and paraphilias, including pedophilia, cannibalism, bestiality, and vampirism. When a fellow trustee pointed out that many of the practices mentioned by Mr. Del Grande were criminal, he responded that “God made them all”. His suggested amendment was ruled out of order. Following a lengthy debate, the motion to add the four new grounds was put to a vote and passed eight to four.

[6] After the meeting, the TCDSB received over a dozen complaints about Mr. Del Grande’s statements. Some complainants had attended the meeting, while others had heard about Mr. Del Grande’s statements through news coverage. They contended that the statements, and how they were made, were intended to shame and disrespect vulnerable members of the LGBTQ+ community.

[7] In response to the complaints, the TCDSB retained an investigator to determine whether Mr. Del Grande had breached the Code of Conduct. The investigator interviewed three complainants and Mr. Del Grande and reviewed a recording of the meeting as well as documents submitted by the parties. She also reviewed the relevant provisions of the *Education Act* and the Code of Conduct.

[8] In May 2020, the investigator issued a report finding that Mr. Del Grande had violated the Code of Conduct. She found that, through his statements, he had

effectively equated criminals, such as cannibals and rapists, to members of the LGBTQ+ community. This was particularly insensitive because, during the meeting, a delegate of the LGBTQ+ community spoke about having had suicidal thoughts and losing a friend to suicide due to a lack of acceptance of the gay community.

[9] The investigator acknowledged that Mr. Del Grande had a right to provide a Catholic perspective on the motion debated at the November 2019 meeting and that the Code of Conduct mandates trustees to "rigorously defend the constitutional right of Catholic education". She explained that her conclusion that Mr. Del Grande breached the Code of Conduct was based not on:

> [T]he fact that he opposed the motion, or that he engaged in debate about it. In fact, debating the motion would have been squarely within his role as a Board trustee. Rather, I find that the inflammatory language that Mr. Del Grande included in his motion, and the flippant (to use his own word) manner in which he addressed concerns about that language, is what crossed the line. Mr. Del Grande made his remarks knowing both that members of the LGBTQ+ community were present at the meeting and that others not present would be able to access his remarks after the meeting; to do so was disrespectful, not inclusive and lacking in compassion.

[10] The investigator noted that Mr. Del Grande had not shown any remorse for his statements after the meeting but rather insisted that he had used "hyperbole" to make his point. She concluded that: "In choosing the words that he did, he

created an unwelcoming and harmful environment for certain members of the Catholic school board community".

[11] On August 20, 2020, the Board voted on a resolution that Mr. Del Grande had violated the Code of Conduct. It did not pass, the votes in favour being one short of the required two-thirds majority (the "First Decision").

[12] The First Decision elicited a further negative response from the local community. The Board convened a special meeting on November 11, 2020, to debate whether the First Decision should be reconsidered. The meeting lasted eight hours. Following debate, a motion to reconsider the First Decision was passed by a two-thirds vote (the "Reconsideration Decision") The Board then passed, again by a two thirds majority, a resolution finding that Mr. Del Grande had violated the Code of Conduct (the "Merits Decision"). Finally, the Board voted to sanction Mr. Del Grande by censuring his behaviour, requesting that he apologize publicly, requiring him to complete equity training, and barring him from sitting on subcommittees or acting in a representative role for the Board of Trustees for three months (the "Sanction Decision").

[13] Mr. Del Grande appealed the Merits Decision and the Sanction Decision in December 2020, pursuant to provisions of the Code of Conduct permitting him to do so. After considering lengthy submissions, the Board of Trustees confirmed the Decisions (the "Confirmation Decision").

Grounds of appeal raised by Mr. Del Grande

[14] In his application for judicial review before the Divisional Court, Mr. Del Grande sought an order quashing the Reconsideration Decision, the Merits Decision, the Sanction Decision, and the Confirmation Decision, and reinstating the First Decision. The Divisional Court dismissed the application. Mr. Del Grande contends that it committed four errors:

1. It reviewed the Decisions on a standard of reasonableness;
2. It mistakenly found that the Board had the legal authority under the *Education Act* to reconsider the First Decision;
3. It found that the reconsideration did not offend the doctrines of *res judicata*, issue estoppel, abuse of process, and *functus officio*; and
4. It found that the Board's Decisions did not violate Mr. Del Grande's rights under ss. 2(a) and s. 3 of the *Charter*.

[15] For the reasons that follow, I am not persuaded that the Divisional Court erred.

