

**POLICY COMMITTEE MEETING
AGENDA**

Date: Tuesday, November 10, 2020
Time: 7:00 pm
Location: Teleconference

	Pages
1. Call to Order	
1.1. Opening Prayer (N. Guzzo)	
2. Approvals	
2.1. Approval of Agenda	
2.2. Approval of Minutes - October 13, 2020	1 - 6
3. Declarations of Conflict of Interest	
4. Action Items	
4.1. Policy I-04 Cross Boundary School Attendance (E. Bakaic, A. Lofts)	7 - 13
4.2. Policy I-23 Catholic School Councils and Catholic Parent Involvement Committee (N. Dinolfo)	14 - 18
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5. Discussion Items	
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5.2. Terms of Reference (N. Guzzo)	71 - 71
5.3. Online Forms - New Policy and Procedure (P. Daly)	72 - 72
5.4. Update on Committee: Policy II-40 Bullying Prevention and Intervention (N. Guzzo)	
6. Information Items	
6.1. Administrative Procedure VI-42 School Staff Meetings (J. O'Hara)	73 - 74
6.2. Administrative Procedure VI-84 Catholic School Councils and Catholic Parent Involvement Committee (N. Dinolfo)	75 - 80
6.3. Administrative Procedure VI-88 School Boundary Review Process (A. Lofts, R. Merrick)	81 - 86
6.4. Policy III-11 Hiring and Promotion Policy, Academic and Non-Academic Personnel – Draft PPM (P. Daly)	87 - 93

6.5. Upcoming Agenda Items (December 8, 2020)

- 6.5.1. Election of the Chair of the Policy Committee (December 8, 2020 - December,2021) (P. Daly)
- 6.5.2. Terms of Reference (P. Daly)
- 6.5.3. Policy II-17 Pastoral Reference (J. O'Hara)
- 6.5.4. Policy III-04 Employee Assistance Program (J. O'Hara)
- 6.5.5. Policy III-10 Criminal Reference Check Applicants for Employment (J. O'Hara)
- 6.5.6. Policy II-45 Equity and Inclusion (S. Jayaraman)
- 6.5.7. Board Correspondence - New Policy (N. Guzzo)

- 7. **Miscellaneous Information**
- 8. **In Camera**
- 9. **Motion to Excuse Absent Committee Members**
- 10. **Motion to Adjourn/ Closing Prayer (V. Iantomasi)**

POLICY COMMITTEE MEETING MINUTES

Date: October 13, 2020
Time: 7:00 pm
Location: Catholic Education Centre - Board Room
802 Drury Lane
Burlington, Ontario

Board Office Attendance N. Guzzo, Chair
B. Agnew
P. Daly, Director of Education
A. Swinden, Manager, Strategic Communications

Trustees Present P. DeRosa P. Murphy
(Electronically) M. Duarte T. O'Brien
V. Iantomasi J. O'Hearn-Czarnta
H. Karabela

Student Trustees Present N. Gubert
(Electronically)

Staff Present L. Naar, Superintendent of Education, School Services
(Electronically) J. O'Hara, Executive Officer, Human Resources Services

Recording Secretary R. Di Pietro

1. Call to Order

1.1 Opening Prayer (B. Agnew)

The meeting opened at 7:00 p.m. with a prayer led by Trustee DeRosa.

2. Approvals

2.1 Approval of Agenda

P#80/20

Moved by: B. Agnew

Seconded by: M. Duarte

That, the agenda be approved.

CARRIED

2.2 Approval of Minutes (September 8, 2020)

P#81/20

Moved by: M. Duarte

Seconded by: B. Agnew

That, the minutes of the September 8, 2020 Policy Committee be approved.

CARRIED

3. Declarations of Conflict of Interest

There were no Conflicts of Interest.

4. Action Items**4.1 Policy I-22 Admission to Schools, Elementary and Secondary (P. Daly)****P#82/20****Moved by:** B. Agnew**Seconded by:** T. O'Brien

That, the Policy Committee recommends that Policy I-22 Admission to Schools, Elementary and Secondary, be forwarded, along with amendments, to the October 20, 2020 Regular Board Meeting for approval.

The Chair called for a vote. Recommendation **P#82/20 CARRIED**

In favour	Opposed	Abstain	Absent
B. Agnew	V. Iantomasi		K. Kelly (non-binding)
P. DeRosa	H. Karabela		J. Roshdy (non-binding)
M. Duarte	T. O'Brien		
N. Gubert (non-binding)			
P. Murphy			
J. O'Hearn-Czarota			

4.2 Policy II-34 Participation in Programs and Courses of Study in Catholic Religious Education (P. Daly)**P#83/20****Moved by:** M. Duarte**Seconded by:** B. Agnew

That, the Policy Committee recommends that Policy II-34 Participation in Programs and Courses of Study in Catholic Religious Education be forwarded, along with amendments to the October 20, 2020 Regular Board Meeting for approval.

Following discussion the following was agreed upon by consensus:

- Principles - keep original language for bullet two
- Principles - accept new language for bullet six and add the words moral instruction

The Chair called for a vote. Recommendation **P#83/20 CARRIED**

In favour	Opposed	Abstain	Absent
B. Agnew	P. DeRosa		K. Kelly (non-binding)
M. Duarte			J. Roshdy (non-binding)
N. Gubert (non-binding)			
V. Iantomasi			
H. Karabela			
P. Murphy			
T. O'Brien			
J. O'Hearn-Czarota			

4.3 Policy III-12 Academic Promotion (J. O'Hara)**P#84/20****Moved by:** B. Agnew**Seconded by:** M. Duarte**That,** the Policy Committee recommends that Policy III-12 Academic Promotion be forwarded, to the October 20, 2020 Regular Board Meeting for approval.**P#84/20 (AMENDMENT)****Moved by:** H. Karabela**Seconded by:** V. Iantomasi**That,** the Policy Committee recommends that Policy III-12 Academic Promotion be forwarded, to the October 20, 2020 Regular Board Meeting for approval and that the fourth bullet under Requirements read: With the exception of Superintendents and Principals, the Director of Education shall have the discretion to waive or amend the qualifications and requirements, in individual situations, in order to ensure that only the best candidates are appointed.The Chair called for a vote. Recommendation **P#84/20 (AMENDMENT) CARRIED**

In favour	Opposed	Abstain	Absent
P. DeRosa	B. Agnew		K. Kelly (non-binding)
M. Duarte	P. Murphy		J. Roshdy (non-binding)
N. Gubert (non-binding)	J. O'Hearn-Czarnota		
V. Iantomasi			
H. Karabela			
T. O'Brien			

The Chair called for a vote. Recommendation **P#84/20 (AS AMENDED) CARRIED**

In favour	Opposed	Abstain	Absent
P. DeRosa	B. Agnew		K. Kelly (non-binding)
M. Duarte	P. Murphy		J. Roshdy (non-binding)
N. Gubert (non-binding)	J. O'Hearn-Czarnota		
V. Iantomasi			
H. Karabela			
T. O'Brien			

4.4 Policy III-14 Employee Code of Conduct (J. O'Hara)**P#85/20****Moved by:** B. Agnew**Seconded by:** T. O'Brien**That,** the Policy Committee recommends that Policy III-14 Employee Code of Conduct be forwarded to the October 20, 2020 Regular Board Meeting for approval.The Chair called for a vote. Recommendation **P#85/20 CARRIED**

In favour	Opposed	Abstain	Absent
B. Agnew	V. Iantomasi		K. Kelly (non-binding)
P. DeRosa	H. Karabela		J. Roshdy (non-binding)
M. Duarte			
N. Gubert (non-binding)			
P. Murphy			
T. O'Brien			
J. O'Hearn-Czarota			

P#86/20**Moved by:** V. Iantomasi**Seconded by:** P. DeRosa

That, discussion items 5.1 through to 5.4 be remanded to the next Policy Committee Meeting due to the lack of background information.

The Chair called for a vote. Recommendation **P#86/20** was **DEFEATED**

In favour	Opposed	Abstain	Absent
P. DeRosa	B. Agnew		K. Kelly (non-binding)
N. Gubert (non-binding)	M. Duarte		J. Roshdy (non-binding)
V. Iantomasi	N. Guzzo		
H. Karabela	P. Murphy		
T. O'Brien	J. O'Hearn-Czarota		

5. Discussion Items**5.1 Board Correspondence – New Policy (H. Karabela)**

It was recommended that in order to be clear on how correspondence is handled, a policy be developed. It was suggested that in lieu of creating a policy the Board Procedural By Laws be expanded to be more specific.

The Chair asked if anyone was interested in creating a policy to come forward.

5.2 COVID Health and Safety – New Policy & Procedure (H. Karabela)

It was recommended that a policy be developed.

Director Daly assured Trustees that plans (found on Board public website) that have been developed follow and include direction from the Ministry of Education, the Ministry of Health and Halton Region Public Health.

Due to confidential information being shared the meeting moved in-camera.

The meeting moved in-camera at 9:13 p.m.

The meeting moved out of in-camera at 9:35 p.m.

5.3 Online Forms – New Policy & Procedure (B. Agnew)

It was recommended that a policy and procedure be developed for online forms.

Director Daly to provide a staff report that includes logistics and what the process could look like.

5.4 Procedural By Laws Ad Hoc/Standing By Law Review Committee (N. Guzzo)

Trustees were in agreement that the meetings be organized on an evening other than Tuesday. Meeting dates and times to be organized.

P#87/20

Moved by: B. Agnew

Seconded by: H. Karabela

That, the meeting move pat 10:00 p.m.

CARRIED

6. Information Items**6.1 Administrative Procedure VI-09 (A) Religious Education Course Reimbursement (L. Naar)****6.2 Administrative Procedure VI-09 (B) Religious Education/Theology/Doctoral Level (Part-Time) Course Reimbursement (L. Naar)****6.3 Administrative Procedure VI-19 Admission to Schools, Elementary and Secondary (P. Daly)**

Procedures were shared as information. P. Daly noted changes.

6.4 Upcoming Agenda Items (November 10, 2020)**6.4.1 Policy I-04 Cross Boundary School Attendance (School Services, Planning Services)****6.4.2 Policy I-23 Catholic School Councils and Catholic Parent Involvement Committee (School Services)****6.4.3 Policy I-29 School Boundary Review Process (A. Lofts, R. Merrick)****6.4.4 Policy II-40 Bullying Prevention and Intervention (School Services)****6.4.5 Information Items****6.4.5.1 Administrative Procedure VI-42 School Staff Meetings (School Services)****6.4.5.2 -New- Administrative Procedure – Trustee Code of Conduct (P. Daly)****6.4.5.3 Terms of Reference (N. Guzzo)**

List of upcoming policies and procedures was provided as information.

7. Miscellaneous Information

There was no miscellaneous information.

8. In Camera

There were no follow up In-Camera session.

9. Motion to Excuse Absent Committee Members

There were no absentees.

10. Motion to Adjourn/ Closing Prayer (M. Duarte)
P#88/20

Moved by: P. DeRosa

Seconded by: B. Agnew

That, the meeting adjourn.

CARRIED

M. Duarte closed the meeting with prayer at 10:04 p.m.

Policy I-04 Cross Boundary School Attendance	Item 4.1
Tuesday, November 10, 2020	

Purpose

To provide for the consideration of the Policy Committee Policy I-04 Cross Boundary School Attendance as recommended by staff.

Commentary

Policy I-04 Cross Boundary School Attendance was reviewed as part of the regular Policy review cycle. No changes are recommended at this time.

Policy I-04 Cross Boundary School Attendance is attached for review and consideration by the Policy Committee.

Recommendation

The following recommendation is presented for the consideration of the Board:

Moved by:
Seconded by:
<i>That, the Policy Committee recommends that Policy I-04 Cross Boundary School Attendance, be forwarded, to the November 17, 2020 Regular Board Meeting for approval.</i>

Report Prepared by:

E. Bakaic
Superintendent of Education, School Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

Cross Boundary and Non-Resident Student School Attendance

Adopted:

July 30, 1991

Last Reviewed/Revised:

April 4, 2017 November 10, 2020

Next Scheduled Review: 2019-2020 2023-2024

Associated Policies & Procedures:

[I-22 Admission to Schools Elementary and Secondary](#)

[VI-19 Admission to Schools, Elementary and Secondary](#)

[II-51 Optional French Programming \(French Immersion and Extended French\)](#)

[VI-53 Optional French Programming](#)

Purpose

To provide direction in the management of cross boundary school attendance requests.

Application and Scope

This policy applies to all schools within the jurisdiction of the Halton Catholic District School Board.

Definitions

- **Ministry Rated Capacity (MRC):** The capacity for that particular building that is determined by the Ministry of Education.
- **Function Related Capacity (FRC):** The capacity of a school facility as determined by the Board.
- **Under Capacity:** A school that has an enrolment that is below its Ministry Rated Capacity (MRC), Function Rated Capacity (FRC) and availability of resources.
- **At Capacity:** A school that has an enrolment that is at the threshold of its Ministry Rated Capacity (MRC), Function Rated Capacity (FRC) and availability of resources.
- **Over Capacity:** A school that has an enrolment that is above its Ministry Rated Capacity (MRC), Function Rated Capacity (FRC) and availability of resources.
- **Specialized programs** are programs where students leave their home school to attend programs not offered at their home school. These programs/classes may include, but not limited to: Special Education Placements, Specialized High Skills Major, IB (International Baccalaureate)/AP (Advanced Placement), French Immersion and Early French Immersion.

Principles

- The Halton Catholic District School Board (HCDSB) recognizes its legislated right and its responsibility for the establishment of school boundaries for attendance purposes.
- The Board acknowledges that, periodically situations may arise whereby a parent/guardian/adult student supporter may request a change of school attendance for his/her child or for the adult student resulting in a crossing of established school boundaries without a change of residence.

