

# TORONTO CATHOLIC DISTRICT SCHOOL BOARD REGULAR MEETING Public Session

## AGENDA February 18, 2021

**Joseph Martino, Chair**  
Trustee Ward 1

**Nancy Crawford, Vice Chair**  
Trustee Ward 12

**Frank D'Amico**  
Trustee Ward 6

**Markus de Domenico**  
Trustee Ward 2

**Daniel Di Giorgio**  
Trustee Ward 10

**Normal Di Pasquale**  
Trustee Ward 9

**Keith Baybayon**  
Student Trustee

**Michael Del Grande**  
Trustee Ward 7

**Angela Kennedy**  
Trustee Ward 11

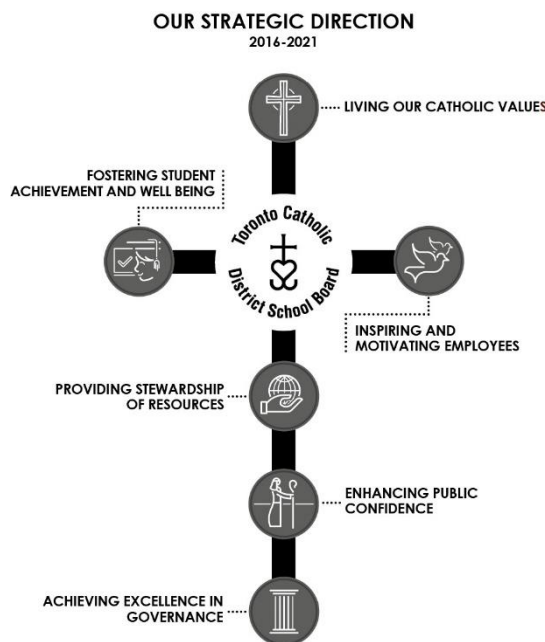
**Ida Li Preti**  
Trustee Ward 3

**Teresa Lubinski**  
Trustee Ward 4

**Maria Rizzo**  
Trustee Ward 5

**Garry Tanuan**  
Trustee Ward 8

**Kathy Nguyen**  
Student Trustee



### 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: Skeeter Hinds-Barnett, 416-222-8282 Ext. 2298**

**Assistant Recording Secretary: Sarah Pellegrini, 416-222-8282 Ext. 2207**

**Dr. Brendan Browne**  
Director of Education

**Joseph Martino**  
Chair of the Board

## **LAND ACKNOWLEDGEMENT**

Out of our deep respect for Indigenous peoples in Canada, we acknowledge that all Toronto Catholic District School Board properties are situated upon traditional territories of the Anishinabek (a-ni-shna-bek), the Haudenosaunee (hoh-Dee-noh-Shoh-nee) Confederacy, and the Wendat peoples. We also acknowledge the land covered by Treaty 13 is held by the Mississaugas of the Credit First Nation and Toronto is subject to The Dish with One Spoon covenant. We also recognize the contributions and enduring presence of all First Nations, Métis, and Inuit peoples in Ontario and the rest of Canada.

### **La Reconnaissance du Territoire**

Nous témoignons du plus grand respect pour les Peuples autochtones au Canada et nous avons à cœur de souligner que tous les immeubles du Toronto Catholic District School Board sont situés sur les terres traditionnelles de la Nation Anishinabek, de la Confédération de Haudenosaunee et des Wendats. Il est également important de noter que le territoire visé par le Traité 13 est celui des Mississaugas de la Première Nation Credit et que celui de Toronto est protégé par l'accord d'« un plat à une cuillère ». Nous tenons également à rappeler la présence pérenne et l'importance des contributions des Premières Nations, des Metis et des Inuits en Ontario, et dans tout le Canada.



**AGENDA  
REGULAR MEETING  
OF THE  
TORONTO CATHOLIC DISTRICT SCHOOL BOARD  
PUBLIC SESSION**

Joseph Martino, Chair

Nancy Crawford, Vice Chair

Thursday, February 18, 2021  
7:00 P.M.

---

	Pages
1. Call to Order	
2. Memorials and Opening Prayer	
3. Land Acknowledgement	
4. Singing of O Canada	
5. Roll Call & Apologies	
6. Approval of the Agenda	
7. Reports from Private Session	
8. Notices of Motions	
9. Declarations of Interest	
10. Approval and Signing of Minutes of the Previous Meetings	
10.a. Special Board (Student Achievement) Held January 14, 2021	1 - 4
10.b. Special Board (Corporate Services) Held January 21, 2021	5 - 8

10.c.	Regular Board Held January 28, 2021	9 - 26
11.	Presentations	
11.a.	From the Chair of the Board - NIL	
11.b.	From the Director of Education	27 - 28
11.c.	From the Student Trustee(s)	29 - 32
12.	Delegations	
13.	Consideration of Motions for which previous notice has been given	
14.	Consent and Review	
15.	Unfinished Business from Previous Meetings	
16.	Matters recommended by Standing Committees of the Board	
17.	Matters recommended by Statutory Committees of the Board	
18.	Matters referred/deferred from Committees/Board	
	<u>From the February 11, 2021 Corporate Services Committee Meeting</u>	
18.a.	Rental of Surplus School Space Policy B.R.01 Annual Policy Metric (Information) (Held by Trustee Di Giorgio)	33 - 37
18.b.	Masters Degree Requirement for Applicants to Vice-Principal and Principal Positions within the Toronto Catholic District School Board (TCDSB) (Information) (Held by Trustee Di Giorgio)	38 - 44
19.	Reports of Officials for the Information of the Board of Trustees	
19.a.	Return to School Update	45 - 93
19.b.	Guidance Counsellor Report (Refer to February 18, 2021 Addendum)	
20.	Reports of Officials Requiring Action of the Board of Trustees	



20.a.	2021-22 Budget Consultation Plan	94 - 104
20.b.	From the Governance and Policy Committee: Suspension and Expulsion Policy S.S.01 Update	105 - 179
20.c.	From the Governance and Policy Committee: Rescindment of Signing Officers Policy (F.M.02)	180 - 182
20.d.	From the Governance and Policy Committee: Revision of the Trustee Code of Conduct Policy (T.04)	183 - 244
21.	Reports from External Committees / Organizations	
21.a.	Ontario Catholic School Trustees' Association (OCTSTA) Update (Verbal)	
22.	Listing of Communications	
22.a.	From the Special Education Advisory Committee (SEAC): Approved Minutes of the Meeting Held January 20, 2021 (Refer to February 18, 2021 Addendum)	
22.b.	From the Governance and Policy Committee: Approved Minutes of Meeting Held January 12, 2021	245 - 253
23.	Inquiries and Miscellaneous	
24.	Updating of Pending Lists	
24.a.	Master Pending List and Rolling Calendar	254 - 256
24.b.	Annual Report	257 - 261
25.	Closing Prayer	
26.	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 SPECIAL REGULAR VIRTUAL MEETING OF THE TORONTO CATHOLIC DISTRICT SCHOOL BOARD**

**HELD THURSDAY, JANUARY 14, 2021**

### **STUDENT ACHIEVEMENT**

#### **PRESENT:**

##### **Trustees:**

G. Tanuan, Chair, In Person  
T. Lubinski, Vice-Chair  
N. Crawford  
F. D'Amico  
M. de Domenico  
D. Di Giorgio  
N. Di Pasquale  
A. Kennedy  
I. Li Preti  
J. Martino  
M. Rizzo

##### **Student Trustees:**

K. Baybayon  
K. Nguyen

##### **Staff:**

B. Browne  
D. Koenig  
S. Camacho  
A. Della Mora  
P. Aguiar  
A. Bria  
M. Caccamo  
S. Campbell  
D. Chen

F. Cifelli  
P. De Cock  
L. DiMarco  
K. Dixon  
M. Farrell  
C. Fernandes  
G. Iuliano Marrello  
P. Matthews  
M. Meehan  
S. Vlahos  
J. Wujek

S. Harris, Recording Secretary  
S. Pellegrini, Assistant Recording Secretary

**External Guest:** A. Robertson, Parliamentarian

### **Memorial**

On behalf of the Board of Trustees and the Toronto Catholic District School Board (TCDSB), Trustee Di Giorgio remembered Jose-Julian Calderon, a young Grade 12 student of Chaminade College, who passed away on January 3, 2021.

### **5. Roll Call and Apologies**

Trustee Del Grande was absent.

### **8. Declarations of Interest**

There were none in PRIVATE and DOUBLE PRIVATE Sessions.

In PUBLIC Session, Trustee Kennedy declared an interest in Item 16b) Renewal Plan 2020-2021 and Three-Year Forecast (All Wards) as she has family members who are employees of the Board. Trustee Kennedy did not participate in discussions nor vote on the Item.

The Items dealt with at the Student Achievement and Well-Being, Catholic Education and Human Resources Committee Meeting in PUBLIC, PRIVATE and DOUBLE PRIVATE Sessions were deemed presented.

MOVED by Trustee Li Preti, seconded by Trustee Di Giorgio, hat all Items discussed in PUBLIC, PRIVATE and DOUBLE PRIVATE Sessions be approved.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Student Trustees Baybayon and Nguyen wished to be recorded as voted in favour.

MOVED by Trustee Martino, seconded by Trustee Di Giorgio, that the meeting resolve back into Student Achievement and Well-Being, Catholic Education and Human Resources Committee.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Student Trustees Baybayon and Nguyen wished to be recorded as voted in favour.

---

SECRETARY

---

CHAIR

## **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 SPECIAL VIRTUAL MEETING OF THE TORONTO CATHOLIC DISTRICT SCHOOL BOARD**

**HELD THURSDAY, JANUARY 21, 2021**

## **Corporate Services**

### **PRESENT:**

#### **Trustees:**

A. Kennedy, Chair – In Person  
F. D’Amico, Vice-Chair  
N. Crawford  
M. de Domenico  
D. Di Giorgio  
N. Di Pasquale  
I. Li Preti  
T. Lubinski  
J. Martino  
M. Rizzo  
G. Tanuan

#### **Student Trustees:**

K. Baybayon  
K. Nguyen

#### **Staff:**

B. Browne  
D. Koenig  
L. Noronha  
A. Della Mora  
S. Campbell  
F. Cifelli

P. De Cock  
K. Dixon  
M. Farrell  
C. Fernandes  
D. Friesen  
M. Loberto  
O. Malik  
P. Matthews  
M. Meehan  
S. Vlahos  
J. Wujek

S. Harris, Recording Secretary  
S. Hinds-Barnett, Assistant Recording Secretary

**External Guest:** A. Robertson, Parliamentarian

**5. Roll Call and Apologies**

An apology was extended on behalf of Trustee Del Grande.

**8. Declarations of Interest**

There were none.

The Items dealt with at the Corporate Services, Strategic Planning and Property Committee Meeting in PRIVATE, DOUBLE PRIVATE and PUBLIC Sessions were deemed presented.

MOVED by Trustee Kennedy, seconded by Trustee de Domenico, that the Items discussed in PRIVATE, DOUBLE PRIVATE and PUBLIC Sessions be approved.

Results of the Vote taken, as follows:

**In favour**

**Opposed**

Trustees Crawford  
D'Amico  
de D'Amico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

MOVED by Trustee de Domenico, seconded by Trustee Crawford, that the meeting resolve back into Corporate Services, Strategic Planning and Property Committee meeting.

Results of the Vote taken, as follows:

**In favour**

**Opposed**

Trustees Crawford  
D'Amico  
de D'Amico  
Di Giorgio  
Di Pasquale



Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

---

SECRETARY

---

CHAIR

## **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 VIRTUAL MEETING OF THE TORONTO CATHOLIC DISTRICT SCHOOL BOARD PUBLIC SESSION**

**HELD THURSDAY, JANUARY 28, 2021**

**Trustees:**

- J. Martino, Chair – In Person
- N. Crawford, Vice-Chair
- F. D’Amico
- M. de Domenico
- M. Del Grande
- D. Di Giorgio
- N. Di Pasquale
- A. Kennedy
- I. Li Preti
- T. Lubinski
- M. Rizzo
- G. Tanuan

**Student Trustees:**

- K. Baybayon
- K. Nguyen

**Staff:**

- B. Browne
- D. Koenig
- S. Camacho
- A. Della Mora
- P. Aguiar
- A. Bria
- M. Caccamo
- S. Campbell
- D. Chen

F. Cifelli  
P. De Cock  
L. DiMarco  
K. Dixon  
M. Farrell  
C. Fernandes  
G. Iuliano Marrello  
L. Latham  
M. Loberto  
O. Malik  
P. Matthews  
M. Meehan  
R. Peterson  
S. Vlahos  
J. Wujek

S. Harris, Recording Secretary

S. Hinds-Barnett, Assistant Recording Secretary

**External Guests:**

A. Robertson, Parliamentarian

J. Fullan, Director of Maximum City (for Item 11d)

Trustee Del Grande left the meeting at 7:27 pm.

**6. Approval of the Agenda**

MOVED by Trustee de Domenico, seconded by Trustee Kennedy, that the Agenda, as amended to include the Addendum, be approved.

The Motion was declared

CARRIED

## 7. Reports from Private Session

MOVED by Trustee Crawford, seconded by Trustee Di Giorgio, that the following report be received:

In PRIVATE Session – Approved Minutes of the Regular Board Meeting held December 10, 2020 and, as per Section 228(1)(b) of the Education Act which provides that “*a member of a Board vacates his or her seat if he or she absents himself or herself without being authorized by Resolution entered in the Minutes, from three consecutive Regular Meetings of the Board*”, approved leave of absence for Trustee Del Grande and authorized him to absent himself from his duties as a Trustee of the Toronto Catholic District School Board (TCDSB) including absenting himself from all Regular Meetings of the Board.

Results of the Vote taken, as follows:

### **In Favour**

### **Opposed**

Trustees Crawford  
D’Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tantuan

The Motion was declared

CARRIED

Student Trustees Baybayon and Nguyen wished to be recorded as voted in favour.

**9. Declarations of Interest**

There were none.

**10. Approval and Signing of Minutes of the Previous Meetings**

MOVED by Trustee Tanuan, seconded by Trustee Di Pasquale, that Item 10a) be adopted as follows:

**10a) Caucus held November 26, 2020 approved.**

The Motion was declared

CARRIED

MOVED by Trustee Di Pasquale, seconded by Trustee Kennedy, that Item 10b) be adopted as follows:

**10b) Special Board (Student Achievement) Held December 3, 2020 approved.**

The Motion was declared

CARRIED

**10c) Special Board (Corporate Services) Nil.**

MOVED by Trustee Kennedy, seconded by Trustee de Domenico, that Item 10d) be adopted as follows:

**10d) Regular Board held December 10, 2020** approved.

The Motion was declared

CARRIED

MOVED by Trustee Lubinski, seconded by Trustee Kennedy, that Item 10e) be adopted as follows:

**10e) Special Board held December 16, 2020** approved.

The Motion was declared

CARRIED

## **11. Presentations**

MOVED by Trustee Crawford, seconded by Trustee Lubinski, that Item 11a) be adopted as follows:

**11a) From the Chair of the Board (Verbal)** received.

The Motion was declared

CARRIED

MOVED by Trustee de Domenico, seconded by Trustee Kennedy, that Item 11b) be adopted as follows:

**11b) From the Director of Education** received.

The Motion was declared

CARRIED

MOVED by Trustee Li Preti, seconded by Trustee Rizzo, that Item 11c) be adopted as follows:

**11c) From the Student Trustee(s)** received.

The Motion was declared

CARRIED

Student Trustee Nguyen left the meeting.

MOVED by Trustee Di Pasquale, seconded by Trustee Rizzo, that Item 11d) be adopted as follows:

**11d) Josh Fullan, Director of Maximum City, regarding COVID Child and Youth Study** received.

MOVED in AMENDMENT by Trustee Li Preti, seconded by Trustee Rizzo, that the Item be referred to Staff.

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

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The AMENDMENT was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

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

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino



Rizzo  
Tanuan

The Motion, as amended, was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

#### **14. Consent and Review**

The Chair reviewed the Order Page and the following Items were held:

- 18a) From the Governance and Policy Committee: Delegations and Public Participation T.14 - Trustee Rizzo;
- 19a) Assessment of St. John XXIII Canadian Martyrs and St. Anselm for Potential New Safety Measures – Trustee Kennedy;
- 19b) Information and Technology Strategic Plan Update – Trustee Di Pasquale;
- 19c) Return to School Update – Trustee Di Giorgio; and
- 20a) Ontario Catholic School Trustees' Association (OCSTA) 2021 Annual General Meeting Resolutions – Trustee Crawford

MOVED by Trustee Lubinski, by Trustee Di Giorgio, that the Items not held be received and the Staff Recommendations be approved.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

**ITEMS NOT HELD AS CAPTURED IN ABOVE MOTION**

- 18b) Approved Minutes of the Governance and Policy Committee Meeting Held September 8, 2020;**
- 18c) From the Governance and Policy Committee: Update to Electronic Communication System - Acceptable Use A.29** that the revised Acceptable Use of Technology Policy A.29 provided in Report Appendix B be adopted;
- 22a) Communication from the Governance and Policy Committee: Approved Minutes of Meeting Held November 10, 2020;**

- 22b) Communication from the Audit Committee: Approved Minutes of Meeting Held November 17, 2020;**
- 22c) Communication from the Special Education Advisory Committee (SEAC): Approved Minutes of Meeting Held December 2, 2020;**
- 22d) Communication from the Catholic Parent Involvement Committee (CPIC): Approved Minutes of Meeting Held December 14, 2020;**
- 24a) Master Pending List and Rolling Calendar; and**
- 24b) Annual Report**

**18. Matters Referred/Deferred from Committees/Board**

MOVED by Trustee Rizzo, seconded by Trustee de Domenico, that Item 18a) be adopted as follows:

- 18a) From the Governance and Policy Committee: Delegations and Public Participation T.14** received.

MOVED by Trustee Rizzo, seconded by Trustee Di Pasquale, that the Item be referred back to the Governance and Policy Committee.

Results of the Vote taken on Referral, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo

Tanuan

The Motion to Refer was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

**19. Reports of Officials for the Information of the Board of Trustees**

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that Item 19a) be adopted as follows:

**19a) Assessment of St. John XX111 Canadian Martyrs and St. Anselm for Potential New Safety Measures:**

In response to the Toronto Public Health's assessment of the following schools: St Anselm, St John XX111 and Canadian Martyrs regarding need for additional safety measures:

1. That Canadian Martyrs and St. Anselm be outfitted for the student barriers and the air purifiers as per the January 28<sup>th</sup> report to Board, only after consultation with the Principal, the Superintendent, the Catholic School Parent Council (CSPC), and only if this is acceptable to the school community; and
2. That the class sizes in Grades 7 and 8 at St John XX111 be kept to 20, if at all possible.

Trustee Martino requested that the Question be split.

Results of the Vote taken on Part 1 of the Motion, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Pasquale  
Kennedy  
Li Preti  
Rizzo  
Tanuan

Di Giorgio  
Lubinski  
Martino

Part 1 of the Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

Results of the Vote taken on Part 2 of the Motion, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Pasquale  
Kennedy  
Li Preti  
Rizzo  
Tanuan

Di Giorgio  
Lubinski  
Martino

Part 2 of the Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

MOVED by Trustee Di Pasquale, seconded by Trustee Tanuan, that Item 19b) be adopted as follows:

**19b) Information and Technology Strategic Plan Update** received.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

MOVED by Trustee Di Giorgio, seconded by Trustee Di Pasquale, that Item 19c) be adopted as follows:

**19c) Return to School Update** received.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanan

The Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

**20. Reports of Officials Requiring Action of the Board of Trustees**

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that Item 20a) be adopted as follows:

**20a) Ontario Catholic School Trustees' Association (OCSTA) 2021 Annual General Meeting Resolutions** received.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour.

MOVED by Trustee Kennedy, seconded by Trustee de Domenico, that the meeting resolve back into PRIVATE Session.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Giorgio  
Di Pasquale  
Kennedy



Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Student Trustee Baybayon wished to be recorded as voted in favour

**PRESENT: (Following PRIVATE and DOUBLE PRIVATE Sessions)**

**Trustees:** J. Martino, Chair – In Person  
N. Crawford, Vice-Chair  
F. D’Amico  
M. de Domenico  
N. Di Pasquale  
A. Kennedy  
I. Li Preti  
T. Lubinski  
M. Rizzo  
G. Tanuan

**7. Reports from PRIVATE Session**

MOVED by Trustee Crawford, seconded by Trustee Tanuan, that the following reports be received:

In PRIVATE Session: Approved Minutes of the Audit Committee Meeting held November 17, 2020; and

In DOUBLE PRIVATE Session: Approved Minutes of the Regular Board and Special Board Meetings held on December 10, 2020 and December 16, 2020 respectively, and a Human Resources (HR) matter.

Results of the Vote as, follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanan

The Motion was declared

CARRIED

**26. Adjournment**

MOVED by Trustee Li Preti, seconded by Trustee de Domenico, that the meeting be adjourned.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
D'Amico  
de Domenico  
Di Pasquale  
Kennedy  
Li Preti  
Lubinski  
Martino  
Rizzo  
Tanuan

The Motion was declared

CARRIED

---

SECRETARY

---

CHAIR



## Director's Monthly Report January – February 2021

### January 25 to February 19

Despite the lockdown that has closed our schools for the majority of students, staff, and families, we have found ways to connect, collaborate, and celebrate together as a community of faith. I continue to marvel at the ways in which staff deepen their authentic connections to students in every role they serve within our system, in partnership, service, and solidarity with parents and families. The examples of system events and individual outreach are so numerous, so appreciated, and so needed during this difficult time.

As I submit this report a week in advance of each meeting, I do so eagerly anticipating the return to school for students in in-person learning on Monday February 16<sup>th</sup>. As an educator and a parent, I recognize how excited our community is to welcome students back to our schools throughout the system, and how students are looking forward to being back in school. It has been a long winter, and it is our hope that this return to school contributes to the academic, physical, and mental well-being of all students, staff, and parents.

What has become abundantly clear is the strength of our Catholic community as empathy, compassion, and conviction has revealed how much stronger we are together in partnership between home, school, and parish. I continue to encourage this commitment to supportive, collaborative relationships throughout the system as we navigate through this pandemic toward a light at the end of the tunnel that we are hoping grows brighter each day.

### Highlights from the past month include:

- Recognizing important observances such as: Virtue of the Month for January being Love, “African Canadian Heritage Month” in recognition of Black History Month, Psychology Month, Energy Conservation Month, and the launch of the ICFF – Youth Film Festival, Indigenous Film Series from February 16<sup>th</sup>-March 12<sup>th</sup>
- Delivering greetings to the African Canadian Heritage Month honouring the legacy, accomplishments and contributions of Black Canadians and people of African Diaspora. African Canadian Heritage Month is also a time to recognize the role we can all play in addressing anti-Black racism.
- Workshops, events, spoken word performances, and critical conversations throughout African Canadian History Month including Kathy Grant, Maestro Fresh Wes, Nadine Williams, Lydia Gill, Natasha Henry, and Fr. Stan Chu Iio.
- Engaging in the second “Connections and Conversations Series” evening focused on conversations about issues facing Indigenous community. The Equity, Diversity, Indigenous Education, and Community Relations Department hosts a safe space to share, listen, and learning about equity, diversity, and culture. (Tuesday, January 26, 2021)
- Celebrating Family Literacy Day by connecting and engaging with preschoolers, parents and the Early On Group virtually and celebrated the annual Family Literacy Day event, virtually, which took place at St. Helen's Catholic Elementary School (January 27)

- Engaging with over 6000 students and 200 teachers at the **iLITE Conference** – focusing on Equity in Education panel workshops, powerful conversations, and discussions (January 28 and January 29)
- Connecting with Directors from across the province through the Council of Ontario Directors of Education at the **CODE 2021 Annual Business Meeting** (January 28)
- On-going dialogue with His Eminence Cardinal Collins in support of partnership between home, school, and parishes throughout Toronto, and shared faith leadership.
- Welcoming students and families to their first day at the new school facilitates at **St. Joseph Morrow Park Catholic Secondary School** (February 16)
- Participating in the TCDSB Board-Wide **Ash Wednesday Liturgy of the Eucharist Livestream** (February 17)
- Connecting with our TCDSB community through our monthly “**Lunch with the Director**” series live streamed on Facebook and YouTube. This monthly live stream provides the opportunity for me to speak to matters of importance to our community through a live Q&A. Answering questions that are timely, relevant, and important to students and families in real-time. The next “**Lunch with the Director**” is coming up on Friday, February 26, 2021.
- Preparing to welcome students who are in in-person learning back to school safely on Tuesday February 16<sup>th</sup> with principals, teachers, and support staff throughout the system.
- Continuing weekly meetings with the **Deputy Minister of Education, Toronto Public Health, and the Ministry of Health** in support of provincial and local initiatives to keep students, staff, and families safe and healthy during this current COVID pandemic to support schools during this time of remote learning and in consideration of return to school.
- Participating on and contributing to **provincial leadership committees** with **Directors of Education and Health** officials from across the province in support of TCSD staff, students, and families, and to influence public policy decisions in support of education and health care.
- **Meeting weekly with Catholic Directors** from across the province in support of best practices, shared issues, solutions, and advocacy throughout Catholic education in Ontario.
- Continuing to meet with **Trustees, Senior Staff, Union Leadership partners, Principal and Vice Principal Associations, and Parent Groups** individually and at planned meetings to discuss our partnership and collective commitments for the immediate and the year ahead.
- Partnering with **Toronto Public Health** weekly to discuss school health and pandemic related support and initiatives to promote public health, and respond to COVID-related issues in on-going ways.

## February Student Trustee Board Report

### Update from the Student Trustees:



- On January 28<sup>th</sup> and 29<sup>th</sup>, Student Trustee Nguyen led the morning prayer at the iLITE Conference attended by 6000+ elementary students. During these days, she also coordinated the interschool conference talent show.
- On February 1st, Student Trustees participated in a Trent University Child and Youth Studies course call as panelists to speak about Social Justice, Equity, and Student Leadership.
- On February 1st, Student Trustees met with the OSTA-AECO Catholic Board Council to discuss the upcoming OSTA-AECO Student Voice project
- On February 3rd, Student Trustees met with Trustee Di Pasquale and Karen Enns to discuss menstrual health products for our schools.
- On February 8th, Student Trustees began planning for Voices That Challenge, Student Trustee Elections, and the student LGBTQ+ committee.

### CSLIT:

#### Elementary Affairs

On February 28th and 29th, the Directors of Elementary Affairs hosted the annual Intermediate Leadership In Training Event. This was a two-day online event attended by 6538 elementary students from 124 elementary schools, and it consisted of 106 workshops helped by 63 high school volunteers. Former Olympian, Sarah Wells was the keynote speaker, and the event included a talent show as well as a closing prayer service. On February 4th the Directors of Elementary Affairs also hosted the monthly ECSLIT online meeting. The meeting focused on celebrating Black History Month featuring guest speakers, Michael Grandsoult and Jamila B. which included live performances about important black figures and the power of love.. Superintendent Joe Bria offered words of leadership and shared two leadership quotes with our students as the board welcome. Our Directors of Elementary Affairs will be coordinating high school volunteers for our upcoming Voices that Challenge conference and will be having multiple meetings with high school volunteers in preparation for that event.

#### Administrative Affairs

The Director of Administrative Affairs continued to work closely with the Student Trustees and the CSLIT Executive to ensure that the monthly CSLIT General Assemblies can take place, through virtual platforms. In addition, the Director of Administrative Affairs has been processing payments for Catholic Student Leadership merchandise and will carry on with this until the end of the school year. Lastly, the Director of Administrative Affairs has participated in a focus group to create more diversity within staff in the TCDSB. The Director of Administrative Affairs will continue to assist the Student Trustees on all CSLIT matters during this time of COVID-19 physical distancing.

### Social Affairs

Social Affairs has successfully organized a Valentine themed fundraiser where students were able to order postcards through an online website created by the Social Affairs committee. The fundraiser was able to generate more than \$200 that would be donated to charity. In addition, three random buyers were chosen to win \$25 to spend at small businesses located in Toronto. Social Affairs is continuing to work on potential ideas such as a possible collaboration with the Director of Faith, as well as planning for modified events for Gala and the CSLIT BBQ.

### Social Justice

The Director of Social Justice is in the process of transferring funds to selected social organizations to distribute the fundraised money from the COVID-19 mask initiative, to buy grocery gift cards to needy families. The Director of Social Justice and her subcommittee see the need to increase political engagement among youth and have decided to create a podcast to discuss youth's perspective on present day issues affecting our country and the rest of the world. The Social Justice subcommittee is also hoping to raise more awareness on different topics like Black Lives Matter, Indigenous Rights, and various current social justice issues important to teenagers.

### Public Relations

In the month of January, the Public Relations team has continued working alongside the Student Trustees, CSLIT Elementary Directors and various CSLIT subcommittees, to advertise and keep students updated on all upcoming events, such as the iLITE, Let's Talk Faith, and monthly general assemblies at the elementary and secondary level. In addition, Public Relations has been advertising events for Black History Month in order to educate students on how important it is to learn about Black history and culture. Coordinators will continue to post and announce the latest information as well as live tweet during events to make sure that students are always updated on all things CSLIT.

### Equity

Between December to January, the Equity subcommittee has continued its process of planning its webinar for students new to the country. The Webinar will consist of different discussions surrounding advice, opportunities as a student, and resources to different youth groups and supports. The subcommittee held their 5th and 6th Zen-doodle where students got the opportunity to learn a new art form and discuss different tips and tricks to help with productivity in school and effective study habits. The *Catholic Youth Black Alliance* officially completed the preparations and promotions for their new clothing line that was released on February 19th, 2021. All proceeds from the clothing line will be donated to the Nigerian #EndSars campaign.

From February 1-5, members of the Catholic Youth Black Alliance also hosted five consecutive Black History Month webinars. These daily webinars from 1:00-1:30pm were entitled *Truth, Triumph, and Tomorrow* with guest speaker Matthew Testament Jones from the organization *P.E.A.C.E. - People Everywhere Actually Co-Existing Equally*. These 30-minute webinars have over 3000 views per day and are available to be used as a resource throughout the month of February. They are posted on [www.catholicstudentleadership.com](http://www.catholicstudentleadership.com). The Black Alliance has also planned their first awareness webinar on February 19th, 2021 where they discussed the different injustices that Black people still face today and the different initiatives we can participate in to help create positive change. On Monday, February 22, CSLIT Executive and members of the general assembly are scheduled to have a focus group meeting with the Superintendent of Human Resources Adrian Della



Mora to discuss the importance of cultural representation among staff as well as ideas to promote the teaching profession to students.

The Asian Core Team is in the process of planning its first Asian awareness webinar. The webinar will consist of different discussions surrounding Asian racism related to the pandemic, culture appropriation vs. appreciation, and Asian representation with the LGBTQ+. The team has also created an Instagram page as a platform to share informative posts, event updates, and awareness.

### Faith

The Faith Ambassador has put together opening and closing prayers for each CSLIT and E-CSLIT monthly meetings. These prayers are led by the Faith Ambassador herself or a member of her faith subcommittee. The Faith Ambassador also hosted a *Let's Talk Faith*, which is a monthly spiritual nourishment webinar on January 20<sup>th</sup>. This meeting's topic was "Teenage Faith" with a guest speaker from Salt and Light media. The next Let's Talk Faith series is on February 17<sup>th</sup> and the topic will be the nature of "God's Love." Due to the pandemic, the Ordinandi Youth Event is being replaced by a video produced by the Archdiocese of Toronto. Our Faith Ambassador who was supposed to be emcee for the event, was asked to record a video testimonial about her Catholic role models who helped mould her faith.

### Angel Foundation for Learning

During January, the director of the Angel Foundation and the AFL board members established a new plan, where the CSLIT AFL director will provide a monthly report addressing students' concerns and the work the recent work that CSLIT contributed during the time. The AFL director will continue to have meetings with their sub-committee and create fundraisers to aid in the Angel Foundation's vision.



