

GOVERNANCE AND POLICY COMMITTEE REGULAR MEETING Public Session

AGENDA
October 9, 2018

Angela Kennedy, Chair
Trustee Ward 11

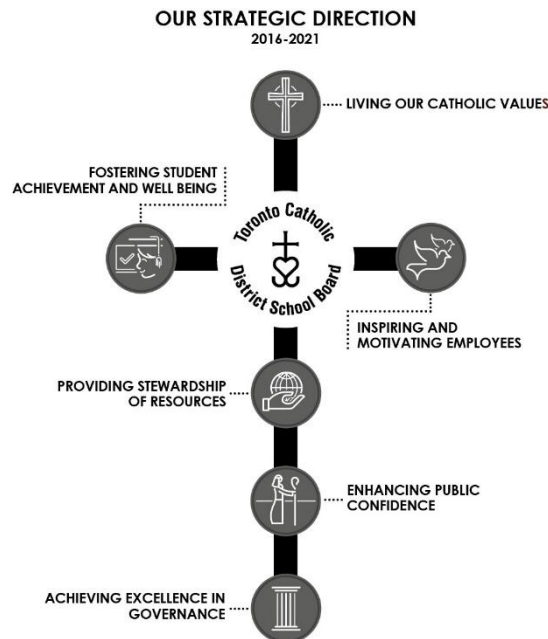
Jo-Ann Davis, Vice Chair
Trustee Ward 9

Ann Andrachuk
Trustee Ward 2

Nancy Crawford
Trustee Ward 12

Barbara Poplawski
Ex-Officio

Maria Rizzo
Ex-Officio



MISSION

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

VISION

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Recording Secretary: Sophia Harris, 416-222-8282 Ext. 2293
Assistant Recording Secretary: Sonia Tomaz, 416-222-8282 Ext. 2298

Rory McGuckin
Director of Education

Barbara Poplawski
Chair of the Board

TERMS OF REFERENCE FOR GOVERNANCE AND POLICY COMMITTEE

The Governance Framework Committee is responsible for:

- A. Ensuring that governance structures, policies, protocols, processes and performance metrics:
 - a. advance the vision of the TCDSB, rooted in Catholic values and teachings.
 - b. support the achievement of our Multi-Year Plan.
 - c. conform to best practices.
 - d. provide strategic cohesion and consistency.
 - e. comply with the Education Act and other pertinent legislation.
- B. Providing a meta policy framework to ensure all policy formation, monitoring and evaluation follow a standard process that reflects exemplary practices in policy development.
- C. Carrying out a continuous review of the roster of existing policy to ensure conformity and advancement of (A) above.
- D. Identifying the supports (e.g. capacity training) needed to implement the governance framework.
- E. Ensuring ongoing governance reviews of the Board.
- F. Ensuring that the TCDSB by-laws and the Trustee Code of Conduct reflect the vision and mission of the Board and adhere to good governance practices, the Education Act and other pertinent legislation.

OUR MISSION

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

OUR VISION

*At Toronto Catholic we transform the world
through witness, faith, innovation and action.*



AGENDA THE REGULAR MEETING OF THE GOVERNANCE AND POLICY COMMITTEE

PUBLIC SESSION

Angela Kennedy, Chair

Jo-Ann Davis, Vice Chair

Tuesday, October 9, 2018

7:00 P.M.

Pages

1. Call to Order
2. Opening Prayer
3. Roll Call & Apologies
4. Approval of the Agenda
5. Declarations of Interest
6. Approval & Signing of the Minutes of the Meeting held September 11, 2018 for Public Session. 1 - 13
7. Delegations
8. Presentation
 - 8.a Presentation regarding Changes to the Policy Website to Improve Public Transparency (Refer Item 13e)
9. Notices of Motion
10. Consent and Review
11. Unfinished Business

12. Matters referred or deferred

Referred from Student Achievement and Wellbeing, Catholic Education and Human Resources Committee May 31, 2018 Meeting

- 12.a Report of Governance and Policy Committee: Update to the Fair Practice in Hiring and Promotion Policy (H.M.40) (Refer Item 13d)

That it be referred to the Governance and Policy Committee for the concept of bias to be examined.

Referred from Corporate Services, Strategic Planning and Property Committee September 13, 2018 Meeting

- 12.b Staff Identification Badges (Information) 14 - 21

That the Staff Identification Badges report be referred to the Governance and Policy Committee to develop an Identification Policy for staff of the Board and to undertake a survey

13. Staff Reports

- 13.a Update to Copyright Policy (A.11) 22 - 26
- 13.b Update to Access to Students in Schools Policy (S.S.04) 27 - 46
- 13.c Update to Filling a Trustee Vacancy Policy (T.18) 47 - 55
- 13.d Update to Fair Practice in Hiring and Promotion Policy (H.M.40) (Refer Item 12a) 56 - 66
- 13.e Changes to the Policy Website to Improve Public Transparency (Refer Item 8a) - To Be Distributed

14. Listing of Communications

15. Inquiries and Miscellaneous

16. Updating of Pending List 67 - 69

17. Adjournment

OUR MISSION

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

OUR VISION

*At Toronto Catholic we transform the world
through witness, faith, innovation and action.*



MINUTES OF THE REGULAR MEETING OF THE GOVERNANCE AND POLICY COMMITTEE PUBLIC SESSION

Held Tuesday, September 11, 2018

PRESENT:

Trustees:

A. Andrachuk, Acting Chair
J. A. Davis, Vice-Chair - via teleconference
N. Crawford
M. Rizzo

Staff:

R. McGuckin
L. Noronha
P. Matthews
P. Aguiar
P. De Cock
L. Jackman-Maselli
J. Yan
S. Coray

S. Harris, Recording Secretary
S. Tomaz, Assistant Recording Secretary

3. Roll Call & Apologies

Apologies were extended on behalf of Trustees Kennedy and Poplawski.

4. Approval of the Agenda

MOVED by Trustee Davis, seconded by Trustee Crawford, that the Agenda be approved.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis

The Motion was declared

CARRIED

5. Declarations of Interest

There were none.

6. Approval and Signing of the Minutes

MOVED by Trustee Crawford, seconded by Trustee Davis, that the Minutes of the Meeting held May 8, 2018 for PUBLIC Session be approved.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis

The Motion was declared

CARRIED

Trustee Rizzo joined the meeting at 7:10 pm.

12. Matters Referred/Deferred

MOVED by Trustee Davis, seconded by Trustee Crawford, that Item 12a) be adopted as follows:

- 12a) Consideration of Motion from Trustee Davis regarding Planned Work of the Governance and Policy Committee** approved in principle and that staff bring back a prototype that responds to the needs presented at the October 9, 2018 Governance and Policy Committee Meeting.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

**Referred from May 31, 2018 Student Achievement and Wellbeing,
Catholic Education and Human Resources Committee Meeting**

**12b) Report of Governance and Policy Committee: Update to the Fair
Practice in Hiring and Promotion Policy (H.M.40)**

Staff was directed to bring this back for discussion at the October 9, 2018 Governance and Policy Committee Meeting.

**Referred from the June 6, 2018 Corporate Services, Strategic Planning
and Property Committee Meeting**

**12c) Ministry Memo 2018: B10- Final Pupil Accommodation Review
Guidelines (PARG) and Updated on Integrated Planning and Supports
for Urban Education**

Staff was directed to let this item remain on the Pending list until new legislation is passed.

13. Staff Reports

MOVED by Trustee Davis, seconded by Trustee Rizzo, that Item 13a) be adopted as follows:

13a) Access to Students in Schools Policy (S.S.04) that the revised Access to Students in Schools Policy (S.S.04) provided in Appendix A be adopted, and that the title in Appendix B, page 34: *“All Candidate Meeting Guidelines”* be replaced with *“All Candidate Meeting during School Hour Guidelines.”*

MOVED by Trustee Crawford, seconded by Trustee Rizzo, that the Policy be referred to staff to improve language of the Purpose, Scope and Responsibility on page 20, and be brought back, along with the Trespass Policy, and that the following changes, as well as that on page 34 (see above) be incorporated:

Page 20, Scope and Responsibility - That “extends” be replaced with “applies”;

Page 22, Regulation 1c) - That “the” before “Board” be inserted;

Page 23, Regulation 3b) - That “license” be replaced with “licence”;

Page 32, Item 4 - That “Social” be removed from “Catholic Social Teaching”; and

That “principals” be replaced with “Principals” and be consistent throughout the Policy.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

The Chair declared a five-minute recess.

The meeting resumed with Trustee Andrachuk in the Chair and the attendance list remained unchanged.

