

POLICY COMMITTEE MEETING
AGENDA

Date: Tuesday, December 8, 2020
 Time: 7:00 pm
 Location: Teleconference

	Pages
1. Call to Order	
1.1. Opening Prayer (H. Karabela)	
2. Approvals	
2.1. Approval of Agenda	
2.2. Approval of Minutes - November 10, 2020	1 - 4
3. Declarations of Conflict of Interest	
4. Action Items	
4.1. Election of the Chair of the Policy Committee (December 8, 2020 - December, 2021) (P. Daly)	
4.2. Policy II-17 Pastoral Reference (J. O'Hara)	5 - 7
4.3. Policy III-04 Employee Assistance Program (J. O'Hara)	8 - 11
4.4. Policy III-10 Criminal Reference Check Applicants for Employment (J. O'Hara)	12 - 15
5. Discussion Items	
5.1. Trustee Code of Conduct (P. Daly)	16 - 21
5.2. Policy II-45 Equity and Inclusive Education (S. Jayaraman)	22 - 22
6. Information Items	
6.1. Upcoming Agenda Items (January 12, 2021)	
6.1.1. Policy III-11 Hiring and Promotion Policy, Academic and Non-Academic Personnel (J. O'Hara)	
6.1.2. Policy I-02 Records and Management Information (M. Grysiuk)	
6.1.3. Policy II-48 Violent Threat Risk Assessment (A. Cordeiro)	
6.1.4. Policy III-01 Grievance Procedures Non-Unionized Group Members (J. O'Hara)	
6.1.5. Policy III-03 Teacher Performance Appraisal (J. O'Hara)	

6.1.6. Policy I-20 Integrated Accessibility Standards (J. O'Hara)

6.1.7. Information Items

6.1.7.1. VI-37 Issuing and De-Commissioning of Forms (M. Grysiuk)

6.1.7.2. VI-82 Records and Information Management (M. Grysiuk)

6.1.7.3. VI- 83 Video Surveillance (M. Grysiuk)

6.1.7.4. VI-46 (a) Use of Assistive Devices by the General Public (J. O'Hara)

6.1.7.5. VI-46 (b) Use of Service Animals by the General Public (J. O'Hara)

6.1.7.6. VI-46 (c) Use of Support Person by the General Public (J. O'Hara)

6.1.7.7. VI-46 (d) Accessibility Standards - Notification of Disruption Service (J. O'Hara)

6.1.7.8. VI-46 (e) Monitoring and Feedback on Accessible Customer Service (J. O'Hara)

7. Miscellaneous Information

8. In Camera

9. Motion to Excuse Absent Committee Members

10. Motion to Adjourn/ Closing Prayer (P. Murphy)

POLICY COMMITTEE MEETING MINUTES

Date: November 10, 2020
Time: 7:00 pm
Location: Catholic Education Centre - Board Room
802 Drury Lane
Burlington, Ontario

Trustee Present B. Agnew
P. DeRosa (Electronically)
M. Duarte (Electronically)
N. Guzzo, Chair
V. Iantomasi (Electronically)
H. Karabela (Electronically)
P. Murphy (Electronically)
T. O'Brien (Electronically)
J. O'Hearn-Czarnota (Electronically)

Student Trustees Present N. Gubert (Electronically)

Staff Present P. Daly, Director of Education
E. Bakaic, Superintendent of Education, School Services (Electronically)
N. Dinolfo, Superintendent of Education, School Services (Electronically)
A. Cordeiro, Superintendent of Education, School Services (Electronically)
A. Lofts, Superintendent of Education, Business Services (Electronically)
R. Merrick, Superintendent Facilities Services (Electronically)
L. Naar, Superintendent of Education, School Services (Electronically)
J. O'Hara, Executive Officer, Human Resources Services (Electronically)
M. Grysiuk, Manager, Privacy and Records Information (Electronically)
A. Swinden, Manager, Strategic Communications (Electronically)
B. Vidovic, Senior Manager, Planning Services (Electronically)

Recording Secretary M. Zammit/R. Di Pietro

1. Call to Order

1.1 Opening Prayer (N. Guzzo)

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

2. Approvals

2.1 Approval of Agenda

P#89/20

Moved by: B. Agnew

Seconded by: M. Duarte

That, the agenda be approved.