REPORT TO

**CORPORATE SERVICES, STRATEGIC  
PLANNING AND PROPERTY  
COMMITTEE**

**RENTAL OF SURPLUS SCHOOL SPACE  
POLICY B.R.01 ANNUAL POLICY METRIC**

*"My power and the might of my own hand have gotten me this wealth." - Deuteronomy 8:17*

Created, Draft	First Tabling	Review
January 12, 2021	February 11, 2021	Click here to enter a date.

L. Pacitti, Acting Senior Manager, Real Property  
N. D'Urzo, Acting Senior Coordinator of Development Services  
M. Loberto, Superintendent of Planning & Development 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.*



Brendan Browne, PhD  
Director of Education

D. Koenig  
Associate Director  
of Academic Affairs

S. Camacho  
Acting Associate Director of  
Facilities, Business and  
Community Development

## A. EXECUTIVE SUMMARY

The TCDSB currently has five (5) surplus school properties, six (6) unoccupied school properties and one (1) partially occupied/licenced school property.

Three (3) of the surplus properties are leased. Five (5) properties are being used as potential holding schools for temporary accommodation. Two (2) properties are being held for emergency purposes and three (3) properties will be reconstructed for new school facilities.

*The cumulative staff time required to prepare this report was 6 hours*

## B. PURPOSE

This report addresses the requirement for an annual report, as outlined in TCDSB Policy B.R01 Rental of Surplus School Space.

## C. BACKGROUND

1. *The TCDSB has a Policy that governs how surplus school properties are treated.* Policy B.R.01 Rental of Surplus School Space & Properties provides details on regulations for which the Board is required to adhere to when it makes a decision to lease, license or otherwise make available surplus school space which has been declared surplus to the educational needs of the TCDSB.
2. *The treatment of surplus school properties is also rooted in legislation.* Ontario Regulation 444/98, made under the Education Act, governs how School Boards dispose of surplus school property. Through Ontario Regulation 444/98, Disposition of Surplus Real Property, School Boards follow a two-step process to dispose of a property. The first step must be to offer it to public agencies, coterminous school boards and preferred agencies where public entities have 90 days to express interest in the property and an additional 90 days to submit an offer. The sale price must be at fair market value or some lesser amount as determined by the Regulation. If the Board does not receive an offer from the bodies listed above within the above 90-day or 180-day period, the Board may move to the second step and dispose

the property, subject to the approval of the Minister, to any other body or person.

## **D. EVIDENCE/RESEARCH/ANALYSIS**

1. ***Since 2013, TCDSB has declared five (5) school properties surplus to its long term needs.*** The surplus properties have been circulated to coterminous school boards and preferred public agencies in accordance with the *Ontario Regulation 444/98*. The table below provides details on these properties: three of these facilities are currently being leased, and two are required for temporary accommodation as part of the Board's capital program.

<b>Property</b>	<b>Current Status</b>
<b>Christ the King</b>	Vacant. Circulated for sale to public agencies in accordance with <i>Regulation</i> . Not sold. Required for temporary pupil accommodation for the St. Leo capital project.
<b>Senhor Santo Cristo</b>	Circulated for lease to those agencies in accordance with the <i>Regulation</i> . No offers received from public agencies. Currently leased to University of Toronto Schools as of September 2017
<b>St. Gerard Majella</b>	Circulated for lease to those agencies in accordance with the <i>Regulation</i> . No offers received from public agencies. Currently leased to Private school as of August 2017.
<b>St. Leonard</b>	Circulated for lease to those agencies in accordance with the <i>Regulation</i> . Offer received from Conseil Scolaire Viamonde. Leased as of July 2018.
<b>Don Bosco</b>	Vacant. Circulated for lease to those agencies in accordance with the <i>Regulation</i> . No offers from public agencies and not leased. Required for temporary pupil accommodation for the Dante Alighieri capital project.

2. *The Board also has unoccupied and partially licenced/occupied properties which are mainly be used for temporary accommodation purposes.* Three of these properties (Nelson Boylen, Baycrest, and Buttonwood) were acquired from the Toronto District School Board to accommodate the construction of new elementary schools, and will be demolished as part of these projects.

Table 2: Unoccupied School Properties

SCHOOL	STATUS
<b>St. Bernadette</b>	TCDSB Long Term Accommodation Plan identifies as “Core Hold” for emergency purposes.
<b>St. Veronica</b>	TCDSB Long Term Accommodation Plan identifies as “Core Hold” for emergency purposes.
<b>Holy Redeemer</b>	Required for temporary pupil accommodation for capital construction projects.
<b>St. Philip Neri</b>	Required for potential pupil accommodation.
<b>Nelson Boylen</b>	Acquired in 2019 from TDSB. Currently in design and approvals stage for the replacement St. Fidelis. The building will be demolished.
<b>Baycrest P.S.</b>	Acquired in 2019 from TDSB. Currently in design stage for a new elementary school. The building will be demolished

Table 3: Partially Licenced/Occupied School Property

SCHOOL	STATUS
<b>Buttonwood P.S.</b>	Acquired in 2019 from TDSB. Required for temporary pupil accommodation for Holy Angels C.S. Following this, the building will be demolished to construct a new elementary school funded by capital priorities.

3. *Staff have only pursued temporary short term uses of the vacant and unoccupied properties during the COVID-19 pandemic.* The short term uses have provided flexibility in the event the space is required for temporary accommodation, emergency purposes and relief during the pandemic.
4. *The ability to declare new surplus properties is currently on hold.* Resulting from a Ministry decision to review and revise Pupil Accommodation Review

Guidelines in 2017, a moratorium on school closures remains in place until completion of that review, which impacts the availability of new surplus properties going forward. Staff have continued to seek updates from the Ministry on this matter, however no definitive timeline for the release of the guidelines has been provided.

5. *Staff will undertake a review of the existing surplus properties not scheduled to be demolished for new capital projects in order to determine a long term strategy for these facilities.*

## **E. CONCLUDING STATEMENT**

This report is for the consideration of Board.



REPORT TO

## CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

### MASTERS DEGREE REQUIREMENT FOR APPLICANTS TO VICE-PRINCIPAL AND PRINCIPAL POSITIONS WITHIN THE TCDSB

*"We put no obstacle in anyone's way, so that no fault may be found with our ministry."  
2 Corinthians 6:3*

Created, Draft	First Tabling	Review
January 28, 2021	February 11, 2021	<a href="#">Click here to enter a date.</a>

Adrian Della Mora, Executive Superintendent of Human Resources and Employee Relations

### INFORMATION REPORT

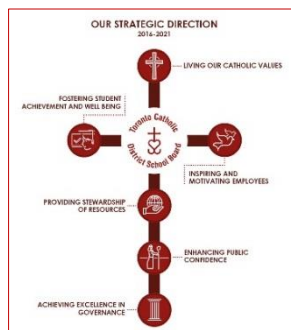
**Vision:**

*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.*



Brendan Browne, Ph.D.  
Director of Education

Dan Koenig  
Associate Director  
of Academic Affairs

Steve Camacho  
Acting Associate Director  
Facilities, Business and  
Community Development

## A. EXECUTIVE SUMMARY

This report responds to a Trustee motion tabled at the Corporate Services Board meeting on January 21, 2021, requesting that a Board report which provided information about the Masters' Degree requirement for administrators be revisited.

In response to a report brought to the March 2020 Regular Board meeting, Trustees approved a motion that stated that to apply for the position of Vice-Principal, as a minimum, a candidate was required to be enrolled in their first course of a Master's program. The Trustee motion also stated that Principal candidates could be appointed without having completed their Master's degree on the proviso that they completed it within four years of being appointed to a principal position. Metrics provided in this report will speak to the impact of these changes and inform additional Trustee dialogue regarding this requirement.

Ultimately, Trustees will debate whether there is merit in further revising the criteria for those seeking school leadership positions. Board staff will continue to promote targeted leadership capacity building, which has enabled a greater number of candidates to interview for vice principal and later, principal. Discussions should be framed around ongoing system succession planning needs associated with anticipated administrator attrition rates as *our analysis reveals that 35% of current elementary and secondary administrators are eligible to retire within 5 years.*

*The cumulative staff time required to prepare this report was 10 hours.*

## B. PURPOSE

This report provides feedback to Trustees to inform their discussion regarding the requirement of a Masters' Degree to be considered for application to the positions of vice-principal and principal at TCDSB. There is an urgent need to sustain/increase the number of applicants for these administrative positions in light of projected attrition trends and concerns relating to work intensification.



## C. BACKGROUND

1. Historically, the Toronto Catholic District School Board (TCDSB) has valued the completion of a Masters' Degree to be considered for a school administrative position.
2. In general, Master's Degrees are earned in a variety of disciplines by a diverse group of people, allowing the transfer of knowledge to the appropriate employee role within the TCDSB.
3. For Principals and Vice Principals, over the last, five to ten years, the costs and time commitments associated with the completion of a Masters' Degree while fulfilling teaching and/or administrative duties have become a barrier to talented teachers seeking to become school leaders.
4. Members of the TCDSB Senior Leadership Team have debated the option of removing the Master's Degree requirement many times over the last five years. The majority of other boards in Ontario either never held a Masters' requirement for application to school administrative positions, or have decided to remove this requirement to apply for a school administrative position. This has given them a competitive advantage in attracting and recruiting a greater number of applicants. (**Appendix A**).
5. An initial report was brought to the public session of the April 5, 2018, Student Achievement and Well Being, Catholic Education and Human Resources Committee proposing the removal of the Masters' Degree requirement for applicants to Vice Principal and Principal positions within the TCDSB.
6. After a Board motion at the March 2020 Regular Board meeting, Human Resources staff continues to monitor the impact of changes that arose from a Trustee motion that relaxed Masters Degree completion requirements.

## D. ACTION PLAN

### **Principal Retirements**

1. **Table 1** on the following page lists the number of elementary and secondary Principal retirements in the past four (4) years, and the subsequent need to place Acting Principals into elementary and secondary schools.

Table 1			
Year	ES Principal retirements as of June 30	SS Principal retirements as of June 30	ES and SS Acting Principals during the academic year
2016-2017	19	1	11
2017-2018	13	4	8
2018-2019	16	3	1
2019-2020	6	2	9

**Note:** *Table 1 highlights the fact that retirement rates for June 2021 will, based on trend analysis and COVID-related challenges, will likely increase. Administrator leaves are creating a need for additional shortlisted candidates.*

2. A demographic analysis of the number of current administrators who will be eligible to retire within the next 5 years reinforces the importance of succession planning. The following points summarize areas for consideration:
  - a. Of the total number of administrators (Principals and Vice Principals) – **14.9% are eligible to retire (Service Factor of 85) as of October 2, 2017:**
    - 60% of these administrators are from the elementary panel and
    - 40% are from the secondary panel.
    - 71% are females and
    - 29% are males.
  - b. 20% of administrators will be eligible to retire within 2.5 years
  - c. 31.4% of administrators will be eligible to retire within 5 years

### **Increase in Applications for Vice Principals and Principals**

3. Applications to the position of Elementary and Secondary Vice-Principal and Principal have increased significantly since the 2018/2019 school year. This sustained increase into 2021 favourably addresses issues associated with higher projected retirement rates. **Table 2** on the next page demonstrates this increase.

<b>Table 2</b>				
<b>APPLICATIONS FOR SCHOOL ADMINISTRATOR (2015-2018)</b>				
<b>Posting</b>	<b>ES VP</b>	<b>SS VP</b>	<b>ES Principal</b>	<b>SS Principal</b>
September 2017			15	n/a
March 2018	17			
May 2018		11	6	
August 2018	14			8
November 2018		12	5	
March 2019			11	8
May 2019	27			
September 2019		18	13	
<b>*March 2020</b>	26			13
January 2021		19	18	
<b>Application Increase</b>	<b>86% increase 2018 to 2019/20</b>	<b>58% increase 2018 to 2021</b>	<b>39% increase 2019 to 2021</b>	<b>63% increase 2019 to 2020</b>

\*March 2020 – effective date for revised requirements based on Trustee motion.

### **Equity Action Plan**

4. The TCDSB's Equity Action Plan calls for boards to identify systemic barriers to promotion and hiring and report on progress in meeting equity goals in their annual reports. This includes monitoring measurable increases in diversity on school board leadership teams. We are committed to this work and we have finalized an equity statement and self-identification process for all job postings. The goal is to encourage candidates from BIPOC communities to apply and to monitor progress in diversifying the TCDSB's leadership teams. We continue to identify initiatives that will strengthen leadership development programs.

### **TCDSB Leadership Modules**

5. The inclusion of targeted leadership development modules (refinement of leadership development series) for newly appointed Vice-Principals and

Principals within their first three years in their respective positions continues to act as strategic support for leadership development.

#### **E. METRICS AND ACCOUNTABILITY**

The Human Resources Department will monitor and assess the recommendations in this report through on-going collaboration with the Superintendent of Human Resources. It is important to note that a Masters' Degree currently remains a mandatory application requirement for those administrators applying for the position of Superintendent of Education.

#### **F. STAFF RECOMMENDATION**

This report is for the consideration of the Board.

## Appendix A

### Summary of Master's Requirement in Ontario School Boards

BOARD	Master's Degree/ Course Requirement	
	Vice Principal	Principal
Algonquin Lakeshore Catholic DSB	PQP 1 Religious Ed Part 1	PQP 1 & 2 Religious Ed Part 2
Dufferin-Peel Catholic DSB	PQP 1 & 2 Rel Ed 1 & 2	PQP 1 & 2 Rel Ed Specialist
Durham Catholic DSB	PQP 1 (plus PQP 2-started) Religious Ed Specialist	PQP 1 & 2 Religious Ed Specialist
Durham District SB	PQP	PQP
Halton Catholic DSB	Master's (or two specialists)	n/a
Halton DSB	PQP 1 or 2 Spec Ed 1	n/a
Hamilton Wentworth Catholic DSB	PQP, Rel. Ed. & Spec. Ed. Part 1 and/or SEA AQ	PQP, Rel. Ed. & Spec. Ed. Specialist and/or SEA AQ
Northwest Catholic DSB	no	PQP 1 & 2
Ottawa Catholic DSB	PQP 1 & 2 Rel. Ed 1 + Spec Ed 1	PQP 1 & 2 Rel. Ed 1 + Spec Ed 1
Peterborough VNC Catholic DSB	PQP 1 & 2, Rel Ed 1 2 Specialists or Master's	PQP 1 & 2, Rel Ed 1 2 Specialists or Master's
Simcoe Muskoka CDSB	Master's or two specialists	n/a
Superior North Catholic DSB	n/a	PQP 1 & 2 Rel Ed Specialist , Spec Ed 1
Toronto Catholic DSB	Master's (1 course enrolled) PQP 1 & 2	Master's (within 4 years of principal appointment)
Toronto DSB	PQP 1 & 2	PQP 1 & 2
Waterloo Catholic DSB	PQP 1 & 2, Rel Ed 1 (Master's Degree "desirable asset")	PQP 1 & 2, Rel Ed 1 (Master's Degree "desirable asset")
Windsor Essex Catholic DSB	PQP, Rel Ed Part 2	PQP, Rel Ed 3 an asset
York Catholic DSB	Rel Ed 2, PQP 1 & 2 Spec Ed 1	Rel Ed Specialist, PQP 1 & 2 Spec Ed 1
York Region DSB	PQP 1, & 2 Spec Ed 1 an asset	PQP 1 & 2 Spec Ed 1



REPORT TO

REGULAR BOARD

## RETURN TO SCHOOL UPDATE

*"I can do all things through him who strengthens me."  
Philippians 4:13*

Created, Draft	First Tabling	Review
February 11, 2021	February 18, 2021	<a href="#">Click here to enter a date.</a>
Barbara Leporati, Senior Coordinator, Planning Services Corrado Maltese, Coordinator, Occupational Health and Safety John Wujek, Superintendent, Area 5 and Parent Engagement Shawna Campbell, Superintendent, Area 3 and Early Years Shazia Vlahos, Chief of Communications and Government Relations Michael Loberto, Superintendent, Planning and Development Services Deborah Friesen, Superintendent, Capital Development, Asset Management and Renewal Adrian Della Mora, Executive Superintendent of Human Resources Omar Malik, Acting Chief Information Officer		
<b>INFORMATION REPORT</b>		

**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.*



Brendan Browne, PhD  
Director of Education

D. Koenig  
Associate Director  
of Academic Affairs

S. Camacho  
Acting Associate Director of  
Facilities, Business and  
Community Development

## **A. EXECUTIVE SUMMARY**

The last update to the Reopening Action Plan was submitted to the February 11, 2021 Corporate Services Committee meeting for information and consideration. This report provides additional information concerning items occurring over the last week. The Reopening Action Plan is updated as necessary and is available on the TCDSB website. Key updates and strategies are provided for consideration.

The province recently announced that March Break is post-poned until mid-April for this school year on the advice of Ontario's Chief Medical Officer and local public health agencies.

Access to Rapid Testing in local pharmacies has recently been made available and communicated to school-based staff. Michael Garron Hospital has also introduced take home COVID-19 oral-nasal testing kits for the East York and Scarborough area.

The consultant report on the results of the Indoor Air Quality study will be presented by Pinchin Ltd. and is included as an appendix to this report for the information of the Board.

TCDSB schools will continue to follow safety measures and guidance from Toronto Public Health as schools return to in person learning.

*The cumulative staff time required to prepare this report was 20 hours*

## **B. PURPOSE**

To provide the Board with updates as they pertain to the TCDSB Reopening Action Plan.

## **C. BACKGROUND**

1. *The TCDSB Reopening Action Plan, Staff Manual and Transition to Distance Learning Plan continue to reflect the process for operating schools safely.* Items from Board motions and Ministry updates that are confirmed

have been included as required. Schools will continue to follow established protocols for virtual and in person learning.

## **D. EVIDENCE/RESEARCH/ANALYSIS**

### **“March” Break**

1. ***The Ministry announced (on February 11, 2021) that the March Break is postponed until April 12-16, 2021.*** The province indicated that this decision was made with the best advice of Ontario's Chief Medical Officer of Health and public health officials, including consultations with many local Medical Officers of Health.
2. Students and staff are encourage to continue to ***access mental health resources available, specifically for managing ongoing stress and anxiety associated with the highly fluid landscape of this school year.*** Staff have access to the ***Employee and Family Assistance Program (EFAP)*** for assistance with various mental health and other family issues. Many resources ***for students seeking assistance with [mental health](#) concerns*** can be found on the board’s website.

### **Access to Rapid Testing**

3. The province has confirmed access to ***rapid testing in pharmacies for school-based staff.*** Testing is voluntary for staff. Information and key messages (Appendix ‘A’), along with the participating pharmacies located throughout the city, has been distributed to staff.
4. ***Michael Garron Hospital (MGH) has introduced a new initiative for families of 16 TCDSB schools located in East York and Scarborough . Beginning the week of February 16, MGH will drop off take home COVID-19 oral-nasal testing kits*** to the 16 schools listed below. These take home test kits are less invasive than the nasopharyngeal COVID test. Families will have access to take-home testing kits to make it easier for students to get tested for COVID-19.
  - Canadian Martyrs Catholic School
  - Holy Cross Catholic School
  - Holy Name Catholic School
  - Immaculate Heart of Mary Catholic School
  - Neil McNeil Catholic Secondary School



- Notre Dame Catholic Secondary School
  - Our Lady of Fatima Catholic School
  - St Anselm Catholic School
  - St Brigid Catholic School
  - St Denis Catholic School
  - St Dunstan Catholic School
  - St Joachim Catholic School
  - St John Catholic School
  - St John XXIII Catholic School
  - St Joseph Catholic School
  - St Patrick Catholic Secondary School
5. ***These take-home testing kits can be used if a student has symptoms of COVID-19 or if the student is sent home because another student or staff member in their class has tested positive for COVID-19.*** Parents will be able to drop off the child's swab to one of 10 nearby designated testing sites for analysis.

#### **Staffing and Recruitment**

6. ***HR staff is capitalizing on the College of Teachers' announcement that they will be issuing Temporary Teaching Certificates*** (effective until December 2021) for students who are nearing the completion of their formal Bachelor of Education program. The TCDSB is recruiting these teachers and providing direction to system Principals regarding deployment to address daily absentee challenges not being addressed through normal channels.
7. ***Senior HR staff is analyzing enrolment projections to proactively plan for potential staffing scenarios related to September school staffing requirements.*** Timely communication with the Ministry of Education will inform our approach.
8. ***The Sick Leave & Disability and Academic Services Departments continue to closely monitor leave requests and sporadic employee absences. Principals have been provided a list of contingency plans to ensure continuity of program delivery and student safety.*** Enhancing employee awareness of our employer-sponsored Employee Family Assistance Plan remains a priority.

9. ***Senior TCDSB staff members have maintained regular contact with our union partners (TECT, TSU, and CUPE) to collaboratively address issues.*** Recent discussions are focusing on staffing timelines and proactive planning for September 2021.
10. ***The SMASH Education virtual experiential Core French program has been successfully launched.*** This program provides St. Anne students (Grades 1 – 8) with a Ministry of Education aligned core French supplemental resource. ***Senior staff has reallocated staff to allow direct core French instruction to begin for all grade 8 students at St. Anne Catholic Academy effective February 16, 2021, while not adversely impacting French program delivery within brick and mortar schools.***
11. ***HR staff is monitoring all quarantined staff to ensure that proper parameters are maintained.*** We continue to communicate with all employees regarding travel plans, quarantine requirements that may apply, and the need to commit to the employer to ensure continuity of program delivery and service.
12. ***Timely recruitment efforts are being sustained as we endeavor to bolster supply pools for key employee groups.*** All efforts reflect a deliberate focus on equity.

#### **Indoor Air Quality**

13. ***The report on the results of the Indoor Air Quality study is attached as Appendix 'B'.*** The consultant, Pinchin Ltd., will make a presentation of the results and recommendations. The report indicates that CO2 levels were well controlled in the schools with mechanical ventilation systems, regardless of whether windows were open or not. CO2 level is a good indicator of whether adequate air changes are occurring to help mitigate virus transmission. The report also confirms that portable HEPA filtration units are beneficial in improving the air quality in schools without mechanical ventilation.

#### **Technology**

14. ***Orders continue to flow, supply levels are running low, however measures are being taken to increase supply levels.*** There are more than 600 iPads and 600 Chromebooks in our supply. Additional ministry funding was announced which will be used to increase device supplies and fund internet for student remote learning needs.

**E. IMPLEMENTATION, STRATEGIC COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT PLAN**

1. *Staff and families received communications about the return to in-person learning on February 16, 2021, including expectations, updated screening tool and student passport and secondary timetables.*
2. *A staff and family one-pager* has been developed and is being disseminated to assist with the transition to back to in-person learning.

**F. CONCLUDING STATEMENT**

This report is for the consideration of the Board.

### Pharmacy Testing – Key Messages

- You can get a COVID-19 test at a participating pharmacy if you **do not** have symptoms
- You will be asked to provide the name of your school/work location.

### **What to bring with you**

- your Ontario **health (OHIP) card** (you can still get tested if you do not have one)
- a **face covering or mask** (wear one at all times)
- **assistive or accessibility devices** (if you need them)
- **snacks** (if you must eat every so often for medical reasons)

### **At the testing location**

Follow public health measures, including:

- wearing a face covering or mask (only take it down below your nose when you are told to)
- keeping at least 2 metres away from people you do not live with
- washing or sanitizing your hands often

### **Getting your test result**

On average, most results are ready 48 hours after your test. This is not guaranteed and could take longer.

Depending on the testing location, you may be able to get your result:

- online on the [Test Results Website](#) if you have a photo (green) health card
- on another website that the testing location will tell you about
- by phone

The testing location will give you instructions that are specific to your situation.

### **While you wait for your test result**

**If you have COVID-19 symptoms and/or were exposed to a known COVID-19 case, including getting a COVID Alert notification**

You should [self-isolate](#) (stay at home) while you wait for your result.

### **If you do not have symptoms and were not exposed**

You can continue as normal while you wait for your result and follow COVID-19 public health measures, including wearing a face covering, frequent handwashing, and

maintaining physical distance from those outside your household. Pay attention to your health to note if anything changes.

### Testing positive or negative

#### Positive

A positive result means it is likely that you **have** the virus.

You must [self-isolate](#) (stay at home) until public health clears you.

Your local public health unit will contact you and ask you contact tracing questions. They will also let you know when you can stop self-isolating.

Contact your doctor or health care provider for more information and guidance.

#### Negative

A negative result means **we were not able to detect the virus at the time of your test.**

You should continue to follow COVID-19 public health measures, including wearing a face covering, frequent handwashing, and maintaining physical distance from those outside your household. Pay attention to your health to note if anything changes.

#### If you were exposed to a COVID-19 positive person and test negative

You must continue to self-isolate for 14 days after your last exposure with that person, even if you test negative.

**PHARMACY INFORMATION**

Pharmacy Type	City	Address	Postal Code	Phone Number	Website
Shoppers	Toronto	1630 Danforth Ave	M4C 1H6	(416) 461-2453	<a href="https://stores.shoppersdrugmart.ca/en/store/500/">https://stores.shoppersdrugmart.ca/en/store/500/</a>
Shoppers	East York	1601 Bayview Ave	M4G 3B5	(416) 489-1873	<a href="https://stores.shoppersdrugmart.ca/en/store/982/">https://stores.shoppersdrugmart.ca/en/store/982/</a>
Shoppers	Toronto	1027 Yonge St	M4W 2K9	(416) 961-0155	<a href="https://stores.shoppersdrugmart.ca/en/store/926/">https://stores.shoppersdrugmart.ca/en/store/926/</a>
Shoppers	Toronto	3446 Dundas St W	M6S 2S1	(416) 766-8131	<a href="https://stores.shoppersdrugmart.ca/en/store/1166/">https://stores.shoppersdrugmart.ca/en/store/1166/</a>
Shoppers	Toronto	1400 Dupont St	M6H 2B2	(416) 532-9214	<a href="https://stores.shoppersdrugmart.ca/en/store/1304/">https://stores.shoppersdrugmart.ca/en/store/1304/</a>
Shoppers	Toronto	360A Bloor St W	M5S 1X1	(416) 961-2121	<a href="https://stores.shoppersdrugmart.ca/en/store/806/">https://stores.shoppersdrugmart.ca/en/store/806/</a>
Shoppers	Etobicoke	123 Rexdale Blvd	M9W 1P1	(416) 743-1645	<a href="https://stores.shoppersdrugmart.ca/en/store/857/">https://stores.shoppersdrugmart.ca/en/store/857/</a>
Shoppers	Etobicoke	900 Albion Rd	M9V 1A5	(416) 741-2430	<a href="https://stores.shoppersdrugmart.ca/en/store/954/">https://stores.shoppersdrugmart.ca/en/store/954/</a>
Shoppers	North York	4841 Yonge St	M2N 5X2	(416) 222-1174	<a href="https://stores.shoppersdrugmart.ca/en/store/986/">https://stores.shoppersdrugmart.ca/en/store/986/</a>
Shoppers	Toronto	5095 Yonge St	M2N 6Z4	(416) 226-0313	<a href="https://stores.shoppersdrugmart.ca/en/store/1250/">https://stores.shoppersdrugmart.ca/en/store/1250/</a>
Shoppers	North York	3874 Bathurst St	M3H 3N3	(416) 635-5601	<a href="https://stores.shoppersdrugmart.ca/en/store/838/">https://stores.shoppersdrugmart.ca/en/store/838/</a>
Shoppers	North York	2550 Finch Ave W	M9M 2G3	(416) 749-5271	<a href="https://stores.shoppersdrugmart.ca/en/store/854/">https://stores.shoppersdrugmart.ca/en/store/854/</a>
Shoppers	Scarborough	2751 Eglinton Ave E	M1J 2C7	(416) 267-8211	<a href="https://stores.shoppersdrugmart.ca/en/store/859/">https://stores.shoppersdrugmart.ca/en/store/859/</a>
Shoppers	Scarborough	629 Markham Rd	M1H 2A4	(416) 439-2121	<a href="https://stores.shoppersdrugmart.ca/en/store/800/">https://stores.shoppersdrugmart.ca/en/store/800/</a>
Shoppers	Scarborough	2301 Kingston Rd	M1N 1V1	(416) 269-2171	<a href="https://stores.shoppersdrugmart.ca/en/store/1382/">https://stores.shoppersdrugmart.ca/en/store/1382/</a>
Shoppers	Scarborough	1780 Markham Rd A	M1B 2W2	(416) 412-1780	<a href="https://stores.shoppersdrugmart.ca/en/store/1381/">https://stores.shoppersdrugmart.ca/en/store/1381/</a>
Retail Banner Group	Toronto	2600 Eglinton Ave W	M6M1T5	(416) 651-6511	<a href="https://www.medicineshoppe.ca/en/ontario/toronto/the-medicine-shoppe-pharmacy-134-7014226?utm_source=Google&amp;utm_medium=maps&amp;utm_campaign=Local_Presence">https://www.medicineshoppe.ca/en/ontario/toronto/the-medicine-shoppe-pharmacy-134-7014226?utm_source=Google&amp;utm_medium=maps&amp;utm_campaign=Local_Presence</a>

## APPENDIX 'A'

Retail Banner Group	Scarborough	2942 Finch Avenue E	M1W2T4	(416) 492-4167	<a href="https://www.guardian-ida-pharmacies.ca/en/ontario/scarborough/village-square-pharmacy-7005106">https://www.guardian-ida-pharmacies.ca/en/ontario/scarborough/village-square-pharmacy-7005106</a>
Independent	Toronto	171 East Liberty Street, Unit 102	M6K 3P6	(416) 984-4147	<a href="http://www.libertymarketpharmacy.com/">http://www.libertymarketpharmacy.com/</a>
Independent	Toronto	17 St Johns Road	M6P 1T7	(647) 748-3784	<a href="https://www.junctionchemist.com/">https://www.junctionchemist.com/</a>
Independent	Etobicoke	290 The West Mall	M9C 1C6	(416) 622-2111	<a href="https://glencadepharmacy.ca/">https://glencadepharmacy.ca/</a>
Shoppers	Etobicoke	2206 Lake Shore Blvd. West	M8V 1A4	416-259-1330	<a href="https://stores.shoppersdrugmart.ca/en/store/1421/">https://stores.shoppersdrugmart.ca/en/store/1421/</a>
Shoppers	Toronto	1090 King St. West	M6K 0C7	416-977-4101	<a href="https://stores.shoppersdrugmart.ca/en/store/1005/">https://stores.shoppersdrugmart.ca/en/store/1005/</a>
Shoppers	Toronto	390 Queen's Quay West, Unit 110	M5V 3A6	416-260-2766	<a href="https://stores.shoppersdrugmart.ca/en/store/1321/">https://stores.shoppersdrugmart.ca/en/store/1321/</a>
Shoppers	Toronto	388 King Street West	M5V 1K2	416-597-6550	<a href="https://stores.shoppersdrugmart.ca/en/store/1320/">https://stores.shoppersdrugmart.ca/en/store/1320/</a>
Shoppers	Toronto	279 Yonge St.	M5B 1N8	416-591-1733	<a href="https://stores.shoppersdrugmart.ca/en/store/1402/">https://stores.shoppersdrugmart.ca/en/store/1402/</a>
Shoppers	Toronto	951 Bay Street, Unit G41	M5S 0E1	416-925-0881	<a href="https://stores.shoppersdrugmart.ca/en/store/1149/">https://stores.shoppersdrugmart.ca/en/store/1149/</a>
Shoppers	Toronto	970 Queen St. East	M4M 1J8	416-462-0062	<a href="https://stores.shoppersdrugmart.ca/en/store/823/">https://stores.shoppersdrugmart.ca/en/store/823/</a>
Shoppers	Toronto	593 Dundas St. East, South Tower	M5A 3H6	416-214-9440	<a href="https://stores.shoppersdrugmart.ca/en/store/1489/">https://stores.shoppersdrugmart.ca/en/store/1489/</a>
Shoppers	Toronto	2345 Yonge St.	M4P 1E4	416-487-5411	<a href="https://stores.shoppersdrugmart.ca/en/store/841/">https://stores.shoppersdrugmart.ca/en/store/841/</a>
Shoppers	Toronto	1084 Wilson Ave.	M3K 1G6	416-633-9884	<a href="https://stores.shoppersdrugmart.ca/en/store/820/">https://stores.shoppersdrugmart.ca/en/store/820/</a>
Shoppers	North York	3975 Jane St.	M3N 2K1	416-630-2553	<a href="https://stores.shoppersdrugmart.ca/en/store/840/">https://stores.shoppersdrugmart.ca/en/store/840/</a>
Shoppers	Toronto	946 Lawrence Avenue East	M3C 1R1	416-444-4445	<a href="https://stores.shoppersdrugmart.ca/en/store/1330/">https://stores.shoppersdrugmart.ca/en/store/1330/</a>
Independent	Toronto	844 Bathurst St	M5R 3G1	416-537-1900	<a href="http://www.metrodrugs.ca">www.metrodrugs.ca</a>