MOVED by Trustee Crawford, seconded by Trustee Rizzo, that Item 13b) be adopted as follows:

- 13b) Review of Community Engagement Handbook (T.07) – Catholic Parent Involvement Committee’s (CPIC)** that ongoing monitoring and reporting of metrics and accountability findings related to surveys and other parent engagement best practices continue to be collected and highlighted in the

Annual Report on Communications and Community Engagement submitted to the Board of Trustees each September.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Davis, seconded by Trustee Crawford, that Item 13c) be adopted as follows:

- 13c) Update to Employee Involvement in Municipal, Provincial and Federal Elections Policy (H.M.25)** that the Committee recommend to the Board that the revised Employee Involvement in Municipal, Provincial and Federal Elections Policy (H.M.25) provided in Appendix A be adopted.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Crawford, seconded by Trustee Davis, that Item 13d) be adopted as follows:

- d) **Update to Provisions of Requested Information to an Individual Trustee Policy (T.15)** that the Committee recommend to the Board that the revised Provision of Requested Information to an Individual Trustee Policy (T.15) provided in Appendix A be adopted and that the following amendments discussed be incorporated:

Page 50, Regulation 1b) - That “one” be replaced with “three”;

Page 51, Regulation 4 - That “in which the information falls within the policy” be replaced with “where disclosure is permitted under the policy”;
and

Page 51, Regulation 5 - That “fall within” be replaced with “be covered by”

MOVED in AMENDMENT by Trustee Davis, seconded by Trustee Rizzo, that Regulation 7, page 51, be reworded to read: Where information is provided to an individual Trustee, the Director will share the information with all Trustees, unless it pertains to a specific local matter.

Results of the Vote taken on the Amendment, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Amendment was declared

CARRIED

Results of the Vote taken on the Motion, as amended, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis

Rizzo

The Motion, as amended, was declared

CARRIED

The Chair declared a five-minute recess.

The meeting resumed with Trustee Andrachuk in the Chair and the attendance list remained unchanged.

MOVED by Trustee Davis, seconded by Trustee Crawford, that Item 13e) be adopted as follows:

- 13e) Update to Electronic Participation in Meetings of the Board, Committees of the Board and the Committee of the Whole Board Policy (T.19)** that the Committee recommend to the Board that the revised Participation in Meetings of the Board, Committees of the Board, and the Committee of the Whole Board Policy (T.19) provided in Appendix A be adopted and that the following amendments discussed, be incorporated:

Page 56, Cross References – That Education Act 207/2b, be referenced;

Page 56, Purpose - That “All Trustees are expected to attend in person, all meetings of the Board and Committees of the Whole Board” be inserted as the first sentence;

Page 57, Regulation 2 – That “Committees of the Board” be inserted after “Board”;

Page 57 – That “board” be replaced with “Board” and be consistent throughout the Policy;

Page 58, Regulation 3 – That Committees that do not comprise of all Trustees, be referenced;

Page 58, Regulation 6 - That “twenty” be replaced with “thirty”; and

Page 59 – That Regulations 10 and 14 be referred to staff to add more clarity.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Crawford, seconded by Trustee Rizzo, that Item 13f) be adopted as follows:

13f) Whistleblower Policy (A.39) received.

MOVED by Trustee Rizzo, seconded by Trustee Davis, that the Committee recommend to the Board that the proposed Whistleblower Policy (A.39) and Operational Procedures be adopted and operationalized.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

MOVED by Trustee Davis, seconded by Trustee Crawford, that Item 13g) be adopted as follows:

13g) Prevalent Medical Conditions Policy (S.M.17) that the Committee recommend to the Board that the Prevalent Medical Conditions Policy (S.M.17) provided in Appendix A be adopted and the Anaphylaxis Policy (S.M.15) provided in Appendix C and the Asthma Policy (S.M.16) provided in Appendix D be rescinded and that the following amendments discussed be incorporated:

Page 110, Regulation 7 - That “Every effort shall be made to provide nut-free alternative during fundraising campaigns in schools” be added as the last sentence.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

Staff was directed to reference this in the Fundraising Policy.

MOVED by Trustee Davis, seconded by Trustee Rizzo, that Item 13h) be adopted as follows:

- 13h) Update to Filling a Trustee Vacancy Policy (T.18)** that the revised Filling a Trustee Vacancy Policy (T.18) provided in Appendix A be adopted and that staff develop recommended wording which makes clear the preference for a By-election, with appointment on an exceptional basis only and bring it back to the October 9, 2018 Governance and Policy Committee Meeting.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

17. Adjournment

MOVED by Trustee Davis, seconded by Trustee Crawford, that the meeting adjourn.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Andrachuk
Crawford
Davis
Rizzo

The Motion was declared

CARRIED

SECRETARY

CHAIR



REPORT TO

CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

STAFF IDENTIFICATION BADGES

*"I can do all things through Him who strengthens me."
Philippians 4:13 (NRSVCE)*

Created, Draft	First Tabling	Review
September 4, 2018	September 13, 2018	

A. Rashid, Senior Coordinator, Operations
M. Farrell, Coordinator, Materials Management
P. de Cock, Comptroller, Business Services
F. Cifelli, P. Keyes, J. Shanahan, J. Wujek, K. Malcolm, M. Caccamo, P. Aguiar, S. Campbell
Superintendents of Learning, Student Achievement and Well-Being
D. Friesen, (Acting) Executive Superintendent of Facilities Services

INFORMATION REPORT

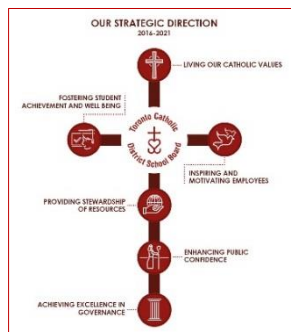
Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

T. Robins
Acting Associate Director
of Planning and Facilities

L. Noronha
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report responds to a Trustee inquiry regarding staff Identification badges. In 2013, the Board initiated a pilot project to install a new access control system with a provision for photo identification at three locations. This was followed by a phased implementation program with 84 schools completed to date, as well as the Catholic Education Centre.

Full implementation of security access cards with photo identification at all Board locations is scheduled to be completed by August 2020.

The cumulative staff time required to prepare this report was 8 hours.

B. PURPOSE

1. This report is a follow up to a Trustee inquiry at the June 6, 2018 Corporate Services, Strategic Planning and Property committee meeting regarding staff Identification badges.
2. The report provides a summary of the Board's building access control process, which includes a phased implementation of provision of staff photo identification.

C. BACKGROUND

1. There are two types of photo identification cards:
 - photo identification cards that do not have access control enabled; and
 - smart cards that provide access control as well as photo identification.
2. On July 3, 2013, Director's Council approved a report recommendation to supply and install access control systems with photo identification and security equipment at various Board locations through a phased-in approach. A pilot program for installation of a new access control system with a provision for photo identification comprising three locations was initiated.
3. In December 2013, the Premier of Ontario announced that all Ontario elementary schools are to keep their doors locked during the day. Resulting from the Premier's announcement, the Facilities department provided generic security access cards (no photo) to all elementary schools' staff to gain entry into the building Monday to Friday during school hours, as a

stopgap measure until the implementation of the photo ID system could be completed.

4. As of June 2018, the Facilities Renewal Department has completed installation of upgraded access control systems with photo ID access cards at eighty-four (84) elementary schools and four (4) secondary schools. The list of completed schools is included in Appendix A.
5. On July 3, 2018, Director's Council approved a contract to supply and install access control systems with photo identification and security equipment at thirty-six (36) additional schools. Estimated completion date is December 2018.
6. Full implementation of security access cards with photo identification at all Board locations is scheduled to be completed by August 2020. The system will be linked to the SAP Human Resources system to facilitate automatic re-programming of access when employees change locations.
7. The Capital Department has updated design standards for new elementary and secondary schools to include the new card access control system that allows staff to have photo identification. Installations have been completed at four (4) elementary schools. These schools are included in the list in Appendix A.
8. All Catholic Education Centre staff are provided with photo identification access control cards that provides various levels of access throughout the Catholic Education Centre, depending on the employee's job function.
9. School Principals, Vice Principals and all Custodial staff are provided with photo identification access cards.
10. Arising from the Safe Schools Inquiry report in 2016, one of the recommendations was to provide generic security access cards to all staff at Secondary Schools and Msgr Fraser Campuses.
11. Some secondary school principals have decided to provide their school administration and teaching staff with photo identification cards. These photo identification cards are arranged through the school contracted photographer that takes student and staff yearly photos. These photo identification cards do not provide access control.
12. On October 19, 2017, the Board approved the Access Control Policy (B.B.05), which provides for access cards to include the name and photo image of the person to whom the card is issued and provides an access level determined by the employee's job classification. Standardization of access

card information was developed in consultation with Safe Schools, Facilities Services, Health and Safety and the unions. The policy includes an Operational Guideline for Keys and Access Cards.

13. Upon change of employment status or a change of position with the Board, which would no longer require the employee to be an authorized key/access card holder, employees shall relinquish keys and access cards to their immediate Supervisor or identified alternate senior staff person before any final or further payment to the employee is processed.
14. Tenants and/or Licensees operating in a TCDSB school are provided with a security access card at their sole cost, which is administered by the respective school principal. Tenants and/or Licensees are required to pay a fee for each card to a maximum of two cards.
15. On August 14, 2018, staff surveyed other GTA school boards as to whether staff are provided with ID badges at their Education Centre and schools. This information is provided in Appendix B.

D. CONCLUDING STATEMENT

This report is for the information of the Board.