Analysis

(1) The Divisional Court correctly applied the reasonableness standard in reviewing the Decisions

[16] The Divisional Court correctly found that the appropriate standard of review of the Decisions is reasonableness. Reasonableness is the presumptive standard:

Canada (Minister of Citizenship and Immigration) v. Vavilov, 2019 SCC 65, [2019] 4 S.C.R. 653, at paras. 7 and 30. It specifically applies where, as here, an applicant for judicial review challenges an administrative decision maker's authority to act based on regulations it has adopted pursuant to broad authority delegated to it by an enabling statute. In such circumstances, "[a] proper application of the reasonableness standard will enable courts to fulfill their constitutional duty to ensure that administrative bodies have acted within the scope of their lawful authority … without having to apply the correctness standard": *Vavilov*, at para. 67.

[17] The correctness standard applies exceptionally where the rule of law requires it, such as where an issue gives rise to "general questions of law of central importance to the legal system as a whole" or questions relating to jurisdictional boundaries between administrative bodies: *Vavilov*, at para. 17. In *Victoria University (Board of Regents) v. GE Canada Real*, 2016 ONCA 646, 76 R.P.R. (5th) 104, at para. 89, leave to appeal refused, [2016] S.C.C.A. No. 462, this court held that an arbitration tribunal's decision should not be reviewed on a correctness standard merely because the tribunal determined the doctrine of issue estoppel in specific circumstances. For the correctness standard to apply, the "narrowly construed issue, not the application of a broadly stated legal doctrine, has to be of general importance to the legal system": *Victoria University (Board of Regents)*, at para. 89. This approach is consistent with the Supreme Court of

Canada's subsequent decision in *Vavilov* and remains good law: *Beach Place Ventures Ltd. v. Employment Standards Tribunal*, 2022 BCCA 147, 61 B.C.L.R. (6th) 29, at paras. 25-29, leave to appeal refused, [2022] S.C.C.A. No. 211; *Cerna v. Canada (Citizenship and Immigration)*, 2021 FC 973, at paras. 31-33.

[18] Although Mr. Del Grande relies on re-litigation doctrines, the issues that must be determined on this appeal are not of general importance to the legal system. Mr. Del Grande seeks to apply the doctrines in narrow and specific circumstances. As he acknowledges, there is no evidence that the Board's reconsideration powers have ever been used in similar circumstances nor that other Ontario school boards have invoked similar provisions to trigger a reconsideration of whether a trustee has breached a code of conduct.[3]

[19] I accordingly agree with the Divisional Court that, in this case, Mr. Del Grande does not seek to "articulate a general doctrine or resolve a complex legal issue of broader application." The court did not therefore err in reviewing the Board's Decisions on a reasonableness standard.

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[3] Going forward, a different system for determining whether a trustee has breached a code of conduct will come into effect. As of January 1st, 2025, the current version of s. 218.3 of the *Education Act* will be replaced with a new version that provides that an integrity commissioner will determine whether a trustee has breached a code of conduct, a determination that either a board or the affected trustee may appeal: *Better Schools and Student Outcomes Act, 2023*, S.O. 2023, c. 11, Sched. 2, s. 24.

(2) The Divisional Court did not err in upholding the Board's legal authority to reconsider the First Decision

[20] Mr. Del Grande argues before this court, as he did before the Divisional Court, that the Decisions should be quashed because the *Education Act* does not specifically authorize school boards to reconsider matters already put to a vote and the power to reconsider in the Board's By-law was not intended to be used as it was in this case. I agree with the Divisional Court that, applying the reasonableness standard, the Board's interpretation of the *Education Act* and its By-law supports its power to reconsider the First Decision.

[21] As a school board, the TCDSB is a corporation and "has all the powers and shall perform all the duties that are conferred or imposed on it under this or any other Act": *Education Act*, s. 58.5. School boards' specific duties and powers are set out at ss. 169.1 to 175. Pursuant to ss. 169.1(1)(a), (a.1), and (a.2), they must develop and maintain policies that promote "student achievement and well-being", a "positive school climate that is inclusive and accepting of all pupils", and the prevention of bullying. Under s. 170(1), every board shall "fix the times and places for the meetings of the board and the mode of calling and conducting them", and "do anything that a board is required to do under any other provision of this Act".