## APPENDIX 'A'

Independent	Toronto	129 Dundas Street East	M5B 2N6	416-363-7300	<a href="http://www.metrodrugs.ca">www.metrodrugs.ca</a>
Independent	Toronto	572 Parliament St.	M4X 1P8	416-921-5700	<a href="http://www.dalespharmacy.ca">www.dalespharmacy.ca</a>
Independent	Toronto	1275 Finch Avenue West	M3J 2G5	647-349-2273	<a href="https://pharmasave.com/store/pharmasave-university-heights-pharmacy/">https://pharmasave.com/store/pharmasave-university-heights-pharmacy/</a>
Independent	Toronto	608 Sherbourne St.	M4X 1X6	416-944-1122	n/a
Independent	Toronto	1333 Sheppard Ave. East	M2J 1V1	647-400-2588	<a href="http://www.maindrugmartcompounding.com">www.maindrugmartcompounding.com</a>
Independent	Toronto	2105 Weston Road	M9N 1X7	416-241-2111	n/a
Independent	Toronto	1901 Weston Road	M9N 3P5	416-241-1115	<a href="https://pharmasave.com/store/pharmasave-eagle-manor/">https://pharmasave.com/store/pharmasave-eagle-manor/</a>
Walmart	Scarborough	799 Milner Ave.	M1B 3C3	416-281-4643	<a href="https://www.walmart.ca/en/stores-near-me/morningside-scarborough-supercentre-3111">https://www.walmart.ca/en/stores-near-me/morningside-scarborough-supercentre-3111</a>
Shoppers	North York	5576 Yonge St.	M2N 5S2	416-225-2321	<a href="https://stores.shoppersdrugmart.ca/en/store/848/">https://stores.shoppersdrugmart.ca/en/store/848/</a>
Shoppers	Scarborough	255 Morningside Ave.	M1E 3E6	416-282-1129	<a href="https://stores.shoppersdrugmart.ca/en/store/1335/">https://stores.shoppersdrugmart.ca/en/store/1335/</a>
Shoppers	Scarborough	91 Rylander Blvd., Unit 1022	M1B 5M5	416-724-5344	<a href="https://stores.shoppersdrugmart.ca/en/store/1399/">https://stores.shoppersdrugmart.ca/en/store/1399/</a>
Shoppers	North York	770 Lawrence Ave. West	M6A 3C6	416-787-0238	<a href="https://stores.shoppersdrugmart.ca/en/store/821/">https://stores.shoppersdrugmart.ca/en/store/821/</a>
Shoppers	Etobicoke	1530 Albion Road	M9V 1B4	416-741-7711	<a href="https://stores.shoppersdrugmart.ca/en/store/925/">https://stores.shoppersdrugmart.ca/en/store/925/</a>





FINAL

# Investigation of Indoor Air Quality

Three School Ventilation Study

Mother Cabrini, St. Jane Francis and St. Raphael

Prepared for:

**Toronto Catholic District  
School Board**

80 Sheppard Avenue East  
Toronto, Ontario, M2N 6E8

February 12, 2021

Pinchin File: 281161



**Investigation of Indoor Air Quality**

Three School Ventilation Study, Mother Cabrini, St. Jane Francis and St. Raphael  
Toronto Catholic District School Board

February 12, 2021  
Pinchin File: 281161  
FINAL

**Issued to:** Toronto Catholic District School Board  
**Issued on:** February 12, 2021  
**Pinchin File:** 281161  
**Issuing Office:** Mississauga, ON

---

Author: \_\_\_\_\_  
Stephen Booth, CET, LEED AP  
Director  
416.816.5071  
[sbooth@pinchin.com](mailto:sbooth@pinchin.com)

Reviewer: \_\_\_\_\_  
Adam Crawford, B.Sc., DOHS, CIH  
Operations Manager  
416.816.5413  
[acrawford@pinchin.com](mailto:acrawford@pinchin.com)

Reviewer: \_\_\_\_\_  
David Muise, OHST  
National Practice Lead  
902.456.2853  
[dmuise@pinchin.com](mailto:dmuise@pinchin.com)



## EXECUTIVE SUMMARY

Pinchin Ltd. (Pinchin) was retained by the Toronto Catholic District School Board (TCDSB, the Client) to investigate ventilation rates in three schools and to understand how mechanical HVAC systems and window opening time / window style impacted ventilation. The investigation was undertaken at Mother Cabrini, St. Jane Francis and St. Raphael. This project was managed by Stephen Booth.

Window opening as it occurred during the study did not appear to have a significant positive impact on ventilation (carbon dioxide concentrations) in the schools. Carbon dioxide concentrations were relatively well controlled in the buildings equipped with mechanical HVAC systems. Carbon dioxide concentrations were persistently elevated through the afternoon period in the school with no mechanical ventilation even though windows were open at many points during the study period. In the non-mechanically ventilated school, the lack of ventilation was effectively offset by the installation of portable HEPA filter units.

The Board posed five specific questions which this study attempted to answer as follows. Additional detail is present in the body of the report.

**1. Did having windows open in the classrooms lead to improved ventilation?**

No. While opening windows did not help significantly reduce CO<sub>2</sub> concentrations during the study, it is possible that small improvements in ventilation could be obtained through a more systematic pattern of window operation.

**2. Was there indication that awning style or vertical sliding windows resulted in superior ventilation outcomes?**

No. As no clear benefit was evident from either style no advantage was evident for one style over the other.

**3. Did the size of the window openings impact ventilation rates based on the number of open windows and CO<sub>2</sub> concentrations in the classes?**

No. No clear benefit was evident by opening windows.

**4. Was the building effectively flushed via the HVAC system or natural ventilation in the vacant period between school days, over the weekend?**

Yes. Mechanically ventilated schools were flushed nightly. The non mechanically ventilated school was flushed over the weekend period.

**5. Were there classroom occupant densities that lead to better controlled carbon dioxide concentrations?**

In the non-mechanically ventilated school, occupant density was closely correlated with CO<sub>2</sub> concentrations although none of the occupant densities resulted in consistent CO<sub>2</sub> concentrations below the enhanced 800 ppm target set for this study. In mechanically ventilated schools, the association was not present and CO<sub>2</sub> concentrations were more likely related to the ventilation rates in the specific rooms.

Pinchin offers the following recommendations based on the study:

1. Continue to monitor CO<sub>2</sub> / ventilation rates at Mother Cabrini to confirm performance as colder weather arrives.
2. Review the HVAC system at St. Jane Francis and ensure:
  - a. The system is properly balanced.
  - b. The maximum efficiency filters (highest MERV rating) recommended by the manufacturer are installed. Ideally this would be MERV13.
  - c. The humidification system is functioning properly.
  - d. Consider deploying portable air filters in classrooms where ventilation performance is not maintaining CO<sub>2</sub> concentrations consistently below 800 ppm.
3. Operate HVAC systems and portable HEPA filters for a minimum of 2.5 hours before and after occupancy to help flush / filter airborne particulate between school days.
4. Implement the following strategies to maximize natural ventilation in schools not equipped with mechanical ventilation.
  - a. Open both the top and bottom segments and open all available windows to maximize window opening size. Where draft is an issue open the top section of the window only. Utilize caretaking staff to open upper window prior to the start of the school day and to close at the end of the day.
5. Implement window operation changes in select classrooms at St. Raphael. Monitor CO<sub>2</sub> and temperature over a 15-30 day periods and compare to the time frame evaluated during this report.



## TABLE OF CONTENTS

1.0	INTRODUCTION AND SCOPE .....	1
1.1	Statement of Understanding .....	1
1.2	Scope of Work .....	1
2.0	METHODOLOGY .....	2
2.1	Test Methods and Criteria .....	3
2.2	IAQ Standards .....	3
3.0	FINDINGS .....	4
3.1	School Overview .....	4
3.1.1	St. Jane Francis .....	4
3.1.2	Mother Cabrini .....	5
3.1.3	St. Raphael .....	5
3.2	IAQ Data Summary .....	6
3.3	Relative Humidity Summary .....	13
4.0	DISCUSSION .....	14
4.1	Proposal Specific Questions .....	15
4.2	Window Ventilation General .....	18
4.3	General .....	19
4.3.1	Mother Cabrini .....	19
4.3.2	St. Jane Francis .....	19
4.3.3	St. Raphael .....	20
4.4	Relative Humidity .....	20
4.5	Filtration .....	20
5.0	RECOMMENDATIONS .....	21
6.0	TERMS AND LIMITATIONS .....	21



## APPENDICES

### APPENDIX I Window Assessment Report

#### LIST OF TABLES

Table I – Test Locations .....	2
Table II – Parameters Tested, Recommended Limits and Instruments or Methods Used .....	3
Table III – Mother Cabrini CO <sub>2</sub> Summary .....	6
Table IV – St. Jane Francis CO <sub>2</sub> Summary .....	8
Table V – St. Raphael CO <sub>2</sub> Summary .....	11
Table VI – Relative Humidity Summary .....	13
Table VII – St. Raphael Occupancy Summary .....	17
Table VIII – St. Jane Francis Occupancy Summary .....	18



## 1.0 INTRODUCTION AND SCOPE

### 1.1 Statement of Understanding

Pinchin Ltd. (Pinchin) was retained by the Toronto Catholic District School Board (TCDSB, the Client) to conduct an investigation to evaluate ventilation rates in three schools and to understand how mechanical HVAC systems and window opening time / window style impacted ventilation. The investigation was undertaken at Mother Cabrini, St. Jane Francis and St. Raphael. This project was managed by Stephen Booth.

The project involved the installation of real time sensors for carbon dioxide, temperature, and relative humidity in representative classroom and staff space in each of three schools. The goal of the study was to provide data to help answer the following five questions:

1. Did having windows open in the classrooms lead to improved ventilation?
2. Was there indication that awning style or vertical sliding windows resulted in superior ventilation outcomes?
3. Did the size of the window openings impact ventilation rates based on the number of open windows and carbon dioxide (CO<sub>2</sub>) concentrations in the classes?
4. Was the building effectively flushed via the HVAC system or natural ventilation in the vacant period between school days and over the weekend?
5. Were there classroom occupant densities that lead to better controlled CO<sub>2</sub> concentrations?

### 1.2 Scope of Work

Pinchin installed real-time CO<sub>2</sub>, temperature, and relative humidity sensors in representative functional areas in three school buildings:

- Mother Cabrini (mechanically ventilated school with awning style windows)
- St. Jane Francis (mechanically ventilated school with a combination of double hung windows (original structure) and awning style windows (new addition))
- St. Raphael (no mechanical ventilation and double hung windows).

Pinchin installed door and window sensors on the main entry door and windows in each of the classrooms. The sensors provided a notification when each window or door was opened or closed.

Pinchin manually calculated the total amount of time each window was open in the classrooms through the study period.



In addition to the preparation of this report, Pinchin assisted the TCDSB in the setup of real-time alerts that provided notification of low temperatures ( $<18^{\circ}\text{C}$ ) and  $\text{CO}_2$  concentrations higher than 800 ppm and 1200 ppm.

Sensors were deployed in the following locations at each school based on feedback from TCDSB and site conditions:

**Table I – Test Locations**

<b>Mother Cabrini</b>	<b>St. Jane Francis</b>	<b>St. Raphael</b>
Classroom 203 – Kindergarten	Classroom 222 – Grade 6 – Original Building	Room 202 – Grade 7/8
Classroom 115 – Grade 2/3	Classroom 228 – Grade 4 – New Wing	Room 209 - Grade 2
Classroom 112 – Resource Room	Classroom 106 – Grade 7/8 – New Wing	Workroom 211
Classroom 113 – Grade SK/1	Classroom 221 – Grade 2/3 split – Original Building	Room 103 - Grade 1
Staffroom - Room 206	Classroom 302- Grade 5 – New Wing – No Windows	Room 216 – Grade 3
Workroom 214	Classroom 130 – JK – Original Building	Room 117 – Kindergarten
Principal's Office – Room 222	Admin Office Room 102	Admin Office Room 123
Outdoor	Outdoor	Outdoor

## 2.0 METHODOLOGY

Indoor air quality measurements were collected approximately every 15 minutes, 24 hours / day, seven days a week. Door and window activation data was transmitted at the time of each event.

This report is based on sensor data for the period of November 12, 2020 (00:01) to December 12, 2020 (23:59).

For the purposes of this report, Pinchin looked at three factors the provide answers to the questions posed by the TCDSB as part of this study:

1. Total time in each room in exceedance of 800 ppm  $\text{CO}_2$ .
2. Total time in each room in exceedance of 1200 ppm  $\text{CO}_2$ .
3. Total number of open window hours in each classroom. This was calculated by summing the number of hours each window in a classroom was open for through the study period.



For example, if 3 three windows in Classroom 101 were open for 2 hours each that would total 6 window hours.

To further inform the study, Pinchin gathered the following information through discussions with board staff and an online HVAC survey:

1. Details on HVAC operation and filtration in the two mechanically ventilated schools
2. Details on current and normal / non-COVID occupant loads in each of the schools.
3. Details on the occupancy in each of the rooms equipped with sensors.

## 2.1 Test Methods and Criteria

Pinchin installed the Elsys ERS CO<sub>2</sub> sensor in each of the subject rooms. The sensor has the following accuracy and resolution:

The sensor provides long term measurements:

- Carbon dioxide, 0-10,000 ppm, Accuracy  $\pm 50$ ppm or 3% of reading.<sup>1</sup>
- Temperature, -40 to 120 °C, Resolution 0.1°C, Accuracy  $\pm 0.2$ °C
- Relative Humidity, 1 – 100%, Resolution 0.1%, Accuracy @ 25°C  $\pm 2$ %

The following table presents the parameters measured in this investigation, the instruments and sampling/analytical methods used, the applicable units of measurement, and the criteria selected by Pinchin for the evaluation of the results.

## 2.2 IAQ Standards

**Table II – Parameters Tested, Recommended Limits and Instruments or Methods Used**

Parameter	Unit of Measurement	Recommended Limit	Instrumentation or Test Method
Carbon Dioxide, CO <sub>2</sub>	Parts per million in air (ppm)	< 800 ppm – Good <sup>2</sup> < 1,100 ppm (700 ppm + Outdoor) - Acceptable <sup>3</sup> >1,200 ppm - Investigate	Elsys ERS CO <sub>2</sub>

<sup>1</sup> The carbon dioxide sensor has an internal automatic calibration routine. This routine calibrates the sensor to set 400 ppm to the lowest value that has been read in the last period of approximately 8 days. This means that in an 8-day period, the sensor must be exposed to fresh (well ventilated) air at least once for the calibration to work. The sensor can also be manually calibrated.

<sup>2</sup> Harvard T.H. Chan School for Public Health, Schools for Health Risk Reduction Strategies for Reopening Schools, Updated November 2020

<sup>3</sup> American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE): Ventilation for Acceptable Indoor Air Quality [ANSI/ASHRAE Standard 62.1-2013]. Atlanta, GA: ASHRAE, 2013.

**Table II – Parameters Tested, Recommended Limits and Instruments or Methods Used**

Parameter	Unit of Measurement	Recommended Limit	Instrumentation or Test Method
Temperature, T	°C	21 to 25 °C, winter clothing <sup>4</sup> 24 to 27 °C, summer clothing	
Relative Humidity, RH	%RH	Winter 40%-50% <sup>5</sup> Summer 50%-60% <sup>6</sup>	

### 3.0 FINDINGS

#### 3.1 School Overview

##### 3.1.1 St. Jane Francis

St. Jane Francis consists of a two-storey original school structure with a three-storey addition. The original building is equipped with double hung metal windows in the classrooms. The double hung windows open both at the top and bottom although because of difficult access, opening the upper windows may be difficult. The double hung windows are equipped with a stopper to restrict the opening to 4". Most of the classrooms in the new addition are equipped with a combination of fixed windows and awning windows. In most classrooms, two awning windows are present on either end of the classroom. In some classrooms, there are no operable windows.

The building is equipped with HVAC systems consisting of a combination of main AHUs and perimeter fan coil units. The system is equipped with a building automation system and whole building humidification. The MERV rating of the filters is not known. The system is currently being operated with outdoor air dampers open to maximize ventilation. The HVAC system is also being operated one hour prior to school opening and one hour after closing to provide a building flush. It is not known when the system was last balanced.

During the pandemic, the school is operating at approximately 50% of it's normal daily occupant load (400 currently vs 750 normal).

4 American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE): *Thermal Environmental Conditions for Human Occupancy* [ANSI/ASHRAE Standard 55-2013]. Atlanta, GA: ASHRAE, 2013.

5 <https://www.ashrae.org/technical-resources/reopening-of-schools-and-universities>

6 <https://www.ashrae.org/technical-resources/reopening-of-schools-and-universities>



### 3.1.2 *Mother Cabrini*

Mother Cabrini is a two-storey school structure. The building is equipped with new awning style windows in the classrooms. There are two styles of awning window present. One set of windows open outward and the other opens inwards. Due to the window construction, sensors could only be installed on the inward opening windows. The top set of windows in each of the tested classrooms was not currently operable as the rolling shade blocked the window opening.

The building is equipped with a central AHU. The building is not equipped with a humidification system or a building automation system. The unit is being operated with outdoor air dampers in their fully opened position to maximize ventilation. Individual classrooms have also been equipped with stand-alone portable air cleaners. The HVAC unit is equipped with MERV13 filters.

During the pandemic, the school is operating at approximately 72% of it's normal daily occupant load (144 currently vs 198 normal).

### 3.1.3 *St. Raphael*

St. Raphael is a two-storey school structure. The building is equipped with double hung metal windows in the classrooms. The double hung windows open both top and bottom although because of difficult access, it unlikely that the upper window ever gets opened. The majority of double hung windows are equipped with a stopper to restrict the opening to 4". One window in each classroom has been modified to allow a window opening of 12" in an effort to allow for increased ventilation.

The building is not equipped with an HVAC system. Individual classrooms have also been equipped with stand alone portable air cleaners (Austin Air Systems Model HM400/410).

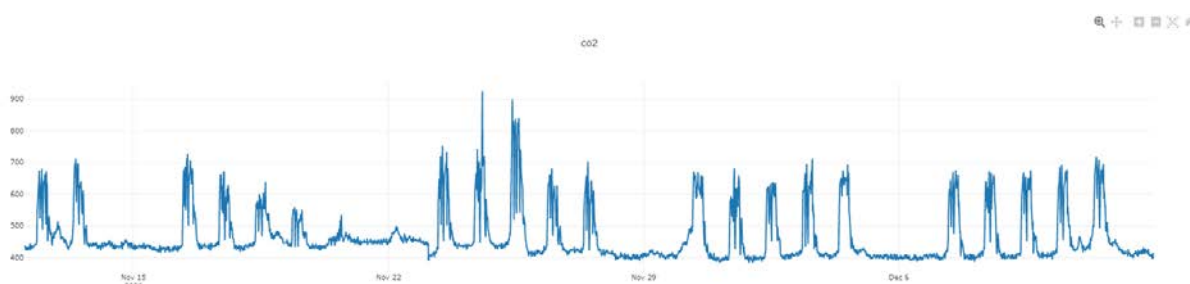
During the pandemic, the school is operating at approximately 75% of it's normal daily occupant load (425 currently vs 570 normal).

### 3.2 IAQ Data Summary

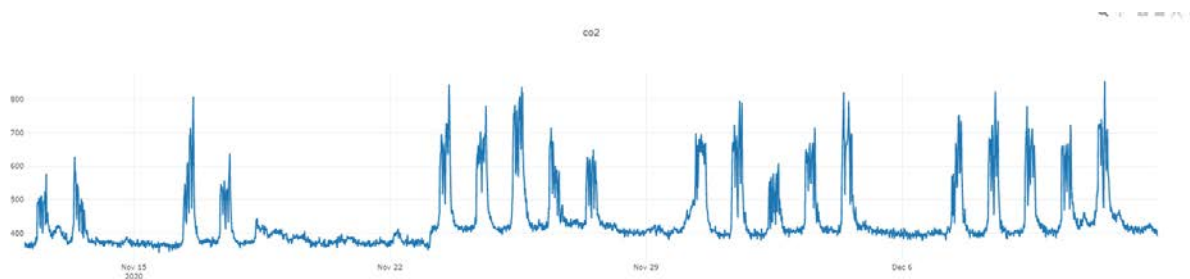
IAQ data is summarized for the period of 00:01 November 12, 2020 to 23:59 December 12, 2020.

**Table III – Mother Cabrini CO<sub>2</sub> Summary**

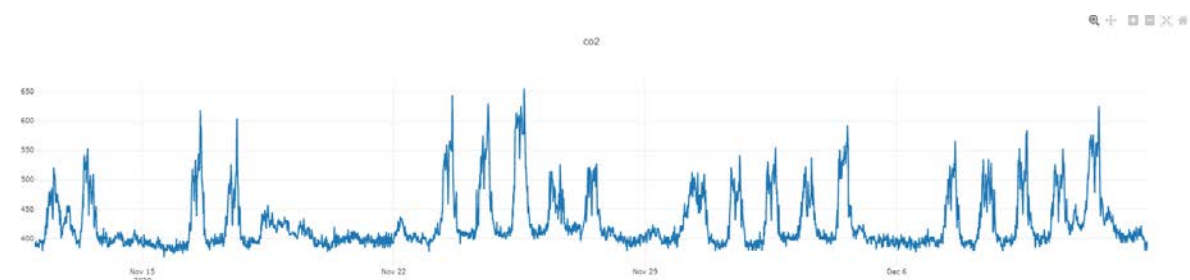
Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Classroom 203 – Kindergarten	24+ECE+Teacher	8 min	0 min	194 hours



Classroom 115 – Grade 2/3	18+Teacher	10 min	0 min	138 hours
---------------------------	------------	--------	-------	-----------



Classroom 112 – Resource Room	Infrequent Occupancy – 2-3 students + teacher when in use.	0 min	0 min	235 hours
-------------------------------	------------------------------------------------------------	-------	-------	-----------





## Investigation of Indoor Air Quality

Three School Ventilation Study, Mother Cabrini, St. Jane Francis and St. Raphael  
Toronto Catholic District School Board

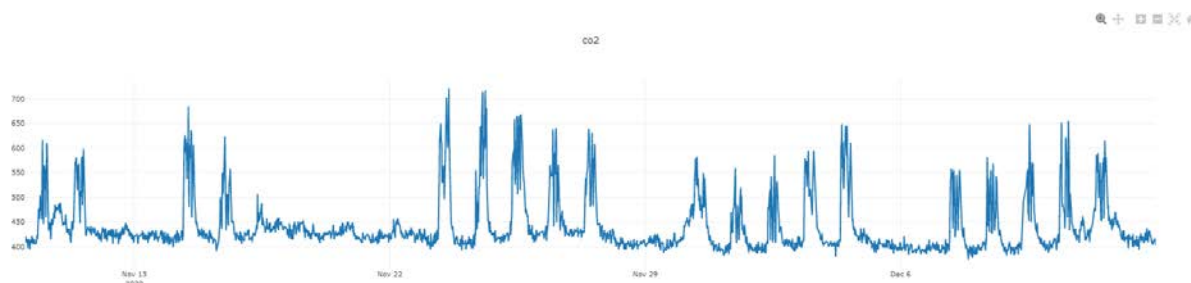
February 12, 2021

Pinchin File: 281161

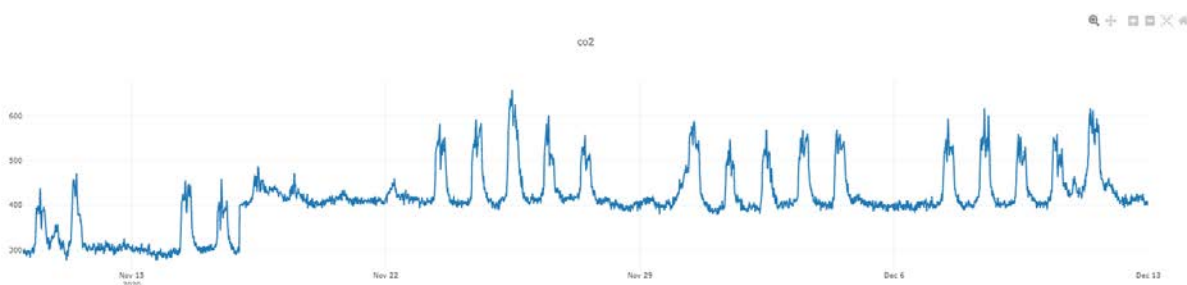
FINAL

Table III – Mother Cabrini CO<sub>2</sub> Summary

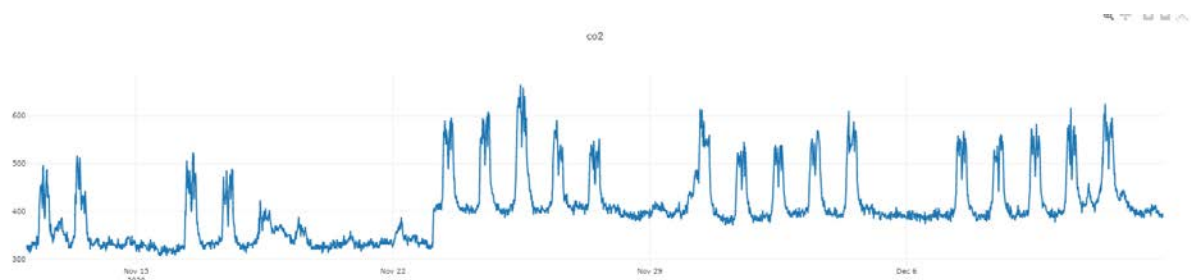
Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Classroom 113 – Grade SK/1	17+T+CYW	0 min	0 min	690 hours



Staffroom Room - 206	3-4 Staff During Break	0 min	0 min	102 hours
----------------------	------------------------	-------	-------	-----------



Workroom 214	Up to 3+Teacher	0 min	0 min	-
--------------	-----------------	-------	-------	---





## Investigation of Indoor Air Quality

Three School Ventilation Study, Mother Cabrini, St. Jane Francis and St. Raphael  
Toronto Catholic District School Board

February 12, 2021

Pinchin File: 281161

FINAL

Table III – Mother Cabrini CO<sub>2</sub> Summary

Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Principal's Office Room 222		0 min	0 min	-

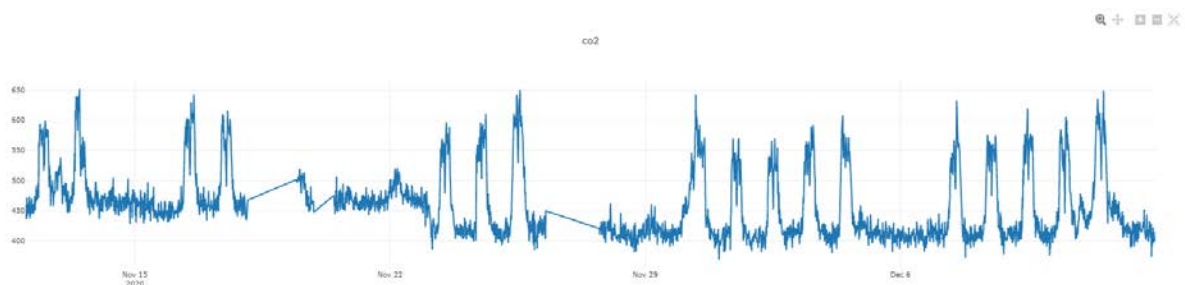


Table IV – St. Jane Francis CO<sub>2</sub> Summary

Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Classroom 228 – Grade 4 – New Wing	15+EA+Teacher	396 min	155 min	182 hours

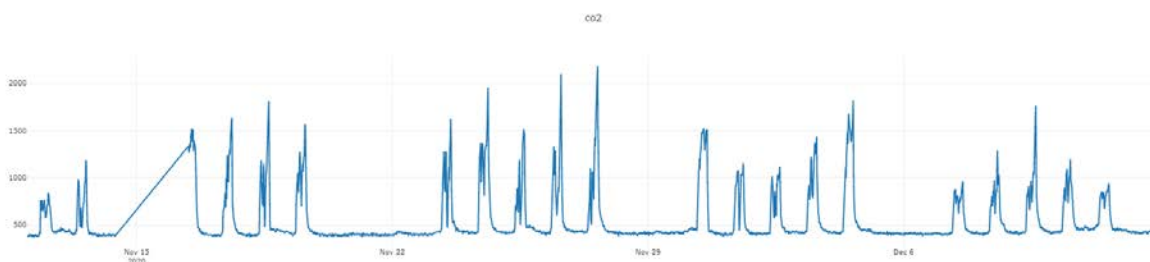
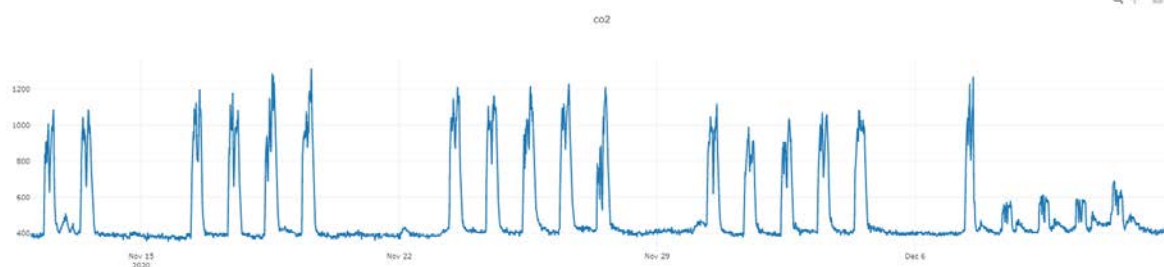


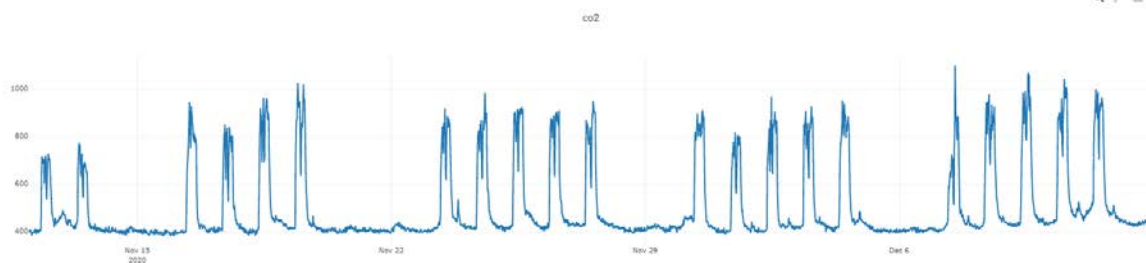


Table IV – St. Jane Francis CO<sub>2</sub> Summary

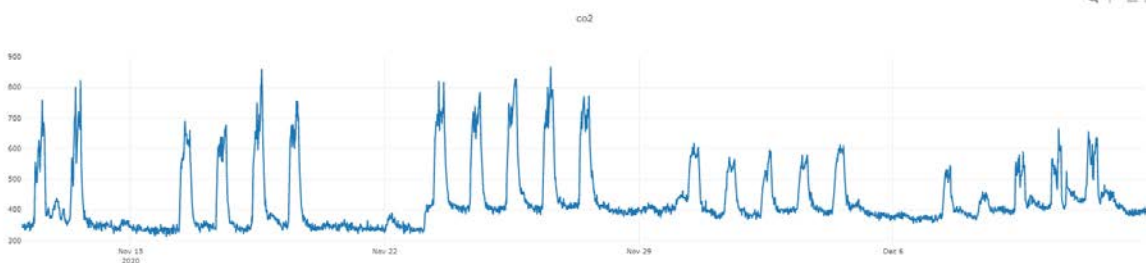
Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Classroom 222 – Grade 6 – Original Building	20+Teacher	391 min	15 min	25 hours