The Chair called for a vote. **P#89/20 UNANIMOUSLY CARRIED**

2.2 Approval of Minutes (October 13, 2020)

P#90/20

Moved by: M. Duarte

Seconded by: B. Agnew

That, the minutes of the October 13, 2020 Policy Committee be approved.

The Chair called for a vote. **P#90/20 UNANIMOUSLY CARRIED.**

3. Declarations of Conflict of Interest

There were no Conflicts of Interest.

4. Action Items

4.1 Policy I-04 Cross Boundary School Attendance (E. Bakaic/A. Lofts)

P#91/20

Moved by: B. Agnew

Seconded by: T. O'Brien

That, the Policy Committee recommends that Policy I-04 Cross Boundary School Attendance, be forwarded, along with amendments, to the November 17, 2020 Regular Board Meeting for approval.

The Chair called for a vote. Recommendation **P#91/20 UNANIMOUSLY CARRIED**

4.2 Policy I-23 Catholic School Councils and Catholic Parent Involvement Committee (N. Dinolfo)

P#92/20

Moved by: T. O'Brien

Seconded by: B. Agnew

That, Policy I-23 Catholic School Councils and Catholic Parent Involvement Committee along with Administrative Procedure VI-84 Catholic School Councils and Catholic Parent Involvement be deferred until feedback is received from all CPIC members and Catholic School Councils.

The Chair called for a vote. Recommendation **P#92/20 UNANIMOUSLY CARRIED**

Staff to consider including the definition of a CPIC community representative in the policy/procedure.

4.3 Policy I-29 School Boundary Review Process (A. Lofts/R. Merrick)

P#93/20

Moved by: B. Agnew

Seconded by: M. Duarte

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.

The Chair called for a vote. Recommendation **P#93/20 UNANIMOUSLY CARRIED**

5. Discussion Items**5.1 Trustee Code of Conduct (P. Daly)**

For information purposes P. Daly provided Trustees with a number of other boards' policies/procedures that are used.

P. Daly to provide a comparison chart at the December 8, 2020 Policy Committee meeting that will identify some of the key areas that HCDSB differs.

5.2 Terms of Reference (N. Guzzo)

N. Guzzo advised that the Policy Committee does not currently have a set terms of reference and follows the same rules as Board meetings. Trustees in agreement that similar to Board meetings, HCDSB procedural by-laws will be followed.

5.3 Online Forms – New Policy & Procedure (P. Daly)

At the October Policy meeting it was suggested that a policy and procedure be developed to support the completion and submission of paper forms to online forms.

Additions can be made to the existing policy and procedure to address online forms that are problematic. P. Daly suggested a staff report be presented at an upcoming board meeting outlining which problematic forms should be changed over to online. This will allow an opportunity for discussion to determine which forms should be transferred to online along with the appropriate timeframes.

5.4 Update on Committee – Policy II-40 Bullying Prevention and Intervention (N. Guzzo)

It was noted this is a working group and not a committee. Information was provided on the working group and the first upcoming meeting taking place on November 11, 2020. N. Guzzo to address the timeframe of upcoming meetings to determine if a later start time can be accommodated. Policy recommendations will be brought back to the Policy Committee for consideration.

6. Information Items**6.1 Administrative Procedure VI-42 School Staff Meetings (J. O'Hara)****6.2 Administrative Procedure VI-84 Catholic School Councils and Catholic Parent Involvement Committee (N. Dinolfo)**

Procedure is deferred along with the policy.