Requirements

- A parent(s)/guardian(s) of students or adult students requesting admission into a Catholic School outside their designated school attendance area but within the boundaries of the HCDSB must complete the HCDSB Cross Boundary Annual Application for School Attendance form. This form must be submitted to the Superintendent of Education for the Family of Schools (for new requests) or to the School Principal (for annual renewals).
- A parent(s)/guardian(s) of students or adult students requesting admission into a Catholic School, who are non-residents of the Halton Region, must complete the HCDSB Annual Application for Admission of Catholic Non-Resident Students form. This form must be submitted to the Superintendent of Education for the Family of Schools (for new requests) or to the School Principal (for annual renewals).
- Each request shall be judged on its own merits
- All requests for the following school year will be received no earlier than January of the preceding school year by the Superintendent of Education for the Family of Schools or School Principal.
- The Director of Education, after consultation with the Principal, the Superintendent of Education for the Family of Schools, and the Administrator of Planning Services, shall declare, as required, certain schools to be “at/over capacity”.
- Similarly, the Superintendent of Education for the Family of Schools, in consultation with the Principal, shall designate, as required, certain classes to be declared “at/over capacity”.
- School Superintendent may, subject to the conditions listed below, approve the request and forward a written response to the parent/guardian/adult student using the following criteria:
 - approval is subject to the receiving school having sufficient space;
 - placement of all students within a school is subject to the principal's organization of the school;

- transportation to and from the school is a parental/guardian or adult student responsibility.
- The notification date to parents/guardians/adult student on the status of their cross boundary application (accepted or denied) is at the discretion of the Superintendent of Education for the Family of Schools or School Principal and will vary from school to school depending on local enrolment trends. For instance, schools in declining enrolment areas may be in a position to notify parents much sooner than schools where enrolment is growing and increasing.
- Notification to parents/guardians/adult students regarding the acceptance or denial of the cross boundary/non-resident application will be by letter (samples attached). Permission to attend the receiving cross boundary school is subject to annual review using the criteria outlined under the Requirements in this policy

Cross Boundary/Non-Resident Requests That May Be Approved by the School Principal:

- Cross Boundary/Non-Resident Requests for students who currently attend the school, but are moving, or have moved, outside the school's prescribed boundaries during the current school year and wish to complete the balance of the academic year at the school.
- Cross Boundary/Non-Resident Annual Requests for renewals at the current school for the next academic year.
- Cross Boundary/Non-Resident Requests for students who will be moving to an address within the school's prescribed boundaries during that school year. The parent/guardian/adult student must provide documentation (i.e. purchase and/or lease agreement) to the principal.

Cross Boundary/Non-Residents Requests Approved by the Superintendent of Education for the Family of Schools:

- Cross boundary/Non-Resident requests that are new (i.e. students who wish to transfer to a school outside of their prescribed school boundaries).

Specialized Programs:

- A cross boundary request is not required for a student attending a specialized program which is not offered in their home school.
- A non-resident request form is required for a student who resides outside the Halton Region and who wishes to attend a specialized program within the HCDSB.
- A student in a specialized program who opts out of the program will be required to return to their home school.
- Under extenuating circumstances, some consideration may be given for the student to continue attending the school where the specialized program is located using the criteria under the requirements in this policy.
- A cross boundary form is required for approval by the school superintendent and in consultation with the Administrator of Planning Services.

Policy No. I-04 | Cross Boundary and Non-Resident Student School Attendance

- Siblings of students attending specialized programs may be granted cross boundary status in the school where the specialized program is located using the criteria outlined under requirements in this policy.

APPROVED: Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board

ON SCHOOL LETTERHEAD

DATE

Parent/Guardian

Address

Dear Parent/Guardian:

This is to acknowledge receipt of your *Annual Application for Cross Boundary School Attendance* request form.

This is to confirm that permission is granted for your child/ren (**Name/s**) to attend (**Name of School, City**) for the [20__-20__] year.

I would like to remind you of our Board's general policy with respect to cross boundary applications.

"Cross Boundary applications may be approved where:

- the school is considered "under capacity";
- the parent agrees to provide transportation;

and is

- ***subject to annual review*** using the criteria outlined under the Requirements in Policy I-04. "

Sincerely,

Principal

ON SCHOOL LETTERHEAD

DATE

Parent/Guardian

Address

Dear Parent/Guardian

Re: Annual Application for Cross Boundary Attendance

This acknowledges receipt of the “Annual Application for Cross Boundary School Attendance” form you completed for your child/ren (**Name/s**) to attend (**School Name, City**) for the [appropriate] school year.

Approval to attend across school boundaries is contingent upon a number of factors:

- First among these, is that the receiving school must be defined as “under capacity”, as indicated in the Definitions section of Policy I-04. Schools that are over capacity are considered closed to new requests for cross boundary attendance. The capacity of schools is reviewed annually in accordance with Board Policy I-04;
- Approval is subject to the Principal’s organization of the school;
- Parents accept sole responsibility for the transportation of a student where approval is granted;
- Enrolment projections for the school over the next 3-5 or more years;
- The current number of cross boundary students already attending the school.

After reviewing your application, I regret to inform you that I am unable to approve your cross boundary application for (NAME OF SCHOOL) for the [20__ - 20__] school year due to the fact that the school is [considered at/over capacity, and closed to new cross boundaries, and/or state other reason(s) if applicable (i.e. class size)]

Respectfully,

Principal

cc. Family of School Superintendent

Policy I-23 Catholic School Councils and Catholic Parent Involvement Committee	Item 4.2
November 10, 2020	

Purpose

To provide for the consideration of the Policy Committee revisions to *I-23 Catholic School Councils and Catholic Parent Involvement Committee* as recommended by staff.

Commentary

Policy *I-23 Catholic School Councils and Catholic Parent Involvement Committee* was reviewed at the May 12, 2020 Policy Committee meeting as part of the regular review cycle. Minor changes were made and with an addition to the Principles.

It was determined at the Policy Committee meeting of May 12, 2020 that the policy and corresponding procedure would be returned to the Policy Committee meeting in the fall following input from Catholic School Councils.

Policy *I-23 Catholic School Councils and Catholic Parent Involvement Committee* is attached for review and consideration by the Policy Committee.

Recommendation

The following recommendation is presented for the consideration of the Board:

Moved by:
Seconded by:
<i>That, the Policy Committee recommends that I-23 Catholic School Councils and Catholic Parent Involvement Committee be forwarded, along with amendments, to the November 17, 2020 Regular Board Meeting for approval.</i>

Report Prepared by:

N. Dinolfo
Superintendent of Education, School Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

Catholic School Councils and Catholic Parent Involvement Committee

Adopted:

June 18, 1996

Last Reviewed/Revised:

~~February 21, 2017~~ November 10, 2020

Next Scheduled Review: ~~2019-2020~~ 2023-2024

Associated Policies & Procedures:

[VI-84 Catholic School Councils and Catholic Parent Involvement Committee](#)

[I-34 \(B\) Reimbursement of Board Business Expenses for Trustees and External Members of Board Committees](#)

Purpose

To establish and maintain Catholic School Councils and a Catholic Parent Involvement Committee, in accordance with the Education Act and Ontario Regulation 612/00.

Application and Scope

This policy applies to all schools within the jurisdiction of the Halton Catholic District School Board.

References

[Education Act](#)

[Ontario Regulation 612/00](#)

[Ontario Regulation 330/10](#)

[Halton Catholic District School Board Operations Manual: School Councils, Strengthening Our Partnerships](#)

[School Councils: A Guide for Members](#)

Definitions

Catholic School Council: Catholic School Councils are legally constituted bodies of elected and appointed representatives of the local school community established for the purposes of developing, encouraging and promoting activities which will enhance the quality of school programs and improve the levels of student achievement.

Meeting: in respect of a Catholic ~~s~~School ~~e~~Council or a Catholic ~~p~~Parent ~~i~~Involvement ~~e~~Committee, does not include a training session or other event where the council or the committee does not discuss or decide matters that it has authority to decide.

Parent:

- in respect of a Catholic ~~s~~School ~~e~~Council, a parent of a pupil who is enrolled in the school, and includes a guardian as defined in section 1 of the Act, and
- in respect of a ~~p~~Parent ~~i~~Involvement ~~e~~Committee of a ~~b~~Board, a parent of a pupil who is enrolled in a school of the ~~b~~Board, and includes a guardian as defined in section 1 of the Act.

Parent Member:

- in respect of a Catholic ~~s~~School ~~e~~Council, a member of the council who is elected to the council in accordance with section 4 or who fills a vacancy created by a parent member ceasing to hold office, and
- in respect of a Catholic ~~p~~Parent ~~i~~Involvement ~~e~~Committee, a member of the committee who is appointed or elected to the committee in accordance with section 34, or who fills a vacancy created by a parent member ceasing to hold office.

Catholic Parent Involvement Committee: The Catholic Parent Involvement Committee is a group of parents, trustees, ~~and~~ board staff, and community members who actively support, encourage and enhance parent engagement and involvement in the Halton Catholic District School Board in order to improve student achievement and well-being.

Principles

- The Halton Catholic District School Board recognizes that our school community exists to foster and exemplify our Catholic faith and values[NJ1].
- The Halton Catholic District School Board believes that parents / guardians are the primary educators of their children.
- The education of children in our Catholic schools is a shared responsibility involving home, school, parish and Catholic community and is achieved through the active participation of parents to inspire pupil achievement and to enhance the accountability of the education system to parents.
- Parents/guardians have the right and a responsibility to participate in the education of their children and can contribute to their children's development in a wide variety of ways.
- Members of the Catholic community offer a wealth of experiences and expertise that can benefit students.
- The Halton Catholic District School Board values the advice given by its Catholic School Councils and its Catholic Parent Involvement Committee toward better learning opportunities for children and for the improved operations of its schools.

- The Halton Catholic District School Board encourages parents to correspond and communicate with all members of the school board such as: Teachers, Principals, Superintendents, Director of Education and Trustees.
- The Catholic Parent Involvement Committee provides a regular opportunity for Catholic School Council members to network, share ideas, offer input, and enjoy informative presentations on a number of education related topics throughout the school year. Catholic Parent Involvement Committees make parental engagement a priority by providing support on a system-wide basis and promoting dialogue between Catholic School Councils, the Board, and members of the community.

Requirements

- Catholic School Councils and the Catholic Parent Involvement Committee are regulated by Regulation 612/00 and Regulation 330/10 (under the Education Act) which came into effect in November 2000 and September 2010. A Catholic School Council may make recommendations, in accordance with the Ontario Regulation, to the Principal of the school or to the Board that established the Council, on any matter.
- Each elementary and secondary school shall have a Catholic School Council.
- Following the first meeting of the Catholic School Council of each school year, the following information will be communicated to each school's parent community:
 - The purpose of each school council as stipulated in Reg. 612/00 Sect. 2.(1).
 - Identification and role of each member.
 - Manner in which parents can communicate with their Catholic School Council.
- Following the first meeting of the Catholic Parent Involvement Committee of each school year, the following information will be communicated to the HCDSB parent community:
 - The purpose of each the Catholic Parent Involvement Committee as stipulated in Reg. 612/00 Sect. 27.(1).
 - Identification and role of each member.
 - Manner in which parents can communicate with the Catholic Parent Involvement Committee.
- The Catholic Parent Involvement Committee and all Catholic School Councils shall create, review and amend By-Laws specific for their committee and council and comply with Regulation 612/00 and Regulation 330/10 - School Councils and Parent Involvement Committees.
- A Catholic Parent Involvement Committee shall develop strategies and initiatives that the Board and the Board's Director of Education could use to effectively communicate with parents and to effectively engage parents in improving student achievement and well-being.



- Every Catholic School Council shall annually submit a written report on its activities to the principal of the school and to the board that established the council, and provide a copy of the report to all parents of pupils enrolled in the school. O. Reg. 612/00, s. 24 (1).
- The Catholic Parent Involvement Committee of a board shall annually submit a written summary of the committee's activities to the chair of the board and to the board's director of education. O. Reg. 330/10, s. 6. The Director of Education shall provide the summary of the Catholic Parent Involvement Committee's activities to all Catholic School Councils of the Board and post them on the website of the Board.

APPROVED: Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board

Policy I-29 School Boundary Review Process	Item 4.3
Tuesday, November 10, 2020	

Purpose

To provide for the consideration of the Policy Committee *Policy I-29 School Boundary Review Process* recommended by staff.

Commentary

Policy I-29 School Boundary Review Process was last reviewed in 2017. Staff has reviewed the policy and recommends no changes to the policy at this time.

Recommendation

The following recommendation is presented for the consideration of the Board:

Moved by:
Seconded by:
<i>That, the Policy Committee recommends that Policy I-29 School Boundary Review Process, be forwarded, to the November 17, 2020 Regular Board Meeting for approval.</i>

Report Prepared by:

A. Lofts
Superintendent of Business Services

R. Merrick
Superintendent of Facilities Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

School Boundary Review Process

Adopted:

June 18, 2002

Last Reviewed/Revised:

~~June 20, 2017~~ November 10, 2020

Next Scheduled Review: ~~2019-2020~~ 2023-2024

Associated Policies & Procedures:

[VI-88 School Boundary Review Process](#)

[II-51 Optional French Programming \(French Immersion and Extended French\)](#)

[VI-53 Optional French Programming](#)

[V-18 Community Engagement and Public Consultation Policy](#)

Purpose

To provide direction in the establishment of School Boundaries for schools within the jurisdiction of the Halton Catholic District School Board ("the Board").

Application and Scope

This policy applies to the review process for the creation and/or alteration of school boundaries for the schools under the jurisdiction of the Board.

This Policy applies to schools of the Board offering elementary and/or secondary programs. Wherever possible, schools should be subject to a School Boundary Review process that has the effect of re-directing student enrolment only once in a five-year period, unless high rates of growth in developing areas or other circumstances that necessitate a review, as determined by the Board.

References

[Education Act Section 171 \(1\), s.7](#)

Definitions

Boundary Review Committee (BRC): The Boundary Review Committee is an advisory committee established by the Director of Education, or designate, that represents the affected school(s) of a boundary review. The Committee will act as the official conduit for information shared between the Board and the affected school communities.

School Boundary/Attendance Boundary: A delineated geographical area/boundary that represents the official attendance boundary for a particular school and/or program identifying where students are to receive their educational instruction based on their home address.

Principles

- The Halton Catholic District School Board (the Board):
 - Has the authority under Section 171 (1), s.7 of the Education Act to determine the number and type of schools to accommodate its student enrolment and to delineate the attendance boundary (“school boundaries”) for each school, as well as those boundaries specific to academic programs offered by the Board.
 - The Board of Trustees is responsible for making the final decision regarding the establishment and modification of school boundaries. In making their decision, the Board of Trustees is tasked in:
 - Deciding the most appropriate pupil accommodation arrangements for the delivery of elementary and secondary programs.
 - Uphold their primary responsibility of fostering student academic achievement and well-being, and ensuring effective stewardship of Board resources and the Board’s financial viability and sustainability.
 - Have regard to the principles and option development criteria set out herein.
 - Is responsible for undertaking School Boundary Reviews where appropriate, to optimize utilization of schools in circumstances of increased enrolment pressures and/or declines.
 - Endorses and welcomes the input of members of the Catholic school communities into the School Boundary Review Process.
 - Will share relevant information pertaining to the school boundary review process with those affected by the process.
- The Boundary Review Committee (BRC) is tasked and committed to actively and equitably review boundary review options with an objective lens, which seeks to benefit Catholic school communities as a whole, and not the individual.
- In developing and/or amending school boundaries, the Boundary Review Committee (BRC) and Board Staff shall develop school boundary options and/or changes that meet the following criteria:
 - Optimizing the use of existing school facilities, while ensuring that pupils are accommodated to the extent possible, in permanent school facilities that are within their enrolment capacities;
 - Minimizing the use of portable classrooms whenever possible, except during the establishment phases of new communities and throughout the peak enrolment phases of schools;

- To the extent possible, minimizing school boundary adjustments, thereby ensuring that said boundaries remain stable, over the long-term;
- Optimize the cost-effective use of school transportation in accordance with Board policy, and have consideration for maximizing the number of students that can walk-to schools where feasible;
- Ensure that the boundary creates classroom organizations that are sustainably sized according to Ministry loading requirements, and appropriately sized to foster an ideal environment for academic achievement, social diversity, and overall student well-being; and,
- To the extent possible, give due consideration to the concept of a community of associated schools and where feasible, give consideration to a Catholic School Community in which school boundaries will substantially match Catholic Parish boundaries.