Classroom 106 – Grade 7/8 – New Wing	20+Teacher	328 min	0 min	3 hours
--------------------------------------	------------	---------	-------	---------

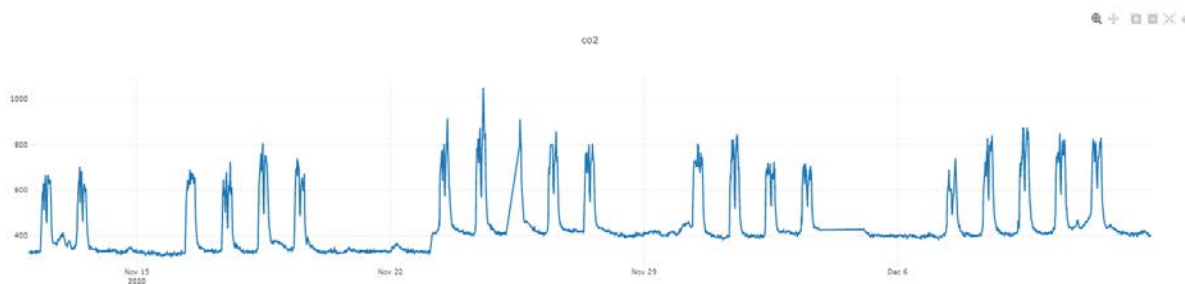


Classroom 221 – Grade 2/3 split – Original Building	13 students + Teacher + 1	17 min	0 min	13 hours
-----------------------------------------------------	---------------------------	--------	-------	----------

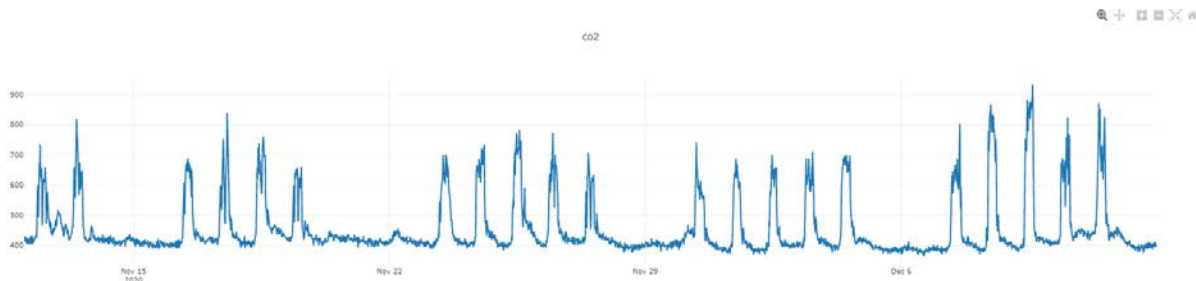


**Table IV – St. Jane Francis CO<sub>2</sub> Summary**

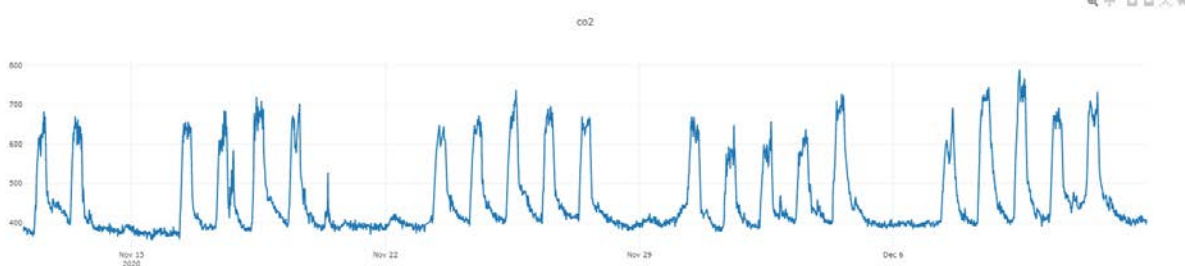
Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Classroom 302- Grade 5 – New Wing – No Windows	20+EA+Teacher	54 min	0 min	0



Classroom 130 – JK – Original Building	15+DEC+EA+Teacher	29 min	0 min	198 hours
-------------------------------------------	-------------------	--------	-------	-----------



Admin Office Room 102		0 min	0 min	-
-----------------------	--	-------	-------	---







## Investigation of Indoor Air Quality

Three School Ventilation Study, Mother Cabrini, St. Jane Francis and St. Raphael  
Toronto Catholic District School Board

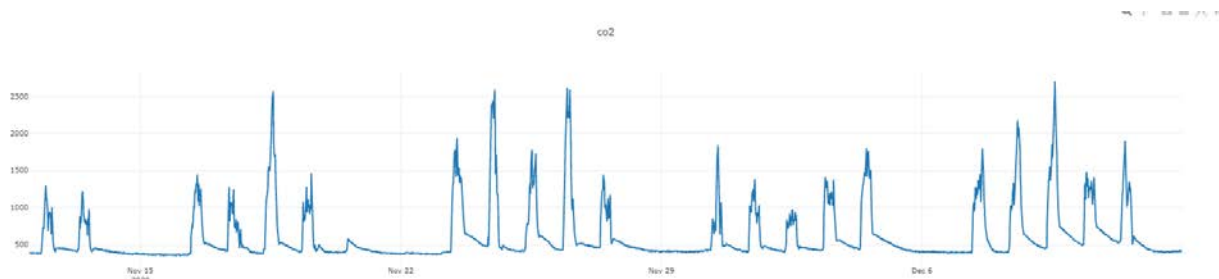
February 12, 2021

Pinchin File: 281161

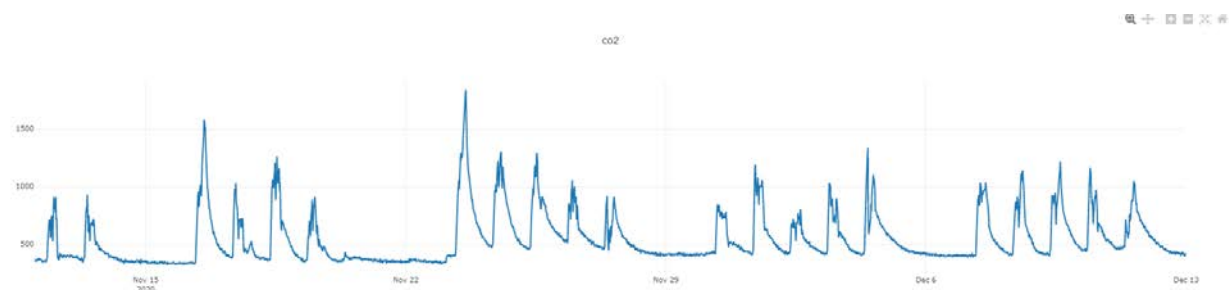
FINAL

Table V – St. Raphael CO<sub>2</sub> Summary

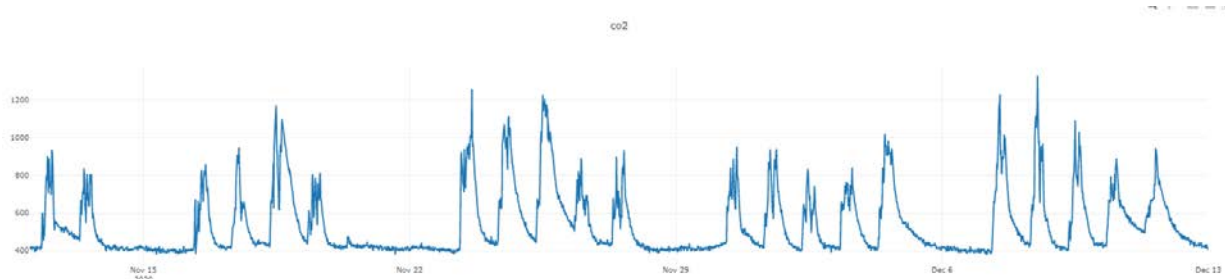
Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Room 202 – Grade 7/8	19 + Teacher	535 min	270 min	950 hours <sup>1</sup>



Room 209 - Grade 2	15+Teacher	380 min	41 min	355 hours
--------------------	------------	---------	--------	-----------

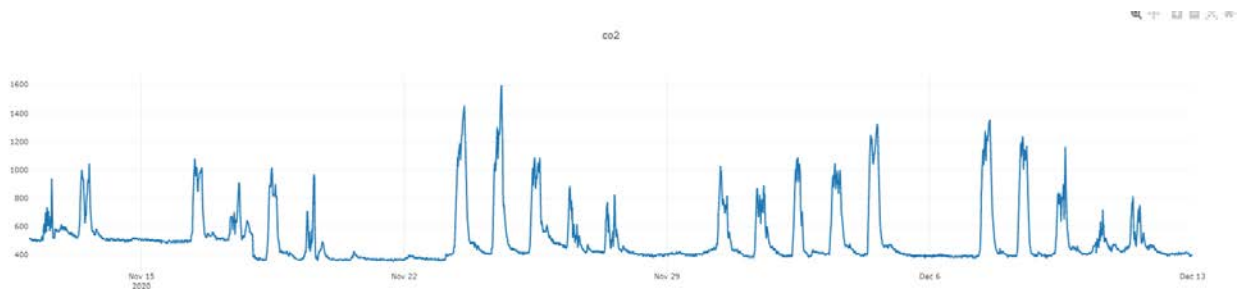


Workroom 211	5 staff max.	295 min	6 min	87 hours
--------------	--------------	---------	-------	----------

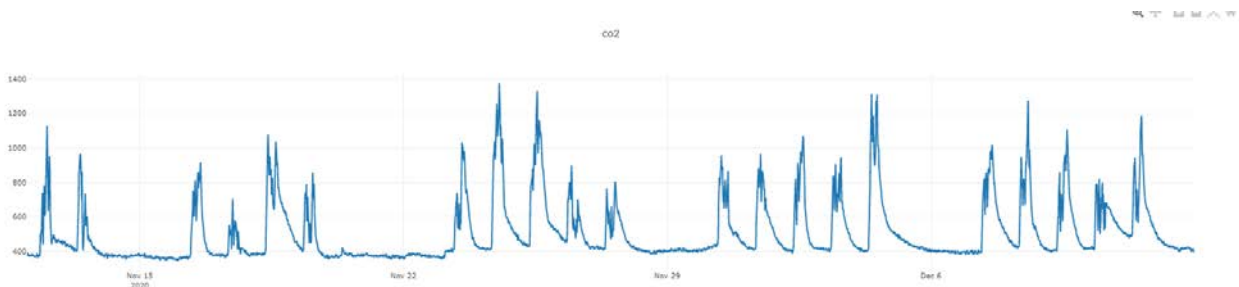


**Table V – St. Raphael CO<sub>2</sub> Summary**

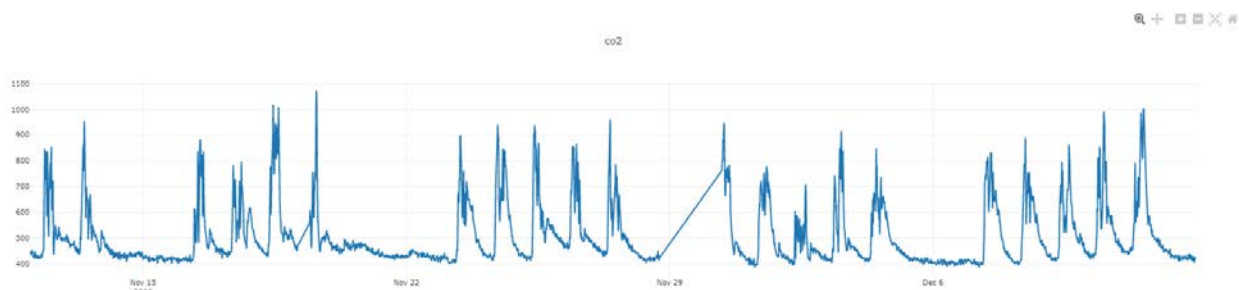
Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Room 103, Grade 1	13 + 1	297 min	47 min	326 hours



Room 216 – Grade 3	14+Teacher	260 min	15 min	432 hours
--------------------	------------	---------	--------	-----------

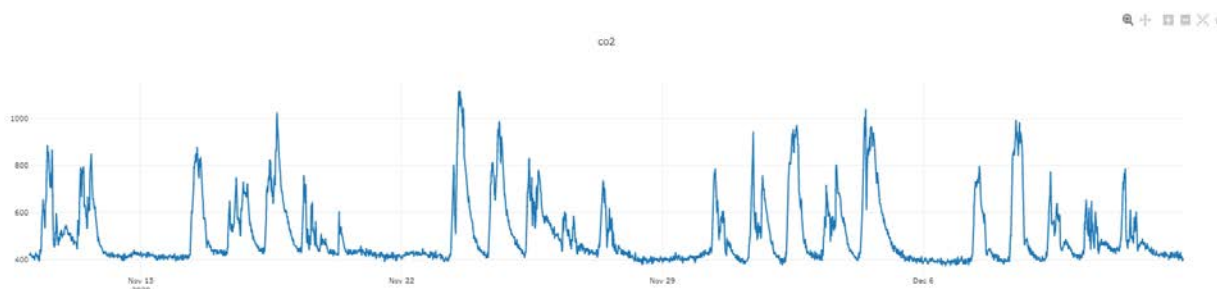


Room 117 – Kindergarten	15 + 5	107 min	0 min	626 hours
-------------------------	--------	---------	-------	-----------



**Table V – St. Raphael CO<sub>2</sub> Summary**

Location / Grade	Occupancy	Total Time with CO <sub>2</sub> greater than 800 ppm	Total Time with CO <sub>2</sub> greater than 1200 ppm	Total Window Open Time
Admin Office Room 123		163 min	0 min	-

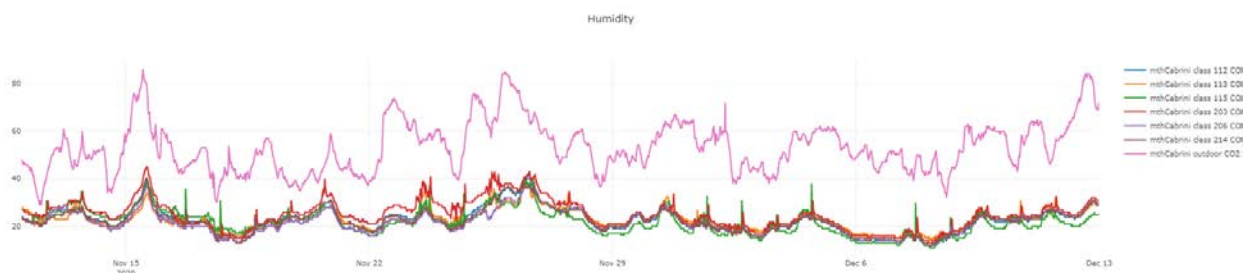
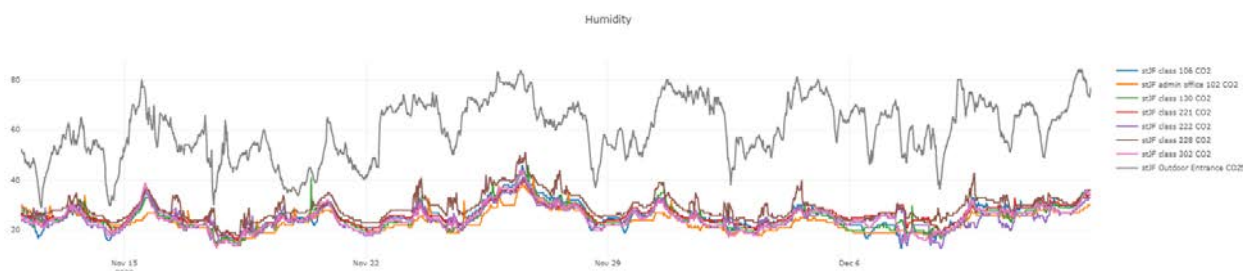


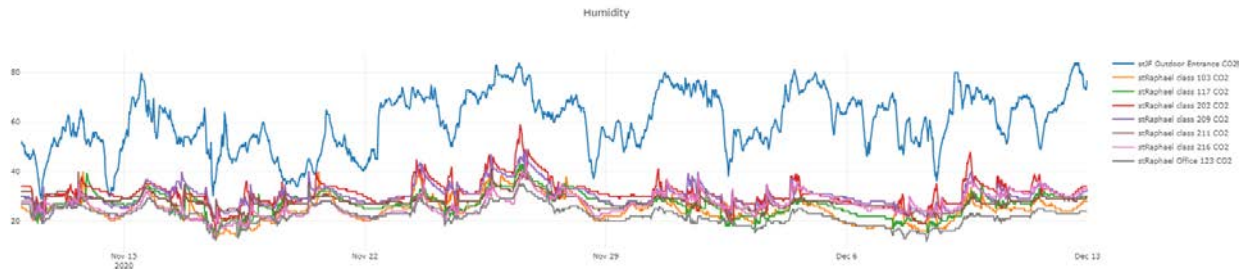
Note 1 – Window Sensors 3 & 4 in Classroom 202 came off their mounting following the installation.

These sensors were reinstalled on November 25. The window time in Classroom 202 takes the average daily window open time from November 26 to December 12 and applies it to the full 31-day period.

Window 2 was assumed closed from December 8 to 12 due to a sensor issue.

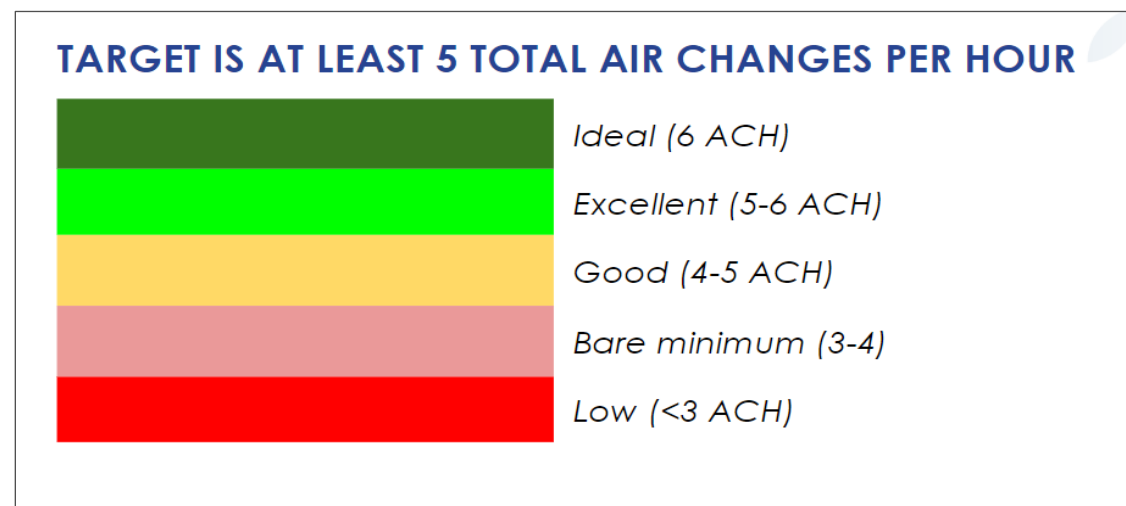
### 3.3 Relative Humidity Summary

**Table VI – Relative Humidity Summary**
**Mother Cabrini**

**St. Jane Francis**


**Table VI – Relative Humidity Summary**
**St. Raphael**


#### 4.0 DISCUSSION

Carbon dioxide is an ideal indicator of ventilation in occupied buildings. Indoor carbon dioxide concentrations rise with occupant load and respiration rates and are reduced based on the amount of outdoor air being introduced. In typical indoor air quality investigations, a steady state concentration of approximately between 1,000 ppm and 1,150 ppm is indicative of adequate ventilation for occupant comfort. In a typical classroom with 20 occupants this indicates approximately 2 air changes per hour. With ASHRAE's current recommendation to maximize ventilation and avoid recirculation to help minimize transmission of the SARS-CoV-2 virus, indoor carbon dioxide concentrations should ideally be considerably lower. The Harvard T.H. Chan School of Public Health has recommended classrooms maintain a bare minimum of 3-4 air changes per hour with 4-6 air changes per hour preferred. In a typical classroom an air change rate between 4 and 5 per hour results in a steady state CO<sub>2</sub> concentration of approximately 800 ppm.


<https://schools.forhealth.org/covid-19-tools/>



#### **4.1 Proposal Specific Questions**

**1. Did having windows open in the classrooms lead to improved ventilation?**

Windows did not play a significant role in improving ventilation rates. At St. Raphael where windows are the primary ventilation strategy, the amount of time with windows open did not result in improved ventilation. Room 222 consistently had the worst ventilation despite having windows open more frequently than any other room in the school. In both St. Raphael and St. Jane Francis, the classrooms with the highest CO<sub>2</sub> concentrations were also the classrooms with open windows for the longest time. It may be possible to provide some limited improvement in window ventilation by utilizing the windows in a more systematic way.

**2. Was there indication that awning style or vertical sliding windows resulted in superior ventilation outcomes?**

Awning windows were installed at Mother Cabrini and in the new addition at St. Jane Francis. Double hung windows were installed at St. Raphael and the original wing at St. Jane Francis. The double hung windows were fitted with locking mechanism to prevent the window from opening more than 4". Awning windows opened both inward and outward. The opening at the awning window was approximately 4" at the open edge but the awning action exposes the full face of the screen for ventilation.

As indicated above, windows did not play a significant role in improving ventilation rates. With that in mind, there was no evidence that either style of window was superior to the other. At St. Jane Francis where both styles of windows were installed the occupant load and HVAC function outweigh any window related impact. Classroom 302 with 22 occupants and no windows performed better with respect to ventilation than Classroom 106 with 21 occupants and awning style windows, and Classroom 228 with 17 occupants and double hung windows, despite the windows in Classroom 228 being open for a total of 182 hours during the study period.

**3. Did the size of the window openings impact ventilation rates based on the number of open windows and CO<sub>2</sub> concentrations in the classes?**

Windows did not play a significant role in improving ventilation rates.

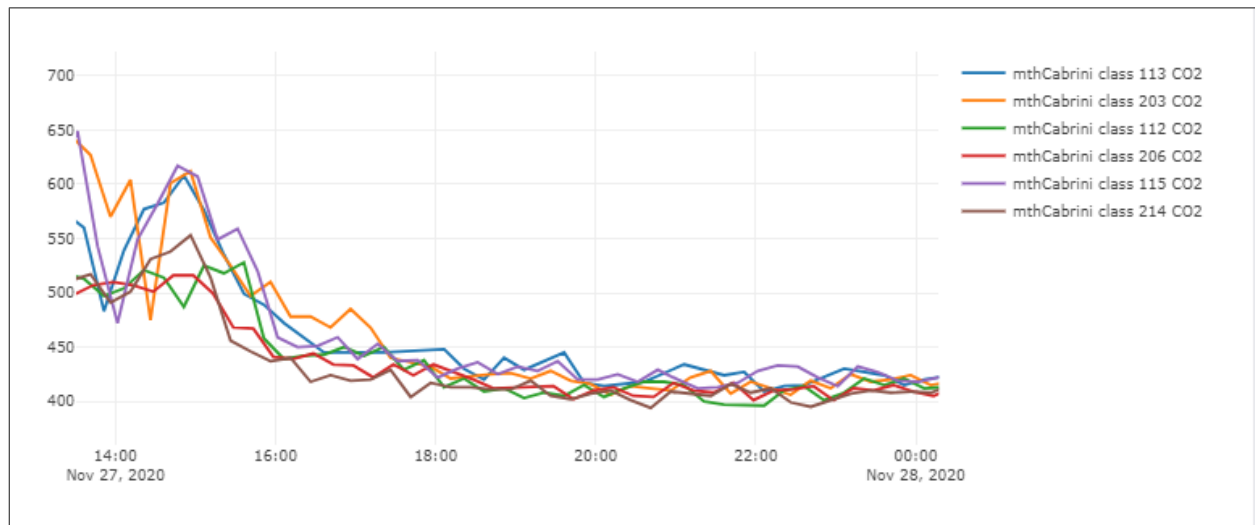
**4. Was the building effectively flushed via the HVAC system or natural ventilation in the vacant period between school days, over the weekend?**

In all cases the carbon dioxide concentrations returned to base line conditions through the weekend period suggesting adequate ventilation (mechanical or natural) to flush the building. For both Mother Cabrini and St. Jane Francis, CO<sub>2</sub> concentrations returned to baseline conditions each evening. CO<sub>2</sub> concentrations at St Raphael did not however fully flush in each of the classrooms each weeknight.

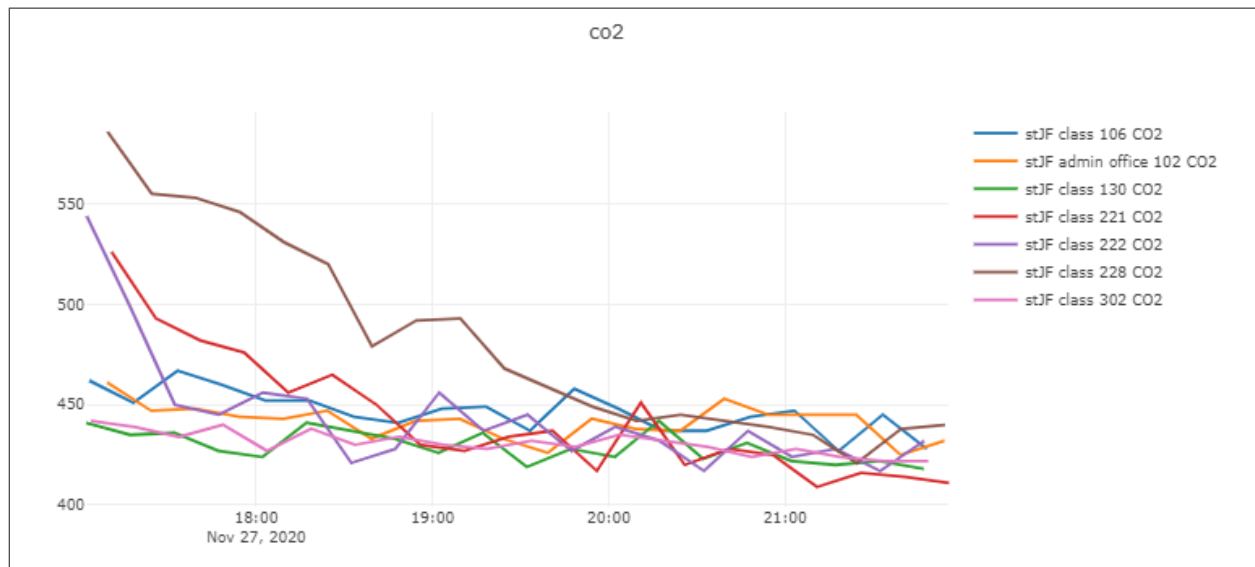


In order to evaluate the flushing, Pinchin examined the data from Friday November 27, 2020. Pinchin examined the data after school hours on the Friday to determine when all sensors had returned to baseline concentrations (all sensors <450ppm). Friday was picked as a worst case in that if flushing had not been completed earlier in the week, the overall Friday concentrations could be higher than other days.

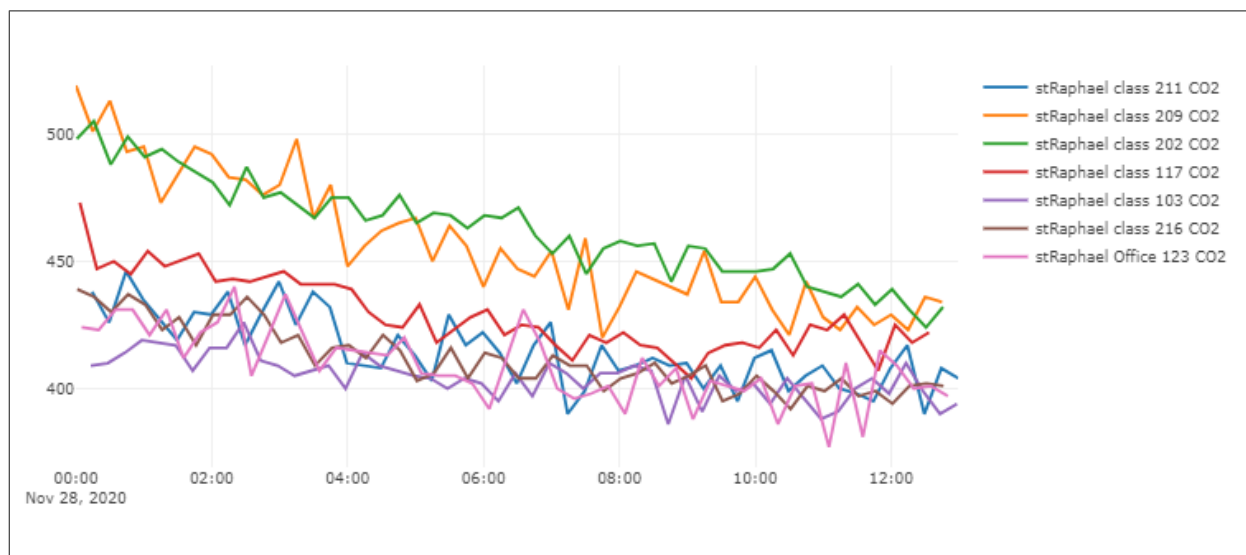
Mother Cabrini – CO<sub>2</sub> concentrations returned to baseline by approximately 18:00 Friday evening.



St. Jane Francis - CO<sub>2</sub> concentration returned to baseline by approximately 21:00 Friday evening



St. Raphael – CO<sub>2</sub> concentrations returned to baseline by approximately 11:00 on Saturday.



### 5. Were there classroom occupant densities that lead to better controlled carbon dioxide concentrations?

Occupant density plays a role in indoor CO<sub>2</sub> concentrations where ventilation does not compensate. At St. Raphael, occupant density and CO<sub>2</sub> concentrations have a high correlation with very similar rank orders of minutes over 800 ppm and occupant density. At St. Jane Francis there was not a strong correlation between occupant density and CO<sub>2</sub> concentrations. The HVAC system at St. Jane Francis plays a mitigating role in CO<sub>2</sub> concentrations.

At St. Raphael, even the lowest levels of occupancy (Classroom 103 with 14 occupants) regularly exceeded both the 800 ppm and 1200 ppm limits.