[22] Pursuant to its mandate under the Act, the TCDSB adopted Operating By-Law Number 175 which governs how the Board of Trustees will make decisions

and conduct meetings. Article 10.11 of the By-law allows the Board to reconsider matters that were subject to an earlier vote:

> Any matter which has been decided upon by the Board of Trustees, for a period of three months thereafter, may be reconsidered by the Board of Trustees only on an affirmative vote of two-thirds of all Trustees of the Board of Trustees entitled to vote … Thereafter a matter may be reconsidered only on a vote of a majority….

[23] Mr. Del Grande acknowledges that the TCDSB had the authority to adopt the By-law and art. 10.11, but contends that it did not have the legal authority to use it to revisit the question of whether he had breached the code of conduct. Although he concedes that the Board has the ability, under art. 10.11, to reconsider some decisions, he argues that this power is implicitly limited due to s. 218.3(6)(c) of the *Education Act*. Section 218.3(6)(c) of the Act empowers a board to confirm or revoke a determination after it has found that a trustee has breached a code of conduct. It does not, however, contemplate the possibility that a board would reconsider a determination that a trustee did not breach a code of conduct.

[24] I agree with the Divisional Court that Mr. Del Grande's argument has no merit. As held in *In the Matter of s. 10 of the Education Act*, 2016 ONSC 2361, 347 O.A.C. 386 (Div. Ct.), at para. 56, the broad powers conferred to school boards in the *Education Act*:

> [R]eflect a legislative intent that school boards not be limited in conducting their affairs to those functions that are specified in the *Education Act.* Rather, school boards should be free to act as modern, democratic, dynamic

> legal personalities, provided only that there be some statutory foundation for, and no express statutory prohibition of, their conduct.

[25] As the Divisional Court correctly noted, "nothing in the language of s. 218.3, or the *Education Act*, precludes reconsideration of a code of conduct matter by the board", and there "is no provision in the Act stating that a determination under s. 218.3(6) is final". As Mr. Del Grande's counsel conceded in oral argument, his proposed interpretation of s. 218.3 would require reading language into the Act that is not there. Art. 10.11 does not preclude reconsideration of decisions made under the Code of Conduct. On the contrary, it explicitly permits reconsideration of "[a]ny matter which has already been decided upon by the Board".

[26] Mr. Del Grande argues that a limit on the Board's power to reconsider should be read into the *Education Act* and the By-law, because to find otherwise exposes trustees to double jeopardy. As the Board accurately noted, however, the process to which he was subject was administrative in nature. Concepts such as double jeopardy do not apply. The Board is a democratically elected assembly answerable to its constituents. It is not a court or a professional disciplinary body. In the context of the Code of Conduct complaint against him, Mr. Del Grande was not entitled to the procedural guarantees afforded to an individual facing criminal prosecution or even all those that would apply were his right to practice a profession at stake.

[27] The Act gives school boards latitude to achieve their statutory purposes through the adoption of procedural rules. Mr. Del Grande's conduct at the

November 2019 meeting prompted complaints that he had mocked and derided members of the LGBTQ+ community, including former and current students. An investigator determined that he breached the Code of Conduct. The First Decision was criticized by members of the community. In these circumstances, the Divisional Court found that it was reasonable for the Board to reconsider the First Decision given that, pursuant to s.169.1(1) of the Act and particularly subpara. (a.1), the TCDSB must take steps to promote a positive, accepting, and inclusive school climate. The court did not commit any reviewable error in doing so.

[28] I would accordingly dismiss this ground of appeal.

(3) The Reconsideration Decision did not offend re-litigation doctrines

[29] The Divisional Court did not err in rejecting Mr. Del Grande's argument that the Board's reconsideration of the First Decision offends the doctrines of *res judicata*, issue estoppel, and *functus officio*. These doctrines have limited application where an administrative tribunal has authority to reconsider past decisions based on its enabling statute or regulation, or on a procedural by-law it has adopted to exercise its functions pursuant to them.

[30] Relying on *Chandler v. Alberta Association of Architects*, [1989] 2 S.C.R. 848, at p. 861, Mr. Del Grande argues that the Board's First Decision was final and could not be revisited simply because the Board was dissatisfied with the outcome. *Chandler* recognized, however, that an administrative tribunal can reconsider a

past decision “if authorized by statute”. As already mentioned, the Board was broadly empowered, through the *Education Act*, to adopt appropriate procedures to exercise its functions and carry out its duties. The By-law it adopted expressly permitted reconsideration of past decisions. The Divisional Court therefore did not err in finding that the Reconsideration Decision falls within the exception to the general rule recognized in *Chandler*.