Ops 2018 001 Appendix A	
	New Access Control System - Staff Photo ID Cards
#	School Name
	Elementary Schools
290	All Saints
299	Annunciation
409	Blessed Margherita
456	Blessed Pier Giorgio
374	Blessed Pope Paul VI
251	Canadian Martyrs
318	D'Arcy McGee
525	Don Bosco
378	Epiphany of Our Lord
329	Holy Angels
242	Holy Cross
215	Holy Name
282	Holy Spirit
281	Immaculate Conception
325	James Culnan
413	Josyf Cardinal Slipyj
340	Mother Cabrini
288	Nativity Of Our Lord
252	Our Lady of Fatima
372	Our Lady of Grace
342	Our Lady Of Guadalupe
221	Our Lady of Lourdes
405	Our Lady of Mount Carmel
247	Our Lady Of Victory
273	Our Lady Of Wisdom
416	Prince of Peace
415	Sacred Heart
368	Santa Maria
302	St Agatha
350	St Aidan
335	St Albert
326	St Alphonsus
410	St Andre
361	St Angela
339	St Antoine Daniel
328	St Augustine

Ops 2018 001 Appendix A	
New Access Control System - Staff Photo ID Cards	
#	School Name
334	St Bartholomew
261	St Bernard
263	St Bonaventure
376	St Bruno/Raymond
218	St Cecilia
250	St Charles
214	St Clare
307	St. Clement
380	St Columba
270	St Cyril
384	St Demetrius
310	St Denis
341	St Dorothy
241	St Dunstan
356	St Edmund Campion
255	St Edward
337	St Eugene
206	St Francis of Assisi
256	St Gabriel
377	St Gabriel Lalemant
208	St Helen
395	St Henry
365	St Ignatius of Loyola
275	St James
296	St Jane Frances
294	St Jerome
292	St Joachim
305	St John Bosco
209	St Joseph
279	St Jude
300	St Kevin
264	St Lawrence
333	St Leo
331	St Louis
336	St Malachy
205	St Mary Elementary
379	St Maurice

Ops 2018 001 Appendix A	
	New Access Control System - Staff Photo ID Cards
#	School Name
355	St Nicholas of Bari
309	St Norbert
283	St. Paschal Baylon
204	St Paul
237	St Pius X
301	St Richard
297	St Robert
320	St Roch
269	St Rose of Lima
383	St Simon (new school)
284	St Stephen
373	St Sylvester
322	St Thomas More
298	St Timothy
306	St Ursula
338	St Victor
417	The Holy Trinity
	Secondary Schools
549	Bishop Allen
525	Don Bosco (closed)
502	Neil McNeil
501	Notre Dame

**DOES YOUR BOARD PROVIDE ID BADGES TO ALL STAFF –
EDUCATION CENTRE AND SCHOOLS**

1. TDSB – Toronto District School Board:

Yes all staff require an identification badge

2. Dufferin Peel Catholic District School Board:

Yes -in process of changing. All staff get ID badges

3. Peel District School Board:

Central Board - yes Schools -no

4. Durham District School Board:

Staff in the Education Centre are issued ID badges.

It appears that there are different policies – school based.

Some of the larger high schools do have ID badges but not all.

5. Durham Catholic District School Board:

Yes all staff issued ID badges

6. York Catholic District School Board:

Staff at Central Board are issued ID badges

7. York Region District School Board:

**ID badges are given to Administrative Office staff including admin staff
in the satellite offices.**

**Caretakers, Principals, Vice Principals, Teachers arrange for ID
badges from an outside company if they want.**



REPORT TO

GOVERNANCE AND POLICY
COMMITTEE

UPDATE TO COPYRIGHT POLICY (A.11)

*“In everything do to others as you would have them do to you;
for this is the law and the prophets.” Matthew 7:12*

Created, Draft	First Tabling	Review
October 2, 2018	October 9, 2018	Click here to enter a date.

Peter Aguiar, Superintendent of Student Achievement and Well-Being, Area 4
Bryan Shannon, Senior Manager of Archives and Record

RECOMMENDATION REPORT

Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

T. Robins
Acting Associate Director
of Planning and Facilities

L. Noronha
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report recommends updating the Copyright Policy (A.11) to reformat in meta policy format and to align to related policies.

The cumulative staff time required to prepare this report was 1 hours

B. PURPOSE

This Recommendation Report is on the Order Paper of the Governance Policy Committee as it recommends policy revision.

C. BACKGROUND

The Copyright Policy (A.11) was approved on September, 1971 and last revised on October 1986.

D. EVIDENCE/RESEARCH/ANALYSIS

Revisions to this policy are recommended to reflect advances in technology and the updated TCDSB Logo Use Policy T.16.

E. METRICS AND ACCOUNTABILITY

1. Recommendations in this report will be monitored by policy development staff.
2. Further reports will be brought to Board in accordance with the policy review schedule

F. IMPLEMENTATION, STRATEGIC COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT PLAN

The updated policy as approved will be posted on the TCDSB policy register.

G. STAFF RECOMMENDATION

Staff recommends that the revised Filling a Trustee Vacancy Policy (T.18) provided in Appendix A be adopted.



POLICY SECTION: ADMINISTRATION

SUB-SECTION:

POLICY NAME: COPYRIGHT

POLICY NO: A.11

Date Approved: September, 1971	Date of Next Review:	Dates of Amendments: AR, Jul 98; BM p 188, 16 Oct 86; BM p 1420,
Cross References: TCDSB Logo Use Policy T.16 Copyright Act (R.S.C., 1985, c. C-42)		
Appendix		

Purpose:

The purpose of this policy is to ensure that the TCDSB maintains the sole right to produce or reproduce all originally created TCDSB materials in any form.

Scope and Responsibility:

The policy outlines the steps which need to be taken to ensure that original material produced by the Toronto Catholic District School Board is protected by copyright. The Director of Education, supported by the Senior Manager of Archives and Record Management, is responsible for this policy.

Alignment with MYSP:

Strengthening Public Confidence

Achieving Excellence in Governance

Providing Stewardship of Resources



POLICY SECTION: ADMINISTRATION

SUB-SECTION:

POLICY NAME: COPYRIGHT

POLICY NO: A.11

Policy:

All original TCDSB materials shall be protected by copyright.

Regulations:

1. A copyright notation shall appear in a prominent place on all **original** material.
2. The copyright notation will include the copyright symbol, the name TCDSB, the Board logo and the year of copyright.



3. Written permission to reproduce TCDSB copyrighted material shall be obtained from the Director of Education.
4. Original copyright materials shall include but is not limited to print material, audio visual material, **computer software programs, websites, mobile applications** and works of art.
5. A copy of original TCDSB material may be retained in the TCDSB archives, subject to selection by the archive's manager based on an assessment of long-term historical and/or business value.
6. **Use of the Corporate Logo must conform to the TCDSB Logo Use Policy T.16 and the accompanying guidelines.**



POLICY SECTION: ADMINISTRATION

SUB-SECTION:

POLICY NAME: COPYRIGHT

POLICY NO: A.11

Definitions:

Copyright

Provides protection for literary, artistic, dramatic or musical works (including computer programs).

Evaluation and Metrics:

**The effectiveness of the policy will be determined by measuring the following:
The Director of Education, supported by the Senior Manager of Archives and
Record Management, shall ensure compliance.**



REPORT TO

GOVERNANCE AND POLICY
COMMITTEEUPDATE TO ACCESS TO STUDENTS IN SCHOOLS
POLICY (S.S.04)

*This, in turn, is education in the law, by which we learn divine matters reverently
and human affairs to our advantage. 4 Maccabees 1:17*

Created, Draft	First Tabling	Review
September 4, 2018	September 11, 2018	October 9, 2018

Peter Aguiar, Superintendent of Student Achievement and Wellbeing, Area 4

RECOMMENDATION REPORT

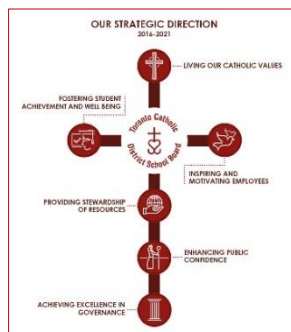
Vision:

*At Toronto Catholic we transform the world through
witness, faith, innovation and action.*

Mission:

*The Toronto Catholic District School Board is an inclusive
learning community uniting home, parish and school and
rooted in the love of Christ.*

*We educate students to grow in grace and knowledge to
lead lives of faith, hope and charity.*



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

T. Robins
Acting Associate Director
of Planning and Facilities

L. Noronha
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report recommends updating the current Access to Student in Schools Policy (S.S.04) to reflect changes to legislation and to reformat in meta policy format.

The cumulative staff time required to prepare this report was 1 hours

B. PURPOSE

This Recommendation Report is on the Order Paper of the Governance Policy Committee as it recommends policy revision

C. BACKGROUND

1. The Access to Students in Schools Policy (S.S.04) was approved on June 2007 and last amended in January 2015
2. The Update to Access to Students in School Policy (S.S.04) was first presented at the September 11, 2018 meeting of the Governance and Policy Committee.
3. The Committee recommended the policy return to the October 9 meeting of Governance and Policy with:
 - a. An analysis of how it aligns with the Trespass Policy (S.S.14).
 - b. Suggested formatting and name changes.
 - c. Revisions to purpose and scope.