**Table VII – St. Raphael Occupancy Summary**

Location / Grade	Occupant Load	Approximate Room Size sf	Occupant Density Persons / 10sf	Minutes over 800 ppm	Minutes over 1200 ppm
Room 202 – Grade 7/8	21	815	0.26	535	270
Room 209 - Grade 2	16	760	0.21	380	41
Room 103 - Grade 1	14	760	0.18	297	47
Workroom 211	5	264	0.19	295	6
Room 216 – Grade 3	15	815	0.18	260	15
Room 117 – Kindergarten	20	760	0.26	107	0



**Table VIII – St. Jane Francis Occupancy Summary**

<b>Location / Grade</b>	<b>Occupant Load</b>	<b>Approximate Room Size sf</b>	<b>Occupant Density Persons / 10sf</b>	<b>Minutes over 800 ppm</b>	<b>Minutes over 1200 ppm</b>
Classroom 228 – Grade 4 – New Wing	17	825	0.21	396	155
Classroom 222 – Grade 6 – Original Building	21	816	0.26	391	15
Classroom 106 – Grade 7/8 – New Wing	21	825	0.25	328	0
Classroom 302- Grade 5 – New Wing – No Windows	22	825	0.27	54	0
Classroom 130 – JK – Original Building	18	912	0.20	29	0
Classroom 221 – Grade 2/3 split – Original Building	15	816	0.18	17	0

#### **4.2 Window Ventilation General**

The Chartered Institution of Building Services Engineers (CIBSE) recommend opening both the top and bottom windows simultaneously when possible and in cold weather opening the upper window to minimize draft / thermal comfort complaints. At Mother Cabrini the upper awning windows in the subject classrooms were prevented from opening due to window shade installation. The upper portion of the double hung windows at St Raphael and St Jane Francis were too high to be readily opened and are likely rarely used.

During the study we rarely saw all the windows in a classroom open at the same time which would increase the overall window opening size. Further the 4" opening restriction on the double hung windows, and the fact that the upper windows were very difficult to open further impacted the potential size of the window opening. The 4" window restrictors are a code requirement to prevent falls and cannot be changed without installation of safety cages on the building exterior. Operation of both the upper and lower windows should be considered when temperatures allow. In cold weather the upper window could be utilized to encourage ventilation and minimize temperature complaints. See attached report in Appendix 1 for additional information.

The CIBSE also suggest that window ventilation is most effective in rooms where the room width is less than twice the ceiling height. The CIBSE suggest that air circulation with fans may be required in these



rooms to avoid dead spots. The existing HEPA filtration units should help with air circulation within the classrooms where this ratio is not met.

Although window opening did not appear to significantly improve ventilation outcomes during this study it may be possible to provide some improvement as follows:

1. Make better use of the existing windows. Open both the top and bottom segments of all available windows to maximize window opening size. Where cold temperatures and draft is an issue open the top section of the window only. Consider having caretaking staff open the upper windows before class and close them after class.
2. Continue to use HEPA filtered portable air filters in conjunction with the window ventilation to provide mixing in the rooms and to address the potential impact of the introduction of increased volumes of unfiltered outdoor air in the classrooms.

The amount of improvement possible with these changes is not clear. The changes above should be implemented in the classrooms with CO<sub>2</sub> sensors at St. Raphael for a two-week to four-week period. The average CO<sub>2</sub> concentrations for the test period can then be compared to the original period included in the report to determine if the changes have made a measurable impact.

Currently the upper windows at St. Raphael are not equipped with sensors. Consider installing sensors on the upper windows. It should be possible to relocate sensors from Mother Cabrini or St. Jane Francis.

## 4.3 General

### 4.3.1 Mother Cabrini

Overall, the HVAC system at Mother Cabrini is providing excellent ventilation. CO<sub>2</sub> exceedances above 1200 ppm did not occur at the school and exceedances over 800 ppm were very rare. This is likely related primarily to HVAC operation which is currently allowing for maximum ventilation with outdoor air dampers open 100%. It will be important to review performance as colder weather arrives which may prevent that level of ventilation in order to maintain thermal comfort.

### 4.3.2 St. Jane Francis

Overall, the HVAC system at St. Jane Francis is providing acceptable ventilation. While exceedances above 800 ppm occurred, exceedances over 1200 ppm were rare only occurring in two of the subject rooms. The variation in ventilation at St. Jane Francis may suggest that the system is not properly balanced and therefore providing differing levels of ventilation to different rooms. It might be prudent to review the current operation of the system and undertake a balancing to ensure the design level air volumes are being delivered to all Classrooms.



Given the variation in the system and the exceedances observed in the data, installation of portable HEPA filtration units in the classrooms would be a reasonable precautionary measure.

#### **4.3.3 St. Raphael**

No mechanical ventilation is in place at St. Raphael and as a result, this school performed poorly with respect to CO<sub>2</sub> concentrations. At the occupancy levels during the study period, none of the classrooms were able to consistently maintain CO<sub>2</sub> concentrations below the 800 ppm threshold.

Austin Air Systems Model HM400/410 portable air filters were installed in each of the subject classrooms. The units operate on low (75 CFM), medium (200 CFM) and high (400 CFM) settings. Assuming a room volume of (850 sf and 9' ceilings) 7650 cubic feet, these units can provide 0.6 air changes per hour (ACH), 1.6 ACH, and 3.1 ACH on each of the respective settings. The peak CO<sub>2</sub> concentrations suggest approximately 1 ACH by natural ventilation. The combined natural ventilation and filtration provide in total approximately the equivalent on 4.1 ACH.

Operating high speed, one unit can result in 99.9% of particulate removal in approximately 132 minutes. The units should be left to run on high at least this long before and after class.

## **4.4 Relative Humidity**

ASHRAE has recommended maintaining indoor relative humidity in classrooms between 40-50% during winter months as a COVID-19 control. Relative humidity across the three schools was maintained between roughly 15% and 50% and was primarily influenced by outdoor conditions. St. Jane Francis is equipped with a humidification system. As colder weather approaches, maintaining indoor relative humidity above 30% will become more difficult. The humidification system at St. Jane Francis should be reviewed and adjusted to ensure adequate humidification as colder weather approaches. Ensure any adjustments consider the potential for condensation and microbial growth on cold surfaces.

## **4.5 Filtration**

Staff at Mother Cabrini report that the HVAC system is currently equipped with MERV13 filters. This meets ASHRAE's recommendation with respect to filtration of recirculated air. Staff at St. Jane Francis were not aware of the MERV rating of the current filter there. The HVAC equipment should be reviewed at St. Jane Francis and the maximum efficiency filters (highest MERV rating) recommended by the manufacturer should be installed.

As discussed above, classrooms at St. Raphael are equipped with portable HEPA filtration units.



## 5.0 RECOMMENDATIONS

Pinchin offers the following recommendations:

1. Continue to monitor CO<sub>2</sub> / ventilation rates at Mother Cabrini to confirm performance as colder weather arrives.
2. Review the HVAC system at St. Jane Francis and ensure:
  - a. The system is properly balanced.
  - b. The maximum efficiency filters (highest MERV rating) recommended by the manufacturer are installed. Ideally this would be MERV13.
  - c. The humidification system is functioning properly.
  - d. Consider deploying portable air filters in classrooms where ventilation performance is not maintaining CO<sub>2</sub> concentrations consistently below 800 ppm.
3. Operate HVAC systems and portable HEPA filters for a minimum of 2.5 hours before and after occupancy to help flush / filter airborne particulate between school days.
4. Implement the following strategies to maximize natural ventilation in schools not equipped with mechanical ventilation.
  - a. Open both the top and bottom segments and open all available windows to maximize window opening size. Where draft is an issue open the top section of the window only. Utilize caretaking staff to open upper window prior to the start of the school day and to close at the end of the day.
5. Implement window operation changes in select classrooms at St. Raphael. Monitor CO<sub>2</sub> and temperature over a 15-30 day period and compare to the time frame evaluated during this report.

## 6.0 TERMS AND LIMITATIONS

This work was performed subject to the Terms and Limitations presented or referenced in the proposal for this project.

Information provided by Pinchin is intended for Client use only. Pinchin will not provide results or information to any party unless disclosure by Pinchin is required by law. Any use by a third party of reports or documents authored by Pinchin or any reliance by a third party on or decisions made by a third party based on the findings described in said documents, is the sole responsibility of such third parties.



**Investigation of Indoor Air Quality**

Three School Ventilation Study, Mother Cabrini, St. Jane Francis and St. Raphael  
Toronto Catholic District School Board

February 12, 2021

Pinchin File: 281161

FINAL

Pinchin accepts no responsibility for damages suffered by any third party as a result of decisions made or actions conducted. No other warranties are implied or expressed.

J:\281000s\0281161.000 TCDSB,VarLoc,Tor,Active\IAQInstallation\Deliverables\Final\281161 Final IAQ Report Three School Ventilation Study TCDSB Feb 12, 2021.docx

Template: Master Report for Investigation of Mould Growth and IAQ, IEQ, August 22, 2019

**APPENDIX I**  
**Window Assessment Report**



February 12, 2021

PRIVATE & CONFIDENTIAL

St. Raphael Catholic School  
3 Gade Drive  
North York, ON M3M 2K2

**Re: Window Assessment**  
3 Gade Drive, North York, Ontario  
Pinchin File: 287111.000

At the request of Toronto Catholic District School Board (TCDSB) (Client), Pinchin Ltd. (Pinchin), conducted a review of the windows at St. Raphael Catholic School located at 3 Gade Drive, North York, Ontario, (Site). A general condition assessment of the windows was conducted for the purpose of making recommendations for improving the amount natural ventilation in response to the COVID-19 pandemic.

This investigation was requested in response to potential issues regarding the amount of natural ventilation provided by the existing window of the Site building. A visual review of the Site building was carried out on January 26, 2021.

## 1.0 BUILDING DESCRIPTION

The Site consists of a two-storey institutional building with brick masonry cladding, a flat roof, concrete masonry unit (CMU) backup walls and metal-framed windows and doors. The windows consist of aluminum frames with a combination of fixed and operable (i.e., vertical slider) Insulated Glass (IG) units. The windows also feature spandrel panels at the top sections of the windows that feature a cork board finish on the interior and a metal salmon-colored finish on the exterior.

## 2.0 OBJECTIVE

The purpose of the condition assessment was to assess and provide recommendations relating to the potential for increasing the amount of natural ventilation that could be achieved through windows, existing or new, while meeting application standards and minimizing the risk for pinching and fall hazards.

A visual assessment of the interior side of the windows was carried throughout both floors of the Site building. The assessment was conducted in order to document current opening capabilities, restrictors used, ease of operation, and general condition of the windows, all of which were used to determine the best option (i.e. refurbishment or replacement).

Furthermore, a visual assessment of the exterior side of the windows was carried out from the ground level to assess overall condition. The visual survey was conducted in order to document condition of

sealants, staining, corrosion and other evidence of deterioration on the windows as well as the condition of interface joints between components.

### **3.0 OBSERVATIONS**

#### **3.1 General Window Observations**

The windows of the Site building consist of a combination of fixed and operable (i.e., vertical slider) aluminum framed IG units with spandrel panels as the top sections of the windows. The majority of the windows were found to have been manufactured in 2004 (i.e. approximately 17 years old), with a few units having been manufactured in 2014 (i.e. approximately 7 years old). The windows were noted to feature stone sills on the interior and precast concrete sills on the exterior (refer to Photographs 1 to 4).

#### **3.2 Interior Review**

1. Pinchin noted that the typical opening for the vertical slider windows were found to open to a height of approximately 4 inches (") on the interior side of the frame. While it was noted that at least one window assembly per classroom were noted to have been modified with the restrictors moved upwards to allow for a window opening of approximately 13" on the interior side (Refer to Photographs 5 and 6).
2. All of the operable units tested were generally found to be relatively easy to open, however, they were generally very hard to close.
3. Washroom windows were observed to not have any restrictors at the time of the Site review; it is presumably due to their height above floor level and access.

#### **3.3 Exterior Review**

1. The windows on the ground floor on the east elevation of the building were noted to have protective cages / screens covering the window assemblies. The protective cages / screens were noted to generally be in good condition with the exception of minor corrosion (Refer to Photograph 7).
2. The exterior face of the frames and spandrel panels were noted to be generally in good condition with no significant signs of discoloration or deterioration that could be observed during the Site review.

#### 4.0 PHOTOGRAPHIC DOCUMENTATION

The following photographs were taken during our cursory review of the Site building.



Photograph No. 1

Interior view of typical classroom window assembly.



Photograph No. 2

Exterior view of typical classroom window assembly.



Photograph No. 3

Interior view of typical office window assembly.



Photograph No. 4

Interior view of typical staircase window assembly.





Photograph No. 5  
View of regular opening restrictor.



Photograph No. 6  
View of modified opening restrictor.



Photograph No. 7  
Exterior view of typical window protection on the ground floor window assembly with minor corrosion.

## 5.0 DISCUSSION

Overall, the windows of the Site Building were noted to generally be in fair to good condition with the exception of the aforementioned deficiencies. Aluminum-framed window assemblies of the type employed throughout the Site Building typically have a Projected Useful Life (PUL) of 30 to 35 years provided that routine maintenance, including cleaning of the drained window tracks and replacement of handles, etc., is performed on an as-required basis. The majority of the window assemblies appeared to be from circa 2004 (i.e. approximately 17 years old) and are anticipated to have approximately 13 or more years of useful life remaining. However, the PUL of exterior grade sealant is approximately 12 to 15 years, based on Pinchin's observations, it appears that the perimeter sealants and exterior sealants at the window frames have reached their PUL and are recommended for replacement in the short term.



Pinchin reviewed the potential for increasing the opening sizes of the operable windows (i.e. the vertical sliders) for the purpose of ventilation and found that the options are limited. The Ontario Building Code (OBC) 2012 restricts the window openings to 4" (100mm) if the window opening is located at a height less than 42" (1070mm) high from floor level and if there is more than 24" (600mm) of difference in the level between the window (i.e. window sill height) and the exterior ground level (i.e. at grade) (Refer to OBC 3.3.1.17 (1)(c) and 3.3.1.17 (2)). This entails that all second floor windows and first floor windows with climbable access (i.e. millwork or radiators) have a greater than 24" (600mm) distance to grade and would need to have their openings limited to 4" (100mm). Overall, Pinchin found that most of the windows at the Site Building meet the requirement for the restriction of the openings to 4" (100mm).

As well, considering the *"Investigation of Indoor Air Quality"* report prepared by Pinchin for TCDSB concluded that increasing the window opening did not result in better ventilation, Pinchin recommends the continued limit of the window openings to 4" (100mm) at all the windows of the Site Building. If there is still a desire to open the window beyond the recommended 4" (100mm), despite it not increasing the air movement, Pinchin noted that a protective cage or screen would need to be installed at the windows to create the required guard to protect from fall hazards. However, Pinchin does not recommend this course of action as the cost related to installing protective cages is greater than any benefit from doing so. In addition, structural design of the protective cages is required to ensure code compliance and adequate anchorage to the existing window frames and walls.

Moreover, as the windows reach their PUL, Pinchin recommends that the windows be replaced with an awning, casement, or hopper style opening in order to better address any safety concerns related to fall hazards and risk of pinching. Pinchin also recommends incorporating more operable sections located higher up within the new window assemblies to further reduce the fall hazards and risk of pinching. Finally, another benefit of replacing the slider windows with awning/casement/hopper style windows would be energy efficiency. Awning/casement/ hopper style windows are generally considered to be more energy efficient than sliders due to the compression of the window seals necessary to properly close the windows, which reduces the air leakage, and therefore increases energy efficiency.

## **6.0 OPTIONS**

The following recommendations are intended to provide direction regarding repairs/replacement that, in Pinchin's opinion, are required to rectify the reported ventilation and safety concerns, as well as the water infiltration and other problems identified at the Site building during our review. As this report is of a cursory nature, further investigation may be necessary to fully identify all repair requirements. Pinchin would be pleased to assist St. Raphael Catholic School in the remediation of the identified problems found at 3 Gade Drive, North York, Ontario. Specification development may be required to provide a



Contractor with a fully developed Scope of Work including specified materials and repair / installation methods.

#### **6.1 Exterior Window Protective Cage Installation**

1. Conduct a Structural Review of the current window assemblies to determine the requirements for the protective cages and their installment.
2. Remove all existing exterior window protective caging, without damaging adjacent finishes or causing damage to the window assembly.
3. Supply and install protective cages on the exterior of the window assemblies to act as fall protection or as a guard. Colour of window assemblies protective cage to be chosen by Owner.

#### **6.2 Window Replacement (Awning/Casement/Hopper Style)**

1. Supply and install one (1) mock-up assembly for each of the windows. Colour of window assemblies to be chosen by Owner.
2. Remove and dispose of existing windows (glass, frames and sill flashings), including all associated sealants.
3. Clean and prime all surfaces to receive membrane as per the membrane manufacturer's written specifications.
4. Install aluminum upstand angle on interior side of rough opening.
5. Install new sub-sill flashing membrane onto sill rough opening.
6. Install new windows in existing openings with frames plumb, true, level, with frames square, free from warp, twist and superimposed loads.
7. Cap exterior sill with new prefinished metal flashing.
8. Completely fill void around frame perimeters with spray foam.
9. Apply sealant using equipment in accordance with manufacturer's written instructions.
10. Remove sealant smears and droppings on completion of sealant installation in affected areas. Clean out sill track and drainage paths.

Should you wish to proceed with the recommended actions, do not hesitate to contact our office to discuss the appropriate steps for full remediation of the building related problems discussed in this report.



## 7.0 REPAIR COST ESTIMATES

The following tables represent Pinchin's estimated construction costs for the repair work options recommended in Section 6.0 for the Site building located at 3 Gade Drive, North York, Ontario.

SECTION	DESCRIPTION OF WORK	ESTIMATED COST (excluding taxes)
6.1	Structural Review	\$10,000
	Exterior Window Protective Cages	\$140,000
<b>Additional Items</b>		
Mobilization & Overhead		\$10,000
Contingency Allowance (10%)		\$16,000
<b>Subtotal</b>		\$176,000
<b>Tender Variance (+/- 10%)</b>		\$17,600
<b>Total Estimated Construction Costs</b>		\$158,400 to \$193,600

The noted repair costs above exclude the following:

1. Harmonized Sales Tax (HST).
2. Consulting fees.

SECTION	DESCRIPTION OF WORK	ESTIMATED COST (excluding taxes)
6.2	Window Replacement (Including Sealant Replacement)	\$475,000
<b>Additional Items</b>		
Mobilization & Overhead		\$35,000
Contingency Allowance (10%)		\$50,500
<b>Subtotal</b>		\$560,500
<b>Tender Variance (+/- 10%)</b>		\$56,050
<b>Total Estimated Construction Costs</b>		\$504,450 to \$616,550

The noted repair costs above exclude the following:

1. Harmonized Sales Tax (HST).
2. Engineering and Consulting fees



The above estimated costs are Class D estimates only. Quotes should be obtained from qualified contractors based on technical specifications and drawings prepared by Pinchin Ltd., to obtain accurate project pricing.

## **8.0 TERMS AND LIMITATIONS**

This work was performed subject to the contractual and technical Terms and Limitations presented or referenced in the proposal for this project.

Information provided by Pinchin is intended for Client use only. Pinchin will not provide results or information to any party unless disclosure by Pinchin is required by law. Any use by a third party of reports or documents authored by Pinchin or any reliance by a third party on or decisions made by a third party based on the findings described in said documents, is the sole responsibility of such third parties. Pinchin accepts no responsibility for damages suffered by any third party as a result of decisions made or actions conducted. No other warranties are implied or expressed.

The assessment is based, in part, on information provided by others. Unless specifically noted, Pinchin has assumed that this information was correct and has relied on it in developing the conclusions. Environmental audits, or the identification of designated substances, hazardous materials and mould are excluded from this report.

The intent of Pinchin's comments on water infiltration inspection is for the sole purpose of identifying areas where Pinchin has observed a noteworthy condition.

Unexpected conditions may be encountered at the Site that has not been explored within the scope of this report. Should such an event occur, Pinchin should be notified in order to determine if modifications to the conclusions are necessary.



## 9.0 CLOSURE

Pinchin trusts that the aforementioned report addresses your requirements. Should you require clarification or information regarding this report, please contact the undersigned.

Sincerely,

### **Pinchin Ltd.**

Prepared by:

Raven Cote, B.Eng.  
Project Coordinator, Building Science and  
Sustainability  
289.971.5940

[rcote@pinchin.com](mailto:rcote@pinchin.com)

\\pinchin.com\Miss\Job\287000s\0287111.000 TCDSB,StRaphael,3GadeDr,BSS,BECA\Deliverables\287111 FINAL Window Assessment, St. Raphael, 3 Gade Dr North York, TCDSB Feb. 12, 2021.docx

Template: Building Envelope Condition Assessment, Short Report, BSS, March 11, 2020

Reviewed by:

Ahmed Alyousif, PhD, P.Eng.  
Director, Building Science and Sustainability  
905.363.1459

[aalyousif@pinchin.com](mailto:aalyousif@pinchin.com)



## REPORT TO

## REGULAR BOARD

### 2021-22 Budget Consultation Plan

“For surely I know the plans I have for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope.” - Jeremiah 29:11

Created, Draft	First Tabling	Review
February 9, 2021	February 18, 2021	<a href="#">Click here to enter a date.</a>
Steve Camacho, Acting Associate Director FBCD Shazia Vlahos, Chief of Communications & Government Relations Paul De Cock, Superintendent Business Services		

### 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.*



Brendan Browne, PhD  
Director of Education

D. Koenig  
Associate Director  
of Academic Affairs

S. Camacho  
Acting Associate Director  
Facilities, Business and  
Community Development

## A. EXECUTIVE SUMMARY

This report introduces the 2021-22 budget development process and community consultation plan. Consultation with stakeholders is a key element to developing a comprehensive yearly budget. The yearly budget development process is complex and requires the Board of Trustees to balance a number of competing interests such as the request of parents and students, the demands of Government, the operational needs of the system, and strategic priorities of Trustees.

Under Part IX (Finance) section of the Education Act, the TCDSB must adopt a balanced budget each year. This requirement under the Education Act assures that Ontario school boards submit estimates that are in line with the funding they are expecting from the Ministry of Education in any given year. The TCDSB works as an integrated system to support all students, as such, all areas much be considered to improve student achievement and well-being.

The current 2020-21 fiscal year has presented many significant fiscal challenges for the TCDSB resulting in a \$42M in-year deficit. Although revenues from the Government increased in 2020-21 to support the TCDSB's COVID response, these funds were insufficient to meet the immediate needs of the TCDSB and resulted in the \$42M deficit. While this response was appropriate for this fiscal year, it will likely mean that TCDSB will need to find \$42M in savings for the next fiscal year, assuming no additional government funding is provided.

In addition to the public reports to the Board of Trustees, TCDSB staff will embark on a robust consultation and communication plan to develop the final budget. This year's consultation plan is detailed below and includes consultations with trustees, students, families, parent groups and union partners using multiple methods to ensure all stakeholders have an opportunity to review and comment on the budget.

Staff are recommending the consultation plan for 2021-22 budget described in this report be approved and that staff present the finalized budget estimates for 2021-22, which will be reflective of the community consultation and feedback received in June 2021.

**The cumulative staff time required to prepare this report was 10 hours**



## B. PURPOSE

This report introduces the 2021-22 budget development process and the community consultation plan to inform Trustees and the TCDSB community of the steps involved in finalizing the budget for the next fiscal year. The report seeks Board of Trustees approval of the community consultation plan. This report is one of a series of reports used to inform the development of the yearly TCDSB budget.

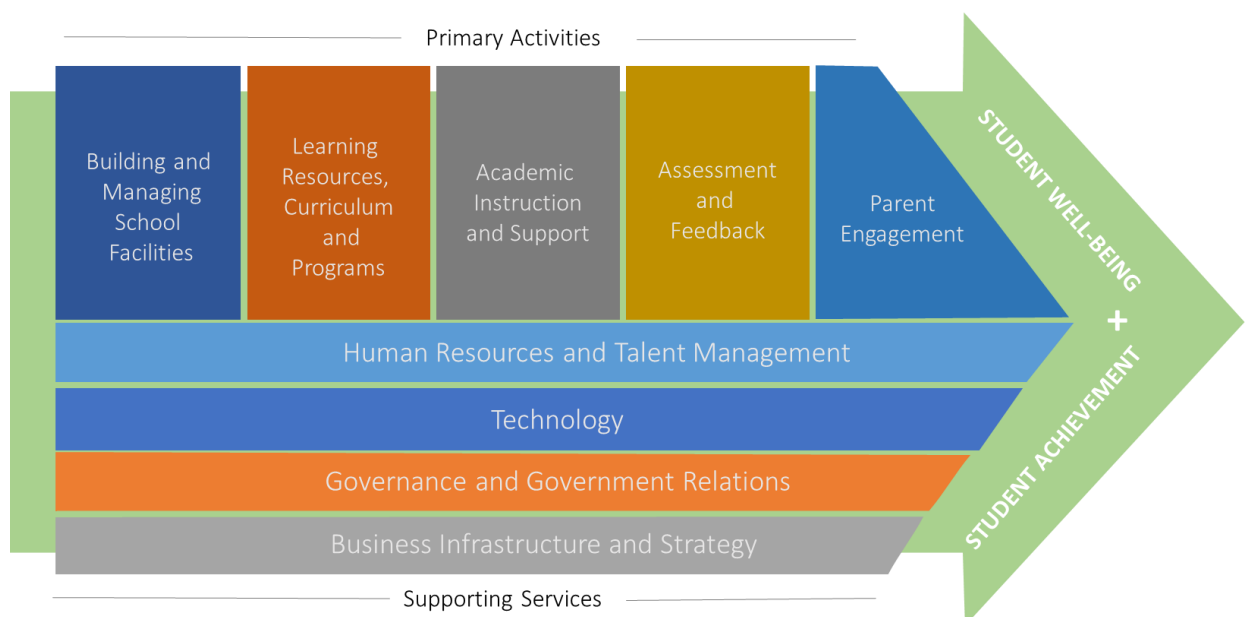
## C. BACKGROUND

1. **Budget setting for a school board is a legislated process with strategic importance.** The budget process is an important planning tool for the development of an effective and balanced budget in order to provide a range of necessary resources, supports and programs to TCDSB students. The TCDSB is required, before the beginning of each fiscal year, to prepare and adopt a set of estimates (budget) of its revenues and expenses for the coming fiscal year. The approved budget must be submitted to the Ministry of Education by end of June each year.
2. Under [Part IX \(Finance\) section of the Education Act](#), the TCDSB must **adopt a balanced budget each year.** This requirement under the Education Act assures that Ontario school boards submit estimates that are in line with the funding they are expecting from the Ministry of Education in any given year. *The Education Act does allow for some ability to approve “in-year deficits” to the Budget, but such approvals are subject to the approval of the Minister of Education.*
3. **The Multi-Year Strategic Plan (MYSP) and other supporting plans provide the overarching strategic direction and principles underlying the yearly budget.** TCDSB is committed to offering high quality programs and services to all students and while continuously working to improve services and operations year-over-year. TCDSB also strives to make effective, efficient, and innovative use of resources, based on sound planning, and the best available information. Inherent in the budget process is the allocation of available resources to address student needs and improvements to supporting services.

4. **Consultation with stakeholders is a key element to developing a comprehensive yearly budget.** The yearly budget development process is complex and requires the Board of Trustees to balance several competing interests such as requests from families and students, the demands of government, the operational needs of the system, and strategic priorities of Trustees. To support the tough choices that Trustees must make every year a robust consultation plan offers input into the final decision-making process in the boardroom.

## D. RESEARCH AND ANALYSIS

1. **The TCDSB works as an integrated system to support all students, as such, all areas much be considered to improve student achievement and well-being.** The illustration below depicts the primary and supporting activities that make up most modern school systems with the ultimate goal of student achievement and well-being. Since all activities support one another to achieve a common goal, investments in primary activities must also be matched with investments supporting activities to achieve overall and lasting improvements.



2. **The current 2020-21 fiscal year has presented many significant fiscal challenges for the TCDSB resulting in a \$42M in-year deficit.** Although revenues from the Government increased in 2020-21 to support the TCDSB's COVID-19 response, these funds were insufficient to meet the immediate needs costs the TCDSB is estimated to incur as result of COVID-19 resulting in the \$42M deficit. While this response was appropriate for 2020-21 fiscal year, it will likely mean that TCDSB will need to find \$42M in saving for the 2021-22 fiscal year, assuming no additional government funding is provided.
3. **The previous budget years have experienced significant fiscal constraints and pressures.** The following list of fiscal challenges have exerted considerable influence on the Board's past budget processes and have necessitated very difficult decisions regarding a wide array of program and staffing service levels. In the past, changes to the GSN Model have resulted in reductions to TCDSB's operating funds in certain areas. The changes included changes to the School Foundation Grant, Differentiated Special Education Needs Amount (DSENA), Administration and Governance, School Operations and Declining Enrolment Adjustment grants.
4. **The standard internal budget process has already begun in January by staff to prepare reports for the Board of Trustees.** For the 2021-22 budget year, TCDSB staff commenced its budget development process with the development of timelines, consultation plans, and preliminary assumptions. This will be followed by an in-depth review of budget pressures, a review of departmental budgets, and review of strategic priorities. A summary of the 2021-22 Budget Assumptions and Pressures will provide the Board of Trustee in March 2021.
5. **The budget is developed using a series of reports that provide budgetary information for consultation and discussion, ending in an approval of next year's budget estimates.** The process starts with the budget consultation plan, and the 2020-21 Grants for Student Needs (GSN) announcement from the Ministry of Education (EDU) expected at the end of March or early April 2021 all of which will have an impact on the 2021-22 fiscal year. The following reports are expected in the series, culminating in establishing an approved fiscal year budget:
  - a. Budget Consultation Plan
  - b. Consensus Student Enrolment Projections
  - c. Budget Assumptions and Pressures
  - d. Preliminary Staffing Projections

- e. Grants for Student Needs (GSN) update
  - f. Preliminary Budget Estimates and consultation analysis
  - g. Final Budget Estimates
6. **In addition to the public reports to the Board of Trustees, TCDSB staff will embark on a robust consultation to develop the final budget.** This year's consultation plan is detailed below and includes consultations with trustees, students, families, and union partners using multiple methods to ensure all stakeholders have an opportunity to review and comment on the budget.