Requirements

- An annual update of enrolment and review of accommodations is to be conducted for every school
- On the basis of the annual review, the Board is presented with a list, for approval, of those schools needing to undertake the appropriate boundary review process.
- School communities on the approved Board list are informed and are provided with details with respect to the Board's process for boundary reviews.
- Chairs of affected Catholic School Council(s) in collaboration with the affected school Principal(s) will appoint two (2) representatives to join the Boundary Review Committee.
- Appropriate HCDSB Senior Staff, and Board Staff are non-voting members of the committee
- Public consultation meeting(s) are to be held, allowing for community participation wherein all scenarios are posted and discussed.
- At the Public Consultation Meeting, the communities are invited to provide input to the School Boundary Review Committee via written comments and other electronic means of communication, as appropriate.
- Criteria for decision making on boundary changes is as per Board policy.
- The interim Staff Report, which includes the Boundary Review Committee's final recommendation, shall be posted on the Board's public website, in accordance with Board By-laws.
- The affected school communities will be provided the following information:
- A link to the Interim Staff Report which includes the Boundary Review Committee's final recommendations;
- The date at which such recommendations will be presented to the Board;
- Information around the Delegation Process;

Policy No. I-29 | School Boundary Review Process

- The scheduled date the Board of Trustees will render its final decision
- Board Staff will inform the affected communities of the final Board approved recommendation(s).

APPROVED: Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board

Trustee Code of Conduct	Item 5.1
November 10, 2020	

Purpose

To provide an opportunity for input on the process for reviewing the Code of Conduct.

Background

At the September 8, 2020 Policy Committee meeting it was suggested that a procedure be developed to support Policy I-36 Trustee Code of Conduct either as a stand-alone procedure or embedded into the Policy and the Halton Catholic District School Board Procedural By Laws. The Ontario Catholic School Trustees Association (OCSTA) has provided the Board with several samples of Codes of Conduct from other Catholic Boards (Appendix A). The Trustee Professional Development Program also offers a sample enforcement process (Appendix B) which builds on the code of conduct enforcement requirements found in the [Education Act \[s.218.3\]](#).

Commentary

The matter is now placed before the Policy Committee for further discussion.

Report Prepared by: Pat Daly
Director of Education

Report Submitted by: Pat Daly
Director of Education and Secretary of the Board



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: Trustees Code of Conduct

POLICY NO: T.04

Date Approved: September 29, 2010	Date of Next Review: February 2019	Dates of Amendments: April 4, 2012 February 24, 2016
Cross References: Municipal Conflict of Interest Act, R.S.O. 1990, CHAPTER M.50 Education Act T.01 Conflict of Interest: Trustees Municipal Freedom of Information and Protection of Privacy Act Criminal Code		
Appendix A- Municipal Conflict of Interest Act		

Purpose:

The purpose of this policy is to provide trustees and student trustees with direction and guidelines for their conduct and role in Board Governance as a member of the Toronto Catholic District School Board.

Scope and Responsibility:

This policy applies to all trustees and student trustees of the Toronto Catholic District School Board who are responsible for ensuring compliance with this policy.

Alignment with MYSP:

Living Our Catholic values

Strengthening Public Confidence

Fostering Student Achievement and Well-Being

Achieving Excellence in Governance

Providing Stewardship of Resources

Inspiring and Motivating Employees



POLICY SECTION: TRUSTEES

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Policy

Deliberate with Many Voices: Act with One

"Act Justly, Love tenderly and walk humbly with your God" (Micah: 8)

Toronto Catholic District School Board trustees represent all the citizens in the Catholic community in the City of Toronto and are responsible to the electorate through the democratic process. Fellow citizens have entrusted trustees through the electoral process with the education of all students in the community they serve as their advocates. The public is entitled to expect the highest standard from the school trustees that it elects.

Catholic trustees, as representatives of the Catholic community must ensure that the mission of Catholic education, as part of the broader mission of the Church is fulfilled. Because of this unique and distinctive mission, Catholic school trustees honour a set of additional expectations that have been set for them by the Church and by the Catholic community. The vocational call to trusteeship is to serve.

Regulations:

1. Faith, Community and Culture

Each Toronto Catholic District School Board Trustee ("Trustee") shall, within the duties prescribed in the Education Act, its Regulations and other applicable legislation and reflecting a ministry within the Church:

- a) appreciate that Catholic schools are an expression of the teaching mission of the Church;
- b) provide an example to the Catholic Community that reflects the teaching of the Church;
- c) facilitate the best possible Catholic education according to the programs approved by the provincial Minister of Education and supported by the Canadian Conference of Catholic Bishops;
- d) recognize and rigorously defend the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- e) respect the confidentiality of the Board;
- f) ensure the affairs of the Board are conducted with openness, justice and compassion;



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- g) work to improve personal knowledge of current Catholic educational research and practices;
- h) affirm a strong sense of Christian Catholic Community; and
- i) provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education in Canada.

- j) Share in the distribution of Board workload including preparing, attending and participating in meetings, committee or other assignments as appointed.

2. Integrity and Dignity of Office

Trustees occupy positions of public trust and confidence. They are expected to discharge their duties and responsibilities in a professional and ethical manner, consistent with Gospel Values, the teachings of the Catholic church, the Education Act and Regulations, the Municipal Freedom of Information and Protection of Privacy Act and Regulations, the Municipal Conflict of Interest Act, the Board's By-Laws and Policies and any other Act or Regulation that may be applicable to the Trustee's duties. Trustees are compelled to act on or report breaches, fraud, and/or conflicts to which they witness or come to their attention.

3. Civil Behaviour

Trustees share in the responsibility for creating a positive environment that is safe, harmonious, comfortable, inclusive and respectful. As stewards of the system, Trustees are held to a high standard of conduct and should serve as role models of exemplary behaviour reflective of the values articulated in the Ontario Catholic School Graduate expectations.

Among other things, Trustees should:

- respect and comply with all applicable federal, provincial and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement



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- respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age, or disability; and
- respect the rights of others.

In performing their duties as trustees, and in all matters of communication including email, telephone and face-to-face meetings with staff, parents and other stakeholders, appropriate language and professionalism are expected. Trustees must adhere to all pertinent Board policies.

Subject to the duty of a Trustee under section 218.1(e) of the Education Act to uphold the implementation of any Board resolution after it is passed by the Board, a Trustee may comment on, or disagree with, a decision taken by the Board.

Any Trustee who fails or refuses to comply with the rules of the Board, uses offensive language, disobeys the decisions of the Chair or the Board on points of order, or makes any disorderly noise or disturbance may be ordered by the Chair to leave for the remainder of the meeting, and in the case of a refusal to do so, may, on the order of the Chair, be removed from the room where such meeting is taking place and/or the Board Office. Such a removal will be recorded in the Minutes of the meeting.

Section 207(3) of the Education Act addresses the exclusion of persons from board meetings. It provides: "The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting."

4. Complying with Legislation

All Trustees will comply with the letter and spirit of all laws of Canada and the Province of Ontario and any contractual obligations of the Board in conducting the business of the Board.

The Trustees acknowledge they may only act on behalf of the Board through resolution and may not act individually or purport to represent the interests of the Board without the knowledge and consent of the Board of Trustees shown through resolution.



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Trustees' shall ensure that all information they communicate in the course of their duties is accurate and complete.

It is every Trustee's responsibility to familiarize themselves with their duties and any requirements of them as prescribed by the Education Act, the Municipal Freedom of Information and Protection of Privacy Act, the Municipal Conflict of Interest Act and any other Act or Regulation that may be applicable to the Trustee's duties from time-to-time, and/or Ministry of Education requirements and the Board's By-Laws, Policies and General Administrative Procedures.

All Trustees are expected to comply with the following duties of board members as set out in section 218.1 of the Education Act (as amended from time to time):

"A member of a board shall,

- a) carry out his or her responsibilities in a manner that assists the board in fulfilling its duties under this Act, the regulations and the guidelines issued under this Act, including but not limited to the board's duties under section 169.1;
- b) attend and participate in meetings of the board, including meetings of board committees of which he or she is a member;
- c) consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1(1)(f);
- d) use appropriate communication protocols to bring concerns of parents, students and supporters of the board to the attention of the board;
- e) uphold the implementation of any board resolution after it is passed by the board;
- f) entrust the day-to-day operations and management of the board to its staff through the Board's Director of Education;
- g) maintain focus on student achievement and well-being through the development of policies; and
- h) comply with the Board's code of conduct."

5. Upholding Decisions

As a corporate body of Trustees must:



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- a) accept that authority rests with the Board and that they have no individual authority other than that delegated by the Board;
- b) uphold the implementation of any Board resolution after it is passed by the Board;
- c) comply with Board policies and procedures; and
- d) refrain from speaking on behalf of the Board unless authorized to do so.

6. Avoidance of Personal Advantage and Conflict of Interest

All Trustees are expected to comply with the provisions of the Municipal Conflict of Interest Act, attached as Appendix A, which requires that Trustees declare and disclose the general nature of the interest for all direct and indirect pecuniary conflicts of interest and abstain from making a decision.

Trustees are not permitted to vote on or discuss matters in which they have a direct or indirect pecuniary interest. The direct or indirect pecuniary interest of a parent, spouse or child is deemed to be the interest of the Trustee. Subsection 3(1) of the Act provides:

“For the purpose of this Act, the pecuniary interest, direct or indirect, of a spouse...or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.”

Any direct or indirect financial interest on the part of the Trustee may raise a conflict of interest. A direct conflict of interest will arise where the Trustee himself or herself stands to benefit or suffer financially by a decision of the Board.

Where a Trustee, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, or any other conflict of interest in any matter and is present at a meeting of the Board at which the matter is the subject of consideration, the Trustee shall:

- a) prior to any consideration of the matter of the meeting, disclose the interest and the general nature thereof;
- b) not take part in the discussion of, or vote on any question in respect of the matter;
- c) not discuss the issue with any other person;



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- d) not attempt in any way whether before, during or after the meeting to influence the voting on such question; and
- e) leave the meeting or the part of the meeting during which the matter is under consideration.

Where the interest of the Trustee has not been disclosed by reason of the Trustee's absence from the meeting, the Trustee shall disclose the interest and otherwise comply with the above requirements of the first meeting of the Board attended by the Trustee after the meeting referred to above.

When the meeting is open to the public, every declaration of interest shall be recorded in the minutes of the Board meeting. When the meeting is not open to the public, every declaration of interest shall be recorded in the minutes of the next meeting of the Board that is open to the public.

It is an expectation of the Board that Trustees will not only comply with the requirements of the Municipal Conflict of Interest Act, but also avoid conflicts of interest as defined by this Code of Conduct.

Every Trustee is responsible and accountable for exercising good judgement and avoiding situations that might present a conflict of interest or the appearance of a conflict of interest, and where a conflict of interest might exist each Trustee has an affirmative duty to disclose such conflict when it becomes apparent.

No Trustee shall use his or her position, authority or influence for personal, financial or material gain or personal business purposes or for the personal, financial or material gain or business purposes of a relative, friend and/or business associate. Every Trustee shall uphold and enhance all Board business operations by:

- a) maintaining an unimpeachable standard of integrity in all their relationships, both inside and outside the Board;
- b) fostering the highest standard of professional competence amongst those for whom they are responsible;
- c) complying with and being seen to comply the letter and spirit of:
 - The laws of Canada and the Province of Ontario,
 - Contractual obligations applicable to the Board; and



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- d) rejecting and denouncing any business practice that is improper or inappropriate or may appear to be improper or inappropriate.

A Trustee shall not use his or her position, authority or influence to give any person or organization special treatment that might, or might be perceived to, advance the interests of the Trustee, or the interests of a relative, friend and/or business associate of the Trustee.

A Trustee must not participate in any decision or recommendation in which he or she or a relative, friend or business associate may have a financial, commercial or business interest.

All Trustees shall disclose a conflict of interest and/or the general nature of the interest, to the Board of Trustees.

7. Lobbying

A lobbyist is an individual, business or organization that is lobbying a member of the board. It is usually defined as direct or indirect efforts to solicit support and influence decisions on behalf of another party or an organization, often away from public scrutiny.

- a) "Consultant lobbyist" means a person who, for payment lobbies on behalf of a client and includes, but is not limited to government relations consultants, lawyers, accountants, or other professional advisors who provide lobbying services for their clients;
- b) "Corporate in house lobbyist" means an owner or employee of a company or corporation that carries on commercial activities for financial gain.

On occasion, lobbyists may attempt to communicate with Trustees for the purpose of influencing Trustees with respect to the procurement of goods and services and the awarding of contracts. Trustees may re-direct such inquiries to the Director of Education. Trustees must not communicate with a lobbyist during a procurement process and must not use their influence to gain nor advance the interests of any particular party during a procurement process.



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Trustees shall be vigilant in their duty to serve public interest when faced with lobbying activity.

8. Respect for Confidentiality

All Trustees acknowledge that, as part of their duties to the Board they may be privy to private, confidential and/or legally privileged financial, business and/or commercial information belonging to the Board that may provide a financial, business, commercial or competitive advantage, and that they may be privy to private and confidential student and personnel information, and/or legal matters and opinions. Such information may include, but is not limited to, information relating to the Board's organizational structure, operations, business plans, technical projects, business costs, research data results, inventions, trade secrets or other work produced, developed by or for the Board.

Except as required by law, all Trustees and former Trustees agree not to use, directly or indirectly, for the Trustee's benefit or the benefit of any person, organization, firm, or other entity, the Board's proprietary or confidential information disclosed or entrusted to that Trustee, and Trustees recognize that such inappropriate use of confidential information for their benefit may constitute a breach of trust contrary to section 122 of the Criminal Code (Canada).

The confidentiality of personal/educational student and family information received in the course of duties must be respected, protected and kept confidential. Information received should not be discussed or reviewed in public or where another student, parent, employee or member of the school community or public could accidentally overhear or read such information.

Except as required by law, and in accordance with the Education Act and Municipal Freedom of Information and Protection of Privacy Act, all Trustees agree not to use or disclose the personal and/or educational information of students and their families that may come to the attention of a Trustee.



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A Trustee's duty of confidentiality with respect to private and confidential financial, business and/or commercial information, personnel information, student information, and legal matters and opinions survives his or her term as Trustee.