6.3 Administrative Procedure VI-88 School Boundary Review Process (A. Lofts, R. Merrick)**6.4 Policy III-11 Hiring and Promotion Policy, Academic and Non-Academic Personnel – Draft PPM (P. Daly)**

Ontario Regulation 274/12 (Hiring Practices) has been revoked. A draft PPM was shared with Trustees first week of November. School boards will be expected to have their own hiring policies that meet the expectations in the PPM no later than December 31, 2020.

6.5 Upcoming Agenda Items (December 8, 2020)**6.5.1 Election of the Chair of the Policy Committee (December 8, 2020 – December, 2021)**

- 6.5.2 Policy II- 17 Pastoral Reference (J. O'Hara)
- 6.5.3 Policy III-04 Employee Assistance Program (J. O'Hara)
- 6.5.4 Policy III- 10 Criminal Reference Check Applicants for Employment (J. O'Hara)
- 6.5.5 Policy II-45 Equity and Inclusion (S. Jayaraman)
- 6.5.6 Board Correspondence – New Policy (N. Guzzo)

List of upcoming policies and procedures was provided as information.

7. Miscellaneous Information

There was no miscellaneous information.

8. In-Camera

8.1 Approval of In-Camera Meeting Minutes (October 13, 2020)

P#94/20

Moved by: B. Agnew

Seconded by: P. DeRosa

That, the meeting move to meeting in camera

CARRIED

The meeting moved in to in-camera at 8:43 p.m.

The meeting moved out of in camera at 8:44 p.m.

9. Motion to Excuse Absent Committee Members

There were no absentees.

10. Motion to Adjourn/ Closing Prayer (M. Duarte)

P#95/20

Moved by: P. DeRosa

Seconded by: M. Duarte

That, the meeting adjourn.

The Chair called for a vote. ***P#95/20 UNANIMOUSLY CARRIED***

V. Iantomasi closed the meeting with prayer at 8:45 p.m.

Policy II-17 Pastoral Reference	Item 4.2
December 8, 2020	

Purpose

To provide for the consideration of the Policy Committee revisions to *Policy II-17 Pastoral Reference* as recommended by staff.

Commentary.

It is recognized by the Halton Catholic District School Board that Catholic teachers and Designated Early Childhood Educators (DECE's) in HCDSB schools must be carefully chosen; must be practicing Catholics, and must have a high regard for the truths and attitudes found within the Catholic Church.

The Executive Officer of Human Resources and Human Resources Services Management staff have reviewed the policy and recommend that apart from minor housekeeping, no changes to the policy.

Policy II-17, Pastoral Reference is attached for review and consideration by the Policy Committee.

Recommendation

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

<p><i>Moved by:</i></p> <p><i>Seconded by:</i></p> <p><i>That, the Policy Committee recommends that Policy II-17 Pastoral Reference be forwarded to the December 15, 2020 Regular Board Meeting for approval.</i></p>
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Report Prepared by:

J. O'Hara
Executive Officer, Human Resources Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

Pastoral Reference	
Adopted: April 29, 1980	Last Reviewed/Revised: January 17, 2017
Next Scheduled Review: 2019-2020 <u>2023-2024</u>	
Associated Policies & Procedures: N/A	

Purpose

It is recognized by the Halton Catholic District School Board that Catholic teachers and Designated Early Childhood Educators (DECE's) in HCDSB schools must be carefully chosen; must be practicing Catholics, and must have a high regard for the truths and attitudes found within the Catholic Church.

Application and Scope

This policy applies to all teaching staff and Designated Early Childhood Educators employed, or seeking employment with the Halton Catholic District School Board.

Requirements

It is the policy of the Halton Catholic District School Board that the Board shall obtain a pastoral reference when:

- a teacher or Designated Early Childhood Educator seeks employment with the Board, or when
- a teacher is hired as a permanent position if the pastoral reference is older than one year or
- a teacher or Designated Early Childhood Educator applies for a position of responsibility within the Board, or
- at any other time as the Board directs.