## **E. ACTION PLAN**

1. **TCDSB staff will consult with community stakeholders according to our Community Engagement Policy.** In consideration of the turnout from budget consultations since 2015-2020 (see appendix A), the proposed consultation plan for the 2021-2022 Budget includes engagement of community stakeholders at the level of "Consult" –. The "Consult" level as defined in TCDSB Community Engagement Policy T.07 as *"To obtain input from community members and the general public on proposed Board directions and decisions."*
2. A robust set of activities, communications, reports and events will be used to gather input from TCDSB stakeholder. For 2021-22 Budget this include the following:

DATE	PUBLIC CONSULTATION ACTIVITY
<b>1) March 1, 2021</b> Community Consultation Launch	<ul style="list-style-type: none"> <li>• <b>GO LIVE</b> with Budget website and toolkit on March 1, 2021</li> <li>• Invitation letter from Chair and Director about the launch of the budget engagement process to all staff, families, CSPCs, CPIC, OAPCE (Toronto), SEAC, CSLIT/ECSLIT</li> <li>• Communication sent to Archdiocese for distribution to individual parishes to encourage Catholic community/ stakeholder involvement</li> <li>• Frequently Asked Questions (FAQs)</li> <li>• Social media posts inviting the TCDSB community to participate</li> </ul>
<b>2) March 11, 2021</b> Corporate Services Committee	<ul style="list-style-type: none"> <li>• Report: Consensus Student Enrolment Projections</li> <li>• Report: Budget Assumptions and Pressures</li> <li>• Opportunity for public delegations regarding budget considerations</li> </ul>
<b>3) March 25, 2021</b> Regular Board meeting	<ul style="list-style-type: none"> <li>• Report: Preliminary Staffing Projections</li> <li>• Opportunity for public delegations regarding budget considerations</li> </ul>
<b>4) March 31, 2021</b> 6:00 pm – 7:30 pm Theme 1: Student Programming, Supports and Special Education	<ul style="list-style-type: none"> <li>• A series of Virtual Town Halls are being organized and grouped into three themes to allow the public multiple opportunities to ask senior staff questions</li> </ul>
<b>5) April 1 – April 30, 2021</b> Budget Survey	<ul style="list-style-type: none"> <li>• Online survey will be open for one month to allow for optimal engagement</li> </ul>

<b>DATE</b>	<b>PUBLIC CONSULTATION ACTIVITY</b>
<b>6) April 8, 2021</b> Student Achievement Committee	<ul style="list-style-type: none"> <li>• Opportunity for public delegations regarding budget considerations</li> </ul>
<b>7) April 13, 2021</b> 6:00 pm – 7:30 pm Theme 2: Staffing & Instructional Related Expenses	<ul style="list-style-type: none"> <li>• A series of Virtual Town Halls are being organized and grouped into three themes to allow the public multiple opportunities to ask senior staff questions</li> </ul>
<b>7) April 15, 2021</b> Corporate Services Committee	<ul style="list-style-type: none"> <li>• Report: GSN and Budget update*</li> <li>• Opportunity for public delegations regarding budget considerations</li> </ul>
<b>8) April 19, 2021</b> CPIC Meeting	<ul style="list-style-type: none"> <li>• Budget discussions with CPIC members for feedback</li> </ul>
<b>9) April 20, 2021</b> 6:00 pm – 7:30 pm Theme 3: Facilities and Non-Instructional Related Expenses	<ul style="list-style-type: none"> <li>• A series of Virtual Town Halls are being organized and grouped into three themes to allow the public multiple opportunities to ask senior staff questions</li> </ul>
<b>10) April 21, 2021</b> Special Education Advisory Committee (SEAC) Meeting	<ul style="list-style-type: none"> <li>• Budget discussions with SEAC members for input and recommendations.</li> </ul>
<b>11) April 22, 2021</b> Regular Board Meeting	<ul style="list-style-type: none"> <li>• Opportunity for public delegations regarding budget considerations</li> </ul>
<b>12) April, 2021 (TBD)</b> OAPCE-Toronto Meeting	<ul style="list-style-type: none"> <li>• Budget discussions with OAPCE-Toronto members for feedback</li> </ul>
<b>13) April, 2021 (TBD)</b> ESCLIT/CSLIT	<ul style="list-style-type: none"> <li>• Budget information and options discussed with student leaders</li> </ul>

DATE	PUBLIC CONSULTATION ACTIVITY
<b>14) April, 2021 (TBD)</b> Meeting with Union Partners	<ul style="list-style-type: none"> <li>• Consultation and discussion of budget.</li> </ul>
<b>15) May 6, 2020</b> Student Achievement Committee Meeting	<ul style="list-style-type: none"> <li>• Opportunity for public delegations regarding budget considerations</li> </ul>
<b>16) May 13, 2020</b> Corporate Services Committee Meeting	<ul style="list-style-type: none"> <li>• Report: results from Budget engagement process</li> <li>• Report: Preliminary Budget for Trustee feedback</li> <li>• Opportunity for public delegations regarding</li> </ul>
<b>17) June 8, 2020</b> Corporate Services Committee meeting	<ul style="list-style-type: none"> <li>• Final opportunity for delegations.</li> <li>• Final vote on approval of 2021-2022 Budget for submission to the Ministry of Education by June 30, 2020.</li> </ul>

*\*Subject to change based on Ministry of Education (EDU)*

3. **The Communications Plan will also be aligned to support the budget engagement process through the following communication activities:**
- a. School Messenger letter to families with links to budget webpage, toolkit and survey
  - b. Email blast announcing launch of consultations to all staff, CPIC, SEAC, OAPCE, CSPCs, employee unions and associations
  - c. Social media posts (i.e. Twitter, Instagram, Facebook)
  - d. Targeted social media advertising of the survey and virtual town hall
  - e. Director's Bulletin
  - f. Weekly Wrap Up
  - g. Trustee and school newsletters
  - h. Collaboration with the Archdiocese to publish information for inclusion in individual parish bulletins and parish website links
  - i. A customized translate tool so that all stakeholders can access all budget information in the language of their choice

- j. Translated paper surveys will be made available upon request (online survey can be customized using Google Translate feature on the website)
- k. Catholic School Parent Council (CSPC) identification feature in the survey will allow each CSPC to use their scheduled April meeting to complete the survey in consultation with and on behalf of their members

## **F. STAFF RECOMMENDATION**

- 1. That consultation plan for 2021-22 budget described be approved; and
- 2. That staff present the finalized budget estimates for 2021-22, reflective of the community consultation and overall feedback, to the Board of Trustees at the Corporate Services meeting scheduled for June 2021.



## Appendix A - Previous Engagement Results

<b>Budget Year</b>	<b>Consultation Process</b>	<b>Survey Respondents</b>	<b>Attendance</b>
2015-2016	Multi-year recovery plan consults included virtual town hall, online survey, targeted in-person engagements	N/A	~12 questions submitted
2016-2017	Online survey, delegations to board, targeted in-person engagements	1139	N/A
2017-2018	Online survey, delegations to board, targeted in-person engagements  *Proposal to charge for parking at all school sites was under consideration	4360	N/A
2018-2019	Online survey, delegations to board, targeted in-person engagements	435	N/A
2019-2020	Online survey, public consultation, town hall, delegations to board, targeted in-person engagements	1,942 (73 included from CSPCs)	13 (public consultation) 60 (in-person town hall) 16 (delegations)
2020-2021	Online survey, public consultation, virtual town hall, delegations to board, paid social media advertising	4,549	326 (virtual town hall attendees)



## REPORT TO

## REGULAR BOARD

### SUSPENSION AND EXPULSION POLICY S.S.01 UPDATE

*Let the little children come to me, and do not stop them; for it is to such as these that the kingdom of God belongs.*  
Luke 18:16

Created, Draft	First Tabling	Review
November 30, 2020	February 2, 2020	<a href="#">Click here to enter a date.</a>

Michael Caccamo, Superintendent of Education for Nurturing our Catholic Community, Safe Schools, Continuing Education, and St. Anne Catholic Academy School of Virtual Learning (Elementary)

### RECOMMENDATION REPORT

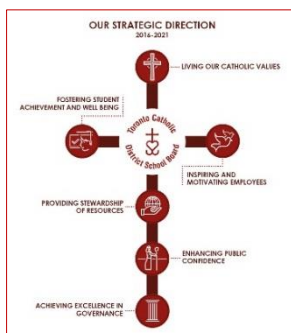
**Vision:**

*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.*



Brendan Browne, PhD  
Director of Education

D. Koenig  
Associate Director  
of Academic Affairs

## **A. EXECUTIVE SUMMARY**

This report recommends updating the current Suspension and Expulsion Policy SS.01 to align with changes made to the Education Act on July 30, 2020, through Ontario Regulation 440/20 – Suspension of Elementary School Pupils. The Regulation has eliminated discretionary suspensions (subsection 306(1) of the Education Act) for students in Junior Kindergarten to Grade 3, starting in the 2020-21 school year. Policy SS.01 was also reviewed through a trauma-informed equity lens and was updated to include terms that reflect prohibited grounds of discrimination in Ontario.

*The cumulative staff time required to prepare this report was 20 hours.*

## **B. PURPOSE**

1. This Recommendation Report is on the Order Paper of the Governance and Policy Committee as it recommends revision to the Suspension and Expulsion Policy SS.01 due to Ontario Regulation 440/20.

## **C. BACKGROUND**

1. The Suspension and Expulsion Policy SS.01 was first approved in November 2014 and has been amended in August 2016 and in June 2019. The Policy is scheduled for regular review in February 2024.
2. Changes to this policy reflect current practice and alignment with changes made to the Education Act on July 30, 2020, through Ontario Regulation 440/20.
3. Field Superintendents and school Principals were advised of the changes to the Education Act eliminating discretionary suspensions for students in Junior Kindergarten to Grade 3 via email on September 10, 2020, and at Principals' meetings on September 16<sup>th</sup> and 17<sup>th</sup>, 2020.
4. This policy appeared at the February 2<sup>nd</sup>, 2021 Governance and Policy committee meeting.

## **D. EVIDENCE/RESEARCH/ANALYSIS**

This policy has been amended in consultation with staff from the Safe Schools Department, the Equity, Diversity, Indigenous Education and Community Relations

Department, the Special Services Department, the Field Superintendents 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**

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

#### **G. COMMITTEE RECOMMENDATION**

The Governance and Policy Committee recommends that the revised Suspension and Expulsion Policy SS.01 provided in Report Appendix A and the Operational Procedures (Report Appendix B) be approved.



**POLICY SECTION:** Safe Schools

**SUB-SECTION:**

**POLICY NAME:** Suspension and Expulsion Policy (Consolidated)

**POLICY NO:** S.S. 01

<b>Date Approved:</b> November 20, 2014	<b>Date of Next Review:</b> February, 2024	<b>Dates of Amendments:</b> August 25, 2016, June 2019
--------------------------------------------	-----------------------------------------------	-----------------------------------------------------------

- Cross References**
- Education Act Part XIII, Behaviour, Discipline and Safety
  - S.S. 09 Code of Conduct
  - S.S. 11 Bullying Prevention and Intervention
  - S.S. 10 Progressive Discipline
  - S.S. 04 Access to School Premises
  - S. 15 Access to Pupils
  - S. 16 Access to Pupil Information
  - S. 17 Suspected Child Abuse  
Reporting Police/School Board  
Protocol
  - Statutory Powers Procedure Act
  - Program/Policy Memorandum 141, *School Board Programs for Students on Long-Term Suspension*
  - Program/Policy Memorandum 142, *School Board Programs for Expelled Students*
  - Program/Policy Memorandum 144, *Bullying Prevention and Intervention*
  - Program/Policy Memorandum 145, *Progressive Discipline and Promoting Positive Student Behaviour*
  - Program/Policy Memorandum 128, *Provincial Code of Conduct and School Board Codes of Conduct*
  - Program/Policy Memorandum 120, *Reporting Violent Incidents to the Ministry of Education*
  - Human Rights Code, R.S.O. 1990, c. H.19
  - Ontario Policy on Accessible Education for Students with Disabilities



**POLICY SECTION: Safe Schools**

**SUB-SECTION:**

**POLICY NAME: Suspension and Expulsion Policy (Consolidated)**

**POLICY NO: S.S. 01**

### **Operational Procedures:**

- ~~Appendix~~ **Section A** - Protocol to Suspension
- ~~Appendix~~ **Section B** - Guidelines to Long-Term Suspension Program (TIPSS)
- ~~Appendix~~ **Section C** - Guidelines to Expulsion Program (~~Monsignor Fraser College St. Martin Campus~~ **St. Martin Catholic School**)
- ~~Appendix~~ **Section D** - Protocol for Suspension Appeals and Expulsion Hearings
- ~~Appendix~~ **Section E** - Statutory Powers Procedure Act
- ~~Appendix~~ **Section F** - Frequently Asked Questions for Suspension Appeal Hearings
- ~~Appendix~~ **Section G** - Frequently Asked Questions for Expulsion Hearings
- ~~Appendix~~ **Section H** - Principal Investigation Guideline
- ~~Appendix~~ **Section I** - Search and Seizure Guideline

### **Purpose**

This policy affirms that, consistent with our Multi-Year Strategic Plan, **Equity Action Plan**, Catholic Social Teachings and Ontario Catholic School Graduate Expectations, the conduct of students as members of the Catholic school community is expected to be modelled upon Christ, and conduct falling below that standard requires appropriate discipline. Creating a positive school climate is a shared responsibility of all stakeholders.

*“Act justly, love tenderly and walk humbly with your God.” (Micah: 8)*

### **Scope and Responsibility**

This policy extends to all individuals of the TCDSB including students, parents, teachers and school staff, support staff, administrators, community school partners. Trustees and the Director of Education are responsible for this policy.



**POLICY SECTION: Safe Schools**

**SUB-SECTION:**

**POLICY NAME: Suspension and Expulsion Policy (Consolidated)**

**POLICY NO: S.S. 01**

## **Alignment with MYSP**

Fostering Student Achievement and Well-Being

Living Our Catholic Values

Strengthening Public Confidence

## **Policy**

The TCDSB is committed to ensuring that all schools focus on the building of healthy relationships, a safe, inclusive, and accepting learning environment rooted in the Ontario Catholic Graduate Expectations. A positive school climate is established when all aspects of the Code of Conduct Policy are respected. The enforcement of the Code of Conduct Policy, including suspension, referral to the Board for expulsion and intervention/support programs, contributes to the development and maintenance of a positive school climate. Guidelines and procedures are provided to students, parents, guardians and principals to ensure that all processes and outcomes are fair, equitable, and just.

## **Regulations**

1. In accordance with the section 306. of *The Education Act*, hereafter known as *the Act*, a principal shall consider whether to suspend a pupil if ~~he or she~~ **the principal** believes that the pupil has engaged in any of the Activities identified in *Operational Procedures "Protocol to Suspension"* (Appendix A **Section A**) while at school, at a school related activity, or in other circumstances where engaging in the Activity will have an impact on school climate.
2. In accordance with *the Act* and Program Policy Memorandum 141, the Board will offer the Transitional Intervention Program for Suspended Students (TIPSS) to students on a long- term suspension or suspension pending possible expulsion.

Appendix **A Section B**: *Operational Procedures "Guidelines to Long-Term Suspension Program (TIPSS)"*



**POLICY SECTION: Safe Schools**

**SUB-SECTION:**

**POLICY NAME: Suspension and Expulsion Policy (Consolidated)**

**POLICY NO: S.S. 01**

3. Upon re-entry from suspension, in accordance with our Catholic faith and traditions, the principal will facilitate a re-entry process that includes opportunity for reflection, reconciliation and acceptance, with appropriate supports and interventions that will be intended to maximize the opportunities for successful return to school.
4. In accordance with section 310. of *the Act* the principal shall suspend a pupil if ~~he or she~~ **the principal** believes that the pupil has engaged in any of the Activities identified in *Operational Procedures "Protocol to Suspension"* (Appendix **A Section A**) while at school, at a school related activity, or in other circumstances where engaging in the Activity will have an impact on school climate. Given the more serious nature of these activities, the principal will conduct an in-depth investigation ~~with~~ and consider recommending a school or board expulsion.
5. In accordance with *the Act* and Program Policy Memorandum 142, the Board will offer a program (~~Monsignor Fraser College — St. Martin Campus~~ **St. Martin Catholic School**), for students approved for Board Expulsion. Appendix **A Section D C**: *Operational Procedures "Guidelines to Expulsion Program (Monsignor Fraser College — St. Martin Campus" St. Martin Catholic School)*
6. Following a School or Board Expulsion, in accordance with our Catholic faith and traditions, the principal will ensure a ~~re-entry~~ transition plan that includes opportunity for reflection, reconciliation and acceptance, with appropriate supports and interventions that will be intended to maximize the opportunities for successful reintegration to school.
7. In accordance with section 309. of *the Act*, the parent, guardian or adult student may appeal the suspension. In accordance with section 311. of *the Act*, if the principal recommends to the board that a pupil be expelled, the board shall hold an expulsion hearing. Appendix **A Section D E**: *Operational Procedures "Protocol for Suspension Appeals and Expulsion Hearings"*





**POLICY SECTION: Safe Schools**

**SUB-SECTION:**

**POLICY NAME: Suspension and Expulsion Policy (Consolidated)**

**POLICY NO: S.S. 01**

8. Suspension Appeal Hearings and Expulsion Hearings will be conducted in accordance with the *Statutory Powers Procedure Act*. Appendix **A Section F E**: *Operational Procedures "Statutory Powers Procedure Act"*
9. Suspension Appeal Hearings will be conducted according to the *Operational Procedures "Frequently Asked Questions for Suspension Appeal Hearings"*. (Appendix **A Section F G**)
10. Expulsion Hearings will be conducted according to the *Operational Procedures "Frequently Asked Questions for Expulsion Hearings"*. (Appendix **A Section G H**)

## **Definitions**

**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.

**Police/School Board Protocol:** This protocol has been developed by the four publicly funded district school boards operating within the city of Toronto and Toronto Police Service with the clear purpose of supporting schools as safe, caring, inclusive and accepting places for learning and teaching. The Protocol clearly outlines the roles and responsibilities of school officials and police officers in situations where the police are present at school for a school related incident or in other situations.

**Code of Conduct:** The Code of Conduct reflects the provincial standards that promote and support respect, civility, responsible citizenship, safety and well-being for all individuals.

**Long-Term Suspension:** These include suspensions issued for 6 to 20 days.



**POLICY SECTION:** Safe Schools

**SUB-SECTION:**

**POLICY NAME:** Suspension and Expulsion Policy (Consolidated)

**POLICY NO:** S.S. 01

**Expulsion:** *The Act* permits principals to recommend to the Board of Trustees two possible types of expulsion. A **school expulsion** denies a student access to a particular TCDSB school. A **board expulsion** denies a student access to all TCDSB schools.

### **Evaluation & Metrics**

1. Annual review of suspension and expulsion data
2. Review of Safe Schools Progressive Discipline Application statistics
3. Anonymous safe school climate surveys administered to representative groups of TCDSB students, parents and staff
4. Review of hearings appealed to the Child and Family Services Review Board
5. Review of annual suspension appeal hearings and expulsion hearings
6. Review of annual TIPSS statistics
7. Review of annual ~~Monsignor Fraser College, St. Martin Campus,~~ **St. Martin Catholic School** statistics
8. Safe Schools Advisory Committee consultation used to inform direction and priorities

# **Suspension and Expulsion Policy**

## **OPERATIONAL PROCEDURES**

## **Contents**

**Section A: Protocol to Suspension Activities Leading to Possible Suspension**

**Section B: Guidelines to Long-Term Suspension Program (TIPSS)**

**Section C: Guidelines to Expulsion Program St. Martin Catholic School**

**Section D: Protocol for Suspension Appeals and Expulsion Hearings**

**Section E: Statutory Powers Procedure Act**

**Section F: Frequently Asked Questions for Suspension Appeal Hearings**

**Section G: Frequently Asked Questions for Expulsion Hearings**

**Section H: Principal Investigation Guideline**

**Section I: Search and Seizure Guideline**

**~~OPERATIONAL PROCEDURES: Protocol to Suspension Activities  
Leading to Possible Suspension~~**

# ~~APPENDIX~~

## SECTION A

### Protocol to Suspension Activities Leading to Possible Suspension

## APPENDIX SECTION A

### Operational Procedures: Protocol to Suspension Activities Leading to Possible Suspension

In accordance with *the Act* section 306 (1) a principal shall consider whether to suspend a pupil if ~~he or she~~ **the principal** believes that the pupil has engaged in any of the following activities while at school, at a school related activity, or in other circumstances where engaging in the Activity will have an impact on school climate:

1. Uttering a threat to inflict serious bodily harm on another person
2. Possessing alcohol, **illegal drugs or, unless the pupil is a medical cannabis user, cannabis**
- ~~3. Possessing cannabis, unless the pupil is a medical cannabis user~~
4. **3. Being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis**
- ~~5. Being under the influence of cannabis, unless the pupil is a medical cannabis user~~
6. **4. Swearing at a teacher or at another person in a position of authority**
7. **5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school**
8. **6. Bullying**
9. **7. Any other activity that is an activity for which a principal may suspend a pupil under the policy of the board.**

### Suspension under Board Policy

Under clause 306. (1) 7 of *the Act*, a pupil may be suspended if ~~he or she~~ **the pupil** engages in an activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Under Board policy, activities for which a principal may suspend a pupil include:

- (1) Persistent opposition to authority;
- (2) Habitual neglect of duty;
- (3) Use of profane or improper language;
- (4) Theft;
- (5) Aid/incite harmful behaviour;
- (6) Physical assault;
- (7) Being under the influence of illegal drugs;

- (8) Harassment;
- (9) Fighting;
- (10) Extortion;
- (11) Inappropriate use of electronic communications/media equipment; and/or
- (12) Other – defined as any conduct injurious to the moral tone of the school or to the physical or mental well-being of others.

### **Suspensions Related to Junior Kindergarten to Grade 3 Pupils**

**O. Reg 440/20 removes the principal's discretion to suspend pupils in junior kindergarten to Grade 3 for activities listed in subsection 306(1) of the *Education Act*. Serious activities listed in subsection 310(1) will continue to require mandatory suspension.**

### **Activities Leading to a Suspension Pending Possible Expulsion**

Under subsection 310. (1) of *the Act*, a principal shall suspend a pupil if ~~he or she~~ **the principal** believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the Activity will have an impact on the school climate:

- (1) Possessing a weapon, including possessing a firearm
- (2) Using a weapon to cause or to threaten bodily harm to another person
- (3) Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- (4) Committing a sexual assault
- (5) Trafficking in weapons or in illegal drugs
- (6) Committing robbery
- (7) Giving alcohol **or cannabis** to a minor
- ~~(8) Giving cannabis to a minor~~

~~8.1~~ **7.1** Bullying, if,

- (i) the pupil has been previously suspended for engaging in bullying, and
- (ii) the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person.

### **Mandatory Suspension of Junior Kindergarten to Grade 3 Pupils Related to Bullying**

Where a principal is suspending a student for bullying under s. 310(1)(7.1), the requirement that “the pupil has previously been suspended for engaging in bullying” *no longer applies* to students in junior kindergarten to Grade 3. The remaining requirement, that “the pupil’s continuing presence in the school creates an unacceptable risk to the safety of another person” remains in effect.

- 8.2 **7.2** Any activity listed in subsection 306. (1) of *the Act* that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, **family status, marital status**, or any other similar basis.
- 1- **8.** Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the Board that the pupil be expelled.

### **Suspension Pending Expulsion under Board Policy**

Under clause 310. (1) 8 of *the Act*, a pupil must be suspended if ~~he or she~~ **the pupil** engages in an activity that is an activity for which a principal must suspend a pupil under a policy of the board including.

- (1) Possession of explosive substance;
- (2) Refractory conduct;
- (3) Serious or repeated misconduct;
- (4) Conduct injurious to the moral tone of the school or to the physical or mental well-being of others.

~~If a principal decides to suspend a pupil for engaging in an activity described in subsections 306. or 310. of *the Act*, the principal will suspend the pupil from his or her school and from engaging in all school-related activities.~~

### **Mandatory Investigation before Mandatory Suspension Pending Possible Expulsion of Pupils in Junior Kindergarten to Grade 3**

**Principals are now required to conduct an investigation respecting the**



**allegations before imposing a mandatory suspension pending possible expulsion on a student in junior kindergarten to Grade 3 under subsection 310(1).**

### **Suspension Duration and Scope**

The minimum duration of a suspension is one school day and the maximum duration is 20 school days.

In considering how long the suspension should be, a principal will take into account any mitigating and/or other factors prescribed by the regulations.

A principal may not suspend a pupil more than once for the same occurrence.

**If a principal decides to suspend a pupil for engaging in an activity described in subsections 306. or 310. of *the Act*, the principal will suspend the pupil from the pupil's school and from engaging in all school-related activities.**

### **Mitigating Factors**

In recognizing the uniqueness of each child and applying a **trauma-informed** lens of pastoral care, the principal will consider the following mitigating factors in reaching a final determination:

- The pupil does not have the ability to control ~~his or her~~ behaviour.
- The pupil does not have the ability to understand the foreseeable consequences of ~~his or her~~ **the pupil's** behaviour.
- The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

### **Other Factors**

Similarly, the principal will consider the following other factors in reaching a final determination, once again in recognition of the uniqueness of each child and applying a **trauma-informed** lens of pastoral care:

- The pupil's history.
- Whether a progressive discipline approach has been used with the pupil.
- Whether the activity for which the pupil may be suspended was related to any harassment of the pupil because of ~~his or her~~ **the pupil's** race, **national or**

ethnic origin, **language, colour**, religion, **sex, age, mental or physical** disability, **sexual orientation**, gender **identity, gender expression**, or sexual orientation or **family status, marital status**, or to any other form of harassment.

- How the suspension or expulsion would affect the pupil's ongoing education.
- The age of the pupil.
- In the case of a pupil for whom an individual education plan has been developed,
  - (i) whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan.
  - (ii) whether appropriate individualized accommodation has been provided, and
  - (iii) whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
- **Whether the pupil has a history of marginalization or trauma.**

## Notice of Suspension

A principal who suspends a pupil under S. 306 or S. 310 of the *Act* shall,

- (a) inform the pupil's teacher(s) of the suspension; and
- (b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,
  - (i) the pupil is at least 18 years old, or
  - (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.
- (c) ensure that written notice is given promptly to the following persons:
  - (1.) the pupil
  - (2.) the pupil's parent or guardian unless,
    - (i.) the pupil is at least 18 years old, or
    - (ii.) the pupil is 16 or 17 years old and has withdrawn from parental control.

## Contents of the Notice of Suspension under S. 306 and S. 310 of the *Act*

The notice of suspension will include the following:

- (1) The reason for the suspension;
- (2) The duration of the suspension;
- (3) Information about any program for suspended pupils to which the pupil is assigned;

- (4) Information about the right to appeal the suspension under section 309. of *the Act* including,
- (i) a copy of the Board policies and guidelines governing the appeal process established by the Board under subsection 302. (6) of *the Act*, and;
  - (ii) the name and contact information of the appropriate superintendent of education to whom notice of the appeal must be given under subsection 309. (2) of *the Act*.

### **Additional Contents of the Notice of Suspension under S. 310 of the Act**

In addition to the contents of the Notice of Suspension described immediately above under S. 306 and S. 310 of the *Act*, a notice of suspension under S. 310 of the *Act* must also include:

1. Information about the investigation the principal will conduct under S. 311.1 of the *Act* to determine whether to recommend that the pupil be expelled; and
2. A statement indicating that,
  - (i) There is no immediate right to appeal the suspension,
  - (ii) If the principal does not recommend to the board that the pupil be expelled following the investigation under subsection 311.1, the suspension will become subject to appeal under subsection 311.2, and
  - (iii) If there is an expulsion hearing because the principal recommends to the board that the pupil be expelled, the suspension may be addressed by parties at the hearing.

### **Suspension Program**

When a Principal suspends a pupil, ~~he or she~~ **the principal** shall assign the pupil to a program for suspended pupils in accordance with policies and guidelines issued by the Minister, under sections 306 (5) and 310.(4) of *the Act*.

### **Receipt of Notice**

Where notice is given, it shall be considered to have been received by the person in

accordance with the following rules:

- (1) If the notice is sent by mail or another method in which an original document is sent, the notice shall be considered to have been received by the person to whom it was sent on the fifth school day after the day on which it was sent.
- (2) If the notice is sent by fax or another method of electronic transmission, the notice shall be considered to have been received by the person to whom it was sent on the first school day after the day on which it was sent.

### **Suspension Appeal**

Under section 309. of *the Act*, the parent, guardian or adult student may appeal the decision to suspend a student. (See ~~Appendix~~ Section E)

### **Procedures for Suspension**

- (i) Where a concern arises regarding possible student discipline, a principal will conduct an investigation and consider mitigating factors and other factors.
- (ii) With respect to serious infractions, the principal will consult with the appropriate superintendent of education.
- (iii) Following an investigation, if it is considered necessary to suspend a student, a principal/designate should contact the student's parent/guardian/adult student in order to discuss reasons for the suspension and engage them in becoming part of the plan to change behavior, consistent with our desire for faith-based reconciliation, reformation and restorative practices.
- (iv) If the principal/designate has imposed a suspension pending possible expulsion under section 310. of *the Act*, ~~he or she~~ **the principal** will conduct a principal investigation in order that a final determination can be made.

### **DEFINITIONS**

**Bullying** – Aggressive and typically repeated behaviour (physical, verbal,

electronic, written or other means) by a student where,

(a) the behaviour is intended to have the effect of, or the student ought to know that the behaviour would likely have the effect of,

- i. causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
- ii. creating a negative environment at a school for another individual, and

(b) the behaviour occurs in a context where there is a real or perceived power imbalance between the student and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, **national or** ethnic origin, sexual orientation, family circumstances **status, marital status, sex,** gender, gender identity, gender expression, race, **colour, language, mental or physical** disability or the receipt of special education.

**Cyber-bullying**—This is a form of bullying that occurs through the use of technology, including the use of a computer, cellular phone or other electronic devices, using instant/text messaging, social networks, e-mail, websites or any other electronic activities, and includes:

- (a) creating a web page or blog in which the creator assumes the identity of another person;
- (b) impersonating another person as the author of content or messages posted on the internet; and
- (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

**Cannabis Legislation** - The legalization of cannabis in Canada comes with restrictions. Students under 19 years of age must not be in possession of or be under the influence of cannabis at school. In addition, it is a serious activity to give cannabis to a minor which may result in possible expulsion. If the student is a medical cannabis user, specific documentation will be required including, but not

limited to, use/dosage/frequency/and location of administration. It is unlawful to smoke or hold lit cannabis within 20 metres of the perimeter of school property.

**Explosive Substance** – includes anything used to create an explosive device or is capable or causing an explosion.

**Extortion** – using threats, accusations or violence or threats of violence to induce any person to do anything or cause anything to be done.

**Firearm** – any barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable to causing serious bodily injury or death to a person.

**Harassment** – harassment is ongoing conduct or communication in any form, of attitudes, beliefs, or actions towards an individual or group which might reasonably be known to be unwelcome. A single act or expression can constitute harassment, for example, if it is a serious violation. Harassment may be either subtle or blunt.

**This may include harassment based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, family status, or marital status.**

**Hate Material** – includes literature, leaflets, posters, graffiti distributed (or sent by electronic means) to incite violence or hatred against a member of an identifiable group and/or their property. The incitement of hatred or bias-motivated incidents against an identifiable group may include persons distinguished by their race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, **gender identity, gender expression, family status, marital status**, or other similar factor.

**Inappropriate Use of Electronic Communications/Media** – the intentional use of an electronic device or communication medium, such as, but not limited to, all features of a phone, a cell phone, digital camera, blackberry, e-mails, school hotlines, Web-based communication sites and print material, such as flyers, school newspapers and brochures, that negatively impact on the well-being of another person and/or the learning environment in accordance with the definition of Harassment (as set out above).

**Non Consensual Sharing of Intimate Images** – Knowingly publishing, distributing, transmitting, selling, making available, or advertising an intimate image of another person while knowing that the person depicted in the image did not give their consent, or being reckless as to whether the person gave their consent. The term “intimate image” refers to a visual recording such as a photograph, film, or video recording of a person in which the person is nude or engaged in explicit sexual activity and which was created in circumstances that gave rise to a reasonable expectation of privacy.

**Physical Assault** – the intentional application of force directly or indirectly in any degree at all, to a person without the person’s consent.

**Physical Assault Causing Bodily Harm** – physical assault is the intentional application of force in any degree at all to a person without that person’s consent. Bodily harm refers to any hurt or injury that is more than merely transient or trifling in nature which interferes with the health or comfort of the person, and includes but is not limited to injuries that receive medial attention. Any cut that requires stitches or any broken or fractured bone should be considered a serious injury. Serious injury could also include multiple minor injuries.

**Possession of a Weapon** – means anything used, designed to be used or intended for use in causing death or injury to any person, or to threaten or intimidate any person. It can include objects which can be used as weapons. Objects such as a pen, or a screwdriver, if displayed to threaten or intimidate, become weapons under this definition. A weapon includes a firearm and any device that is designed or intended to resemble a weapon.

**Racial Harassment** – means engaging in a course of vexatious comment or conduct pertaining to a person’s race which is known, or reasonably ought to be known, to be offensive, inappropriate, intimidating, hostile and unwelcome. Race refers to a group of people of common ancestry, distinguished from others by physical characteristics, such as colour of skin, shape of eyes, hair texture or facial features. The term is also used to designate social categories into which societies divide people according to such characteristics.

**Refractory Conduct** – means resisting control or discipline, unmanageable, rebellious refusal to comply with or flagrant disregard of Board policy. A single act

itself can constitute refractory conduct.

**Replica Firearm** – is any device that is designed or intended to resemble a firearm.

**Robbery** – a robbery occurs where a person uses violence or threats of violence to steal money or other property from a victim.

**Sexual Assault** – a sexual assault occurs where a person, without consent, intentionally applies force to another person in circumstances of a sexual nature such as to violate the sexual integrity of the victim.