9. Board Resources

No Trustee shall use Board resources for personal gain including re-election campaign work. No Trustee shall permit relatives, friends and/or business associates to use Board resources for personal gain. Trustees recognize that such inappropriate use of Board resources, directly or indirectly, for their benefit may constitute a breach of trust contrary to section 122 of the Criminal Code (Canada).

All Trustees shall comply with Board Policies and General Administrative Procedures regarding the use of Board resources, including information technology resources.

10. Enforcement of Code of Conduct and the Municipal Conflict of Interest Act

In accordance with the provisions of section 218.3 of the Education Act, a breach of this Code of Conduct by a Trustee may be dealt by the following procedures:

A Trustee who has reasonable grounds to believe that another Trustee has breached this Code of Conduct may bring the alleged breach to the attention of the Board alternatively a Roman Catholic Elector and Eastern Right Catholics may petition to the Board of Trustees directly.

If an alleged breach is brought to the attention of the Board, the Board shall make inquiries into the matter and shall, based on the results of the inquiries, determine whether there has been a breach.

If the Board determines that a Trustee has breached this Code of Conduct, the Board may impose one or more of the following sanctions; progressive approach to sanctions will be considered when dealing with Trustee issues including personal contact, clarification, redirection, request for an apology, reprimand, censure and or other sanctions as per board motion:

- a) Censure of the Trustee.



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- b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
- c) Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.
- d) Removal of the Chair or Vice-Chair of the Board or Committee.

A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting that are not available to the members of the public.

In appropriate circumstances, the Board may also resolve to disassociate the Board from any action or statement of a Trustee.

If a Board determines that a Trustee has breached this Code of Conduct, the Board shall give the Trustee written notice of the determination and of any sanction imposed by the Board.

The notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least 14 days after the notice is received by the Trustee.

The Board shall consider any submissions made by the Trustee and shall confirm or revoke the determination within 14 days after the Trustee's submissions are received.

If the Board revokes a determination that a Trustee has breached this Code of Conduct, any sanction imposed by the Board is also revoked.

If the Board confirms a determination that a Trustee has breached this Code of Conduct, the Board shall, within 14 days after the Trustee's submissions were received, confirm, vary or revoke the sanction(s) imposed by the Board.

If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination about the alleged breach was made by the Board.



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Despite subsection 207(1) of the Education Act which requires meetings of the Board to be open to the public, but subject to the requirements below for specific resolutions of the Board to be made in public, the Board may close to the public the part of the meeting during which a breach or alleged breach of this Code of Conduct is considered when the breach or alleged breach involves any of the following matters:

- a) the security of the property of the Board;
- b) the disclosure of intimate, personal or financial information in respect of a Trustee or committee, an employee or prospective employee of the Board or a student or his or her parent or guardian;
- c) the acquisition or disposal of a school site;
- d) A progressive approach to sanctions will be considered when dealing with Trustee issues including personal contact, clarification, redirection, request for an apology, reprimand, censure and or other sanctions as per board motion;
- e) decisions in respect of negotiations with employees of the Board; or
- f) litigation affecting the Board.

The Board shall do the following things by resolution at a meeting of the Board, and the vote on the resolution shall be open to the public:

- a) Make a determination that a Trustee has breached this Code of Conduct.
- b) Impose a sanction on a Trustee for a breach of this Code of Conduct.
- c) Confirm or revoke a determination regarding a Trustee's breach of this Code of Conduct.
- d) Confirm, vary or revoke a sanction after confirming or revoking a determination regarding a Trustee's breach of this Code of Conduct.

A Trustee who is alleged to have breached this Code of Conduct shall not vote on any of the resolutions listed above.

When a resolution listed above is passed, the resolution shall be recorded in the Minutes of the meeting.

The Statutory Powers Procedure Act does not apply to any of the enforcement provisions under section 218.3 of the Education Act.

Nothing in this Code of Conduct prevents a Trustee's breach of the Municipal Conflict of Interest Act from being dealt with in accordance with that Act.



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A trustee who is subject to a Board inquiry to determine whether the trustee has breached the Code of Conduct has a right to retain and be represented by legal counsel throughout the process. Legal expenses will not be paid unless extraordinary circumstances are determined by Board motion.

The required vote on any resolutions of determination or sanctions will be made by a 2/3 majority of all Trustees on the Board not including the accused Trustee.

11. Guidelines for Gifts and Hospitality

Moderate hospitality and gifts are an accepted courtesy of a business relationship. However, the recipients should not allow themselves to reach a position whereby they might be influenced in making a business decision as a consequence of accepting such hospitality.

Trustees should not use their position for improper gain or benefit, nor under any circumstances accept gifts of more than \$25.00.

12. This document will be present and reviewed with newly elected Trustees and signed only as having been received and understood.



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Definitions:

Trustee

A person elected or acclaimed to the office of trustee of the Board pursuant to the provisions of the Municipal Elections Act or appointed to the office of trustee pursuant to the provisions of the Education Act.

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

There will be a review by Trustees of this policy every two years starting in January 2018 to ensure understanding, awareness and effectiveness.



Catholic Trustee Code of Conduct

PRINCIPLES OF DECISION-MAKING

It is the policy of the Simcoe Muskoka Catholic District School Board that Trustees will conduct themselves in a legal, ethical, and professional manner, embracing Gospel values and advancing quality faith-based Catholic education.

Trustees will embody and be an example to their Catholic community by:

Faith

- Demonstrating that human life and dignity are the core foundation of all of the decision-making principles herein adopted by the Board of Trustees.
- Leading by example through active participation in the communal life of their parish, as a caring family member and by a personal lifestyle that reflects the teaching of the Church.
- Being a discerning believer formed in the Catholic faith community, who acknowledges that Catholic schools are an expression of the teaching mission of the Church.

Parish and Community

- Treating everyone equitably and with dignity regardless of race, colour, ancestry, place of origin, ethnic origin, citizenship, religion, gender, gender expression, gender identity, sexual orientation, age, disability or any other immutable characteristic or ground prohibited by the *Human Rights Code*.
- Recognizing that every person has the right to full participation in economic, political and cultural life of society.
- Recognizing that stewardship of creation requires everyone to protect the planet.
- Communicating effectively, respectfully, and professionally with dignity in every format and setting.
- Being a person who respects differences and promotes peace, mutual respect, confidence and collaboration between people.

Board Member

- Demonstrating a common commitment to the Board and to Catholic education and representing the best interests of the Board with dignity and integrity.
- Reflecting the role of all levels of government in promoting human dignity, protecting human rights and building the common good.
- Appreciating that every person has the right to the dignity of productive work and that the Board will be judged by the options it makes available to its most vulnerable students.
- Being a self-directed, responsible, lifelong learner, who is informed through professional development and by knowledge of current Catholic educational issues, research, and best practices.

- Demonstrating reflective, creative and holistic thinking, and contributing collaboratively by being prepared for meetings and participating civilly and with decorum to ensure that decisions reflect the integrity of the Board, are student focused, are in the best interests of the Board's community and the common good, and are not influenced by personal advantage.

CONDUCT OF TRUSTEES

Consistent with the above Principles of Decision-Making, the Simcoe Muskoka Catholic District School Board Trustees agree to be bound by this Code of Conduct, reflecting their commitment to the following expectations:

1. Integrity and Dignity of Office

Trustees shall maintain an unimpeachable standard of integrity in all their relationships, both inside and outside the Board, fostering the highest standard of professional competence among those for whom they are responsible.

A Trustee shall act responsibly with the Board's resources, in accordance with their duties as Trustees and in accordance with Board policy.

A Trustee shall refrain from accepting a gift from a third party where the gift may improperly influence, or give the appearance of improperly influencing, his or her decision making.

A Trustee shall not use his/her position, authority or influence for personal, financial, business or material gain, or for the personal, financial, business or material gain of a relative, friend and/or business associate.

On occasion, lobbyists or other individuals may attempt to communicate with a Trustee for the purpose of influencing the Trustee with respect to the Board's procurement of goods and services and the awarding of contracts. A Trustee who is contacted for such a purpose shall refrain from responding to the inquiry or engaging in further communication on the subject, and shall immediately report the contact to the Chair of the Board.

During a procurement process, a Trustee shall not communicate with any prospective third party supplier of goods and services, or use his or her influence to gain or advance the interests of a particular proponent.

2. Avoidance of Personal Advantage and Conflict of Interest

Trustees have an obligation when acting in their capacity as Trustees to make decision based solely in the best interests of the Board.

Trustees are subject to the *Municipal Conflict of Interest Act*¹ (the "Act") which provides that where a Trustee has a direct, indirect or deemed pecuniary interest, as defined by the Act, he or she is required to take specific steps to address the conflict. A copy of the Act is attached as

¹ R.S.O. 1990 c. M.50.

Schedule 1 to this Code of Conduct.

A Trustee must follow the steps prescribed by the *Act* if he or she has a direct, indirect or deemed conflict of interest in a matter which is the subject of consideration by the Board. Matters which are “the subject of consideration” include agenda items for discussion, information or decision.

Where a matter is discussed at a meeting at which a Trustee who has a conflict is not present, the Trustee will follow the steps in the *Act* at the next meeting they attend at which the matter arises.

a. Recording a Declaration in the Minutes

When the meeting is open to the public, every declaration of interest and the general nature of that interest shall be recorded in the minutes of the Board meeting that is open to the public and recorded in a written declaration executed by the trustee and filed in a registry maintained by the Board before the next meeting that is open to the public.

When the meeting is *in camera*, a declaration of interest, but not the general nature of that interest, shall be recorded in the minutes of the next meeting of the Board that is open to the public and recorded in a written declaration executed by the trustee and filed in a registry maintained by the Board before the next meeting that is open to the public.

b. When is an Interest not a Conflict?

The Trustee’s interest does not constitute a conflict with the interests of the Board when:

- a) the Trustee’s pecuniary interest is common to the general electorate;
- b) the interest is so insignificant or remote in nature that it could not reasonably be regarded as likely to influence the Trustee in the exercise of their responsibilities.

Pursuant to the *Act*, there is also no requirement that a Trustee act on the basis of a perceived conflict of interest. However, each Trustee must evaluate whether or not their judgment and decision-making conflicts with other interests and whether a particular decision may provide them with a personal advantage, if so; she/he should refrain from acting in that matter.

The *Act* holds a Trustee to the standard of an independent and trusted decision-maker. Only the Trustee may declare that their own interest is in conflict with the interest of the Board.

In addition to the remedies outlined in the *Act*, a Trustee who questions whether a fellow Trustee has a conflict of interest may raise the matter respectfully and informally with the potentially conflicted Trustee, but may not declare a conflict on that Trustee’s behalf, or assert that the Trustee should be denied the opportunity to participate in discussion or cast a vote.

A Trustee who has pursued such an informal resolution, and who nonetheless disagrees with another Trustee's decision with respect to whether a conflict of interest exists, may request that his or her objection be recorded in the minutes. That Trustee may, in addition, bring a complaint pursuant to this Code.

Where a Trustee is not confident in their assessment of whether or not they have a conflict, he or she may choose to seek a separate legal opinion from his/her own legal counsel.

c. Conflict vs. Bias

Competing interests must be distinguished from personal bias. It is assumed that in meeting statutorily defined board responsibilities Trustees may be biased by their values, experiences and individual assessment of policy priorities. Personal differences may lead to varying but valid interpretations of the Board's best interests.

Trustees acknowledge that such differences form an inherent part of the governance process, and are intended to be resolved by the application of *Robert's Rules of Order*, the Board's By-law, and adherence to this Code of Conduct.

3. Compliance with Legislation

In accordance with the *Education Act*, each Trustee must take the Declaration and Oath of Office prior to commencing their role as Trustee.

Trustees shall become familiar with their duties as prescribed by law, and every Trustee shall uphold and enhance all Board business operations by complying with and being seen in compliance with the letter and spirit of:

- a) The laws of Canada and the province of Ontario and municipal laws; and
- b) Contractual obligations applicable to the Board,

and rejecting and denouncing any business practice that is improper or inappropriate, or may appear to be improper or inappropriate.

The *Education Act* confers authority on the Board of Trustees, but does not confer any decision-making authority on an individual Trustee. A Trustee shall therefore, at all times, be mindful that their role is defined by statute, as that of a member of a decision-making body.

Trustees will work with staff in a manner which demonstrates respect for the roles, contributions and skills of all of the individuals working on behalf of the Board. Trustees shall not ask staff to act on a request from individual Trustees, nor shall Trustees attempt to exercise individual influence or authority over staff. Staff will be bound by the policy directions set by the Board, as expressed through its resolutions, recorded in the minutes, communicated through the Chair, and implemented by the Director of Education.

4. Civil Behaviour

Trustees shall act at all times in a manner appropriate to their position as leaders in Catholic education, treating all other Trustees and Board staff with dignity and respect, and striving to act

as a model of exemplary governance in accordance with Catholic values.

Trustees shall not engage in disparaging communication in any forum or format about another Trustee, a staff member, or any person, recognizing that a diversity of views, skills and personal traits are inherently valuable in a strong Catholic education system, and shall model exemplary decorum during meetings of the Board and its committees, events, and activities and when communicating.

A Trustee who uses offensive language, disobeys the decisions of the Chair or Board on points of order, makes disorderly noise, disquiets a meeting or makes a disturbance may be reminded by the Chair of their obligations under the Code of Conduct.

If unbecoming conduct should continue, the Chair may order that a Trustee leave for the remainder of the meeting. If a Trustee fails to comply with the order of the Chair, he or she may be removed from the room or building where the meeting is taking place pursuant to section 207(3) of the *Education Act*, and such an order will be recorded in the minutes of the Board meeting.

5. Respect for Confidentiality

As fiduciaries, Trustees must act honestly and in good faith, in the best interests of the Board. Confidentiality is fundamental to that fiduciary duty. Trustees must maintain the confidentiality of information which is shared at meetings of the Board and committees of the Board properly held *in camera*.² Such information is provided only to permit Trustees to make a reasoned decision, and cannot be shared with anyone who is not a Trustee of the Board.

Trustees may also be privy to the personal information of students and employees (private information), confidential financial, business and/or commercial information (confidential information) and/or legally privileged opinions and legal information (privileged information) belonging to the Board. Such information may include, but is not limited to, information relating to the Board's financial data, operations, business plans, commercial interests, business costs, research data results, in-camera discussions and actions, litigation matters, educational data and health records.

Except as required by law, all Trustees and former Trustees agree not to use, directly or indirectly, for the Trustee's benefit or the benefit of any person, organization or other entity, the Board's private, confidential and privileged information entrusted to the Trustee. Trustees recognize that such inappropriate use of confidential information for their benefit may constitute a breach of trust contrary to section 122 of the *Criminal Code*.