D. EVIDENCE/RESEARCH/ANALYSIS

1. This policy has been amended in consultation with the Safe Schools, Corporate Services and Partnership Development, Communications and Policy Development.
2. Since this policy was written, there have been changes to applicable legislation. Revisions to this policy reflect those changes.

E. METRICS AND ACCOUNTABILITY

1. Recommendations in this report will be monitored by policy development staff.

2. Further reports will be brought to Board in accordance with the policy review schedule.

F. IMPLEMENTATION

The updated policy as approved will be posted on the TCDSB policy register.

G. STAFF RECOMMENDATION

Staff recommends that the revised Access to Students in Schools Policy (S.S.04) provided in Appendix A be adopted.



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

Date Approved:~~January 29th, 2015~~**June 2007****Date of Next****Review:**

2023

Dates of Amendments:~~June 2007~~**January 29, 2015****Consolidated in the current Policy:**~~S. 13 Approved Access to Schools by Individuals and Organizations S. 15 Access to Pupils~~~~A. 13 Distribution of Advertisements A. 19 Distribution by Outside Agencies A. 25 Advertising in Schools~~~~S. 01—School Volunteers~~**Cross References:**

O. Reg 474/00 Access to School Premises

O. Reg 521/01 Collection of Personal Information Education Act, Section 53

Education Act Part XIII, Behaviour, Discipline and Safety ~~Education Act Part X,~~
clause 265 (1) (m)

Education Act Sections 212 and 471/07

~~Education Act, Reg. 298 sec. 11.1 (a)~~

and (b)

PPM 149 Protocol for Partnerships with External Agencies for Provision of
Services by Regulated Health Professionals, Regulated Social Service
Professionals, and Paraprofessionals~~S. 16 Access to Pupil Information~~~~H.M. 24 Catholic Equity and Inclusive Education~~

H.M 25 Involvement in Municipal, Provincial and Federal

Elections Toronto Police/School Board Protocol

S.S. 14 Trespass

B.R. 05 Permits

S.M. 04 Fundraising in Schools **S.S 09 Code of Conduct TCDSB Volunteer****Manual**Institute for Catholic Education *Guidelines for Partnership in Catholic Education*

Protocol for Clergy and Laity Visiting the Archdiocese of Toronto CASL

(Canadian Anti-Spam Legislation)



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

Appendix

Appendix A

~~Protocol for Access to Pupils~~~~Guiding Principles for Access to Schools and Students~~**Protocol Governing Access to Students in Schools**

Appendix B

~~Safe Schools—Principal's Guideline to Parents at School~~**All Candidates Meeting In Schools Guidelines**

Appendix C—

~~All Candidates Meeting Guidelines~~**Purpose:**

This policy affirms the need for students, **teachers**, staff and parents to feel safe in their school community. ~~and to have confidence that those individuals or groups granted access to schools and students are consistent with the vision and mission espoused in our Multi-Year Strategic Plan.~~ The purpose of this policy is to outline the steps to be followed where an individual or organization requests access is ~~permitted~~ to schools and school sites ~~operated by the Board~~ **or other Board premises.**

Scope and Responsibility:

This Policy ~~extends~~ **applies** to all visitors, organizations, or other individuals accessing or seeking access to Toronto Catholic District School Board schools or other TCDSB premises. The Director of Education, **supported by the**



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

Superintendent of Safe Schools and school Principals, is responsible for this policy

Alignment with MYSP:

Fostering Student Achievement and
Well-Being Living Our Catholic Values
Strengthening Public
Confidence Inspired and
Motivated Employees

Financial Impact:

~~Generally there is no significant financial impact on the TCDSB except to maintain building security requirements. Following sound professional judgement in the implementation of the policy and protocol outlined, will mitigate any legal liability which may carry financial implications.~~

Legal Impact:

~~The Education Act requires school boards and all schools of a board to maintain a positive and safe learning environment. The policy enables Principals and senior TCDSB staff to exercise judgement guided by the principles and protocols established through this policy. Schools may maintain local school practices to govern access of visitors, organizations or other individuals to Toronto Catholic District School Board schools or other TCDSB premises. When local school practices may be compromised, steps must be taken to protect the safety of pupils, teachers, school staff and other members of the school community. Failure to follow the policy or protocol could expose the~~



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

~~TCDSB to legal liability.~~

Policy:

The Toronto Catholic District School Board encourages access **visits** to the schools and school sites **other Board premises**, ~~operated by the Board,~~ from those with a statutory right of access and from those whose ~~outreach,~~ presence, ~~involvement or provision of services~~ will be of benefit to the pupils and/or staff. ~~Direct or indirect access to or interviews with pupils of the TCDSB, other than by staff or consultants to the Board, shall only occur with the prior consent of the parent given to the Principal, who will be supported by the Guiding Principles and Protocol found within this policy.~~

Access to school premises both during and after school hours shall also be governed by the Board Permit Policy **B.R.05** and procedures.

Regulations:

1. The Board recognizes that the following persons are permitted to be on school premises pursuant to the Education Act and Ontario Regulation 474/00, Access to School Premises:
 - a. A person enrolled as a pupil;
 - b. A parent or guardian of such pupil;
 - c. A person employed or retained by Board;
 - d. A person who is otherwise on the premises for a lawful purpose;
 - e. A person who is invited to attend an event, a class or a meeting on school premises, provided the person is on the premises for that purpose;



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

- f. A person who is invited onto school premises for a particular purpose by the Principal, a Vice-Principal or another person authorized by the Board policy provided the person is on the premise for that purpose;
 - g. A trustee of the Board;
 - h. A Member of the Provincial Legislature for the school in his/her constituency; or
 - i. A member of the clergy for the Archdiocese of Toronto who has pastoral charge of the area in which the school is situated.
2. **Where permitted by law, the following** persons who may seek to have access to or to interview pupils enrolled in Board schools, other than school staff and Board consultants, **are include:**
- a. Custodial parents, guardians and their identified delegates;
 - b. Non-custodial parents;
 - c. Police;
 - d. Public Health Nurses;
 - e. Immigration officers ~~in accordance with policy S-18;~~
 - f. Children's Aid Societies;
 - g. Others, as deemed appropriate **and as approved by the Principal.**

Before permitting access, it is the responsibility of the Principal to ascertain the aforementioned category into which the person seeking such access may fall, and to apply these Regulations and related Protocols/Guidelines accordingly.

3. Given the obligation of the Board, the Principal, the teachers, and other staff, to safeguard the welfare of the students in appropriate cases, the Principal must be satisfied that the visitor is the person who he/she



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

purports to be and that, **if required by law**, the appropriate **vulnerable sector** criminal background check in accordance with O. Reg 521/01 has been ~~done~~ **provided to the Principal and appropriate TCDSB department(s)**. Unless the visitor is known to the Principal, proper identification should, with sensitivity and discretion, be insisted upon. This may be accomplished, among other ways by:

- a. Personal identification of the visitor by someone in the school;
- b. Production of a driver's license **licence**; **and**
- c. Verification of information given by the visitor against information contained in school records.
- d. ~~In the case of an immigration officer, a legally valid authorized order for the apprehension of the pupil.~~

4. Visitors not known to the administration of the school shall be requested to produce proper identification and to follow locally established school access procedures, including reporting to the office upon arrival. Such persons will be requested to sign the Visitor's Book, stating name, address and reason for the visit. **Visitors known to the administration shall also follow locally established school access procedures, including reporting to the office upon arrival. Such persons will be requested to sign the Visitor's Book.**

5. Those individuals who are permitted on school premises in accordance with regulation 1 are not entitled to have access to all areas of the school premises. The Principal shall determine access to pupils in a classroom., ~~governed by and in accordance with Appendix A, Protocol for Access to Pupils.~~

6. **A pupil subject to suspension or expulsion is denied access to the**



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

school and to all school-related activities or events.