**Sexual Harassment** – sexual harassment occurs when a person receives unwelcome sexual attention from another person, whose comments or conduct are known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcome. It also includes sexist, ~~or~~ homophobic, **transphobic, or gender identity-based** jokes or materials.

**Threat to Inflict Serious Bodily Harm** – a threat to cause death or serious bodily harm to a person.

**Trafficking in Drugs and/or Harmful Substances** – means to sell, administer, transfer, transport, send or deliver any harmful substance, illicit drug or narcotic as set out in the Controlled Drugs and Substance Act.



~~OPERATIONAL PROCEDURES: Guidelines to Long-Term  
Suspension Program (TIPSS)~~

# ~~APPENDIX~~

## SECTION B

### Guidelines to Long-Term Suspension Program (TIPSS)

**APPENDIX  
SECTION B****Operational Procedures: Guidelines to Long-Term Suspension Program (TIPSS)**

Our Gospel Values ground us in the belief that every individual has God-given talents and abilities, and the potential for redemption and reconciliation when we err.

In accordance with *the Act* and Program Policy Memorandum 141, the Board will offer the Transitional Intervention Program for Suspended Students (TIPSS).

Parents of students under the age of 18, students over 18, students 16/17 years of age who have withdrawn from parental control who receive a suspension greater than 5 days or a suspension pending possible expulsion must indicate by written signature their desire to participate in the program knowing that it has the following obligations:

- i) For students on longer than a 5 day suspension a teacher will be assigned by the St. Martin Principal/Vice Principal to work with the student for a two hour session 3 or 4 days a week. This schedule may alter due to PD days, conferences or other Safe Schools events.
- ii) A Student Action Plan (SAP) will be developed by the home school principal in collaboration with appropriate staff to delineate the academic and non-academic program needs/goals of the student.
- iii) The TIPSS teacher will meet the suspended student in a Toronto Public Library (TPL) site.
- iv) The student will identify himself/herself to the TPL staff.
- v) The student will wear appropriate attire for the TIPSS session including the school uniform if it is part of the home school's expectation.
- vi) The student will conduct himself/herself in a manner that is congruent with the expectations of the Board's Code of Conduct, as well as the expectations of the Public Library. If the TIPSS teacher or library staff feel that their safety or ability to carry on with their work is compromised by the student's behavior, then the student will forfeit the right to the program. The St. Martin Principal/Vice Principal will be informed when such a situation occurs and will inform the school principal who will note this on the Student Action Plan (SAP).

vii) For students on greater than 10 day suspension or suspension pending possible expulsion a social worker will be assigned to meet with the student to address nonacademic needs. This is a mandatory expectation of the program. The TIPSS social worker will follow up with the home school social worker to support the student's transition back to community once the suspension has been served.

~~OPERATIONAL PROCEDURES: Guidelines to Expulsion Program (Monsignor  
Fraser College — St. Martin Campus, St. Martin Catholic  
School)~~

# ~~APPENDIX~~

## ~~Section C~~

~~Guidelines to Expulsion Program  
(Monsignor Fraser College — St.  
Martin Campus St. Martin  
Catholic School)~~

## **~~APPENDIX~~** **SECTION C**

### **Operational Procedures: Guidelines to Expulsion Program (~~Monsignor Fraser College—St. Martin Campus~~ St. Martin Catholic School)**

Our Gospel Values ground us in the belief of the fundamental goodness of each person. It is our intent through our Expulsion Programs to support students in their journey back to community schools and the fulfilment of our Catholic Graduate School Expectations. Our goal is to nurture their personal development and growth, based on redemption, reconciliation, and a teaching of positive pro-social behaviours rooted in our Catholic Social Teachings.

In accordance with *the Act* and Program Policy Memorandum 142, the Toronto Catholic District School Board will offer the Program for Students on Expulsion.

Parents of a student, ~~or~~ students over 18, students 16/17 years of age who have withdrawn from parental control who receive expulsions from all schools of the Board must indicate by written signature their desire to participate in the TCDSB Expulsion Program knowing that it has the following obligations:

- a) Secondary and elementary students will attend the expulsion program and follow the structure of the program as determined by the principal and staff of ~~Monsignor Fraser College—St. Martin Campus~~ **St. Martin Catholic School**.
- b) A Student Action Plan (SAP) will be developed to delineate the academic and non-academic program needs of the student. It must indicate goals, objectives and learning expectations; measures of success; strategies and types of support. When a student has successfully met the objectives of the program for expelled students and is considered ready to be readmitted to another school of the board, a re-entry plan must be developed as part of the SAP to assist with the student's transition and successful integration.

c) Students attending the program are expected to follow the T.C.D.S.B. Code of Conduct and are subject to progressive disciplinary measures. In the event that an expelled student's conduct at the program is so detrimental to the program staff or other students that there is a safety risk or complete inability to teach and learn, the student forfeits ~~his/her~~ **the** right to attend the program. This will be noted on the student's SAP. Ongoing social work assistance will be provided the youth with ~~his/her~~ social/emotional needs. Alternative academic programming will be provided.

d) A student who has been expelled from all schools of a board and/or ~~his/her~~ **the student's** parents may apply in writing to The Associate Director of Academic Affairs to request that the student be readmitted to a school of the board. For Students subject to a school expulsion, where the student and/or ~~his/her~~ **the student's** parent(s) wish that the student return to ~~his/her~~ **the** original school, the student and/or parent may also apply in writing to the Associate Director of Academic Affairs and must provide a specific rationale.

e) The decision as to whether a student has successfully met the objectives of the program as outlined in the SAP rests with the principal and staff of ~~Monsignor Fraser College—St. Martin Campus~~ **St. Martin Catholic School**).

f) In keeping with our faith based belief that we are all members of one community in Christ, the re-entry plan must include a meeting that includes the principal of the receiving school, expulsion program staff, the student, and staff at the receiving school. Where possible the student's parents or other significant family members should be present. Community agency staff relevant to the situation should be included.

The program for students on expulsion will be reviewed every three years.

~~OPERATIONAL PROCEDURES: Protocol for Suspension Appeals and Expulsion Hearings~~

# ~~APPENDIX~~

## SECTION D

### Protocol for Suspension Appeals and Expulsion Hearings

**APPENDIX  
SECTION D****Operational Procedures: Protocol for Suspension Appeals and Expulsion Hearings Safe Schools Legislation**

*The Act* determines the way in which schools respond to objectionable behaviour of Ontario students while on school property, engaged in school activities or behaviour that impacts on school climate. All students, teachers, school staff and parents are subject to the Provincial Code of Conduct mandated by the Ministry of Education and defined by each School Board. *The Act* and the Board's Code of Conduct Policy require that a student be considered for suspension or expulsion for certain activities that, by definition, are unacceptable.

**Purpose of this Guide**

The purpose of this guide is to assist students and their parents/guardians to understand their rights and obligations if a suspension is issued or an expulsion is recommended due to an infraction listed in *the Act*. ~~In the Code of Conduct Policy~~

**Cautionary Note**

This guide is a simplified summary of the law, Board Policy, and the Board's Rules of Procedure. For accurate reference, further information, and more detail, please contact the principal or superintendent of your school. You may also obtain further information from the Board's Web Site "[www.tcdsb.org](http://www.tcdsb.org)", by clicking on "Safe Schools".

**Suspensions (Section 306. of *the Act*)**

It is the responsibility of the school Principal to uphold the Code of Conduct. It is at the discretion of the Principal that a pupil may be suspended for those activities listed in "Guidelines to Suspension".



## Mitigating Factors

In recognizing the uniqueness of each child and applying a **trauma-informed** lens of pastoral care, a Principal must consider all mitigating factors before a suspension is issued including the following:

The pupil does not have the ability to control ~~his/her~~ **the pupil's** behaviour.

(i) The pupil does not have the ability to understand the foreseeable consequences of ~~his/her~~ **the pupil's** behaviour.

(ii) The pupil's continuing presence in the school does not create an unacceptable risk to the well-being or safety of any other person.

- Other factors that must be taken into account are: the pupil's history; the use of a progressive discipline approach; whether the activity for which the pupil may be suspended is related to any harassment of the pupil because of ~~his or her~~ **the pupil's** race, **national or** ethnic origin, **language, colour**, religion, **sex, age, mental or physical** disability, **sexual orientation**, gender **identity, gender expression**, ~~or sexual orientation or~~ **family status, marital status**, or to any other form of harassment; how the suspension would affect the pupil's ongoing education; the age of the pupil; whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan (IEP); whether appropriate individualized accommodation has been provided (IEP); ~~or~~ whether the suspension is likely to result in an aggravation or worsening of the pupil's behaviour or conduct (IEP); **or whether the pupil has a history of marginalization or trauma.**

A pupil may still be suspended for any such behaviour, or for other behaviour prohibited by the Board.

## Length of Suspensions

Principal may suspend a pupil for a minimum of one (1) school day and a maximum of twenty (20) school days. All suspensions may be appealed.

## Appeal of Suspensions

If a pupil is suspended, the parents/guardians may request an appeal in writing to the area superintendent within ten (10) school days from the start of the suspension. A pupil, if an adult or 16 or 17 years old and has withdrawn from

parental control may also exercise this right to appeal. The area superintendent may contact the parties to the appeal and the principal to discuss the details of the possible appeal hearing. The request to appeal must state the rationale for consideration.

### **Appeal Hearing**

A board must hold a hearing to consider the appeal of the suspension and make a decision within fifteen (15) school days from receipt of the appeal. The board may: confirm the suspension; confirm the suspension, but shorten its duration; or quash and expunge the record. The decision of the board is final.

### **Suspensions Pending Possible Expulsion (Section 310. of *the Act*)**

A Principal shall issue a suspension pending possible expulsion if this pupil engages in an activity listed in “Guidelines to Expulsion”.

A Principal must consider all mitigating factors before a recommendation for expulsion is made to the Safe Schools Hearing Committee.

A Principal must consider all mitigating factors before an expulsion is recommended including the following:

- (i) The pupil does not have the ability to control ~~his/her~~ **the pupil's** behaviour.
- (ii) The pupil does not have the ability to understand the foreseeable consequences of ~~his/her~~ **the pupil's** behaviour.
- (iii) The pupil's continuing presence in the school does not create an unacceptable risk to the well-being or safety of any other person.

Other factors that must be taken into account are: the pupil's history; the use of a progressive discipline approach; whether the activity for which the pupil may be expelled is related to any harassment of the pupil because of ~~his or her~~ **the pupil's** race, **national or** ethnic origin, **language, colour,** religion, **sex, age, mental or physical** disability, **sexual orientation,** gender **identity, gender expression,** ~~or sexual orientation or~~ **family status, marital status,** or to any other form of harassment; how the expulsion would affect the pupil's ongoing education; the age of the pupil; whether the behaviour was a manifestation of a disability identified in the pupil's Individual Education Plan (IEP); whether appropriate individualized accommodation has been provided (IEP); ~~or~~ whether the expulsion is likely to

result in an aggravation or worsening of the pupil's behaviour or conduct (IEP); **or whether the pupil has a history of marginalization or trauma.**

A pupil may still be expelled for any such behaviour, or for persistent violation of Board standards of behaviour, or for other refractory conduct.

### **Suspension Pending Possible Expulsion**

If the principal believes that an infraction listed under section 310 of *the Act* has occurred, the pupil is immediately suspended pending possible expulsion. The principal notifies the parents/guardians, and then conducts an investigation. At the end of the investigation, the Principal completes a report with a decision to confirm the suspension; confirm the suspension, but shorten its duration; quash and expunge the record; or recommend to the Discipline Committee that a school expulsion or a board expulsion be imposed.

The Board may not impose an expulsion if more than twenty (20) school days have lapsed since the suspension pending possible expulsion was issued unless all parties agree to extend the date beyond the 20th day.

### **Expulsion Hearing**

If a school or board expulsion is recommended by the principal, an expulsion hearing must be held by the board within twenty (20) days after the issuing date of the Suspension Pending Possible Expulsion unless all parties agree to extend the date beyond the 20th day.

If there is a recommendation for expulsion, the Discipline Committee will decide to impose an expulsion; or confirm the suspension; or confirm but shorten its duration; or quash and expunge the record at the expulsion hearing.

The decision of the board is final.

An expulsion hearing can be waived by the parent/guardian if the parent/guardian and the principal agree to Minutes of Settlement.

**Appeal of Decision to Expel**

If the Safe Schools Hearing Committee imposes a school or board expulsion, the parents, guardians, adult pupil, or a pupil who is 16 or 17 year old and who has withdrawn from parental control can appeal the decision to the Child and Family Services Review Board. The Child and Family Services Review Board decision is final and binding.

**Appeal of a Suspension When Expulsion is not Recommended (section 310. of *the Act*)**

This type of suspension may not be appealed until the Principal delivers a final decision in a report following an investigation.

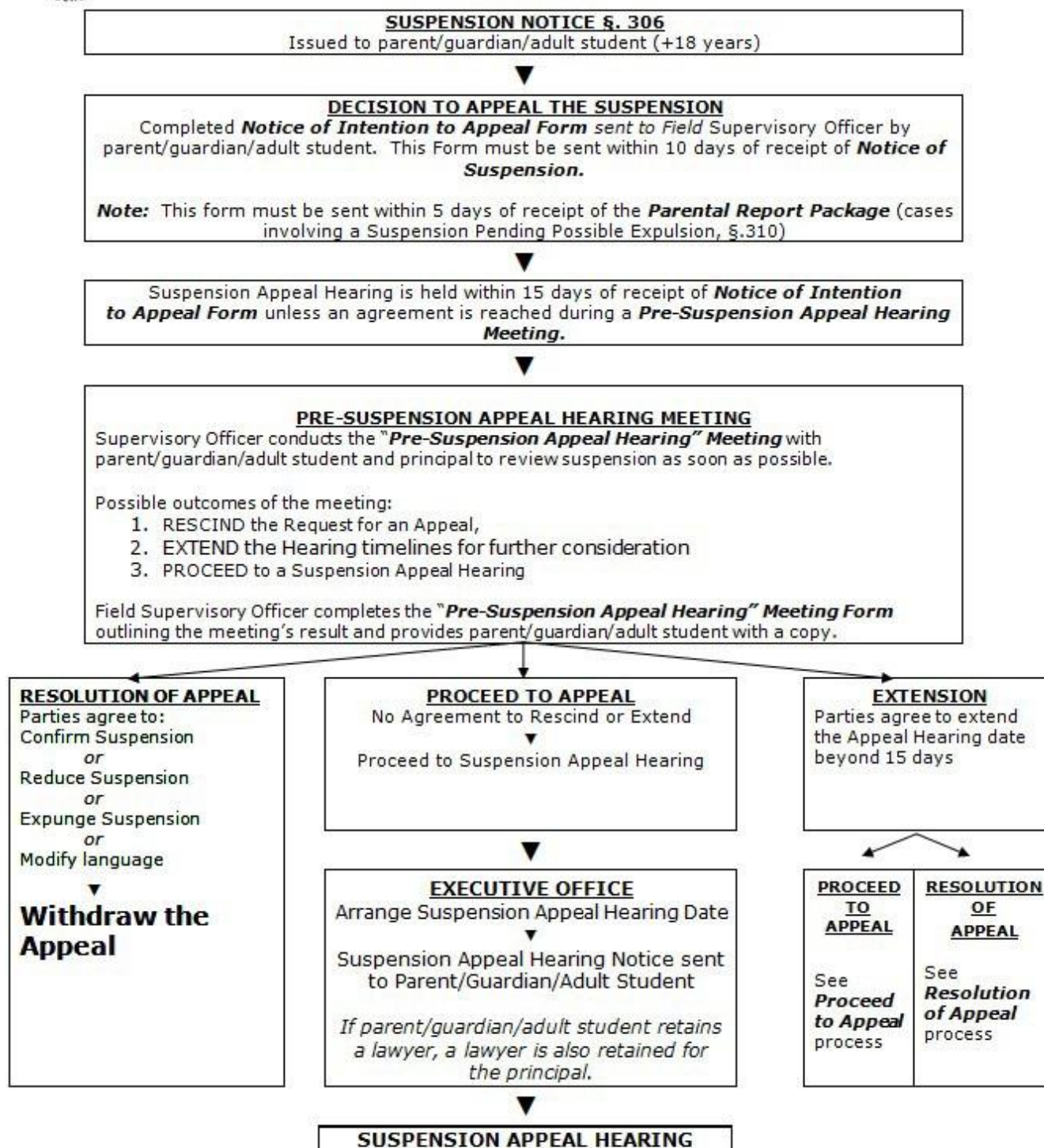
Written notice of appeal of the suspension must be received by the area Superintendent within five (5) days of receipt of report decision. The notice must include a written statement setting out all the reasons for the appeal, and a copy of the Notice of Suspension Pending Expulsion. The Board will hear the appeal of the suspension within fifteen (15) days after receipt of the written notice to appeal the suspension.

**Procedure for the Appeal of an Expulsion**

Written notice must be given to the Child and Family Services Review Board within thirty (30) days after the expulsion hearing. The Appeal Notice must include a written statement setting out all the reasons for the appeal, and a copy of the expulsion decision by the Committee. The Child and Family Services Review Board will hear the expulsion appeal within thirty (30) days of receiving the notice to appeal the expulsion. The decision of the Child and Family Services Review Board is final.



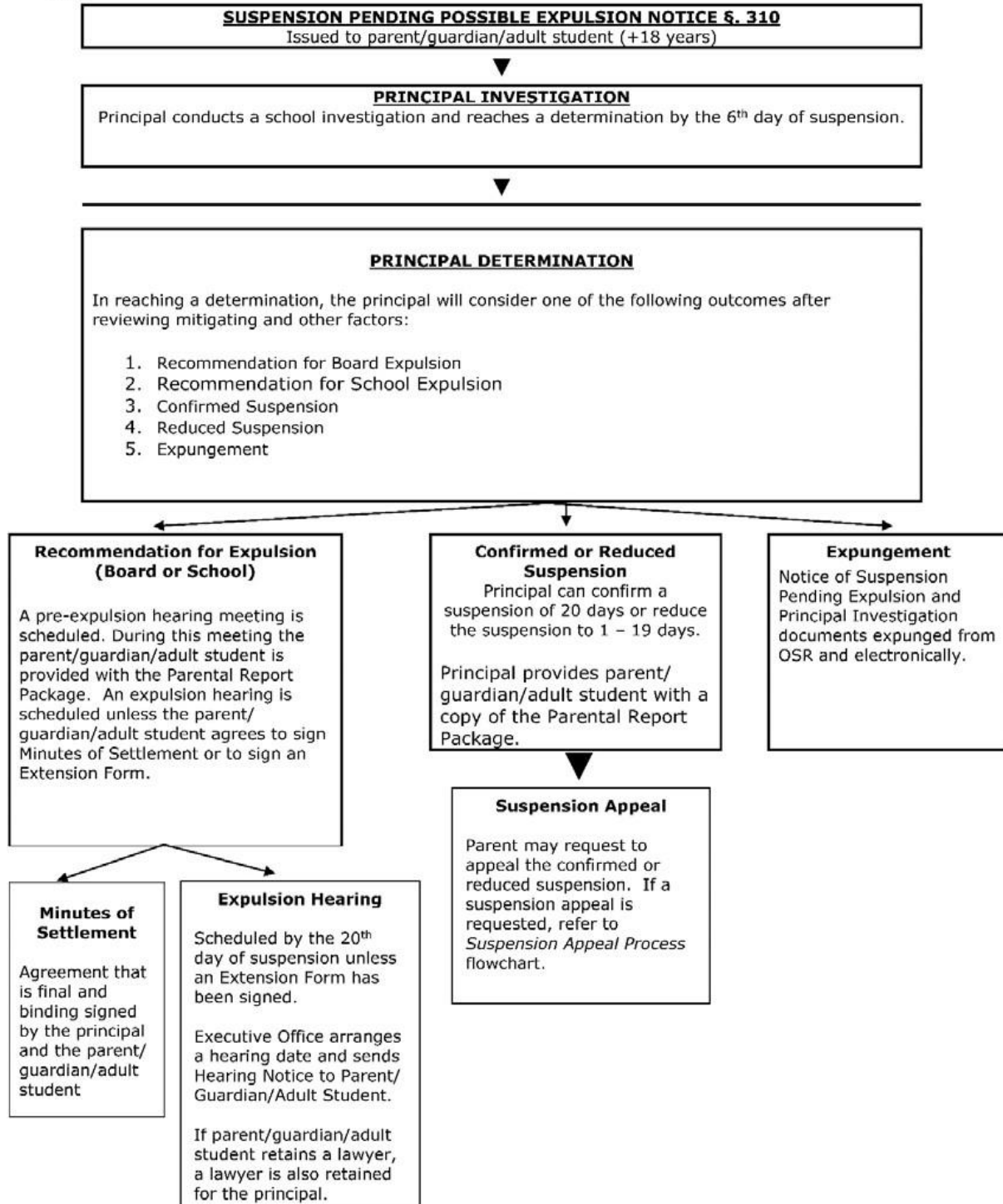
## Safe Schools Department SUSPENSION APPEAL PROCESS



**Decision of Suspension Appeal Hearing is FINAL**



## Safe Schools Department EXPULSION HEARING PROCESS



**~~OPERATIONAL PROCEDURES: Statutory Powers Procedure Act~~**

# ~~APPENDIX~~

## SECTION E

### Statutory Powers Procedure Act

## **APPENDIX SECTION E**

### **Operational Procedures: Statutory Powers Procedure Act**

The Board affords the parent (or student if an adult) a hearing following:

- a) a principal's recommendation for the expulsion (School Expulsion or Board Expulsion) of a pupil,
- b) an appeal of the suspension of a pupil

Suspension Appeal Hearings, Expulsion Hearings, and Appeals of Decisions of the Board shall be in accordance with the Rules of Procedures outlined below:

[References are to sections of Statutory Powers Procedure Act ("SPPA") or Education Act ("ACT")]

#### **TABLE OF CONTENTS**

1. GENERAL	41
1.1 Proceeding Chair	41
1.2 Liberal Construction of Rules	41
1.3 Different Kinds of Hearings in One PROCEEDING	41
1.4 Waiver of Procedural Requirement	41
1.5 Disposition without Hearing	42
2. PROVISIONS RESPECTING TRUSTEES	42
2.1 Discipline Committee for Procedural or Interlocutory	42
2.2 Decision of Discipline Committee	42
2.3 Expiry of Term	42
2.4 Incapacity of Member	42
3. PROCEEDINGS GENERALLY	42
3.1 Classes of PROCEEDINGS	42
3.2 Parties to All Classes of PROCEEDINGS	42
3.3 Adding Pupil as a Party	43
3.4 Hearings to be Private	43
3.5 Presence of BOARD Solicitor	43
3.6 Maintenance of Order at Hearings	43
3.7 Assistance of Peace Officer	43
4. WITHHOLDING COMMENCEMENT OF	43
4.1 Decision not to Process Commencement of	43
4.2 Notice of Decision Not to Process	44
4.3 When Documents Incomplete or Received Late	44
4.4 Resumption of Processing	44



4.5	Dismissal of PROCEEDING without a Hearing	44
4.6	Notice of Intended Dismissal	44
4.7	Reasons for Intended Dismissal to be Set out	45
4.8	Right to Make Submissions	45
4.9	Dismissal	45
1.	DISCLOSURE	45
1.1	Required Disclosure	45
1.2	BOARD May Order Disclosure	46
1.3	Exception to Disclosure of Privileged Information	46
1.4	Where Character, Conduct or Competence of A Party Is In Issue	46
2.	PRE-HEARING CONFERENCES	46
2.1	Pre-Hearing Conferences	46
2.2	Who Presides at Pre-Hearing Conferences	47
2.3	Pre-Hearing Conference Without Prejudice	47
2.4	Orders at Pre-Hearing Conference	47
2.5	Disqualification	47
2.6	Application to Electronic Hearings	47
3.	NOTICES, AND EFFECT OF NON-ATTENDANCE	48
3.1	Notice of Written Hearing	48
3.2	Effect of Non-Attendance at Written Hearing after Due Notice	48
3.3	Notice of Electronic Hearing	48
3.4	Effect of Non-Attendance at Electronic Hearings after Due Notice	49
3.5	Notice of Oral Hearing	49
3.6	Effect of Non-Attendance at Oral Hearing after Due Notice	49
4.	WRITTEN HEARINGS GENERALLY	50
4.1	When Written Hearing not Permitted	50
4.2	Time Limit for Seeking Electronic or Oral Hearing	50
4.3	Exception	50
4.4	Determination by the BOARD	50
5.	ELECTRONIC HEARINGS GENERALLY	50
5.1	When Hearing Electronically not Permitted	50
5.2	Exception not Apply where Procedural Only	50
5.3	Determination by the BOARD	50
5.4	Participants to be Able to Hear One Another	51
5.5	Procedure at Electronic Hearing	51

6.	PROVISIONS AFFECTING BOTH ORAL AND ELECTRONIC HEARINGS	51
6.1	PROCEEDINGS Recorded by the BOARD	51
6.2	Rights of Party at Oral and Electronic Hearings	52
6.3	Cross-examination of Witnesses	52
6.4	Questions in Reply and from the BOARD	52
6.5	Limitation on Examination and Cross-examination	52
7.	APPEAL OF A DECISION TO SUSPEND A PUPIL	52
7.1	Who May Appeal a Suspension	52
7.2	Appeal Required in Writing, and Minimum Content	52
7.3	Time for Bringing Appeal	53
7.4	Response of Board	53
7.5	Hearing in Writing	53
7.6	Appellant to Satisfy BOARD that Principal Was Wrong	53
7.7	Appellant Presents First, Principal Second	53
7.8	Decision of the BOARD	53
8.	REFERRAL OF AN EXPULSION MATTER TO THE BOARD	54
8.1	Time for Referral	54
8.2	Content of Referral	54
8.3	Hearing Electronically	54
8.4	Scheduling of Hearing	54
8.5	Extension of Deadline	54
8.6	PARENT or Pupil Application for Adjournment	55
8.7	Decision of the BOARD	55
8.8	Appeal of the Decision of the Board	55
9.	DEFINITIONS	56

## GENERAL

### 1.1 Proceeding Chair

The Proceeding Chair will be appointed by the Chair of the Board. In the absence of the Chair of the Board, the Safe Schools Hearing Committee members will appoint the Proceeding Chair.

This process for appointing the Proceeding Chair will be followed for each hearing.

### 1.2 Liberal Construction Of Rules

These Rules shall be liberally construed to secure the just, most expeditious and cost-effective determination of every PROCEEDING on its merits. [SPPA §2]

### 1.3 Different Kinds Of Hearings In One PROCEEDING

Except as otherwise provided in these Rules, the BOARD may, in a PROCEEDING, hold any combination of written, electronic and oral hearings. [SPPA § 5.2.1]

### 1.4 Waiver Of Procedural Requirement

Any provision of these Rules, including the time for doing any act or thing, may be waived in the discretion of the BOARD, upon its own motion or upon the application of any party. [SPPA § 4(2)]

### 1.5 Disposition Without Hearing

If the parties consent, a PROCEEDING may be disposed of by a decision of the BOARD without a hearing provided that both parties agree to Minutes of Settlement. [SPPA § 4.1]

## 2. PROVISIONS RESPECTING TRUSTEES

### 2.1 The Safe Schools Hearing Committee for Procedural or Interlocutory Matters

A procedural or interlocutory matter in a PROCEEDING may be heard and determined by a discipline committee consisting of at least three members of the board, as assigned by the CHAIR. [SPPA §4.2(1)]

### 2.2 Decision Of Discipline Committee

The decision of a majority of the members of the Safe Schools Hearing Committee is the BOARD'S decision. [SPPA §4.2(3)]

### 2.3 Expiry Of Term

If the term of office of a member of the BOARD who has participated in a hearing expires before a decision is given, the term shall be deemed to continue, but only for the purpose of participating in the decision and for no other purpose. [SPPA §4.3]

## 2.4 Incapacity Of Member

If the term of office of a member of the BOARD who has participated in a hearing becomes unable, for any reason, to complete the hearing or to participate in the decision, the remaining Trustee or Trustees may complete the hearing and give a decision. [SPPA §4.4(1)]

## 3. PROCEEDINGS GENERALLY

### 3.1 Classes of PROCEEDINGS

There shall be two classes of PROCEEDINGS that come before the BOARD:

3.1.1 an appeal against a decision by a principal to impose a suspension; and

3.1.2 a referral by the principal of a matter of expulsion of a pupil. [SPPA §4.7]

3.2 Parties to All Classes of PROCEEDINGS The parties to any class of PROCEEDING shall be:

3.2.1 the pupil if:

i.) the pupil is at least 18 years old, or

ii.) The pupil is 16 or 17 years old and has withdrawn from parental control

3.2.2 the pupil's parent or guardian, unless:

i.) the pupil is at least 18 years old, or

ii.) The pupil is 16 or 17 years old and has withdrawn from parental control, and

3.2.3 the principal of the school in which the pupil is or was enrolled. [ACT 309(8), 311.3(3)]

### 3.3 Adding Pupil as a Party

Where the PARENT is a party to any class of PROCEEDING, a pupil who is not a party to the suspension appeal or expulsion hearing has the right to be present at the hearing and to make a statement on ~~his or her~~ **their** behalf. [ACT 309(9), 311.3(4)]

### 3.4 Hearings To Be Private

Since intimate personal matters may be disclosed, the public will be excluded from oral, written and electronic hearings, so that undue embarrassment to any of the parties may be avoided. [SPPA §9(1)]

### 3.5 Presence of BOARD Solicitor

In PROCEEDINGS (including deliberations) where the Board Solicitor is not representing the principal, the BOARD Solicitor shall be present to advise the

PROCEEDING CHAIR as to any legal and procedural matter that may arise, and to assist the BOARD in the preparation of formal Orders and reasons (if requested). In PROCEEDINGS where the Board Solicitor is representing the principal, an outside solicitor will be retained to be present to advise the PROCEEDING CHAIR as to any legal and procedural matter that may arise, and to assist the BOARD in the preparation of formal Orders and reasons (if requested).

### 3.6 Maintenance Of Order At Hearings

The BOARD may make such orders or give such directions at an oral or electronic hearing as it considers necessary for the maintenance of order at the hearing. [SPPA §9(2)]

### 3.7 Assistance of Peace Officer

If any person disobeys or fails to comply with any order or direction given at a hearing, the person presiding or any Trustee may call for the assistance of any peace officer to enforce the order or direction. [SPPA §9(2)]

## 4. WITHHOLDING COMMENCEMENT OF PROCEEDINGS

### 4.1 Decision Not To Process Commencement Of PROCEEDING

Subject to section 4.3, upon receiving documents relating to the commencement of a PROCEEDING, the DIRECTOR may decide not to process the documents relating to the commencement of the PROCEEDING if,

4.1.1 the documents are incomplete;

4.1.2 the documents are received after the time required for commencing the PROCEEDING has elapsed. [SPPA §4.5(1)]

### 4.2 Notice of Decision Not to Process

The DIRECTOR shall give the party who commences a PROCEEDING notice of the decision under section 4.1 and shall set out in the notice the reasons for the decision and the requirements for resuming the processing of the documents. [SPPA §4.5(2)]

### 4.3 When Documents Incomplete or Received Late For the purposes section 4.1:

4.3.1 the documents are incomplete if they do not conform to the requirements of sections 11.2, 12.2, as the case requires;

4.3.2 the documents must be received within the time limits set out in sections 11.3, 12.1, as the case requires. [SPPA §4.5(3)]

#### 4.4 Resumption of Processing

The processing of the documents may be resumed:

4.4.1 when the documents are complete, or

4.4.2 after the CHAIR in ~~his/her~~ **the Chair's** discretion extends the time for commencing the PROCEEDING, as the case requires.