Pastoral Reference:

A pastoral reference is defined as a letter of support from:

- the pastor of the parish in which the teacher or Designated Early Childhood Educator applicant resides, and/or
- in the event of a recent change of residence (one month), a letter of support from the pastor of the teacher or Designated Early Childhood Educator applicant's former parish, and/or



Policy No. II-17 | Pastoral Reference

- in the event of full-time residency at a university, a letter of support from the university chaplain.

APPROVED: Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board

Policy III-04 Employee Assistance Program	Item 4.3
December 8, 2020	

Purpose

To provide for the consideration of the Policy Committee revisions to *Policy III-04* as recommended by staff.

Commentary

The purpose of the Employee Assistance Program (EAP) is to provide confidential professional assessment, referral and short-term counselling services to assist employees on a wide range of issues. The goal is to keep employees healthy, at work, productive and engaged.

The Executive Officer of Human Resources and Human Resources Services Management staff have reviewed the policy and recommend that apart from minor housekeeping, no changes to the policy.

Policy III-04, Employee Assistance Program is attached for review and consideration by the Policy Committee.

Recommendation

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

<p><i>Moved by:</i></p> <p><i>Seconded by:</i></p> <p><i>That, the Policy Committee recommends that Policy III-04 Employee Assistance Program be forwarded to the December 15, 2020 Regular Board Meeting for approval.</i></p>
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Report Prepared by:

J. O'Hara
Executive Officer, Human Resources Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

Employees Assistance Program	
Adopted: June 30, 1987	Last Reviewed/Revised: June 20, 2017
Next Scheduled Review: 2019-2020 <u>2023-2024</u>	
Associated Policies & Procedures: N/A	

Purpose

The purpose of the Employee Assistance Program (EAP) is to provide confidential professional assessment, referral and short-term counselling services to assist employee and their dependents on a wide range of issues. The goal is to keep employees healthy, at work, productive and engaged.

Application and Scope

The Halton Catholic District School Board fully supports this program for all Board employees and their immediate family members, who self-choose, are recommended and/or mandated to the program for professional counselling services. The statistics regarding the EAP program will be provided to a committee comprising of representatives of the various employee groups, management and trustees, on an annual basis for review and information. This will allow for feedback to be provided regarding the program.

Principles

That the Halton Catholic District School Board recognizes and supports a program based on:

- An attitude of compassion for the treatment of difficulties encountered by employees and their immediate family members.
- The knowledge that successful resolutions to serious difficulties require a high degree of individual personal motivation and co-operation on the part of the individual undergoing counselling.
- The recognition that employees and their immediate family members share a primary concern for the education and well-being of children within the Board, which may place considerable stress on these individuals to be both professionally competent and personally contented.
- The recognition that economic and social conditions may place added pressures on individuals who work, making it difficult for them to lead productive and principled lives.

- The acceptance that an employee who seeks assistance through the EAP will not have, by so doing, adversely affected that individual's position with the Board.
- The recognition that confidentiality shall be maintained in relation to all aspects of an employee's decision to seek assistance through this program.

Requirements

The Halton Catholic District School Board maintains strict confidentiality for all employees who self-choose, are recommended to and/or are mandated for entry into the EAP. The Board expectations are the following:

SELF-CHOSEN TREATMENT PROGRAM:

- Employee must maintain acceptable job performance throughout the treatment period.
- Employee must maintain an acceptable attendance level at work.

RECOMMENDED TREATMENT PROGRAM:

- Employee must maintain acceptable job performance throughout the treatment period.
- Employee must maintain an acceptable attendance level ~~both~~ at work where applicable and within the program.
- That while a referral may be suggested by an employee's colleague or immediate supervisor, it is at the discretion of that employee to actually register in the program.
- That should an employee decline assistance through the program and job performance and attendance at work do not improve or continue to deteriorate, the employee may be subject to a further review through the appropriate Board program.