7. In accordance with O. Reg. 474/00, where a Principal, Vice-Principal, or another individual with delegated authority concludes that a person's continuing presence on school premises is detrimental to the safety or well-being of anyone on school premises, that person is not permitted to remain on school premises.
8. The Director, the appropriate supervisory officer, the Principal or a teacher following consultation with the Principal, may invite visitors to make instructional or other presentations to and for the benefit of the pupils or the staff of the school. Presentations must be in harmony with the Ontario Catholic School Graduate Expectations and ~~be in harmony~~ with the Mission and Vision Statement and Multi-Year Strategic Plan of the TCDSB. For this reason, appropriate staff is required to scrutinize the aims, objectives and methods of those invited to make presentations in the school. *Guiding Principles for Access to Schools and Students* **Protocol Governing Access to Students in Schools** is found in Appendix A.
9. The Principal, ~~will normally cooperate~~ **where appropriate, may permit** with a custodial parent or guardian ~~who wishes to visit with one or more of his/her children at the school. This cooperation will generally be extended to a person who has been authorized by the custodial parent/guardian to act in his or her place. Such authorization must have been received in writing or verbally by school administration.~~ **Any such visits should be undertaken with the aim of minimizing disruption to the child's school day and routine.**
10. The Board permits access to students by the Toronto Police Service in accordance with the Police/School Board Protocol. ~~Where Police wish to~~



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

~~interview a student, whether as a suspect, victim, or witness, the following rules apply:~~

- ~~a. The Principal will promptly contact the parent or guardian to advise of the Police request for the interview and invite the parent or guardian to be present.~~
- ~~b. Where the Police request that the parent or guardian of the student not be advised of the Police request for the interview, the Principal may permit an interview to take place in the school and without prior parental consent if the Principal is of the view that her/his discretion should be exercised in that way in accordance with the Police/School Board Protocol.~~
- ~~c. In some cases, the student may prefer to have a teacher, guidance counsellor, or Principal present during a Police interview or when making a statement. When it is determined that the parent or guardian cannot or will not be contacted prior to the interview, the student shall be advised that he or she may request that such person be available to the student to attend and act in loco parentis during the interview. The Police have an obligation to advise a student of his or her rights under the Charter of Rights and Freedoms and the Youth Criminal Justice Act. As part of this duty to act in loco parentis, the Principal, teacher, guidance counsellor or other person present at the interview can request the Police officer to explain these rights to the student.~~

11. The Canada Border Services Agency (the “CBSA”) is not a signatory to the Police/School Board Protocol, but has advised the Toronto Catholic District School Board that it will respect the Protocol.



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

12. CBSA officers will only enter a school for reasons of national security or serious criminality. These exceptional circumstances will require approval from a senior CBSA official.
13. ~~In the case of~~ **The Regulations of this policy apply to** a student who is a ward of the Crown or a children's aid society, ~~all of the above Regulations that deal with the access to the student apply.~~ Children's aid societies have ~~an~~ **a legal** obligation ~~by law~~ to afford protection to children in need thereof, and for this purpose, have the power to apprehend such children. Staff should consult the specific policies **and protocols (including the Police/School Board Protocol)** of the Board related to these matters. ~~When investigating suspected child abuse, the Abuse Team (Children's Aid Society and Police Officer) may determine that it is in the child's best interest that the interview take place without prior knowledge, presence and consent of the parents. Staff should consult policy S.17, Suspected Child Abuse Reporting, for further details.~~
14. Between provincial elections, the Governing Party shall have the ability to hold announcements in our schools related to Education and Early Childhood policies. Requests for access shall be made through the Director of Education prior to the event.
15. During a writ period of a federal or provincial election, no political ~~parties~~ **party** may make public announcements in TCDSB schools.
16. The Board continues to encourage political awareness during election campaigns by means of "all-candidate meetings" for its secondary school students. These may be organized during the school day with the



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

permission of the Principal and Superintendent. Such meetings are to be conducted under the *All Candidate Meeting Guidelines*. (See Appendix B).

17. The school Principal will inform the local school trustee, prior to the visit, of notable invited visitors to the school in accordance with policy S. 02, School Events Communications and Invitee Protocols.

18. ~~Materials submitted for distribution~~ **Any communications, including communications pertaining to community events, approved for distribution by the Principal** must be consistent with the mission and vision of the Toronto Catholic District School Board and the teachings of the Catholic Church.

19. In situations where access to schools is for the purpose of fundraising, all ~~procedures~~ **fundraising** shall be in accordance with Board Policy S. M. 04, Fund Raising in Schools and consistent with Canadian Anti-Spam Legislation (**"CASL"**).

20. ~~Not for Profit individuals and organizations should follow the TCDSB Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals, Regulated Social Service Professionals and Paraprofessional. Not for Profit individuals and organizations which fall outside of this protocol may approach the school Principal or appropriate central staff (Program Coordinators or above) for approval for access, provided the students receive a beneficial learning experience. Requests by individuals or organizations shall then be vetted according to the Protocol, Criteria and Guiding Principles found in Appendix A External health or social service agencies, professionals or paraprofessionals are required to follow the TCDSB Protocol for Partnerships with External Agencies for Provision of~~



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

Services by Regulated Health Professionals, Regulated Social Service Professionals and Paraprofessionals.

~~21. For-Profit Individuals and Organizations who wish to work with schools should be referred to the Partnership Development Department for consideration.~~

22. ~~For-Profit~~ Individuals and organizations who wish to work with schools **on a Board-wide basis** ~~should~~ **are to** be referred to the Partnership Development Department ~~for consideration.~~

23. A Principal may use volunteers in the school to assist teachers with school activities:

- a. Volunteers will perform such duties as assigned by the Principal. ~~and without remuneration.~~
- b. All volunteers who will be assisting students on a regular **and continuous** basis, ~~and/or including~~ on an overnight excursion, will be **are** required to complete a Volunteer Registration Form and a Confidential Information and Communications Form as found in the TCDSB Volunteer Manual and shall be required by the Principal to submit a current Criminal Background Check **submit a current vulnerable sector criminal background check** before the commencement of the **volunteer** assignment.
- c. All volunteers will comply with the TCDSB Volunteer Manual.**
- d. Parent volunteers ~~may not be~~ **are not** permitted to work in the classroom of their own child on a regular basis, subject to the discretion of the Principal.
- e. The cost of the background check is at the volunteer's expense,



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

although Principals have the discretion to assume the costs when deemed appropriate. The local Catholic School Council may also choose to fund the cost.

- f. Volunteer coaches must abide by the Ontario **Physical Education (OPHEA)** Safety Guidelines for the particular athletic activity and Board policies. ~~polices as posted on the Board's website.~~

~~24. The board will maintain a database in which Principals can record those outside agencies that have gained access to the school(s), and can make note of any individual or organization that they would recommend against returning. The *Protocol for Approval for Access* notwithstanding, the board reserves the right to revoke permission to any individual or group that, based on feedback or lived experience, the board deems to be inappropriate and/or inconsistent with our TCDSB Access to Schools Guiding Principles.~~

Definitions

Access:

~~Access may include but is not limited to distribution of materials, presence, involvement or provision of services to students.~~

School Climate

~~The learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions.~~



POLICY SECTION: SAFE SCHOOLS

SUB-SECTION:

POLICY NAME: ACCESS TO STUDENTS IN SCHOOLS

POLICY NO: S.S.04

Central Staff:

For purposes of this policy, central staff are understood to be Program Coordinators Superintendents, Communication Department Staff, Associate Director or Director.

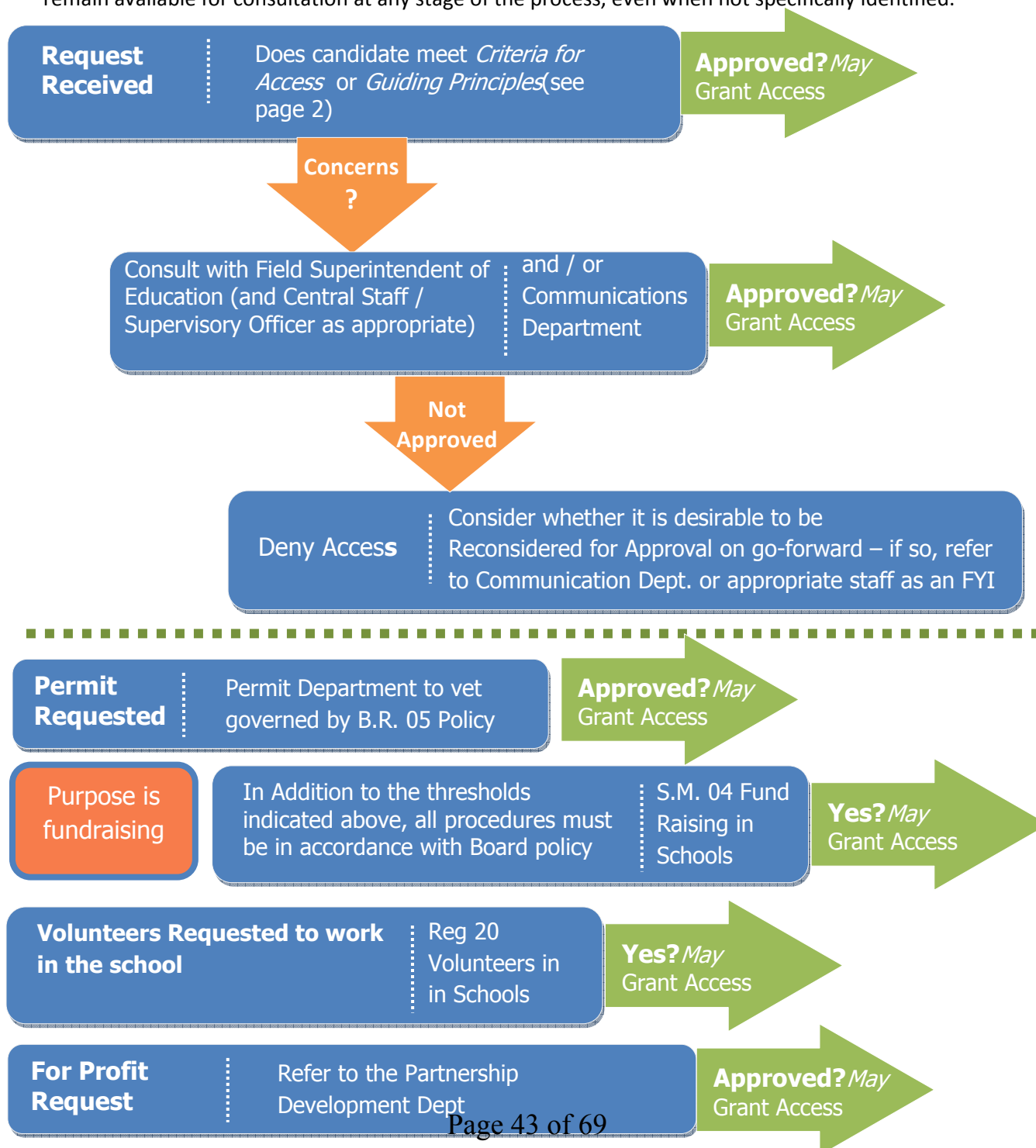
Evaluation & Metrics:

1. Anonymous school climate surveys conducted **annually with students.**
Parent voice survey conducted regularly. ~~with Parents and Staff at least every two years.~~
2. ~~Safe Schools data: Reporting Forms — Part I, Trespass Notices, Denial of Access Notifications, Suspensions, Expulsions, Visitor Notification Information.~~
3. ~~Database of Individuals or Organizations working with schools and students (presentations).~~

Process Governing Access to Students in Schools

The table and criteria below are intended to govern the decision making process Principals and Central Board Staff utilize in ascertaining whether access should be granted to individuals or groups/organizations who request access to schools or pupils in schools.

Principals and Central Board Staff are encouraged at all times to use their Professional Judgement while working through the protocol, acknowledging that no principal is under any obligation to grant access to the school or students, unless directed to do so by the Director of Education. Superintendents of Education also remain available for consultation at any stage of the process, even when not specifically identified.



Criteria for Access to Students in Schools**Individual/Organization must:**

- comply with Board's Mission and Vision Statements and its commitment to Gospel Values and Catholic Teaching.
- be related to charitable, humanitarian, educational, or service activities consistent with the tenets of the Catholic church
- identify a need that will enhance learning opportunities for students
- comply with any Provincial laws or Municipal by-laws and TCDSB policies, *(including criminal background check as appropriate)*
- be at no incremental cost to TCDSB

Guiding Principles with respect to Access to Students in Schools by Individuals and Organizations:**When considering who may have access to students in schools the following need to be followed:**

1. The board recognises the merit of engaging organizations and individuals to further enhance student achievement and well-being at TCDSB and welcomes such organizations and individuals.
2. There is deliberate consideration for the safety and well-being of students in determining access.
3. That access supports and is consistent with the Ontario Catholic School Graduate Expectations and Multi-year Strategic Plan including 'Fostering Student Achievement and Well-being' and 'Strengthening Public Confidence'.
4. That those groups being granted access are respectful of the Catholic Tradition and the tenets of our Catholic Social Teaching, which underpin the TCDSB Multi-Year Strategic Plan.
5. For those offering pastoral support that they be endorsed by the Archdiocese of Toronto.
6. That due diligence has been given to the social/emotional/physical /spiritual development of students when granting access.

7. Every effort shall be made to ensure that access to students is appropriate with respect to the age, maturity, experience, health, skill, physical abilities and student needs. As far as reasonably possible, those seeking access shall be sensitive to the diverse cultural backgrounds and experiences of students.
9. Parents will be informed in a timely manner when organizations are engaged with their children.
10. That access will comply with protection of privacy information as set out in legislation.

After exercising due diligence the principal or Central board staff member shall approve or not approve access, notwithstanding that a principal may seek additional approval or advice from senior board officials as required.

All Candidate Meetings During School Hours Guidelines

1. All registered candidates must be invited to attend.
2. A panel of students is to be set up with questions to be reviewed by the supervising teacher or Principal.
3. The Principal, a designated teacher, or student may act as moderator.
4. Each candidate will be given an equal opportunity to speak and to answer questions.
5. The meeting is to be held for the education of the students on policy issues. Personal criticisms are not permitted.
6. Proper decorum must be maintained. There may be no interruptions by other candidates or students during a candidate's comments or answers.
7. Questions from the floor are permitted at the discretion of the moderator.
8. There may be no other forms of canvassing or recruiting of students or staff or other forms of partisan activity by candidates.
9. There may be no signage, or no candidate or party information material left in the school other than those that may be kept by students as part of a project or display.
10. All candidates will agree to this format before the meeting.
11. Media may be present. No pictures may be taken by or provided to candidates.
12. No student information may be provided to the candidates.
13. No meetings may be held within 2 days of the election.



REPORT TO

GOVERNANCE AND POLICY
COMMITTEEUPDATE TO FILLING A TRUSTEE VACANCY
POLICY (T.18)

Therefore, brothers and sisters, be all the more eager to confirm your call and election, for if you do this, you will never stumble. (2 Peter 1:10)

Created, Draft	First Tabling	Review
September 4, 2018	September 11, 2018	October 9, 2018

Peter Aguiar, Superintendent of Student Success and Wellbeing, Area 4

RECOMMENDATION REPORT

Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

T. Robins
Acting Associate Director
of Planning and Facilities

L. Noronha
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report recommends updating the Filling a Trustee Vacancy Policy (T.18) to reformat in meta policy format.

The cumulative staff time required to prepare this report was 1 hours

B. PURPOSE

This Recommendation Report is on the Order Paper of the Governance Policy Committee as it recommends policy revision.

C. BACKGROUND

1. The Filling a Trustee Vacancy Policy (T.18) was approved on September, 2012 and has not been updated since.
2. The update to Filling a Trustee Vacancy Policy (T.18) report was first presented at the September 11, 2018 meeting of the Governance and Policy Committee.
3. The Committee recommended the policy return to the October 9 meeting of Governance and Policy with changes indicating that holding a by-election is the preferred method to filling a trustee vacancy.

D. EVIDENCE/RESEARCH/ANALYSIS

No additional changes are deemed necessary to the policy at this time.

E. METRICS AND ACCOUNTABILITY

1. Recommendations in this report will be monitored by policy development staff.
2. Further reports will be brought to Board in accordance with the policy review schedule

F. IMPLEMENTATION

The updated policy as approved will be posted on the TCDSB policy register.

G. STAFF RECOMMENDATION

Staff recommends that the revised Filling a Trustee Vacancy Policy (T.18) provided in Appendix A be adopted.



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: FILLING A TRUSTEE VACANCY

POLICY NO: T. 18

Date Approved: September 26, 2012	Date of Next Review: 2023	Dates of Amendments:
Cross References: Education Act, R.S.O. 1990, c. E.2 Municipal Elections Act, 1996,		
Appendix		

Purpose:

The policy outlines the options available to the board when choosing to fill a trustee vacancy that has occurred prior to the end of the term of the trustee.

Scope and Responsibility:

The Board of Trustees is responsible for this policy and will be supported by staff when called upon. The policy extends to the filling of the vacancy of a trustee position when the vacancy occurs during the term of the trustee.

Alignment with MYSP:

Living Our Catholic Values

Strengthening Public Confidence

Achieving Excellence in Governance



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: FILLING A TRUSTEE VACANCY

POLICY NO: T. 18

Policy:

The Toronto Catholic District School Board (TCDSB) is committed to a transparent, fair and equitable process in filling the vacancy of a trustee when that vacancy occurs during the term of the trustee.

The Board of Trustees will retain unfettered discretion in determining whether to appoint or to hold a by-election at the time the trustee vacancy occurs, subject to the relevant provisions of the Education Act.

The Board of Trustees assert that the holding of a by-election is the generally advisable method for filling at trustee vacancy in a democratic society.

Regulations:

1. The secretary of the Board shall report the cause of a trustee vacancy at the first regular meeting of the Board or Standing Committee comprised of all Trustees after the cause is known.
2. The remaining trustees shall pass a resolution declaring the office vacant.
3. A communication will be sent to the vacant ward schools and parishes advising them of the vacancy and the go forward process.

Any other Trustee will be authorized to act on behalf of ratepayers in the vacant ward.

4. A by-election may be held to fill a trustee vacancy and the cost of the election shall be funded through an identified source.