The Trustee's fiduciary duty includes an obligation to take all necessary precautions to protect the integrity and secrecy of private, confidential and privileged information to which they have been made aware, including safeguarding against inadvertent disclosure. This information received by Trustees in the course of their duties should not be discussed or reviewed in public or where another person could accidentally overhear or read such information.

A Trustee's duty of to keep secret private, confidential and privileged information secret applies to

² As defined by Section 239(2) of the *Municipal Act*, S.O. 2001. c. 25.

a Trustee using any form of technology whether the technology is owned by the Board or the technology is owned by the individual Trustee. The term “technology” refers to any digital or telephonic communication or recording including use of and access to the Board’s network, intranet and the Internet.

If a Trustee has any doubt about the nature or extent of their responsibility to keep such information secret or his/her personal liability should they fail to adhere to this obligation, she/he is encouraged to request assistance from the Chair.

A Trustee's duty to keep such information secret survives his or her term as Trustee.

6. Upholding Decisions & Communication with the Public

A Trustee shall conduct themselves in a manner which recognizes that the *Education Act*, the Board’s By-law and this Code of Conduct protect the right of the minority view to be heard, the right of each Trustee to cast a vote, and the right of the majority to govern.

Therefore, during consideration of a matter before the Board and prior to a vote, the Board shall recognize and respect the right of all Trustees to be heard, in order that a productive, purposeful debate upon the merits of the issues may take place.

After the vote has been called, taken and recorded, all Trustees shall respect the decision of the majority.

In accordance with the Board’s By-law, the Board Chair or designate is responsible for public communications made on behalf of the Board of Trustees and the corporate Board. A Trustee who receives a request for public comment regarding an issue before the Board, or arising from a decision of the Board, shall refer such a request to the Chair.

Every Trustee shall make themselves familiar with and ensure that she/he complies with the directions regarding communication during times of emergency. A failure to do so may put a student, employee, or fellow Trustee at risk of harm.

7. Enforcement³

A Trustee who has reasonable grounds to believe that another Trustee has breached the Board’s Catholic Trustee Code of Conduct, may bring the alleged breach to the attention of the Board through the Chair (or Vice Chair where the alleged breach was committed by the Chair⁴).

Where the Chair, in consultation with the Director of Education, deems the alleged breach of the Code of Conduct to constitute an alleged or potential criminal offence, the matter shall be reported to the police and further steps pursuant to this Catholic Trustee Code of Conduct shall be dependent upon police action.

³ The *Statutory Powers Procedure Act* does not apply to anything done with respect to the enforcement of the Catholic Trustee Code.

⁴ Where the matter involves the Chair, the Vice Chair may take all of the steps identified in the Enforcement section.

In all other circumstances, the Chair may choose to address the alleged breach of the Catholic Trustee Code of Conduct informally through discussion facilitated by her/himself or through a third-party facilitator.

In circumstances where the alleged breach cannot be addressed to the satisfaction of all of the parties through facilitated discussion, the Chair shall bring the alleged breach to the attention of the Board, and the Board shall make inquiries or cause inquiries to be made into the allegations. Such inquiries may be made by the Chair, an employee of the Board, or a third-party, as resolved by the Board following consultation with the Director of Education.

Based on the results of the inquiries, the Board of Trustees shall determine whether or not the Trustee has breached the Board's Catholic Trustee Code of Conduct.

The meeting of the Board during which an alleged breach or breaches of the Catholic Trustee Code of Conduct is considered may be closed to the public, if the issue involves:

- a) the security of the property of the Board;
- b) the disclosure of intimate, personal or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian;
- c) the acquisition or disposal of a school site;
- d) decisions in respect of negotiations with employees of the Board; or
- e) litigation affecting the Board.

If the Board determines that the Trustee has breached the Board's Catholic Trustee Code of Conduct, the Board **may** impose one or more of the following sanctions:

- 1. Censure of the Trustee;
- 2. Bring a resolution disassociating from the actions of the Trustee;
- 3. Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a Committee of the Board; and/or
- 4. Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.

The Board may also decide not to impose any sanctions.

The vote and resolution regarding the determination that the Trustee has breached the Board's Catholic Trustee Code of Conduct, and the sanction imposed or decision not to impose a sanction shall be open to the public and recorded in the minutes of the meeting.

The Board will provide the Trustee with written notice of the decision regarding the allegation(s) and any sanction(s) to be imposed, and the Trustee will have at least 14 calendar days, as determined by the Chair, to respond to the notice orally or in writing.

After receiving the Trustee's response, within 14 days the Board will consider whether to confirm or revoke their initial decision. The meeting of the Board during which the Trustee's response to the Board's determination is considered may be closed to the public, if the issues involve matters (a) through (e) above. But, the motion and decision to confirm or revoke the initial decision shall

be open to the public and recorded in the minutes of the meeting. If the determination is confirmed, the sanction imposed may be confirmed, varied or revoked and such motion and resolution shall be open to the public and recorded in the minutes of the meeting. If the decision regarding the determination is revoked, so too will any sanction that was imposed.

The Trustee who is alleged to have breached the Board's Catholic Trustee Code of Conduct shall not vote on a resolution before the Board regarding the breach or sanction.

The Board's decision shall be communicated to the Trustee in writing within the same 14 calendar days.

A variation or revocation of the sanction shall be deemed to be effective as of the date the original determination was made.

A sanction barring a Trustee from attending all or part of a meeting of the Board shall be authorization for the Trustee to be absent from the meeting in accordance with section 228 (1) (b) of the *Education Act*.

If the Trustee of the Board is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board, the Trustee is not entitled to receive any materials that are not available to the public.

Approved: *Board Meeting #07 - Wednesday, May 10, 2017*
Revised: *Board Meeting #05 - Wednesday, February 27, 2019 - Section 2. a)*

Schedule 1

Municipal Conflict of Interest Act R.S.O. 1990, CHAPTER M.50

Definitions

1 In this Act,

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; (“enfant”)

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children’s aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of “local board” in section 1 of the Act is amended by striking out “police services board” and substituting “police service board”. (See: 2018, c. 3, Sched. 5, s. 37)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“père ou mère”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58.

Section Amendments with date in force (d/m/y)

Principles

1.1 The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise. 2017, c. 10, Sched. 3, s. 1.

Section Amendments with date in force (d/m/y)

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer

its securities to the public,

(ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or

(iii) is a member of a body,

that has a pecuniary interest in the matter; or

(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

Section Amendments with date in force (d/m/y)

Exceptions

Where ss. 5 and 5.2 do not apply

4 Sections 5 and 5.2 do not apply to a pecuniary interest in any matter that a member may have,

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a

member or as a member of a volunteer fire brigade, as the case may be;

- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1); 2017, c. 10, Sched. 3, s. 2.

Section Amendments with date in force (d/m/y)

Duty of Member

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Exception, consideration of penalty

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5

(3).

Section Amendments with date in force (d/m/y)

Written statement re disclosure

5.1 At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

Influence

5.2 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Exception

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

Record of Disclosure

Disclosure to be recorded in minutes

6 (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

Registry

Requirement to establish registry

6.1 (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,

- (a) a copy of each statement filed under section 5.1; and
- (b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5.

Access to registry

(2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

Section Amendments with date in force (d/m/y)

Remedy for Lack of Quorum

Quorum deemed constituted

7 (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5, 5.1 or 5.2 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5, 5.1 or 5.2 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3); 2017, c. 10, Sched. 3, s. 6.

Section Amendments with date in force (d/m/y)

Action where Contravention Alleged

Application

8 (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,

- (a) a member has contravened section 5, 5.1 or 5.2; or
- (b) a former member contravened section 5, 5.1 or 5.2 while he or she was a member. 2017, c. 10, Sched. 3, s. 7.

Six-week period

(2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Exception

(3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the Municipal Act, 2001 or under section 160.1 of the City of Toronto Act, 2006 in accordance with

those sections.

2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
 - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
 - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,
 - i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
 - iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

Same, application by Integrity Commissioner

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

No application by Integrity Commissioner during regular election

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

Limitation

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Contents of notice of application

(7) The notice of application shall state the grounds for finding that the member or former member

contravened section 5, 5.1 or 5.2. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

Power of judge

9 (1) If the judge determines that the member or former member contravened section 5, 5.1 or 5.2, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.
5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7.

Same

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or
- (c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

10 repealed: 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

Appeal to Divisional Court

11 (1) An appeal lies from any order made under section 9 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1); 2017, c. 10, Sched. 3, s. 8.

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Section Amendments with date in force (d/m/y)

Proceedings not invalidated but voidable

12 (1) A member's failure to comply with section 5, 5.1 or 5.2 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9.

Declaring proceedings void

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1 or 5.2 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9.

Exception

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1 or 5.2 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y)

Other proceedings prohibited

13 (1) A proceeding that relates to a member's or former member's alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

Same

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y)

General

Insurance

14 (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, 5.1 or 5.2 against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2); 2017, c. 10, Sched. 3, s. 10 (1).

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Section Amendments with date in force (d/m/y)**Conflict with other Acts**

15 In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

TRUSTEES**H-WCDSB
POLICY
MANUAL****TRUSTEE CODE OF CONDUCT****T.03****PROCEDURES AND ENFORCEMENT OF THE TRUSTEE CODE OF CONDUCT**

A Trustee of the HWCDSB, who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct, may bring the alleged breach to the attention of the Chairperson of the Board.

Such an allegation of a breach of the Code must be brought to the attention of the Chairperson of the Board no later than six (6) weeks after the breach comes to the knowledge of the Trustee reporting the breach.

It is expected that whenever possible, allegations of a breach of the Code of Conduct by a Trustee shall be investigated following the *Informal Complaint Procedure*. It is recognized that from time to time a contravention of the Code of Conduct may occur that is committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding his/her obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the *Formal Complaint Procedure*.

The Code of Conduct applies equally to the Chairperson of the Board. In the case of an allegation of a breach of the Code by the Chairperson, wherever a process requires action by the Chairperson, it shall be modified to read the Vice-Chairperson of the Board.

Nothing in this Code prevents the Chairperson of any meeting of the Board or committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to *expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting*. For greater certainty, this may be done at the sole discretion of the Chairperson without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code.

INFORMAL COMPLAINT PROCEDURE

The Chairperson of the Board on his/her initiative, or at the request of a Trustee of the Board who alleges a breach of the Code has occurred, may meet informally with a Trustee of the Board who is alleged to have breached the Code, to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss remedial measures to resolve the concern. The *Informal Complaint Procedure* is conducted in private. The Chairperson of the Board may invite the Director of Education to attend the meeting.

FORMAL COMPLAINT PROCEDURE

A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the breach to the attention of the Board by first providing to the Chairperson of the Board a written, signed complaint setting out the following:

FORMAL COMPLAINT PROCEDURE cont'd

- (i)) the name of the Trustee who is alleged to have breached the Code;
- (ii) the alleged breach or breaches of the Code;
- (iii) information as to when the breach came to the Trustee's attention;
- (iv) the grounds for the belief by the Trustee that a breach of the Code has occurred;
and,
- (v) the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

Except as provided below, if a written complaint is filed with the Chairperson of the Board then a formal inquiry shall be undertaken, unless the complainant subsequently withdraws the complaint or agrees that the complaint may be dealt with in accordance with the Informal Complaint Procedure.

In an election year for Trustees, a code of conduct complaint respecting a Trustee who is seeking re-election shall not be brought during the period commencing two months prior to election day and ending after the first Board meeting after the new term of office of the Board commences. If the Trustee accused of a breach of the Code is not re-elected, no inquiry into the alleged breach of the Code by that Trustee shall be undertaken. The limitation period for bringing a complaint shall be extended as necessary.

The Chairperson of the Board shall provide to all Trustees of the Board a confidential copy of the complaint within ten (10) days of receiving it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board of Trustees for a decision as to whether or not the Trustee has breached this Code.

If the Chairperson and/or the Vice-Chairperson of the Board are of the opinion that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, such an inquiry shall not be conducted and a confidential report stating the reasons for not doing so shall be provided to all Trustees of the Board.

If an allegation of a breach of the Code of Conduct on its face is with respect to the non-compliance with a more specific Board Policy with a separate complaint procedure, the allegation shall be processed under that procedure.

STEPS OF FORMAL INQUIRY

If a formal inquiry of an allegation of a breach of the Code of Conduct is undertaken, it shall be done by the Chairperson of the Board with the assistance of the Director of Education. Should the Chairperson be the respondent to the complaint, or unable to conduct the investigation, the Vice-Chairperson and Director of Education will conduct the inquiry. In all other cases in which the Chairperson/Vice-Chairperson is unable to conduct the inquiry, the Director of Education will select two (2) other trustees to assist with the inquiry.

The following steps shall be followed in the event of a formal inquiry:

- i. The *Statutory Powers Procedure Act* does not apply to anything done regarding the Enforcement of this Code of Conduct. No formal trial-type hearing will be conducted;
- ii. Procedural fairness and the rules of natural justice shall govern the formal inquiry. The formal inquiry will be conducted in private;
- iii. The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct;
- iv. The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations, both in a private meeting with the person(s) undertaking the formal inquiry and in writing;
- v. It is expected that the formal inquiry will be conducted within a reasonable period of time which will depend on the circumstances of the case. The Trustee who is alleged to have breached the Code of Conduct shall provide a written response to the allegations within 10 days of receiving the written allegation, or such extended period of the time as the investigators deem appropriate in the circumstance.
- vi. If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in his/her absence;
- vii. Once the formal inquiry is complete, the investigators shall provide a confidential draft copy of their report containing the findings of fact to the Trustee who is alleged to have breached the Code of Conduct and the Trustee who brought the complaint for their written comment to the investigator(s). The purpose of providing the draft report to the parties is to ensure no errors of fact are contained in it. The two Trustees shall have ten (10) days (or such reasonable period of time as deemed appropriate by the investigators) from the receipt of the draft report to provide a written response;
- viii. The final report shall outline the finding of facts, but not contain a recommendation or opinion as to whether the Code of Conduct has been breached. This will be determined by the Board of Trustees as a whole;

STEPS OF FORMAL INQUIRY cont'd

- ix. If the investigators, when conducting the formal inquiry, discover that the subject-matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another *Act*, the formal inquiry shall be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the rest of the Board of Trustees.

DECISION

The final report shall be delivered to the Board of Trustees, and a decision by the Board of Trustees as to whether or not the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical after receipt of the final report by the Board.

Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter.

If the Board of Trustees determines that there has been no breach of the Code of Conduct or that a contravention occurred, although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed.

The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a complaint investigated in accordance with the Formal Complaint Procedure must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees of the Board present and voting.

Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:

- (a) the security of the property of the board;
- (b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
- (c) the acquisition or disposal of a school site;

- (d) decisions in respect of negotiations with employees of the board; or
- (e) litigation affecting the board.

The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction. The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.

The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, and shall not be required to answer any questions at that meeting.