MANDATORY TREATMENT PROGRAM:

- That a determination of deteriorating job performance, as noted by an employee's immediate supervisor, shall result in a referral of that employee to an approved resource individual.
- Employee must maintain acceptable job performance throughout the treatment period.
- Employee must maintain an acceptable attendance level both at work and within the program.
- That should an employee decline assistance through the program and job performance and attendance at work do not improve or continue to deteriorate, the employee shall be subject to a further review through the appropriate Board program.

PROGRAM PARAMETERS:

- Will be determined by the Board and the Employee Assistance Program (EAP) Provider through a Competitive Bid process, which may be reviewed and modified from time to time.
- Details about how to access the Board's EAP will be made readily available to all employees via regular communication, posters and electronic postings.



APPROVED: Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board

Policy III-10 – Criminal Reference Check	Item 4.4
December 8, 2020	

Purpose

To provide for the consideration of the Policy Committee revisions to *Policy III-10 Criminal Reference Check* as recommended by staff.

Commentary.

To protect students within the jurisdiction of the Halton Catholic District School Board by taking reasonable precautions to screen out applicants and prospective employees who might pose a danger to students, staff and visitors as per Regulation 521/01 of the *Education Act*.

The Executive Officer of Human Resources and Human Resources Services Management staff have reviewed the policy and recommend that apart from minor housekeeping, no changes to the policy.

Policy III-10, Criminal Reference Check 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:

That, the Policy Committee recommends that *Policy III-10 Criminal Reference Check* be forwarded to the December 15, 2020 Regular Board Meeting for approval.

Report Prepared by:

J. O'Hara
Executive Officer, Human Resources Services

Report Submitted by:

P. Daly
Director of Education and Secretary of the Board

Criminal Reference Check – Applicants for Employment	
Adopted: March 17, 1998	Last Reviewed/Revised: December 19, 2017
Next Scheduled Review: 2023-2024 2020-2021	
Associated Policies & Procedures: VI-36 Police Record Check Goods and Services Providers	

Purpose

To protect students within the jurisdiction of the Halton Catholic District School Board by taking reasonable precautions to screen out applicants and prospective employees who might pose a danger to students, staff and visitors as per Regulation 521/01 of the Education Act.

Application and Scope

This policy applies to all applicants for employment with the Halton Catholic District School Board.

References

[Regulation 521/01 – Education Act](#)

Principles

- The Halton Catholic District School Board has an obligation to its students to take all reasonable steps to ensure that employees who are either entrusted with their care or have access to students in any way by virtue of their employment, constitute excellent role models and will not pose a risk of danger to students.
- The Halton Catholic District School Board also has an obligation to ensure, to the extent reasonably possible, that persons hired by the Board can be entrusted with the duties and responsibilities, which they are given.

Requirements

- All applicants for employment with the Board will be advised on the application form that it will be a condition of any offer of employment that the applicant provide a criminal records check, with Vulnerable Sector Screening (dated within the last six (6) months) outlining the details of any conviction(s) for offence(s) under any federal statute (including the Criminal

Code of Canada and the Narcotics Control Act) for which a pardon has not been granted or revoked.

- Applicants will be advised that the information provided in respect of their criminal record, or absence thereof, is subject to verification.
- All offers of employment with the Board shall be conditional upon the applicants supplying verification of the information provided in respect of their criminal record, or absence thereof, from the Royal Canadian Mounted Police and/or any other relevant police agency.
- All applicants who receive offers of employment with the Board will be advised of the existence of this policy and of the procedures for obtaining the verification of their criminal record, or absence thereof.
- The Board shall provide, if required, to such applicants a letter addressed to the Royal Canadian Mounted Police and/or any other relevant police agency indicating that a verification of the individual's criminal record is being made at the request of the Board as a condition of hiring.
- Upon receipt of their verification of criminal record, or absence thereof, the applicants will provide the original document issued by the Royal Canadian Mounted Police and/or any other relevant police agency to the Board's Human Resources Services. A true copy/original of the document will be retained in each respective applicant's personnel file.
- If, contrary to information provided by the applicants on their application form, the applicants:
 - have outstanding charges or prior convictions for which a pardon has not been granted or revoked, which indicate that the applicants could pose a threat to students;
 - have made a false declaration in their application;
 - decline to provide a verification of criminal record as required by Board policy;

the Executive Officer, Human Resources Services is authorized to withdraw the Board's offer of assignment, or, if the applicants have commenced working, to initiate the dismissal of the employee for cause.