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: FILLING A TRUSTEE VACANCY

POLICY NO: T. 18

5. If at the time a trustee vacancy occurs and the Board resolves to appoint an individual to fill the trustee vacancy by appointment, a variety of methods could be used including, but not limited to, the invitation and ratepayer consultation.
6. Ratepayer Survey:
 - a) Eligible voters in the vacant ward will be invited to attend at a school to cast a preferential vote or other electronic means.
 - b) The survey will be conducted by an independent third party.
 - c) The Board in its absolute discretion could resolve to appoint or not appoint the individual who received the most preferential votes. The Board will determine the minimum criteria at the time.
7. Appointment by Invitation:
 - a) The Board will invite applications eligible to serve as a Catholic School Board Trustee from the City of Toronto.
 - b) Eligible candidates will appear before a special meeting of the Board of Trustees and interviewed.
 - c) The Board could invite applications eligible to serve only from residents in the ward where the vacancy occurs.
 - d) The Board could open the position to nominations from the Trustees of the Board. Once nominations of individuals who are eligible to serve have been made and closed, those nominated would be invited to declare their interest and submit relevant information about themselves.
 - e) The Board will decide if all eligible candidates who submit a completed package by the determined deadline will be invited to present and be interviewed by the Board of Trustees at a Special Board meeting to be scheduled through the Chair of the Board.
 - f) Only those eligible candidates selected through a pre-screening of completed packages submitted by the deadline date will be invited to



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: FILLING A TRUSTEE VACANCY

POLICY NO: T. 18

present and be interviewed by the Board of Trustees. In the event that the Board chooses to use a screening process; the screening committee will be determined by the Board and may include parents, clergy and staff or other stakeholders.

Relevant Sections of the Education Act

Vacancies

221. (1) Subject to section 224, if the office of a member of a board becomes vacant before the end of the member's term,

(a) the remaining elected members shall appoint a qualified person to fill the vacancy within 90 days after the office becomes vacant, if a majority of the elected members remain in office; or

(b) a by-election shall be held to fill the vacancy, in the same manner as an election of the board, if a majority of the elected members do not remain in office. 1997, c. 31, s. 112; 2009, c. 25, s. 26.

Optional election

(2) Despite clause (1) (a), if members of the board are elected under the Municipal Elections Act, 1996, the remaining elected members may by resolution require that an election be held in accordance with that Act to fill the vacancy if the vacancy occurs,

(a) in a year in which no regular election is held under that Act;

(b) before April 1 in the year of a regular election; or

(c) after the new board is organized in the year of a regular election. 2002, c. 18, Sched. G, s. 10.

Same



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: FILLING A TRUSTEE VACANCY

POLICY NO: T. 18

(3) The secretary of the board shall promptly send to the clerk of the appropriate municipality a certified copy of the resolution under subsection (2). 1997, c. 31, s. 112.

Notice re clause (1) (b)

(4) Where clause (1) (b) applies, the secretary of the board shall promptly send to the clerk of the appropriate municipality a notice that clause (1) (b) applies and the notice shall be deemed to be a resolution indicating a by-election is required for the purposes of section 65 of the Municipal Elections Act, 1996. 1997, c. 31, s. 112.

Term of office

(5) A member appointed or elected to fill a vacancy shall hold office for the remainder of the term of the member who vacated the office. 1997, c. 31, s. 112.

Vacancies near election times

224. Where a vacancy occurs on a board,

- (a) within one month before the next election, it shall not be filled; or
- (b) after the election, but before the new board is organized, it shall be filled immediately after the new board is organized in the same manner as for a vacancy that occurs after the board is organized. 1997, c. 31, s. 112.

Tie vote

227. If two or more candidates receive an equal number of votes at a meeting held under clause 221 (1) (a) to appoint a person to fill a vacancy or at a meeting to elect a person to fill a vacancy, the chair of the meeting shall provide for the drawing of



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: FILLING A TRUSTEE VACANCY

POLICY NO: T. 18

lots to determine which of the candidates shall be appointed or elected. 1997, c. 31, s. 112.

Definitions:

Evaluation and Metrics:

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

An evaluation of the process will occur upon completion to ensure that it was transparent, fair and equitable.



REPORT TO

GOVERNANCE AND POLICY
COMMITTEEUPDATE TO FAIR PRACTICE IN HIRNIG AND
PROMOTION POLICY (H.M.40)

*I charged your judges at that time: “Give the members of your community a fair hearing, and judge rightly between one person and another, whether citizen or resident alien.
(Deuteronomy 1:16)*

Created, Draft	First Tabling	Review
April 24, 2018	May 8, 2018	October 2, 2018

Mark Moffet, Senior Coordinator, Academic Service – Human Resources
Peter Aguiar, Superintendent of Student Achievement and Wellbeing, Area 4

RECOMMENDATION REPORT

Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

T. Robins
Acting Associate Director
of Planning and Facilities

L. Noronha
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report recommends updating the current Fair Practice in Hiring and Promotion Policy (H.M.40).

The cumulative staff time required to prepare this report was 1 hours

B. PURPOSE

This Recommendation Report is on the Order Paper of the Governance Policy Committee as it recommends policy revision

C. BACKGROUND

1. The Fair Practice in Hiring and Promotion Policy (H.M.40) was first approved in September, 2013.
2. At the May 8, 2018 meeting of the Governance and Policy Committee the staff recommendation to adopt the Fair Practice in Hiring and Promotion Policy (H.M.40) and the accompanying Operational Procedures was adopted and referred to Board.
3. At May 17, 2018 meeting of the Board, the policy was referred to the May 31, 2018 Student Achievement Committee meeting.
4. At the May 31, 2018 meeting of the Student Achievement Committee, the Committee referred the policy to the Governance and Policy Committee with a recommendation that the concept of bias was to be examined.

D. EVIDENCE/RESEARCH/ANALYSIS

This policy has been amended as requested in consultation with the Human Resources Department and Legal Services.

E. METRICS AND ACCOUNTABILITY

1. Recommendations in this report will be monitored by policy development staff.
2. Further reports will be brought to Board in accordance with the policy review schedule.

F. IMPLEMENTATION, STRATEGIC COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT PLAN

The updated policy as approved will be posted on the TCDSB policy register.

G. STAFF RECOMMENDATION

Staff recommends that the revised Fair Practice in Hiring and Promotion Policy (H.M.40) provided in Appendix A and the accompanying Operational Procedures provided in Appendix B be adopted.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: FAIR PRACTICE IN HIRING AND PROMOTION

POLICY NO: H.M. 40

Date Approved: September 26, 2013- Board	Date of Review: May 2023	Dates of Amendment:
<p>Cross Reference: Ontario Human Rights Code, 24 (1) (a) <i>Education Act</i>, Ontario Regulation 274/12, Hiring Practices PPM 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools <i>Municipal Conflict of Interest Act</i> TCDSB By-law # 175 Employment Equity H.M.11 Catholic Equity and Inclusive Education Policy H.M. 24 Catholicity And School Support H.M.08 QUALIFICATIONS - CATHOLICITY H.T.01</p> <p>APPENDIX: Appendix A: Operational Procedures—Staff Recruitment & Selection</p>		

Purpose:

This Policy affirms the Board's commitment to providing fair, equitable and transparent hiring processes at the Toronto Catholic District School Board consistent with its denominational rights and in accordance with the Ontario Human Rights Code. Offers of employment and promotion will be based on the merit of the applicant, free from the practices of nepotism and cronyism.



POLICY SECTION:	HUMAN RESOURCES
SUB-SECTION:	MISCELLANEOUS
POLICY NAME:	FAIR PRACTICE IN HIRING AND PROMOTION
POLICY NO:	H.M. 40

Scope and Responsibility:

The policy extends to the hiring process for all applicants to any position of employment at the TCDSB, and for employees seeking promotion. The Director of Education and the Superintendent of Human Resources are responsible for this policy.

Alignment with MYSP:

Inspiring and Motivating Employees

Strengthening Public Confidence

Policy:

The TCDSB is committed to hiring and promoting the best, most qualified individuals supportive of its Multi Year Strategic Plan, subject to its denominational rights and in accordance with the Ontario Human Rights Code. The application, interview, hiring and promotion of individuals at TCDSB will be based on ability and qualifications and will be conducted in a fair and transparent manner, free from discrimination, nepotism and cronyism.

Regulations:

1. Recruitment practices and application processes used at TCDSB will be open and transparent, free from nepotism and cronyism, ensuring no partiality or preferential treatment as a result of personal relationships.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: FAIR PRACTICE IN HIRING AND PROMOTION

POLICY NO: H.M. 40

2. Any applicant for employment or promotion at TCDSB will not be advantaged as a result of a relationship with an immediate family member or relative employed at TCDSB.
3. **Operationally, TCDSB (through the Human Resources department) will adopt processes and procedures, including for job postings, the review of applications for employment and the interviewing and selection of candidates, that are consistent with industry standards, free from bias and conflicts of interest and allow for equal opportunity for all applicants.**
4. Any TCDSB employee **or consultant** charged with **the** responsibilities for recruiting and selecting staff, including interviewing, hiring, placement or promotion of applicants, **must discharge these responsibilities in a fair and bias-free manner and** take steps, including excluding themselves from the decision-making process if applicable, to ensure that they are free from any real or perceived conflicts of interest prior to fulfilling their duties.
5. A Trustee or a TCDSB employee in a position of leadership will not influence the hiring or promotion process through unsolicited promotion and recommendations of candidates.
6. Placement of employees through the transfer process shall be fair, transparent and respectful of collective agreements and/or terms and conditions of employment contracts.
7. Internal applicants unsuccessful in their attempt to gain employment or promotion at TCDSB will be afforded the opportunity to request feedback from the Sr. Manager of Recruitment no later than 3 weeks after the date from which they received notification of the assessment/interview results. If



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: FAIR PRACTICE IN HIRING AND PROMOTION

POLICY NO: H.M. 40

the unsuccessful candidate is not satisfied with the response or the recruitment process, he or she can contact the Senior Coordinator of Academic Services, Human Resources to discuss the matter further.