The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below after these decisions have been made.

SANCTIONS

If the Board determines that the Trustee has breached the Board's Code of Conduct, the Board may impose one or more of the following sanctions:

- (a) Censure of the Trustee;
- (b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board;
- (c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.

The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous, such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.

A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.

The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the *Education Act* regarding absences from meetings.

RECONSIDERATION

If the Board determines that a Trustee has breached the Board's Code of Conduct, the Board shall;

- (a) give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board;**
- (b) inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least fourteen (14) days after the notice is received by the Trustee; and**
- (c) consider any submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.**

If the Board revokes a determination, any sanction imposed by the Board is revoked.

If the Board confirms a determination, the Board shall, within the fourteen (14) days above, confirm, vary or revoke the sanction.

If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.

The Board's decision to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees present and voting. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination. The Board shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.

The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the deliberations and shall not be required to answer any questions at that meeting.

If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

Good Governance for School Boards

Trustee Professional Development Program



ENFORCEMENT OF CODE OF CONDUCT

Identifying a Breach of the Code

29. **A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Board.** This is done through the Chair of the Board [or committee of the board. If a committee of the board is used then either in this section or the By-Laws of the Board should describe composition of committee, how it is appointed, etc.].

30. Any allegation of a breach of the Code must be brought to the attention of the Chair of the Board [or committee of the board] no later than six (6) weeks after the breach comes to the knowledge of the Trustee reporting the breach. Notwithstanding the foregoing, in no circumstance shall an inquiry into a breach of the Code be undertaken after the expiration of six (6) months from the time the contravention is alleged to have occurred.

31. Any allegation of a breach of the Code of Conduct shall be investigated following the *Informal* or *Formal* Complaint Procedures below, as the case may be.

32. It is expected that whenever possible, allegations of a breach of the Code of Conduct by a Trustee shall be investigated following the Informal Complaint Procedure. It is recognized that from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding his/her obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the *Formal Complaint Procedure*.

Chair/Presiding Officer

33. The Code of Conduct applies equally to the Chair of the Board. In the case of an allegation of a breach of the Code by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair of the Board.

34. Each year two alternate Trustees [alternate committee of the board] shall be chosen by the Board to be used when the circumstance warrant that one or both Trustees are needed in place of the Chair and/or Vice-Chair of the Board [committee of the board] to carry out any of the duties required under this Code of Conduct and Enforcement. In no circumstance shall the Trustee who brought the complaint of a breach of the Code of Conduct be involved in conducting any Formal Inquiry into the complaint.

35. Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to *expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting*. For greater certainty, this may be done at the sole discretion of the Chair or Presiding Officer, as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code.

36. The Chair of the Board or Presiding Officer of any meeting of the Board or committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.

37. The Chair of the Board or Presiding Officer shall follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures contained in any Policy or By-Law of the Board. A breach of a rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the *Enforcement of the Code of Conduct*, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

Informal Complaint Procedure

38. The Chair of the Board [committee of the board], on his/her [its] own initiative, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee of the Board who is alleged to have breached the Code, to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private.

39. The remedial measures may include, for example, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation *Professional Development Program for School Board Trustees*. If the Chair of the Board [committee of the board] and the Trustee alleged to have breached this Code cannot agree on a remedy, then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the Formal Complaint Procedure below.

Formal Complaint Procedure

40. A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the breach to the attention of the Board by first providing to the Chair of the Board [committee of the board], a written, signed complaint setting out the following: (i) the name of the Trustee who is alleged to have breached the Code; (ii) the alleged breach or breaches of the Code; (iii) information as to when the breach came to the Trustee's attention; (iv) the grounds for the belief by the Trustee that a breach of the Code has occurred; and (v)

the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach. Except as provided below, if a written complaint is filed with the Chair of the Board [committee of the board] then a formal inquiry shall be undertaken, unless the complainant subsequently withdraws the complaint or agrees that the complaint may be dealt with in accordance with the Informal Complaint Procedure.

41. In an election year for Trustees, a code of conduct complaint respecting a Trustee who is seeking re-election shall not be brought during the period commencing two months prior to election day and ending after the first Board meeting after the new term of office of the Board commences. If the Trustee accused of a breach of the Code is not re-elected, no inquiry into the alleged breach of the Code by that Trustee shall be undertaken. The limitation period for bringing a complaint shall be extended as necessary.

42. The Chair of the Board [committee of the board] shall provide to all Trustees of the Board a confidential copy of the complaint within ten (10) days of receiving it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board of Trustees for a decision as to whether or not the Trustee has breached this Code.

Refusal to Conduct Formal Inquiry

43. If the Chair and Vice-Chair of the Board [committee of the board or outside consultant] are of the opinion that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, a formal inquiry shall not be conducted and a confidential report stating the reasons for not doing so shall be provided to all Trustees of the Board. [Or could amend to require the decision to be by the whole board of trustees]

44. If the Chair and Vice-Chair of the Board cannot agree on the above then a full formal inquiry shall be conducted. [Delete this paragraph if decision made by a committee of the board, outside consultant or whole board of trustees]

45. If an allegation of a breach of the Code of Conduct on its face is with respect to the non-compliance with a more specific Board Policy with a separate complaint procedure, the allegation shall be processed under that procedure.

Steps of Formal Inquiry

46. If a formal inquiry of an allegation of a breach of the Code of Conduct is undertaken, it shall be done by the Chair and Vice-Chair of the Board [committee of the board or outside consultant], if appropriate, or any two of the Chair, Vice-Chair and the alternate Trustees, or an outside consultant chosen by the Chair and Vice-Chair [the whole board of trustees]. [If a board decides to use a committee of the board or an outside consultant then this section will have to be amended accordingly.]

47. Regardless of who undertakes the formal inquiry the following steps shall be followed.

48. **The *Statutory Powers Procedure Act* does not apply to anything done regarding the Enforcement of this Code of Conduct.** No formal trial-type hearing will be conducted.

49. Procedural fairness and the rules of natural justice shall govern the formal inquiry. The formal inquiry will be conducted in private.

50. The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct.

51. The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations both in a private meeting with the person(s) undertaking the formal inquiry and in writing.

52. It is expected that the formal inquiry will be conducted within a reasonable period of time which will depend on the circumstances of the case. The Trustee who is alleged to have breached the Code of Conduct shall provide a written response to the allegations within 10 days of receiving the written allegation, or such extended period of the time as the investigators deem appropriate in the circumstance.

53. If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in his/her absence.

54. Once the formal inquiry is complete, the investigators shall provide a confidential draft copy of their report containing the findings of fact to the Trustee who is alleged to have breached the Code of Conduct and the Trustee who brought the complaint for their written comment to the investigator (s). The purpose of providing the draft report to the parties is to ensure no errors of fact are contained in it. The two Trustees shall have ten (10) days (or such reasonable period of time as deemed appropriate by the investigators) from the receipt of the draft report to provide a written response.

55. The final report shall outline the finding of facts, but not contain a recommendation or opinion as to whether the Code of Conduct has been breached. This will be determined by the Board of Trustees as a whole.

56. If the Chair and Vice-Chair of the Board when conducting the formal inquiry cannot agree on the final finding of facts, it shall be referred to an outside investigator to complete the formal inquiry. [This paragraph would be deleted if inquiry only done by a committee or outside consultant]

Suspension of Formal Inquiry

57. If the investigators, when conducting the formal inquiry, discover that the subject-matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the formal inquiry shall be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the rest of the Board of Trustees.

Decision

58. The final report shall be delivered to the Board of Trustees, and a decision by the Board of Trustees as to whether or not the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical after receipt of the final report by the Board.

59. Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter.

60. If the Board of Trustees determine that there has been no breach of the Code of Conduct or that a contravention occurred, although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed.

61. **The determination of a breach of the Code of Conduct and the imposition of a sanction** with respect to a complaint investigated in accordance with the Formal Complaint Procedure **must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting.** The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees of the Board present and voting.

62. **Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:**

- (a) **the security of the property of the board;**
- (b) **the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;**
- (c) **the acquisition or disposal of a school site;**
- (d) **decisions in respect of negotiations with employees of the board; or**
- (e) **litigation affecting the board.**

63. **The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction.** The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.

64. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, and shall not be required to answer any questions at that meeting.

65. The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below after these decisions have been made.

Sanctions

[School Boards that have First Nation Trustees appointed to their board should have regard for Ontario Regulation 462/97 *First Nations Representation on Boards*. This Regulation provides that appointed First Nation Trustees are deemed to be elected members of the board. While this means that a Trustee Code of Conduct and the Enforcement provisions would apply equally to First Nation Trustees, school boards should have regard for the fact that the Regulation expressly provides that First Nation Trustees represent the interests of the First Nation students of that school board. School boards should consider taking this fact into consideration when imposing any sanction for a breach of the Code of Conduct by a First Nation's Trustee. For example, the Board should consider this fact when considering a sanction of barring a First Nation's Trustee from a board or committee meeting. If a matter to be considered at a meeting engages the interest of First Nation students then is a sanction to exclude a First Nation's Trustee from that meeting appropriate? As a result, school boards with First Nation Trustees may consider adding a provision to their Trustee Code of Conduct that provides for a consideration of the role of a First Nation's Trustee when imposing any sanction for a breach of the Code of Conduct.]

66. If the Board determines that the Trustee has breached the Board's Code of Conduct, the Board may impose one or more of the following sanctions:

- (a) Censure of the Trustee.**
- (b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.**
- (c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.**

67. The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.

68. A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.

69. The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the *Education Act* regarding absences from meetings.

Reconsideration

70. If the Board determines that a Trustee has breached the Board's Code of Conduct the Board shall,

- (a) give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board;**
- (b) the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least fourteen (14) days after the notice is received by the Trustee; and**
- (c) consider any submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.**

71. If the Board revokes a determination, any sanction imposed by the Board is revoked.

72. If the Board confirms a determination, the Board shall, within the fourteen (14) days above, confirm, vary or revoke the sanction.

73. If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.

74. The Board decisions to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees present and voting. **The resolutions shall be recorded in the minutes of the meeting** together with the reasons for confirming or revoking a determination. The Board shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. **The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions.** The Trustee who brought the complaint may vote.

75. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the deliberations and shall not be required to answer any questions at that meeting.

76. If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

ACKNOWLEDGEMENT AND UNDERTAKING

I confirm that I have read, understand and agree to abide by the Board's Code of Conduct and the Enforcement Procedures.

DATE: ▶

SIGNATURE:

Please Print Name:

Terms of Reference	Item 5.2
Tuesday, November 10, 2020	

Purpose

To provide an opportunity for discussion regarding terms of reference.

Commentary

As per Bylaw 7.2.5 under Committees, the Policy Committee does not seem to have a set terms of reference. At present, the Policy committee follows a slightly varied version of board rules for meetings. Therefore, it is being brought forward to the committee to decide on how we would like to proceed for upcoming meetings

Report Prepared & Submitted by:

N. Guzzo
Oakville Trustee

On-line Forms	Item 5.3
Tuesday, November 10, 2020	

Purpose

To provide an opportunity for discussion regarding the use of On-line Forms and the electronic collection of student information.

Commentary

At the October 13, 2020 Policy Committee meeting it was suggested that a policy and procedure be developed to support completion and submission of required student online

The Halton Catholic District School Board is committed to managing records and information, paper and electronic, in a disciplined, coordinated and strategic manner.

In an effort to address how to collect student information more securely and more efficiently, to reduce the need for families and other community stakeholders to deliver completed forms in person, additions to the existing Policy I-02 Records and Management Information and accompanying Records Management Procedure VI-83 can be made to incorporate electronic forms processing. In addition, procedures to address electronic processing solutions can be incorporated into the existing associated procedure VI-37 Issuing and Decommissioning of Forms.

Policy I-02 Records and Management Information and accompanying Records Management Procedures VI-83 and VI-37 Issuing and Decommissioning of Forms will be reviewed in January 2021 as part of the regular review cycle.

The matter is now placed before the Policy Committee for further review and deliberation.

Report Prepared by:

E. Bakaic
Superintendent of Education, School Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

School Staff Meetings

Adopted:
May 16, 2006

Last Reviewed/Revised:
~~March 27, 2017~~ November 2, 2020

Next Scheduled Review: ~~2019-2020~~ 2023-2024

Associated Policies & Procedures: N/A

Purpose

To outline procedures to be followed by school administrative staff in regard to school staff meetings.

Application and Scope

This procedure applies to school administrative staff, teaching staff, educational assistants, designated early childhood educators (DECE), and other staff as may be applicable in the Halton Catholic District School Board.

References

[Education Act](#)

[Regulation 298 Operation of Schools- General](#)

Principles

The Halton Catholic District School Board supports and encourages meetings where staff and administration have the opportunity to dialogue and discuss issues and receive in-service related to the operation of schools and improved student instruction and performance.

Requirements

- Each school principal shall hold staff meetings at least once a month for the purpose of discussing school related topics, providing professional development to improve student achievement and well-being.
- The principal shall:
 - give at least a week's notice of the meeting to staff, where possible;

Procedure No. VI-42 | School Staff Meetings

- prepare an agenda for pre-distribution to staff;
- the agenda and minutes will be available at the request of the school Superintendent;
- seek input from staff on agenda items;
- seek input from staff on suitable days to conduct staff meetings;
- make every effort to have a consistent scheduled day for regular monthly staff meetings.
- Staff meetings shall be held at a time which does not interfere with classroom instruction and other major system-wide events, parish events, and/or local community events, that require staff attendance. Principals will consult the system calendar on the Board's StaffNet in order to avoid/mitigate scheduling conflicts.
- Every Teacher, Designated Early Childhood Educator (DECE), and Educational Assistant (EA) shall attend each staff meeting as convened by the principal, unless excused, following discussion with the principal in advance
- Staff meetings should:
 - improve the school's programmes, through staff development opportunities;
 - study the effective use of learning materials and resource personnel;
 - deal with administrative details, school safety and discipline and other matters related to the General Operation of Schools as listed in Regulation 298 and S265 of the *Education Act*;
 - any other items as deemed appropriate by the principal or Senior Staff.
- Staff meetings shall not exceed 1½ hours in length.
- It is recognized that appropriate staff may be required to attend other meetings related to program/curriculum specific initiatives and other items at the discretion of the principal. These meetings may include divisional meetings, departmental meetings and meetings affecting the general operation of the school.
- Other non-academic staff may be invited to attend staff meetings by the Principal.

APPROVED: Regular Meeting of the Administrative Council

AUTHORIZED BY: _____
Director of Education and Secretary of the Board

Catholic School Councils and Catholic Parent Involvement Committee

Adopted:

February 6, 2017

Last Reviewed/Revised:

~~N/A~~ November 2, 2020

Next Scheduled Review: ~~2019-2020~~ 2023-2024

Associated Policies & Procedures:

[I-23 Catholic School Councils and Catholic Parent Involvement Committee](#)

[I-34\(B\) Reimbursement of Board Business Expenses for Trustees and External Members of Board Committees](#)

Purpose

To provide information and guidelines regarding the establishment and administration of Catholic School Councils and a Catholic Parent Involvement Committee, of the Halton Catholic District School Board in accordance with the Education Act and Ontario Regulation 612/00 and Ontario Regulation 330/10.