- Normally, persons shall not commence employment with the Board until a current verification of their criminal record, obtained from the Royal Canadian Mounted Police, and/or any other relevant police agency, has been supplied. Only in an exceptional case will a person be permitted to commence employment with the Board before the Board has received the verification. Before any such exception is made, a binding agreement shall be entered into between the employee, or any authorized representative of the employee, and the Executive Officer, Human Resources Services on behalf of the Board, ensuring that the verification be provided without delay. This agreement will preserve the Board's power to revoke the offer of employment, and dismiss the employee, should the information provided by the employee prove to be false or misleading in any respect.
- The Director of Education shall ensure that administrative procedures to implement this

policy are established.

- The Executive Officer, Human Resources shall be responsible for implementing and monitoring this policy and its attendant administrative procedures.

APPROVED: _____ Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board

Trustee Code of Conduct	Item 5.1
December 8, 2020	

Purpose

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

Background

At the September 8, 2020 Policy 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 HCDSB Procedural By laws. A number of examples of Codes of Conduct forwarded by OCSTA from other Catholic Boards were made available for information. A sample enforcement process which builds on the code of conduct enforcement requirements found in the [Education Act \[s.218.3\]](#) was also included.

At the November 10, 2020 Policy Committee meeting Trustees asked that the information presented be summarized and consolidated for means of comparison. The attached chart compares the key elements of the Sample Enforcement Process, with our existing Policy as well as policies of other Catholic Boards.

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

	Sample enforcement process (references to Ed Act underlined))	HCDSB	HWCDsb	TCDSB	SMCDsb
Identifying a Breach of the Code	<p>An allegation of a breach of the code of conduct must be brought forward to the board of trustees no later than six weeks after it becomes known to the trustee reporting the breach. (This is normally done through the chair of the board or committee of the board. If the chair is the subject of the allegation, it would be reported to the vicechair.)</p> <p>It shall be investigated following the Informal or Formal Complaint Procedure. Whenever possible, the Informal Complaint Procedure should be used.</p>	<p>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</p> <p>If an alleged breach is brought to the attention of the Board, the Board shall make enquiries into the matter and shall, based on the results of the inquiries, determine whether there has been a breach.</p>	✓	✓	✓
Informal Complaint Procedure	<p>The chair/committee may meet informally with the trustee who is alleged to have breached the code of conduct to bring the allegation to the trustee's attention and to discuss measures to correct the offending behaviour, e.g., an apology or a commitment to successfully complete professional development.</p> <p>The Informal Complaint Procedure is conducted in private. If it cannot be resolved informally, a formal complaint can then be brought against the trustee.</p>		✓		✓
Formal Complaint Procedure	<p>The allegation of a breach of the code of conduct must be a written signed complaint brought to the attention of the board of trustees. It must include the name of the trustee alleged to have breached the code of conduct, information on when the breach became known, grounds for believing a breach to have occurred, contact information for any alleged breach.</p> <p>Once a written complaint is received, it must be investigated unless the complainant withdraws it. The chair/committee shall provide all trustees with a</p>		✓		