Definitions:

Conflict of Interest

This is a situation in which the impartial exercise of the duty of an individual acting for an organization is compromised by that person's self-interest and position, often undermining the public trust. In the context of this policy, a conflict of interest occurs when family members have direct reporting relationships.

Bias

In this context, this is defined as prejudice, unrelated to the requirements of the position in question, in favour or against a person or a group compared to another, that is done in a manner considered to be unfair.

Cronyism

The act of showing partiality to friends or close colleagues, especially in the application, hiring, placement and promotion stages of employment, without regard to qualifications or ability. In the context of this policy, cronyism can occur when an individual within the organization influences the decision to hire or promote a friend or colleague.

Immediate Family

Members consist of a person's spouse, child(ren), step child(ren) or parent of an employee.

Nepotism

The act of showing favouritism or providing preferential treatment to a family member or close relatives, especially in the application, hiring and placement



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: FAIR PRACTICE IN HIRING AND PROMOTION

POLICY NO: H.M. 40

stages of employment. In the context of this policy, nepotism can occur when an individual within the organization influences the decision to hire or promote a close family member, or supervises that subordinate family member.

Relative

Members consist of siblings, step-children, nieces, nephews, grandparents, cousins and in-laws.

Evaluation and Metrics:

1. The Director of Education will monitor and review hiring and promotion procedures.

Fair Practice in Hiring & Promotion Policy

APPENDIX A

**OPERATIONAL PROCEDURES:
STAFF RECRUITMENT & SELECTION**

1. PURPOSE

The purpose of this procedure is to identify the recruitment and selection process for employing staff at the Toronto Catholic District School Board.

2. SCOPE

This procedure applies to all applicants to any position of employment at the TCDSB and for employees seeking promotion. Certain sections apply only to candidates for teaching positions.

3. RECRUITMENT PROCEDURES

3.1. A potential candidate for a position will not be involved in the recruitment process for that job. This includes acting as the contact person for potential candidates, framing advertisements or conducting reference checks.

3.2. Any applicant wishing to work for the TCDSB must submit an application of employment through the established channels. In general, this means through the “Apply to Education” website or in response to a job posting advertised either internally throughout the system or externally in various media.

3.3. All job postings must be signed off by the **Superintendent, Human Resources and Labour Relations or his or her delegate**.

3.4. Full and accurate records of decision making processes must be maintained.

3.5. Personal information and supporting documents submitted with applications will be used in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

3.6. No persons shall influence the hiring process through unsolicited promotion and unauthorized recommendations of candidates.

3.7. Recruitment and selection procedures shall be established for each employee group in accordance with collective agreement(s) where applicable, the Ontario Human Rights Code, Employment Standards Act, and Board policies.

3.8. Filling of long-term occasional and permanent teaching positions shall be consistent with collective agreement and legislative requirements.

4. SELECTION

4.1. Selection will be based on merit, which is determined through an assessment of an applicant's qualifications, experience, standard of work performance and personal qualities relevant to the requirements for the position. Additional **job-related** factors **that may** be taken into account **by include** collective agreement language or legislative requirements-

- 4.2. Role profiles and competencies are to be developed **by the Recruitment unit and other sections of the Human Resources department as appropriate**, in consultation with the relevant administrators **and hiring managers**.
- 4.3. Selection criteria should be reviewed before recruitment action is taken to ensure they adequately reflect the requirements of the position and attract the widest field of applicants.
- 4.4. All interviews must be conducted by a minimum of two individuals. Where possible, the same interview team must interview all candidates for a given position and the same questions must be asked of all candidates.
- 4.5. Applicants should be asked similar core questions based on the requirements for the position. Supplementary questions may be asked to clarify issues or to obtain further information deemed by the selection committee to be relevant to identifying the best applicant.
- 4.6. No persons related by blood or marriage or where the appearance of a conflict of interest exists may be placed in a position of interviewing one-another. Individuals who find themselves in this situation must declare their conflict and remove themselves from the interview. **In addition, no person shall place themselves in a position where their relative (by blood or marriage) is considered for a position within the scope of their responsibility where the position in question involves a direct reporting relationship (between the individual and the candidate/relative).**
- 4.7. All teaching personnel and others who work directly with children shall be Catholics unless otherwise approved by the TCDSB or specifically exempted by legislation.
- 4.8. Before employment each applicant for positions which relate directly to students is to be recommended by a priest with pastoral responsibility through a favourable report in the prescribed form on the applicant's commitment to the Catholic faith.

5. ASSIGNMENT & OFFERS OF EMPLOYMENT

- 5.1. All offers of employment shall be subject to the applicant providing the board with:
 - a) a satisfactory criminal reference check with vulnerable sector screening;
 - b) a negative tuberculosis test; and
 - c) a satisfactory reference check.
- 5.2. In the interest of fairness and good staff relations, supervisors must avoid having under their immediate supervision (i.e., within the same department or school), members of their immediate family or other relations, as appropriate.
- 5.3. **In addition, also within the interest of fairness, administrators, managers and supervisors must avoid having under their immediate supervision individuals who they have a personal (instead of a professional) relationship with given that a personal relationship may adversely impact or be perceived to adversely impact, their ability to objectively and professionally discharge their supervisory responsibilities. In this context, a professional relationship involves a relationship between individuals that is governed by organizational**

policies and procedures within the confines of the work environment (including the workplace or a work-sanctioned event) whose sole purpose is to facilitate the completion of job specific tasks and organizational objectives.

6. POST SELECTION ADVICE TO APPLICANTS

6.1. The Recruitment section, in collaboration with the appropriate hiring administrator or manager, will coordinate feedback to all internal candidates and to external candidates for designated executive positions on request, assuming that the request is made no later than 3 weeks after the date that the interview results were communicated to the applicant.

6.2. Applicants who were interviewed will be advised in writing of the outcome of their application by the Human Resources Department.

GOVERNANCE AND POLICY COMMITTEE

PENDING LIST TO OCTOBER 9, 2018

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
1	Mar-2017 GAP	TBC	Governance and Policy	Report regarding consultations with CLSIT and conversations with the Archdiocese in regards to the content of the policy (Update to Chaplaincy Program Policy)	Legal Counsel
2	June-2017 GAP	TBC	Governance and Policy	Staff to bring back after the Ministry of Education's Transportation report is considered (Update to Transportation Policies S.T.01, 03, 04 and 05)	Legal Counsel
3	Sep-2017 GAP	TBC	Governance and Policy	Staff to look at options to improve efficiencies for Trustees, staff and the public to gain greater Order Paper, report and back-up materials (Inquiry from Trustee Crawford regarding Gaining greater Order Paper, Report, and Backup Materials Efficiencies with e-Scribe)	Director of Education
4	Jan-2018 Corporate Services	TBC	Governance and Policy	That the report and related policy be referred to the Governance and Policy Committee for consideration (Non-Qualifying Transportation Students by	Legal Counsel

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
5				Trustee Ward (All Wards)	
	Jan-2018 GAP	TBC	Board	Received and that that the Committee recommend to the Board that staff look at various lobbying policies of the City of Toronto and other school boards and draft a lobbying policy for the TCDSB (Policy Priority Update January 2018)	Legal Counsel
6	Mar-2018 Regular Board	TBC	Governance and Policy	That the matter be referred to the Governance and Policy Committee (Photographing and Filming of Individuals at Board and Committee Meetings)	Legal Counsel
7	May-2018 Student Achievement	TBC	Governance and Policy	That it be referred to the Governance and Policy Committee for the concept of bias to be examined (Update to the Fair Practice in Hiring and Promotion Policy (H.M.40))	Legal Counsel
8	May-2018 Governance and Policy	TBC	Governance and Policy	Staff was requested to add the policy to the Governance and Policy Committee work plan for the development of an Omnibus policy (Update to School	Legal Counsel

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
9				Events Communications and Invitee Protocols Policy (S.02).	
	Jun-2018 Corporate Services	TBC	Governance and Policy	That the Pupil Accommodation Review Policy and Operating Procedures be referred to the Governance and Policy Committee to be updated to reflect changes to the Pupil Accommodation Review Guidelines with extensive community and Section E Implementation, Strategic Communications and Stakeholder Engagement Plan (Ministry Memo 2018: B10 – Final Pupil Accommodation Review Guidelines and Updated on Integrated Planning and Supports for Urban Education)	Legal Counsel
10	Sep-2018 Corporate Services	TBC	Governance and Policy	That the report be referred to the Governance and Policy Committee to develop an Identification Policy for staff of the Board and to undertake a survey (Staff Identification Badges)	Legal Counsel