[31] Mr. Del Grande contends that, in *Jacobs Catalytic Ltd. v. International Brotherhood of Electrical Workers, Local 353*, 2009 ONCA 749, 98 O.R. (3d) 677, this court held that an administrative tribunal may not revisit its reasons unless its authority to do so is explicitly set out in the enabling statute. In *Jacobs Catalytic*, at para. 33, the court held that: “Beyond clerical or mathematical errors, or an error in expressing the tribunal’s intention, *functus officio* generally applies except where varied by statute.” *Jacobs Catalytic* is not helpful. The issue in that case was not whether an administrative tribunal had the ability to reconsider a decision – its enabling statute expressly conferred that ability – but whether it could issue supplementary reasons in the absence of a formal process of reconsideration.

[32] As held more recently by this court in *Stanley v. Office of the Independent Police Review Director*, 2020 ONCA 252, 81 Admin. L.R. (6th) 254, at para. 67, leave to appeal refused, [2021] S.C.C.A. No. 39211, a reconsideration power is “a complete answer to the jurisdictional objection” of *functus officio*. A decision-maker’s determination as to whether *res judicata* and issue estoppel preclude

reconsideration constitutes an exercise of discretion: *Fresco v. Canadian Imperial Bank of Commerce*, 2022 ONCA 115, 160 O.R. (3d) 173, at para. 81; *Bryton Capital Corp. GP Ltd. V. CIM Bayview Creek Inc*., 2023 ONCA 363, 8 C.B.R. (7th) 22, at para. 43. As correctly held by the Divisional Court, such an exercise of discretion is entitled to deference by reviewing courts.

[33] The Divisional Court held that it was not unreasonable for the Board to respond to the community's reaction to the First Decision, given the TCDSB's nature, mandate, and role within the community. It noted that the Board did not make the Reconsideration and Merits Decisions on the same record as the First Decision:

> The evidence is that there was a public outcry in response to the First Decision. As a responsive body, the Board called a special meeting to address the issue. At that meeting, over the course of eight hours, numerous delegations including former students spoke to the impact of the First Decision on them. The Applicant's counsel made both written and oral submissions. The Board took all of those submissions into consideration when it deliberated on the motion to reconsider the First Decision. The Board did not simply bend to public pressure and reverse the First Decision upon receiving a negative response.

[34] These findings, open to the Divisional Court to make on the record, contradict Mr. Del Grande's contention that the Board held "a fresh vote simply to obtain the result it was seeking."

[35] I see no error in the Divisional Court's reasoning on these issues. I would dismiss this ground of appeal as well.

(4) The Divisional Court did not err in finding that the Board's Decisions balanced Mr. Del Grande's *Charter* rights with its statutory mandate

[36] Mr. Del Grande argues that he merely engaged in rhetorical hyperbole at the November 2019 meeting that did not violate the Code of Conduct and that the Divisional Court erred in finding that his statements were not protected under ss. 2(a) (freedom of religion), 2(b) (freedom of expression) and 3 (democratic rights) of the *Charter*. I disagree. The Divisional Court balanced Mr. Del Grande's right to free speech and freedom of religion with the Board's statutory mandate under the framework set out in *Doré v. Barreau du Québec*, 2012 SCC 12, [2012] 1 S.C.R. 395, and *Loyola High School v. Quebec (Attorney General)*, 2015 SCC 12, [2015] 1 S.C.R. 613. Mr. Del Grande's s. 3 rights were not engaged.

[37] As stated recently in *Commission scolaire francophone des Territoires du Nord-Ouest v. Northwest Territories (Education, Culture and Employment)*, 2023 SCC 31, 487 D.L.R. (4th) 631, at para. 73, under the *Doré* approach, a reviewing court must:

1. Determine whether a decision-maker's decision limits relevant *Charter* protections; and

2. If so, examine the decision maker's reasoning process to assess whether, given the relevant factual and legal constraints, the decision reflects a proportionate balancing of *Charter* rights or the values underlying them.

[38] If the decision reflects a proportionate balancing, it is reasonable.

[39] The Divisional Court found that Mr. Del Grande was not sanctioned based on his religious beliefs or for debating the merits of adding prohibited grounds of discrimination under the Code. He was sanctioned for using "extreme and derogatory rhetoric that fell below the standard of conduct required of a Trustee", and for making remarks that "did not reflect any sincerely held religious beliefs" but rather used a "slippery slope" argument to mock individuals who seek protection from discrimination based on their gender identity and gender expression.