	<p>confidential copy of the complaint within ten days of receiving it. Information related to the complaint remains confidential until it comes before the board for a decision as to whether a trustee has breached the code of conduct.</p> <p>There are restrictions on bringing forward a complaint in the period leading up to an election</p>				
Refusal to Conduct Formal Inquiry	<p>If the chair/vice-chair/committee consider the complaint out of time, trivial, frivolous, vexatious or not in good faith, or that there are insufficient grounds for a formal inquiry, an informal inquiry will not take place and the trustees of the board will receive a confidential report on the reasons for not pursuing an inquiry.</p> <p>However, if the chair and vice-chair cannot agree, a formal inquiry will take place. If the alleged breach deals with non-compliance with a board policy which has its own complaint procedure, it will be dealt with under that specific procedure.</p>		✓		
Steps of a Formal Inquiry	<p>The formal inquiry is undertaken by the chair and vice-chair (or committee or outside consultant or other body determined by the board). The Statutory Powers Procedure Act does not apply.</p> <p>The inquiry is governed by procedural fairness and is conducted in private. It may involve both written and oral statements.</p> <p>The trustee alleged to have breached the code of conduct has an opportunity to respond to the allegations verbally in a private inquiry meeting and in writing.</p>	<p>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 a date specified in the notice that is at least 14 days after the notice is received by the Trustee.</p> <p>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.</p>	✓	✓	✓

	<p>This written response must be provided within ten days of receiving written allegations. This deadline may be extended by the investigators.</p> <p>If the trustee refuses to participate in the formal inquiry, it will continue in their absence. The final investigation report is provided to the whole board of trustees who then determine whether or not the code of conduct has been breached as alleged.</p> <p>If the chair and vice-chair conduct the formal inquiry and cannot agree on the final finding of facts, it shall be completed by an outside investigator</p>				
Suspension of Formal Inquiry	<p>A formal inquiry will be suspended if it is found that the subject matter is being investigated by the police, a charge has been laid, or the matter is being dealt with under another Act. The suspension continues until the separate process has been disposed of. The suspension shall be reported to the board of trustees.</p>		✓		
Decision	<p><u>The final report shall be delivered to the board of trustees to make a decision on whether or not the code of conduct has been breached and any sanction to be imposed.</u></p> <p>This will take place as soon as practical. In voting on a decision, trustees will only consider the findings in the final report. If the board of trustees determines there was no breach, or that a contravention was trivial or made through inadvertence, or an error was made in good faith, no sanction will be imposed.</p> <p><u>The decision of a breach of code of conduct and the imposition of a sanction must be done by resolution of the board at a meeting of the board.</u> Both resolutions</p>	<p>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:</p> <ul style="list-style-type: none"> o Make a determination that a Trustee has breached this Code of Conduct. o Impose a sanction on a Trustee for a breach of this Code of Conduct. o Confirm or revoke a determination regarding a Trustee’s breach of this Code of Conduct. o Confirm, vary or revoke a sanction after confirming or revoking a determination regarding a Trustee’s breach of this Code of Conduct. <p>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.</p>	✓	✓	✓

	<p>shall be decided by a vote of at least 2/3 of the trustees of the board present and voting. <u>The vote on the resolution shall be open to the public and resolutions and reasons for the decision shall be recorded in the minutes. The part of the meeting where an alleged breach is considered can, however, be closed to the public if it involves matters covered in s. 207(2) (a) to (e) of the Education Act (i.e., security of property, personal or financial information of an individual, acquisition/disposal of school sites, decisions on employee negotiations, litigation.)</u></p> <p>The trustee who brought the allegations may vote. <u>The trustee who is alleged to have breached the code of conduct may be present during deliberations but shall not participate in those deliberations and shall not vote on the resolutions.</u></p> <p>The trustee shall not influence the vote on the decision regarding the breach or sanction after the final report is completed, except as permitted under provisions for Reconsideration</p>	<p>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:</p> <ul style="list-style-type: none"> o Make a determination that a Trustee has breached this Code of Conduct. o Impose a sanction on a Trustee for a breach of this Code of Conduct. o Confirm or revoke a determination regarding a Trustee’s breach of this Code of Conduct. o Confirm, vary or revoke a sanction after confirming or revoking a determination regarding a Trustee’s breach of this Code of Conduct. <p>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:</p> <ul style="list-style-type: none"> a) the security of the property of the Board; b) the disclosure of intimate, personal, or financial information with respect to 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) decisions in respect of negotiations with employees of the Board, or litigation affecting the Board. 			
Sanctions	<p><u>Permissible sanctions include one or more of: (a) censure of the trustee; (b) barring the trustee from attending all or part of a meeting of the board or of a committee of the board; (c) barring the trustee from sitting on one or more committees of the board for a specified period of time.</u></p> <p><u>More onerous sanctions cannot be imposed but a less onerous sanction such as a warning or a requirement to engage in professional development may be</u></p>	<p>If the Board determines that a Trustee has breached this Code of Conduct, the Board may impose one or more of the following sanctions:</p> <ul style="list-style-type: none"> i. Censure of the Trustee. ii. Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board. iii. Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board. 	✓	✓	✓