Application and Scope

This procedure applies to all schools within the jurisdiction of the Halton Catholic District School Board.

References

[Education Act](#)

[Ontario Regulation 612/00](#)

[Ontario Regulation 330/10](#)

[Halton Catholic District School Board Operations Manual: School Councils, Strengthening Our Partnerships](#)

[School Councils: A Guide for Members](#)

Principles

- The Halton Catholic District School Board believes that parents/guardians are the primary educators of their children.
- The education of children in our Catholic schools is a shared responsibility involving home, school, parish and Catholic community and is achieved through the active

participation of parents to inspire pupil achievement and to enhance the accountability of the education system to parents.

- Parents/guardians have the right and a responsibility to participate in the education of their children and can contribute to their children's development in a wide variety of ways.
- Members of the Catholic community offer a wealth of experiences and expertise that can benefit students.
- The Halton Catholic District School Board values the advice given by its Catholic School Councils and its Catholic Parent Involvement Committee toward better learning opportunities for children and for the improved operations of its schools.
- The Halton Catholic District School Board encourages all parents to correspond and communicate with all members of the school board such as: Teachers, Principals, Superintendents, [Director of Education](#), and Trustees.
- The Catholic Parent Involvement Committee provides a regular opportunity for Catholic School Council members to network, share ideas, offer input, and enjoy informative presentations on a number of education related topics throughout the school year. Catholic Parent Involvement Committees make parental engagement a priority by providing support on a system-wide basis and promoting dialogue between Catholic School Councils, the Board, and members of the community.

Requirements

Catholic School Councils:

- All (Catholic) School Councils shall establish by-laws for their (Catholic) School Council and comply with Regulation 612/00; specifically, they must include election procedures and the filling of vacancies in the membership of the (Catholic) School Council, rules respecting participation in (Catholic) School Council proceedings in cases of conflict of interest, and a conflict resolution process for internal (Catholic) School Council disputes. O. Reg. 612/00, s. 15 (2).
- [Catholic School Council By-Laws should be provided to each member of Catholic School Council at the first school council meeting of the school year.](#)
- The (Catholic) School Council shall be the official advisory group to the school Principal and/or the Board.
- The Principal and/or the Board shall respond to all advice advanced by the local Catholic School Council, under Ontario Regulation 612/00, and be reflected in meeting minutes.

Membership

Membership on the Catholic School Council *must* include the following:

- Parents/guardians (who must constitute a majority of the members of the (Catholic) School Council)
- School Principal

- Teacher representative (selected by teaching staff of the school)
- Non-teaching staff representative (selected by non-teaching staff of the school)
- Parish representative (selected by the Parish)
- Secondary school student representative (secondary schools only)
- Community representative

Membership on the Catholic School Council *may* include the following:

- An elementary pupil (appointed by the Principal after consultation with the (Catholic) School Council), as per Ontario Regulation 612/00.
- An association member, as per Ontario Regulation 612/00.
- All members of the Catholic School Council must be Catholics.
 - Notwithstanding the above, in addition to the membership requirements of Ontario Regulation 612/00, provision may be made by a Catholic School Council for the election of up to ~~two (2)~~ four (4) non-Catholic parents/guardians of ~~Catholic~~ children attending said school.
- The Chair and/or Co-Chair of the Catholic School Council must be Catholic(s).
- The Chair and/or Co-chair of a Catholic School Council cannot be employed by the Halton Catholic District School Board.

The term of office for all Catholic School Council members shall be for one (1) year, in accordance with Ontario Regulation 612/00.

Meetings

- All meetings of a Catholic School Council shall be open to the public.
- A Catholic School Council is to hold its meetings at a Halton Catholic District School Board site with notice provided to the community.

Consultation

- Catholic School Councils shall consult with their parent community. The issue before the council will determine when it is appropriate to do so.
- Catholic School Councils may establish a framework that will guide its decisions and strategies about consultation.
- The Halton Catholic District School Board shall solicit the views of the all the Catholic School Councils of the Board with respect to the matters outlined in Regulation 612/00, s. 19.

Remuneration/Reimbursement:

- In accordance with Ontario Regulation 612/00, no remuneration shall be paid to School Council members, or Catholic Parent Involvement Committee members.
- In accordance with Ontario Regulation 612/00, the Halton Catholic District School Board shall reimburse Catholic School Council members and Catholic Parent Involvement

Committee members for expenses incurred as members, provided that the expense is pre-approved and is following *Policy I-34(B) Reimbursement of Board Business Expenses for Trustees and External Members of Board Committees*.

Record Retention:

- All Catholic School Council meeting minutes must be retained for 4 years and be available to any person upon request.
- All Catholic School Council financial records must be retained for 4 years and be available to any person upon request.

Catholic Parent Involvement Committee:

- The Catholic Parent Involvement Committee shall establish by-laws and be in compliance with Regulation 612/00 and Regulation 330/10; specifically,
 - the number of parent members to be appointed or elected to the committee, governing the process of appointment or election of parent members and governing the filling of vacancies in parent membership,
 - the number of community representatives, up to three, to be appointed to the committee, governing the process of appointment of community representatives and governing the filling of vacancies in community representative membership,
 - governing the election of members of the committee to the offices of chair or co-chair, and any offices provided for in the by-laws, and governing the filling of vacancies in the offices of the committee,
 - the number of parent members of the parent involvement committee that will hold office for one year and the number of parent members that will hold office for two years,
 - the length of the term of office for the community representative members of the parent involvement committee,
 - establishing rules respecting conflicts of interest of the members of the parent involvement committee, and
 - establishing a process for resolving conflicts internal to the committee, consistent with any conflict resolution policies of the board.

Membership

- The Catholic Parent Involvement Committee shall be comprised of:
 - Parent representatives consisting of two (2) members from each geographical area (Oakville, Burlington, and North Halton) as well as four (4) members at large
 - Parent members may be employees of the Halton Catholic District School Board, as long as they make the committee aware of their employment
- 3 community representatives comprised of:
 - A Deanery Representative, appointed by the Dean of Halton

- The Ontario Association of Parent in Catholic Education (OAPCE) Director for Halton
- One other community representative as deemed necessary by the CPIC members
- ~~Two~~ One Trustees of the Board (~~+2~~ 1 alternate), appointed by the Board
- The Director of Education (or designate)
- One Principal/Vice Principal, appointed by the Director of Education
- (Optional) Past Chair of CPIC
- All members of the Catholic Parent Involvement Committee must be Catholic. In addition to the members' requirements of Ontario Regulation 612/00 and Regulation 330/10, provision may be made by the Catholic Parent Involvement Committee for the election of up to ~~four (4)~~ two (2) non-Catholic parents/guardians of ~~Catholic~~ children attending the Halton Catholic District School Board.
- The Catholic Parent Involvement Committee will be chaired by a parent member of the committee. Only parents with a two-year term are eligible to be elected to the position of chair. The position of chair is an elected position. Elections will be at the first meeting of the committee in a school year. The chair shall act as spokesperson for the committee in communicating with the Director of Education of the Board and the Board.

Meetings

- Catholic Parent Involvement Committee meetings will be held a minimum of four times per school year. Additional meetings may be called as required. Meetings will be open to the public and all dates, times, and locations will be posted on the Board website.

Consultation

- The Halton Catholic District School Board may solicit and take into consideration the advice of the Catholic Parent Involvement Committee concerning matters as it relates to improving student achievement and well-being.
- At times, the Catholic Parent Involvement Committee will represent all parents to provide parental voice, as deemed necessary by the Board and the director of education.

Remuneration/Reimbursement:

- In accordance with Ontario Regulation 612/00, no remuneration shall be paid to School Council members, or Catholic Parent Involvement Committee members.
- In accordance with Ontario Regulation 612/00, the Halton Catholic District School Board shall reimburse Catholic School Council members and Catholic Parent Involvement Committee members for expenses incurred as members, provided that the expense is pre-approved and is following *Policy I-34(B) Reimbursement of Board Business Expenses for Trustees and External Members of Board Committees*.

Record Retention:

- All Catholic Parent Involvement Committee meeting minutes and financial records must be retained for 4 years and be available to any person upon request at the board's office without charge.

APPROVED: _____ Regular Meeting of the Administrative Council

AUTHORIZED BY: _____
Director of Education and Secretary of the Board

School Boundary Review Process

Adopted:
May 1, 2017

Last Reviewed/Revised:
November 2, 2020 ~~N/A~~

Next Scheduled Review: ~~2019-2020~~ 2023-2024

Associated Policies & Procedures:

[I-29 School Boundary Review Process](#)

[II-51 Optional French Programming \(Early French Immersion and Extended French\)](#)

[VI-53 Optional French Programming](#)

[V-18 Community Engagement and Public Consultation Policy](#)

Purpose

The purpose of this procedure is to outline the process for reviewing and/or changing school attendance boundaries.

Application and Scope

This administrative procedure applies to the review process for the creation and/or alteration of school boundaries for the schools under the jurisdiction of the Board.

This administrative procedure applies to schools of the Board offering elementary and/or secondary programs. Wherever possible, schools should only be subject to a School Boundary Review process that has the effect of re-directing student enrolment only once in a five-year period, unless high rates of growth in developing areas or other circumstances that necessitate a review, as determined by the Board.

Definitions

Boundary Review Committee (BRC): The Boundary Review Committee is an advisory committee established by the Director of Education, or designate, that represents the affected school(s) of a boundary review. The Committee will act as the official conduit for information shared between the Board and the affected school communities.

Annual Facility Accommodation Report: an information report prepared by Board staff that provides the community an annual update on pupil accommodations in the Board's jurisdiction, in accordance with the requirements of Operating Policy I-37: Community Planning & Facility Partnerships. This report summarizes the Board's Long Term Capital Plan (LTCP), long term enrolment forecasts, future new capital and consolidation projects, and accommodation strategies to be undertaken going forward.

Annual School Accommodation Update Report: an information report that outlines potential projects that Planning Services and Facility Management Services anticipates to undertake

following Board of Trustee approval. These potential projects may include, but are not limited to, School Boundary Reviews; Pupil Accommodation Review; new Capital Projects; or School Consolidation and Closure projects.

BRC Working Meeting: a meeting of the BRC members to discuss a School Boundary Review, including the gathering of feedback from the affected school communities of a School Boundary Review process.

Community Open House Meeting: a process to share information and/or gather community feedback on proposed school boundary options

Development Area: a geographic area that is anticipated to receive a significant number of new housing units that is anticipated to generate a significant number of students. No students currently reside in these areas.

Functional Building Capacity (FBC): the capacity of the school as determined by Board staff, by loading all spaces within the facility that are actually used by the school for instructional purposes, to current Ministry standards for class size requirements and room areas. Typically, only classrooms are loaded, as this gives a better estimate of the number of students that can be accommodated within the school at one time.

Holding Area: a development area that has begun generating student enrolment, and continues to be under construction. As such, it acts as a temporary school boundary for communities that are currently under development and where the future Home school has yet to be constructed. These areas are directed to a Holding School in the interim.

Holding School: the school holding students within a designated Holding Area, temporarily, until such time as the permanent Home School in the community is constructed or ready to accommodate the students.

Home School: the ultimate school identified to house the student enrolment generated from Development Areas and Holding Areas.

On-the-Ground Capacity (OTG): the capacity of the school as determined by the Ministry of Education by loading all instructional spaces within the facility to current Ministry standards for class size requirements and room areas.

Public Delegations: an individual or group of stakeholders making a presentation to the Board of Trustees at a Regular Meeting of the Board in accordance with Board policies.

Initial Staff/Action Report: a report prepared by Board staff an explanation of the present accommodation issue(s) and the rationale to initiate a school boundary review process. The report also contains a recommendation to Trustees with respect to need to initiate the process, and identify which school or schools that should be subject to a school boundary review process.

Interim Staff Report: a report prepared by Board staff to the Board of Trustees with respect to a school boundary review process that incorporates the results of the BRC working meetings and all the information obtained during community consultations. Staff must present a recommended option as part of this report.

Final Action Report: a report prepared by Board staff that incorporates the same information presented in the Interim Staff Report, and the public delegations (and any staff response to such information) as an addendum.

School Boundary/Attendance Boundary: a delineated geographical area/boundary that represents the official attendance boundary for a particular school and/or program identifying where students are to receive their educational instruction, based on their home address.

Study Area/Attendance Area Boundary: a smaller delineated geographical area/boundary that is meant to subdivide a School Boundary/Attendance Boundary into multiple parts as a means to delineate (among others) neighbourhoods, geographic boundaries, and/or physical boundaries.

Principles

This procedure will uphold the principles identified in *Operating Policy I-29 School Boundary Review Process*.

Requirements

1. Annual School Accommodation Update Report & Annual Facility Accommodation Report

- 1.1 An annual update of enrolment and review of accommodations is to be conducted for every school, and the Board is presented with a proposed project list of those schools needing to undertake the appropriate boundary review process. Planning Services in collaboration with Facility Management Services prepare this report annually.
- 1.2 School communities on the approved Board list are informed through Strategic Communications Department.
- 1.3 School communities on the approved Board list are provided with details with respect to the Board's process for boundary reviews.

2. Identification of Holding Areas, Holding Schools, and Development Areas

- 2.1 The Board will annually identify Development Areas; identify Holding Areas for students generated from Development Areas, and temporarily house new student enrolments to a designated Holding School, until the Home School in that community is constructed.
- 2.2 Board staff will provide lists of Holding Areas and New Development areas to the Board as part of the Annual Facility Accommodation Planning Report. Planning Services in collaboration with Facility Management Services prepare this report annually.

3. Boundary Review Committee

- 3.1 The Boundary Review Committee (BRC) holds an advisor role, and is tasked and committed to actively and equitably provide feedback on behalf of the affected school communities and acts as an official conduit for information shared between the Board and the school communities.
- 3.2 The Boundary Review Committee (BRC) shall review potential boundary options with an objective lens, which seeks to benefit Catholic school communities as a whole, and not advocate for one (1) individual community.

- 3.3 Advisory School Boundary Review Committee Membership will be the following:
 - 3.3.1 Chairs of affected Catholic School Councils in collaboration with the affected school Principal will appoint two (2) representatives to join the Boundary Review Committee.
 - 3.3.2 The Director of Education will appoint one (1) of the affected Family of School Superintendents as the Chair of the Boundary Review Committee. The Director also has the discretion to appoint a second Family of School Superintendent as co-chair.
 - 3.3.3 Additional Board staff will participate as members of the committee as required.