[40] I see no error in the Divisional Court's analysis on this point. Mr. Del Grande's argument on this point was rejected in *Volpe v. Wong-Tam*, 2023 ONCA 680, 487 D.L.R. (4th) 158, leave for appeal refused, [2024] S.C.C.A. No. 41041, in which publishers of anti-LGBTQ+ tracts argued that their speech could not be accurately characterized as discriminatory because it was an articulation of Roman Catholic doctrine. As Miller J.A. eloquently stated, at para. 42 of *Volpe*:

> The problem with the appellants' articles was not that they took a position adverse to that of LGBTQ2S+ advocates with respect to Roman Catholic doctrine and education about sexuality. The problem was that they "used derogatory and prejudicial language" to do so, using stereotypes of "predation, pedophilia, and socially

> destructive behaviour." This was the aspect of the appellants' speech that exposed them to the complaint that they expressed discriminatory statements.

[41] Similarly, in this case, the offensive aspect of Mr. Del Grande's conduct at the 2019 Board meeting was not his opposition to adding further prohibited grounds of discrimination in the Code of Conduct, but his degrading and (as he acknowledged) flippant equation of gender identity and gender expression to cannibalism, rape, and bestiality.

[42] The Divisional Court noted that the investigation report before the Board was alert to the *Charter* values at stake and that, prior to making the Decisions, the Trustees had lengthy written and oral submissions from Mr. Del Grande. His submissions included that a finding that he had breached the Code would violate his *Charter* rights. The court concluded that the Merits Decision reflected an appropriate balance between the objectives in the *Education Act* and Mr. Del Grande's *Charter* rights:

> [Mr. Del Grande] made his comments in his capacity as a Trustee, in a public meeting that included at least one delegate from the LGBTQ+ community who expressed vulnerability and alienation in the Catholic school system. [Mr. Del Grande] had a duty to "represent <u>all</u> the citizens in the Catholic community" in Toronto and to create a "positive environment that is safe, harmonious, comfortable, inclusive and respectful." The Board's determination that [Mr. Del Grande] breached the Code of Conduct by engaging in extreme, disrespectful and demeaning language was reasonable. [Emphasis in original.]

[43] The Divisional Court observed that the Board, which is composed of Catholic Trustees, is presumed to have expertise as to its processes and standards of behaviour, and that the Decisions are accordingly entitled to deference. As held in *York Region District School Board v. Elementary Teachers' Federation of Ontario,* 2024 SCC 22, 492 D.L.R. (4th) 613, at para. 89, "[t]ribunals should play a primary role in the determination of *Charter* issues falling within their specialized jurisdiction (i.e., where the essential factual character of the matter falls within the tribunal's specialized statutory jurisdiction)." The Board's decisions are also entitled to deference because it is composed of trustees democratically elected by the community which it serves.

[44] The Divisional Court's reasoning accords with decisions from other Canadian courts on the balance that should be struck between freedom of speech and young LGBTQ+ persons from demeaning and hateful rhetoric in schools, school boards, and post-secondary institutions: *Kempling v. British Columbia College of Teachers*, 2005 BCCA 327, 43 B.C.L.R. (4th) 41, at para. 79, leave to appeal refused, [2006] S.C.C.A. No. 31088; *Law Society of British Columbia v. Trinity Western University*, 2018 SCC 32, [2018] 2 S.C.R. 293, at para. 98. Mr. Del Grande's remarks at the meeting ignored the inherent dignity of LGBTQ+ individuals. As such, they are "not representative of the core values underlying s. 2(b)": *Kempling*, at para. 77.

[45] The Decisions do not meaningfully impair Mr. Del Grande from expressing his views or from participating in matters before the Board. The sanctions imposed on him do discourage a repetition of the form of expression he engaged in at the November 2019 meeting. They did not, however, prevent him from continuing in his functions as a trustee, including taking positions on matters before the Board. As he points out, he has since been re-elected as a TCDSB trustee.

[46] Mr. Del Grande did not raise s. 3 in his argument before the Divisional Court. In any event, s. 3 protects the right to vote for or serve in the House of Commons or a legislative assembly. It provides no guarantee that a person can participate as a school board trustee. Even assuming a legislative assembly could be equated to a school board, s. 3 does not insulate a member of a legislative body from censure by their peers for a breach of the assembly's rules.

Disposition

[47] I would dismiss the appeal, with all-inclusive costs of $47,500 to the Board.

Released: October 23, 2024 CWA

J.A.

I agree. J.A.

I agree. J.A.