	<p><u>imposed. The board cannot declare the trustee’s seat vacant.</u> <u>A trustee who is barred from a meeting is not entitled to receive any materials related to the meeting that are not available to the public.</u></p> <p><u>Barring a trustee from a meeting is deemed to be authorization for the trustee to be absent and not a violation of the provision regarding absences in the Education Act</u></p>	<p>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</p>			
Reconsideration	<p><u>The board, after it has determined that a trustee has breached the code of conduct, will notify the trustee, within 14 days, of the determination, reasons for the decision, any sanction imposed, and inform the trustee of the right to make a written submission in respect of this.</u> <u>The board shall consider any submissions and confirm or revoke its decision(s) within another fourteen days after receiving the submissions. If the determination is revoked, the sanction is revoked. If the determination is confirmed, the sanction may be confirmed, varied or revoked.</u></p> <p><u>If a sanction is varied or revoked, that decision will be deemed to be effective as of the date of the original determination. The decision must be made as a resolution of the board and the vote will be open to the public. The minutes will record the resolutions and reasons for the decision.</u> <u>The trustee alleged to have breached the code of conduct cannot participate in the deliberations or vote on the decision. The trustee who brought the complaint may vote.</u> The original sanction may be stayed pending the reconsideration process.</p>	<p>A Trustee who is alleged to have breached this Code of Conduct shall not vote on any of the resolutions listed above. If the Board confirms a determination, the Board may confirm, vary, or revoke the sanction. if the Board revokes a determination, any sanction imposed by the Board is revoked.</p> <p>The Board shall give the Trustee written notice of the determination and of any sanction imposed by the board. The Board shall consider any submissions made by the Trustee and shall confirm or revoke the determination within 14 days after the submissions are received.</p>	✓	✓	✓

II-45 Equity and Inclusive Education	Item 5.2
December 8, 2020	

Purpose

To provide the Policy Committee with an update on recent Ministry directives and legislative changes that require further review of the Equity and Inclusive Education Policy.

Commentary

The Halton Catholic District School recognizes that all people are created equal, in the image of God and deserving of dignity. The Equity and Inclusive Education policy was first developed in 2011 in accordance with the Church’s teachings and PPM 119 (2009) to provide in all its operations an educational environment which supports and enables diversity, and commits to the elimination of discrimination.

The policy was last reviewed and approved at the June 2019 Policy Committee meeting. The motion to approve the Policy failed at the subsequent Board meeting.

A number of significant directives/updates from the Ministry of Education provide the rationale for reviewing our current policy. The current policy does not incorporate all Ministry directives and legislative changes to date.

The following are some key factors for consideration:

- Ontario’s Equity Action Plan (2017) which provides clear action plans for boards to achieve equity for all students.
- The Anti-Racism Act 2017 has implications for all school boards regarding student data collection and analysis of disparities in outcomes for marginalized students.
- Ontario’s Action Plan to Address Systemic Racism in Schools 2020 has implications for all school boards.
- Updates to teacher hiring practices 2020 (Revocation of Reg. 274)

In view of the above updates, global events and the policy’s relevance for a number of board priorities, including mental health and safe and accepting schools, the Equity and Inclusive Education Policy requires revision.

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

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