4. Criteria Based School Boundary Review Processes

There are three (3) boundary review processes, each based on a specific set of criteria. These include the Minor School Boundary Review Process; the New Development/Holding Area Administrative School Boundary Review Process; and the Standard School Boundary Review Process.

4.1 Minor School Boundary Review Process

- 4.1.1 The *Minor School Boundary Review Process* can be undertaken at the discretion of the Board if the boundary change proposal meets the criteria set out below. The minor process should be pursued in instances where there is a limited number of options, or in the event that the impact does not affect a large number of school communities.
- 4.1.2 Three (3) or more of the following criteria must be met in order to initiate this process:
 - 4.1.2.1 Number of Schools involved is lesser or equal to (\leq) 3
 - 4.1.2.2 Number of Students predicted to be affected by the proposal is lesser or equal to (\leq) 100
 - 4.1.2.3 Rural Study Areas are proposed to be moved to another home school
 - 4.1.2.4 Number of Study Areas/Attendance Area Boundary to be relocated is lesser or equal to (\leq) 2
 - 4.1.2.5 Need for a boundary review is a result of opening a new school
 - 4.1.2.6 Holding area was previously identified to the community, and is now being directed to its designated existing school.
- 4.1.3 The minimum process milestones for the Minor School Boundary Review Process are:
 - 4.1.3.1 Initial Staff/Action Report
 - 4.1.3.2 Board Approval + Notification of Process
 - 4.1.3.3 Establish Boundary Review Committee (BRC)
 - 4.1.3.4 Boundary Review Committee Working Meeting #1

- 4.1.3.5 Community Consultation
- 4.1.3.6 Boundary Review Committee Working Meeting #2
- 4.1.3.7 Interim Staff Report
- 4.1.3.8 Public Delegations
- 4.1.3.9 Final Action Report
- 4.1.3.10 Notification to affected community

4.2 New Development/Holding Area Administrative School Boundary Review Process

- 4.2.1 The New Development/Holding Area Administrative School Boundary Review Process can be undertaken at the discretion of the Board if the boundary change proposal meets the criteria set out below. This process should be pursued in instances where new development areas are being redirected to their home school or where there is minimal to no student impact.
- 4.2.2 The following criteria must be met in order to initiate this process:
 - 4.2.2.1 Number of Schools involved is lesser or equal to (\leq) 2
 - 4.2.2.2 Holding Area or New Development Area was previously identified to the community, and is now being directed to its Home School.
- 4.2.3 The minimum process milestones for the New Development/Holding Area Administrative School Boundary Review Process are:
 - 4.2.3.1 New Development/Holding Area are identified in the Annual School Accommodation Update Report and approved in principle
 - 4.2.3.2 Establish Boundary Review Committee (BRC)
 - 4.2.3.3 Boundary Review Committee Working Meeting #1
 - 4.2.3.4 Community Consultation
 - 4.2.3.5 Interim School Boundary Review Staff Report
 - 4.2.3.6 Public Delegations
 - 4.2.3.7 Final School Boundary Review Action Report
 - 4.2.3.8 Notification to affected community

4.3 Standard School Boundary Review Process

- 4.3.1 The *Standard School Boundary Review Process* can be undertaken at the discretion of the Board if the boundary change proposals do not meet the criteria expressed in the alternate processes listed in Section 4.1 and Section 4.2, or if the Board determines that circumstance warrant a standard process.
- 4.3.2 The minimum process milestones for the Standard School Boundary Review Process are:
 - 4.3.2.1 Initial Staff/Action Report
 - 4.3.2.2 Board Approval + Notification of Process

- 4.3.2.3 Establish Boundary Review Committee (BRC)
- 4.3.2.4 Boundary Review Committee Working Meeting #1
- 4.3.2.5 Boundary Review Committee Working Meeting #2
- 4.3.2.6 Community Consultation
- 4.3.2.7 Boundary Review Committee Working Meeting #3
- 4.3.2.8 Community Consultation (optional)
- 4.3.2.9 Interim Staff Report
- 4.3.2.10 Public Delegations
- 4.3.2.11 Final Action Report
- 4.3.2.12 Notification to affected community

5. Notification Requirements

- 5.1 The interim Staff Report shall be posted on the Board's public website, in accordance with Board By-Laws.
- 5.2 Information will be shared with the affected school community(ies) via email to include the following:
 - 5.2.1 A link to the Interim Staff Report which includes the Boundary Review Committee's final recommendations
 - 5.2.2 the date at which such recommendations will be presented to the Board;
 - 5.2.3 information around the Delegation Process;
 - 5.2.4 The scheduled date the Board of Trustees will render its final decision; and,
- 5.3 The final decision of the Board of Trustees will be posted and shared with the affected school community(ies) via email.

APPROVED: Regular Meeting of the Administrative Council

AUTHORIZED BY: _____

Director of Education and Secretary of the Board

Policy III-11 Hiring and Promotion Policy, Academic and Non-Academic Personnel	Item 6.4
November 10, 2020	

Purpose

The purpose of this report is to inform Trustee of forthcoming changes to hiring practices as prescribed by the Ministry of Education.

Background

Boards were informed by the Ministry of Education on Friday October 16, 2020 that effective October 29, 2020, Ontario Regulation 274/12 (Hiring Practices) made under the *Education Act* would be revoked. Board's revised hiring policies will need to be consistent with a forthcoming Policy/Program Memorandum (PPM) and be responsive to the local context.

The Ministry of Education expects all hiring decisions to be made in accordance with this memorandum and in accordance with applicable laws, including the *Human Rights Code*, and with school board collective agreements. Hiring decisions must respect the rights of denominational schools and of French-language schools.

A draft PPM has been shared with various stakeholders for feedback (Appendix A) and a final PPM is anticipated for the end of November 2020. School boards will be expected to have their own hiring policies that meet the expectations in the PPM no later than December 31, 2020.

Commentary

Staff are currently reviewing the draft PPM as well as Policy III-11 Hiring and Promotion Policy, Academic and Non-Academic Personnel.

Report Prepared by: Pat Daly
Director of Education

Report Submitted by: Pat Daly
Director of Education and Secretary of the Board



Ministry of Education

DRAFT Policy/Program Memorandum

Date of Issue: DRAFT: November 4, 2020

Effective: XXXX, 2020

Subject: School Board Teacher Hiring Practices

Application:

Reference: This memorandum is effective following the revocation of Ontario Regulation 274/12, “Hiring Practices” on XXXX, 2020.

Purpose

The Ministry of Education is committed to having the best education system in the world in order to prepare our students¹ for success, now and in the future. To achieve this, it is critical to have a well-prepared, diverse, and qualified teacher workforce with the knowledge, skills, and attributes needed to ensure students reach their full potential.

The purpose of this memorandum is to provide direction to school boards² on the development and implementation of fair, consistent, and transparent teacher hiring policies and processes that will improve the ability to achieve and maintain a strong and diverse teacher workforce. The memorandum identifies the components of a teacher hiring policy that school boards are expected to adopt as well as recommended effective practices. The expectations set out in this memorandum apply to hiring processes that begin after the revocation of Ontario Regulation 274/12: Hiring Practices, on XXXX, 2020.

This memorandum is informed by leading research on pedagogy and best practices on creating a strong and diverse workforce in the education sector. It is also informed by the results of consultations with stakeholders who have asked for more fairness and flexibility, mobility, merit and quality in the hiring of teachers and in the development of a diverse teaching workforce.

Expectations for School Board Hiring Policies

¹ In this memorandum, unless otherwise stated, *student(s)* includes children in Kindergarten and students in Grades 1 to 12.

² In this memorandum *school board(s)* and *board(s)* refer to district school boards, school authorities, and Provincial and Demonstration Schools (including the schools operated by the Centre Jules-Léger Consortium).

The Ministry of Education expects all hiring decisions to be made in accordance with this memorandum and in accordance with applicable laws, including the *Human Rights Code*, and with school board collective agreements. Hiring decisions must respect the rights of denominational schools and of French-language schools.

In outlining expectations for teacher hiring, this memorandum upholds the principles mandated in Regulation 298, “Operation of Schools – General”, R.R.O, 1990, including those related to providing the best possible education program for students and ensuring their safety and well-being.

All school boards in Ontario’s publicly funded education system are expected to establish fair, consistent, and transparent policies for teacher hiring, including ways to maximize employment opportunities for new teachers entering the profession. School boards’ requirements and selection criteria for hiring should be clearly laid out and publicly available on their websites.

School boards are expected to include the following components in their teacher hiring policies:

- Diversity, Equity, and Human Rights
- Qualifications and Merit
- Employment Mobility
- Fairness and Transparency
- Monitoring and Evaluation

Diversity, Equity, and Human Rights

The promotion of human rights and equity is vital to achieving a diverse and representative teacher workforce to meet needs of an increasingly diverse student body. There is a positive effect on the educational experience and outcomes of historically under-served students when teachers reflect their identities. The way to achieve a diverse and representative workforce is to:

- ensure all employment policies and practices are non-discriminatory;
- work to intentionally identify and remove barriers for marginalized groups at each stage of the hiring process. This involves examining each part of the process – from setting job requirements and employment conditions to establishing the recruitment, application, screening, interview, and selection processes, all steps – to ensure that no stage creates a barrier for candidates from under-represented backgrounds.

Qualifications and Merit

Although teacher hiring policies must adhere to the qualification requirements set out in Regulation 298, “Operation of Schools – General”, school boards should also consider the importance of the following when developing their selection and evaluation criteria:

- valuing applicants' additional experiences, skills, backgrounds, and work experience (e.g., the unique perspectives offered by newly qualified teachers; the ability to speak languages in addition to English or French; professional experience outside of the classroom; other experiences of well-rounded candidates, such as the ability to lead a school choir or orchestra);
- promoting the hiring of staff from under-represented groups;
- providing the best possible program as determined by the principal, and considering applicants' demonstrated:
 - teaching commitment;
 - experience or time spent in a particular school;
 - suitability for a particular assignment;
- responding to local needs based on clearly defined criteria, including qualifications.

Employment Mobility

The teacher hiring process should address employment mobility by:

- permitting qualified teachers who have relocated from other school boards in Ontario to be granted an interview;
- enabling all teachers, including those who have relocated from another board, to be eligible to apply for any position (occasional, long-term occasional, or permanent) for which they are qualified.

Fairness and Transparency

To help ensure that candidates are evaluated through a fair and transparent process, teacher hiring policies should include:

- a conflict of interest disclosure policy (e.g., clear steps to avoid nepotism and ensure that a balance of hiring panel perspectives is embedded in all aspects of the hiring process). The attached Teacher Hiring Conflict of Interest Template represents the minimum standard which boards are expected to meet in developing a local policy;
- a process for ensuring adherence to the bona fide (or "legitimate") job requirements and qualifications, while following the requirements as outlined in Regulation 298, "Operation of Schools – General";
- a process and criteria for internal postings and external postings (e.g., for establishing minimum posting dates);
- a requirement to maintain up-to-date lists of employment-seeking early-career teachers, with current contact information;
- processes for registering and communicating with occasional teachers;
- regular recruitment and interview cycles;
- expectations for diverse hiring panels to draw on the different experiences, skill sets, and educational and professional backgrounds in the board;
- criteria for evaluating candidates based on more than one source – for example, verbal (interview, presentation) and written components;
- provision for structured evaluation criteria and questions that prevent selection bias;
- a process for providing interview feedback for candidates, upon request; and,

- a process for the disclosure of information to the Occasional Teachers' Bargaining Unit.

Monitoring and Evaluation

Boards should develop a monitoring and evaluation plan to review the effectiveness of their teacher hiring policy and make adjustments as necessary. This process should include:

- assessing the skills of their teacher workforce and identifying any gaps;
- determining the diversity of their teacher workforce and identifying any gaps in representation;
- ensuring that all employment policies, procedures, and practices are non-discriminatory.

Effective practices for monitoring and evaluation are outlined below to support school boards in this review process.

Effective Practices

To implement the expectations outlined in this memorandum and to ensure that their policies remain relevant, school boards are expected to establish a mechanism, or use existing mechanisms, to collaborate with local teachers' federations and associations. The ministry recommends that school boards develop the following effective practices where they are not already in place:

Candidate Selection

New Teachers

Hiring policies should acknowledge the importance of supporting the renewal in the teacher workforce and help to provide career pathways for newly qualified teachers, including those who have been on long-term assignments for a number of years and have not yet secured a permanent position.

The hiring of newly qualified teachers presents:

- an opportunity to introduce new talent and skills to the school system;
- a way to increase diversity of perspectives;
- an opportunity to strengthen pathways to the teaching profession and invest in the people who will be the experienced teachers of the future.

Representation

Encouraging diversity of the teaching workforce in the school board is vital because the workforce should be reflective and representative of the community. Inequitable representation of historically disadvantaged groups in the workforce can lead to inequities in educational experiences and outcomes for excluded or marginalized students.

As stated above, school boards should examine each part of the teacher hiring process – from setting job requirements to the recruitment, application, screening, interview, and selection processes – to ensure they are not creating barriers for candidates from various under-represented backgrounds.

Special Programs

The Ontario *Human Rights Code* enables organizations to create temporary special measures, referred to as “special programs”, to address the effects of systemic discrimination. Special programs help to promote substantive equality by creating opportunities for people and groups who face disadvantage and discrimination. Where people from specific marginalized communities are demonstrably under-represented in a board’s workforce, well-designed special programs can allow boards to preferentially hire people from these communities. Such programs are expressly protected under the Code.

Monitoring and Evaluation

Data Collection

The collection of teacher workforce demographic data will provide a foundation for well-informed discussions and decision-making about the vision for a diverse and inclusive workplace, as well as the policies, programs, and procedures that will help to achieve that vision.

Several boards in the province have collected voluntary workforce data through a staff census. When analysing census results, it may be helpful for school boards to consider the following questions:

- Does the teacher workforce reflect the social identities of the student population and the region as well as the diversity of the province?
- What identities, and intersections of identities, should be represented in the teacher workforce in order to help to meet the needs of the school board community?

Fair and equitable teacher hiring practices need to address under-representations in the existing workforce, and these under-representations are best identified through voluntary demographic data collection. School boards are encouraged to explore how they can collect voluntary demographic information from candidates in order to assess whether there is diversity in the candidates that are applying for positions, as well as where there may be barriers to candidates in the teacher hiring process.

Employment Systems Review (ESR)

The collection and analysis of workforce data provides the foundation for an Employment Systems Review (ESR). Each school board should examine its employment systems to determine whether they create barriers for potential candidates or otherwise unfairly impact their chances to succeed. An effective review will also examine the organizational culture

for unconscious values, assumptions, and behavioural norms that can disadvantage groups and individuals based on their personal characteristics.

A centralized applicant tracking and file management system for all hiring-related documentation is recommended as a key monitoring tool. In some boards, such a system may already be in place.

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