#### 4.5 Dismissal Of PROCEEDING Without A Hearing

Subject to section 4.9, the BOARD may dismiss a PROCEEDING without a hearing if,

4.5.1 the PROCEEDING is frivolous, vexatious or is commenced in bad faith;

4.5.2 the PROCEEDING relates to matters that are outside the jurisdiction of the BOARD; or

4.5.3 some aspect of the statutory requirements for bringing the PROCEEDING has not been met. [SPPA §4.6(1)]

#### 4.6 Notice Of Intended Dismissal

Before dismissing a PROCEEDING under section 4.5, the BOARD shall give not less than five (5) days notice of its intention to dismiss the PROCEEDING to,

4.6.1 all parties to the PROCEEDING if the PROCEEDING is being dismissed for reasons referred to in subsection 4.5.2; or

4.6.2 the party who commences the PROCEEDING if the PROCEEDING is being dismissed for any other reason. [SPPA §4.6(2)]

#### 4.7 Reasons For Intended Dismissal To Be Set Out

The notice of intention to dismiss a PROCEEDING shall set out the reasons for the dismissal and inform the parties of their right to make written submissions to the BOARD with respect to the dismissal within the time specified in the notice. [SPPA §4.6(3)]

#### 4.8 Right To Make Submissions

A party who receives a notice under section 4.6 may make written submissions to the BOARD with respect to the dismissal before the close of business on the fifth (5th) business day after the date of the notice, which date and time shall be specified in the notice. [SPPA §4.6(4)]

#### 4.9 Dismissal

The BOARD shall not dismiss a PROCEEDING under this section until it has given notice under section 4.6 and considered any submissions made under section 4.8. [SPPA §4.6(5)]

## 5. DISCLOSURE

### 5.1 Required Disclosure

Unless otherwise ordered by the BOARD, each party to a PROCEEDING shall provide to the other party (or parties if more than one) and to the BOARD not less than two (2) clear days prior to the commencement of the PROCEEDING:

5.1.1 a list of the witnesses that the party intends to call to give evidence in the PROCEEDING;

5.1.2 a summary of the evidence that each such witness will give in sufficient detail to permit the other party (or parties if more than one) and the BOARD to know the nature of the evidence intended to be presented; and

5.1.3 if a witness, other than the principal and any teacher in the school in which the pupil is (or was) enrolled, is to be called to give a professional or expert opinion, full details of the credentials of any such witness as well as the reasons why such professional or expert opinion is required for the appropriate determination of the issues in the PROCEEDING.

### 5.2 BOARD May Order Disclosure

Subject to the provisions of applicable legislation respecting disclosure of personal information, the BOARD, at the request of a party or on its own motion, and at any stage of the PROCEEDING before a hearing is complete, may make orders for,

5.2.1 the exchange of documents;

5.2.2 the exchange of witness statements and reports of expert witnesses;

5.2.3 the provision of particulars;

5.2.4 any other form of disclosure. [SPPA §5.4(1)]

### 5.3 Exception to Disclosure of Privileged Information Nothing in section 5.1 authorizes:

- 5.3.1 the production of an Ontario Student Record for any pupil other than the pupil who is the subject of the PROCEEDING;
- 5.3.2 the making of an order requiring any disclosure that is contrary to law; and
- 5.3.3 the making of an order requiring any disclosure of privileged information. [SPPA §5.4(2)]

### 5.4 Where Character, Conduct Or Competence Of A Party Is In Issue Where the good character, propriety of conduct or competence of a party is an issue in a PROCEEDING:

- 5.4.1 the party is entitled to be furnished with reasonable information of any allegations with respect thereto not less than 2 clear days prior to the hearing, failing which, the BOARD shall not consider any evidence of character, propriety of conduct or competence of a party; and [SPPA §8]
- 5.4.2 in the case of a pupil, the disclosure of the Principal's Investigation shall be deemed to be compliance with the requirements of this section.

## 6. PRE-HEARING CONFERENCES

### 6.1 Pre-Hearing Conferences

The BOARD, at the request of a party or on its own motion, may direct the parties to participate in a pre-hearing conference to consider: [ACT 309(5)] and [ACT 311.1(9) 5]

- 6.1.1 the settlement of any or all of the issues;
- 6.1.2 the simplification of the issues;
- 6.1.3 facts or evidence that may be agreed upon;
- 6.1.4 the dates by which any steps in the PROCEEDING are to be taken or begun;
- 6.1.5 the estimated duration of the hearing; and
- 6.1.6 any other matter that may assist in the just and most expeditious disposition of the PROCEEDING. [SPPA §5.3(1)]



## 6.2 Who Presides At Pre-Hearing Conferences

The DIRECTOR or ~~his/her~~ designate, including a designated superintendent and/or Safe Schools coordinator to preside at any pre-hearing conference. [SPPA §5.3(2)]

## 6.3 Pre-Hearing Conference Without Prejudice Except as reflected in an order under section 6.4:

6.3.1 PROCEEDINGS at a pre-hearing conference are conducted on a "without prejudice" basis, and

6.3.2 Nothing acknowledged or asserted by one party at a pre-hearing conference may be repeated by any other party in any subsequent hearing on the matter.

## 6.4 Orders At Pre-Hearing Conference

The DIRECTOR or ~~his/her~~ designate, including the designated superintendent and/or Safe Schools coordinator, who presides at a pre-hearing conference, may make such orders as ~~he or she~~ **the Director or designate** considers necessary or advisable with respect to the conduct of the PROCEEDING, including adding parties. [SPPA §5.3(3)]

## 6.5 Disqualification

If a Trustee acquires information related to issues that parties are attempting to settle, such Trustee shall not preside at the hearing of the PROCEEDING on its merits unless the parties consent. [SPPA §5.3(4)]

## 6.6 Application To Electronic Hearings

Where a PROCEEDING is conducted electronically, the provisions of Article 9 apply to a pre- hearing conference, with necessary modifications. [SPPA §5.3(5)]

## 7. NOTICES, AND EFFECT OF NON-ATTENDANCE

### 7.1 Notice Of Written Hearing

The BOARD shall give to the parties to a written PROCEEDING five (5) days prior notice of hearing and such Notice shall include:

7.1.1 a reference to § 309, 310 and/or 311 of the ACT as the statutory authority under which the hearing will be held

7.1.2 a statement of the date and purpose of the hearing, and details about the manner in which the hearing will be held;

7.1.3 a statement that the hearing shall not be held as a written hearing if a party satisfies the BOARD that there is good reason for not holding a written hearing (in which case the BOARD is required to hold it as an electronic or oral hearing) and an indication of the procedure to be followed for that purpose;

7.1.4 a statement to the effect of section 7.2, that if the party notified neither acts under subsection 7.1.3 nor participates in the hearing in accordance with the notice, the Discipline Committee may proceed without the party's participation and the party will not be entitled to any further notice in the PROCEEDING. [SPPA §6(4)]

## 7.2 Effect Of Non-Attendance At Written Hearing After Due Notice

Where notice of a written hearing has been given to a party to a PROCEEDING in accordance with these Rules and the party neither acts under subsection 7.1.3 nor participates in the hearing in accordance with the notice, the BOARD may proceed without the party's participation and the party is not entitled to any further notice in the PROCEEDING. [SPPA §7(2)]

## 7.3 Notice of Electronic Hearing

The BOARD shall give to the parties to an electronic PROCEEDING five (5) days prior notice of hearing and such Notice shall include:

7.3.1 reference to § 309, 310 and or 311 of *the* ACT as the statutory authority under which the hearing will be held

7.3.2 a statement of the time and purpose of the hearing, and details about the manner in which the hearing will be held;

7.3.3 a statement that the only purpose of the hearing is to deal with procedural matters, if that is the case;

7.3.4 if subsection 7.3.3 does not apply, a statement that the party notified may, by satisfying the BOARD that holding the hearing as an electronic hearing is likely to cause the party significant prejudice, require the BOARD to hold the hearing as an oral hearing, and an indication of the procedure to be followed for that purpose; and

7.3.5 a statement that if the party notified neither acts under subsection 7.3.4, if applicable, nor participates in the hearing in accordance with the notice, the Discipline Committee may proceed without the party's participation and the party will not be entitled to any further notice in the PROCEEDING. [SPPA §6(5)]

## 7.4 Effect Of Non-Attendance At Electronic Hearings After Due Notice

Where notice of an electronic hearing has been given to a party to a

PROCEEDING in accordance with these Rules and the party neither satisfies the BOARD that holding the hearing as an electronic hearing is likely to cause the party significant prejudice if applicable, nor participates in the hearing in accordance with the notice, the BOARD may proceed without the party's participation and the party is not entitled to any further notice in the PROCEEDING. [SPPA §7(3)]

#### 7.5 Notice Of Oral Hearing

The parties to an oral PROCEEDING shall be given five (5) days prior written notice of hearing, and such Notice shall include:

7.5.1 reference to Sections 309, 310 and or 311 as the statutory authority under which the hearing will be held

7.5.2 a statement of the time, place and purpose of the hearing; and

7.5.3 a statement that if the party notified does not attend at the hearing, the Discipline Committee may proceed in the party's absence and the party will not be entitled to any further notice in the PROCEEDING. [SPPA §6(3)(b)]

#### 7.6 Effect Of Non-Attendance At Oral Hearing After Due Notice

Where notice of an oral hearing has been given to a party to a PROCEEDING in accordance with these Rules and the party does not attend at the hearing, the BOARD may proceed in the absence of the party, and the party is not entitled to any further notice in the PROCEEDING. [SPPA §7(1)]

### 8. WRITTEN HEARINGS GENERALLY

#### 8.1 When Written Hearing Not Permitted

Notwithstanding anything contained in these Rules, the BOARD shall not hold a hearing in writing if a party satisfies the BOARD that there is good reason for not doing so. [SPPA §5.1(2)]

#### 8.2 Time Limit For Seeking Electronic Or Oral Hearing

A party who wishes to satisfy the BOARD that there is good reason for not holding a hearing in writing shall provide such reason to the BOARD:

8.2.1 in the case of an appeal against a suspension, at the time of delivering the appeal to the BOARD; and

8.2.2 in all other cases, within five (5) days after a determination by the BOARD to hear the appeal in writing.

#### 8.3 Exception

Section 8.1 does not apply if the only purpose of the hearing is to deal with procedural matters. [SPPA §5.1(2.1)]

#### 8.4 Determination by the BOARD

The BOARD shall determine whether a party has satisfied the BOARD that there is a good reason not to hold the hearing in writing.

### 9. ELECTRONIC HEARINGS GENERALLY

#### 9.1 When Hearing Electronically Not Permitted

Subject to section 9.2, where the BOARD has determined to hold a hearing electronically, the BOARD shall not do so if a party satisfies the BOARD that holding an electronic rather than an oral hearing is likely to cause the party significant prejudice. [SPPA §5.2(2)]

#### 9.2 Exception Not Apply Where Procedural Only

Section 9.1 does not apply if the only purpose of the hearing is to deal with procedural matters. [SPPA §5.2(3)]

#### 9.3 Determination by the BOARD

The BOARD shall determine whether a party has satisfied the BOARD that holding an electronic rather than an oral hearing is likely to cause the party significant prejudice.

#### 9.4 Participants To Be Able To Hear One Another

In an electronic hearing, all the parties and the members of the BOARD participating in the hearing must be able to hear one another and any witnesses throughout the hearing. [SPPA § 5.2(4)]

#### 9.5 Procedure At Electronic Hearing

At the commencement of the hearing and so often thereafter as may seem just in the circumstances:

9.5.1 the PROCEEDING CHAIR shall ascertain who is present electronically;

9.5.2 other than the clerk of the PROCEEDINGS, and except with the prior consent of the presiding chair (which consent may be arbitrarily refused), no participant or other person shall be permitted to make a recording of or broadcast any part of the PROCEEDINGS

9.5.3 the PROCEEDING CHAIR shall require each participant to prohibit any person other than:

- (a) a party,
- (b) such party's counsel or agent as recorded present by the PROCEEDING

CHAIR, and

(c) witnesses while giving evidence, from listening to anything disclosed at the hearing without the express prior approval of the PROCEEDING CHAIR;

9.5.4 the PROCEEDING CHAIR shall require all participants to notify the PROCEEDING CHAIR before any person present electronically leaves the electronic hearing, and in default of any such notification, such person shall be deemed for all purposes to have been present throughout the whole of the electronic hearing; and

9.5.5 the procedure followed in an electronic hearing shall comply with the requirements of Article 10, and, as far as is feasible and practical, otherwise follow the same process as would be followed in the case of an oral hearing.

## 10. PROVISIONS AFFECTING BOTH ORAL AND ELECTRONIC HEARINGS

### 10.1 PROCEEDINGS Recorded by the BOARD

Except as otherwise ordered by the PROCEEDING CHAIR:

10.1.1 the PROCEEDINGS shall be recorded by the clerk of the PROCEEDING; and

10.1.2 no other recording of the PROCEEDINGS shall be permitted.

### 10.2 Rights of Party at Oral and Electronic Hearings

A party may call and, subject to subsection 10.5, examine witnesses and present evidence, and present submissions. [SPPA §10.1]

### 10.3 Cross-examination of Witnesses

Subject to section 10.5, all witnesses in an appeal of the suspension of a pupil shall be subject to cross-examination by the party other than the party calling them as may be reasonably required for a full and fair disclosure of all matters relevant to the issues. [SPPA §10.1]

### 10.4 Questions In Reply And From The BOARD

Subject to subsection 10.5, all witnesses in an appeal of the suspension of a pupil shall be subject to questions in reply, and questions by the BOARD.

### 10.5 Limitation on Examination and Cross-examination

The BOARD may reasonably limit the number of witnesses, and further examination or cross-examination of a witness where it is satisfied that the

examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding. [SPPA §23(2)]

## 11. APPEAL OF A DECISION TO SUSPEND A PUPIL

### 11.1 Who May Appeal a Suspension

The following persons may appeal the decision of a principal to suspend a pupil:

#### 11.1.1 the pupil if:

- i.) the pupil is at least 18 years old, or
- ii.) The pupil is 16 or 17 years old and has withdrawn from parental control

#### 11.1.2 the pupil's parent or guardian, unless:

- i.) the pupil is at least 18 years old, or
- ii.) The pupil is 16 or 17 years old and has withdrawn from parental control [ACT 309(1)]

### 11.2 Appeal Required In Writing, and Minimum Content

An appeal of the decision of a principal to suspend a pupil shall be in writing, and the notice thereof shall contain at least the following:

#### 11.2.1 a copy of the Notice of the Suspension that is the subject of the appeal;

11.2.2 a written statement identifying, with appropriate detail, every reason that the person appealing wishes the BOARD to consider as to why the suspension should not have been imposed, or why the length of the suspension should be altered.

### 11.3 Time For Bringing Appeal

An appeal of the decision of a principal to suspend a pupil shall be delivered to the designated supervisory officer, with a complete copy to the principal who imposed the suspension, not later than the 5th day following the delivery of a Principal's Investigation Report after a suspension pending expulsion imposed under ACT 310 or not later than the 10th day following the delivery of a Suspension Notice imposed under ACT 306.

### 11.4 Response Of Board

The board shall hear and determine the appeal within 15 days of receiving notice unless the parties agree on a later deadline, and shall not refuse to deal with appeal on the ground that there is a deficiency in the notice to appeal.[ACT 309(6)] The board may initiate a pre-hearing conference as stated herein. [6.1]

### 11.5 Hearing In Writing

Subject to Article 8, the hearing of an appeal of the decision of a principal to suspend a pupil shall be held in writing. [SPPA §5.1(1)]

#### 11.6 Appellant To Satisfy BOARD That Principal Was Wrong

In an appeal of the decision of a principal to suspend a pupil, the appellant shall satisfy the BOARD that the decision of the principal is wrong.

#### 11.7 Appellant Presents First, Principal Second

Where the BOARD hears an appeal of the decision of a principal to suspend a pupil either electronically or orally, the appellant shall proceed first in the calling and examination of witnesses and presentation of evidence and submissions, and the principal shall be the second to do so.

#### 11.8 Decision Of The BOARD

The BOARD shall deliver its decision on an appeal of a decision by a principal to suspend a pupil:

11.8.1 in the case of an appeal heard in writing where a party has applied but failed to satisfy the BOARD that there is good reason for not doing so, within ten (10) days after the latest of

- (a) the determination described in section 8.4;
- (b) the delivery or time for delivery of the response of the board described in 11.4

11.8.2 in the case of all other appeals heard in writing, within ten (10) days after receipt of the appeal; and

11.8.3 in the case of an appeal heard orally or electronically, within a reasonable time after the conclusion of the hearing.

### 12. REFERRAL OF AN EXPULSION MATTER TO THE BOARD

#### 12.1 Time For Referral

A principal who refers a matter under 311.3 of the ACT shall do so as soon practicable after the Principal's Investigation Report following the suspension of a pupil pending possible expulsion under § 310 of *the Act*.

#### 12.2 Content Of Referral

A principal who refers a matter under §311.3 of the ACT shall prepare a report that contains the following [ACT 311.1(7)]:

12.2.1 A summary of the principal's findings;

12.2.2 The principal's recommendation as to whether the pupil should be expelled from ~~his or her~~ **the pupil's** school only or from all schools of the board

12.2.3 The principal's recommendation as to,

- i.) the type of school that might benefit the pupil, if the pupil is expelled from all schools only, or
- ii.) the type of program for expelled pupils that might benefit the pupil, if the pupil is expelled from all schools of the board

The principal shall promptly provide a copy of the report to the board and to every person whom the principal was required to give notice of the suspension under section 311.

### 12.3 Hearing Electronically

Subject to Section 9.1, the BOARD may determine to hear electronically the referral of a matter under §309 or §310 of *the Act*. [SPPA §5.2(1)]

### 12.4 Scheduling Of Hearing

Subject to section 12.5, the BOARD shall appoint a day and time for the hearing that is not later than the twentieth (20th) school day following the date when the pupil was suspended pending expulsion under §310 of *the Act*.

### 12.5 Extension Of Deadline

Subject to section 12.6, the BOARD may appoint a day and time for the hearing that is later than the date prescribed in section 12.4 if the parties consent to such later date. [ACT 311.3(8)]

### 12.6 PARENT or Pupil Application For Adjournment

Any order of the BOARD upon the application by the PARENT or the pupil for an adjournment of the date and time appointed by the BOARD under section 12.4 or section 12.5

12.6.1 shall be subject to the express condition that the parties consent to the adjourned date as the deadline within which the BOARD may impose an expulsion, and to a continuance of the suspension pending expulsion until the end of the hearing and decision of the BOARD, and

12.6.2 may be subject to such other conditions as the BOARD in its discretion may prescribe.

### 12.7 Decision Of The BOARD

The BOARD shall deliver its decision on referral of a matter under §310 and §311 of the ACT by a principal not later than:



12.7.1 the twentieth (20th) school day following the date when the pupil was suspended pending expulsion if such deadline has not been extended by agreement of the parties, or

12.7.2 the extended date, as provided in either of section 12.4 or section 12.5 as the deadline within which the BOARD may impose an expulsion, as the case requires. or

12.7.3 time needed to complete the Decision in Order following signing of Minutes of Settlement presented at the pre-hearing conference.

## 12.8 Appeal of Decision of the Board

The parent/guardian/adult student/student 16/17 years of age and withdrawn from parental control may appeal the board's decision to expel a pupil, whether the pupil is expelled from ~~his or her~~ **the pupil's** school only or from all schools of the board, to the designated tribunal. The appellant has 30 days from the hearing date and decision to inform the designated tribunal of the intent. The designated tribunal has 30 days to hear the appeal. [ACT 311.7]

The "designated tribunal" means the Child and Family Review Board under section 207 of the Child and Family Services Act. O Reg. 472/07, s.1.

## 13. DEFINITIONS

13.1 Except as required by the context, in these Rules, in addition to the plain meaning of the words in each case:

13.2 "ACT" means *The Act*, R.S.O. 1990, c.E.2, as amended;

13.3 "BOARD" includes the Board of Trustees, a Committee of Trustees (Discipline Committee) to which the holding of a hearing is delegated, a Trustee designated by the CHAIR of the BOARD, or the DIRECTOR of Education or designate, as the context requires;

13.4 "CHAIR" means the CHAIR of the BOARD and includes ~~his/her~~ **the CHAIR's** delegate;

13.5 "DIRECTOR" means the Director of Education and includes ~~his/her~~ **the Director's** delegate;

13.6 "PARENT" includes one or both parents, and one or more guardians, of a pupil, as the case requires;

13.7 "PROCEEDING" includes

- (a) an appeal against a decision by a principal to impose a suspension;
- (b) a referral by the principal of a matter of a school or board expulsion of a pupil, and
- (c) a procedural or interlocutory matter as part of any one of the foregoing;

13.8 "PROCEEDING CHAIR" means the chair of the Discipline Committee assigned to hear the PROCEEDING;

**OPERATIONAL PROCEDURES: Guidelines to Suspension Appeal Hearings**

# ~~APPENDIX~~

## SECTION F

### Frequently Asked Questions for Suspension Appeal Hearings

**APPENDIX SECTION F****Frequently Asked Questions for Suspension Appeal Hearings**

It is a fundamental principle of the common law that persons facing disciplinary consequences be treated fairly. Procedural fairness requires that the disciplinary consequences to a student be administered by a school administrator who conducts an investigation in an impartial and fair manner. Depending on the circumstances, fairness may include:

- giving the student reasonable notice of the rule involved;
- the opportunity to be heard - to tell ~~his/her~~ **the student's** side of the story; and
- the right to know the case against ~~him/her~~ **the student**.

Suspension Appeal Hearings will be conducted in accordance with the *Statutory Powers Procedure Act* (R.S.O. 1990, c. S.22). The following is a guideline regarding the rules of procedure for a suspension appeal.

1. If you decide to appeal the suspension, what types of decisions can the Committee make?

Following the suspension appeal hearing, the Committee can make only one of the following decisions:

- confirm the suspension and the duration of the suspension;
- confirm the suspension, but shorten its duration and order that the record of suspension be amended accordingly; or
- quash the suspension and order that the record of suspension be expunged.

2. Does the appeal of a suspension delay the suspension?

No. Even if there is an appeal, the suspension must still be served by the student.

3. Who are the parties to the hearing?

The parties to the hearing are:

- the parent/guardian of a student under the age of 18;
- an adult student;
- a student who is 16 or 17 years old and has withdrawn from parental control; and/or
- the school principal.

4. Can the student who has been suspended attend the hearing even if ~~he or she~~ **the student** is not a party?

Yes. The student named in the suspension has the right to be present at the

hearing and to make a statement on ~~his or her~~ **their** behalf.

**5. Does every party have a right to representation?**

Yes. A party to a proceeding may be represented by counsel or an agent. Counsel is a lawyer. An agent may be a trusted family friend, a religious advisor or other person who can assist with the presentation of the case.

**6. What is the role of the Committee of the Board?**

The Committee of the Board will consist of at least three members of the Board of Trustees. It will hear and determine an appeal. Members of the Committee who may have had any direct involvement in the matter prior to the commencement of the hearing will disqualify themselves and will not take part in the hearing, the deliberations, the decision or the reasons. Members of the Committee who have not been present through the whole of the hearing will not take part in the deliberations, the decision or the reasons.

**7. Is there a requirement to provide disclosure?**

Yes. Unless otherwise ordered by the Board, prior to the commencement of the Hearing, each party will provide to the other party and to the Board the following information:

- a copy of documents and summary of evidence that each party intends to rely on at the hearing.

Parties will exchange this information no later than 48 (forty-eight) hours in advance of the Hearing, unless there are extenuating circumstances preventing the exchange. Any documents or evidence not disclosed 48 (forty-eight) hours in advance will be presented to the Committee of the Board for review to determine whether they can be referenced at the Hearing.

**8. Will the hearing be held in private?**

Yes. The Committee will order that the hearing will be held in private session.

**9. When will a suspension appeal hearing take place?**

The Committee of the Board will hear and determine a suspension appeal within 15 school days of receiving the notice of appeal, unless the parties agree otherwise.

**10. What is the order of presentation at the hearing?**

When the Committee hears an appeal of the decision to suspend a student, the parent or adult student will proceed first in the presentation of evidence and submissions, and the principal will proceed second, unless the parties agree otherwise.

**11. How will the suspension appeal hearing be organized?**

Subject to the discretion of the Committee hearing a suspension appeal, the following guidelines will apply:

- (a) Five minute introduction of the parties and the Committee of the Board;

(b)

- i. Ten (10) minute presentation by the parent or adult student in presenting evidence and submissions on behalf of the student;
- ii. Ten (10) minute cross-examination by the Principal (and/or Legal Counsel, if applicable) of the parent and the student [and their witnesses];

(c)

- i. Ten (10) minute presentation by the principal in presenting evidence and submissions on behalf of the School;
- ii. Ten (10) minute cross-examination by the Parent or adult student (and/or their Legal Counsel, if applicable) of the Principal [and ~~his/her~~ **the Principal's** witnesses];

(d) Five (5) minute closing arguments by parent or adult student (or their Legal Counsel, if applicable);

(e) Five (5) minute closing arguments by the Principal (or their Legal Counsel, if applicable);

(f) Five (5) minute questions and answer session by the Committee. Caucus, deliberations and decision by the Committee. The Committee has the power to reserve its decision.

12. What if translation or interpretation services are required?

If translation or interpretation services are required, the time limit in each step may be altered.

13. What will the Committee of the Board consider in making a decision?

The Committee will assess the evidence as provided by the parties, and determine whether on a balance of probabilities, it is more probable than not that the student committed the infraction. Where the Committee determines that the student committed the infraction, the Committee will determine whether the principal considered the mitigating factors or other factors prescribed by the regulations. If the principal failed to consider the mitigating factors or other factors, then the Committee will do so.

Mitigating factors to be considered are as follows:

- The pupil does not have the ability to control ~~his or her~~ **the pupil's** behaviour.
- The pupil does not have the ability to understand the foreseeable consequences of ~~his or her~~ **the pupil's** behaviour.
- The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors to be considered are as follows:

- The pupil's history.
- Whether a progressive discipline approach has been used with the pupil.
- Whether the activity for which the pupil may be suspended was related to any harassment of the pupil because of ~~his or her~~ **the pupil's** race, **national or** ethnic origin, **language, colour**, religion, **sex, age, mental or physical** disability, **sexual orientation**, gender **identity, gender expression**, ~~or~~

~~sexual orientation or~~ **family status, marital status,** or to any other form of harassment.

- How the suspension or expulsion would affect the pupil's ongoing education.
- The age of the pupil.
- In the case of a pupil for whom an individual education plan has been developed,
  - whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan.
  - whether appropriate individualized accommodation has been provided, and
  - whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
- **Whether the pupil has a history of marginalization or trauma.**

**14. Can the Committee reserve its decision?**

Yes. The Committee has the power to reserve its decision; that is, require further time for its deliberations and conclusions.

**15. Will the Committee issue a decision in writing?**

Yes. The decision of the Committee will be in writing and signed by the chair of the Committee. A copy of the decision will be sent to all parties to the proceeding who took part in the hearing at their respective addresses last known to the Board.

**~~OPERATIONAL PROCEDURES: Guidelines to Expulsion Hearings~~**

# ~~APPENDIX~~

## SECTION G

### Frequently Asked Questions for Expulsion Hearings



## **APPENDIX SECTION G**

### **Frequently Asked Questions for Expulsion Hearings**

It is a fundamental principle of the common law that persons facing disciplinary consequences be treated fairly. Procedural fairness requires that the disciplinary consequences to a student be administered by a school administrator who conducts an investigation in an impartial and fair manner. Depending on the circumstances, fairness may include:

- giving the student reasonable notice of the rule involved;
- the opportunity to be heard - to tell ~~his/her~~ **the student's** side of the story; and
- the right to know the case against ~~him/her~~ **the student**.

Expulsion Hearings are to be conducted in accordance with the *Statutory Powers Procedure Act* (R.S.O. 1990, c. S.22). The following is a guideline regarding the rules of procedure for an Expulsion Hearing:

#### **1. If you decide to have an Expulsion Hearing, what types of decisions can the Committee make?**

Following the Expulsion Hearing, the Committee can make only one of the following decisions:

- whether to expel the pupil; and
- if the pupil is to be expelled, whether the pupil is expelled from ~~his/her~~ **the pupil's** school only or from all schools of the Board.

If the Board does not expel the pupil, the Board shall, with respect to the suspension originally imposed under Section 310 of the *Education Act*:

- confirm the suspension and the duration of the suspension;
- confirm the suspension, but shorten its duration and order that the record of suspension be amended accordingly; or
- quash the suspension and order that the record of suspension be expunged.

#### **2. Does the Expulsion Hearing delay the 20-day suspension?**

No. Even if there is a Hearing, the suspension must still be served by the student.

### 3. Who are the parties to the hearing?

The parties to the hearing are:

- the school principal;
- the pupil, if:
  - the pupil is at least 18 years old (an adult student); or
  - the pupil is 16 or 17 years old and has withdrawn from parental control;
- the pupil's parent/guardian, unless:
  - the pupil is at least 18 years old; or
  - the pupil 16 or 17 years old and has withdrawn from parental control.

### 4. Can the student who has been recommended for expulsion attend the hearing even if ~~he or she~~ the student is not a party?

Yes. The student named in the suspension pending expulsion has the right to be present at the hearing and to make a statement on ~~his or her~~ **their** behalf.

### 5. Does every party have a right to representation?

Yes. A party to a proceeding may be represented by legal counsel or an agent. Legal counsel is a lawyer. An agent may be a trusted family friend, a religious advisor or other person who can assist with the presentation of the case. If a pupil, or parent/guardian (in accordance with #3 above), intends to bring legal counsel to the Hearing, they must inform the Board's legal counsel of this intention at least 10 (ten) days in advance of the Hearing date.

### 6. What is the role of the Committee of the Board?

The Committee of the Board will consist of at least three members of the Board of Trustees. It will hear and determine the recommendation for expulsion. Members of the Committee who may have had any direct involvement in the matter prior to the commencement of the Hearing will disqualify themselves and will not take part in the Hearing, the deliberations, the decision or the reasons. Members of the Committee who have not been present through the whole of the Hearing will not take part in the deliberations, the decision or the reasons.

### 7. Is there a requirement to provide disclosure?

Yes. Unless otherwise ordered by the Board, prior to the commencement of the Hearing, each party will provide to the other party and to the Board the following information:

- a copy of documents and summary of evidence that each party intends to rely on at the hearing.

Parties will exchange this information no later than 48 (forty-eight) hours in advance of the Hearing, unless there are extenuating circumstances preventing the exchange. Any documents or evidence not disclosed 48 (forty-eight) hours in advance will be presented to the Committee of the Board for review to determine whether they can be referenced at the Hearing.

**8. Will the hearing be held in private?**

Yes. The Committee will order that the Hearing will be held in private session.

**9. When will an Expulsion Hearing take place?**

The Committee of the Board will hear and determine a recommendation for expulsion within 20 school days of the pupil's suspension pending expulsion under section 310 of the *Education Act*, unless the parties to the Expulsion Hearing have signed an Extension Form and/or the parties to the Expulsion Hearing agree on a later deadline.

**10. What is the order of presentation at the hearing?**

When the Committee hears an Expulsion Hearing, the principal will proceed first in the presentation of evidence and submissions, and the parent or adult student will proceed second.

**11. How will the Expulsion Hearing be organized?**

In an Expulsion Hearing, the following guidelines will apply:

- (a) Five (5) minute introduction of the parties and the Committee of the Board, with discussion on the issues to be addressed by the Committee;
- (b) (i) Twenty (20) minute presentation by the principal/legal counsel in presenting evidence and submissions on behalf of the School, including any witness evidence\*;  
 (ii) Ten (10) minutes total for parent or adult student (and/or legal counsel, if applicable) to ask questions of clarification of the principal (and/or legal counsel, if applicable);
- (c) (i) Twenty (20) minute presentation by the parent or adult student (and/or legal counsel, if applicable) in presenting evidence and submissions on behalf of the student, including any witness evidence\*;  
 (ii) Ten (10) minutes total for principal (and/or legal counsel, if applicable) to ask questions of clarification of the parent or adult student (and/or legal counsel, if applicable); and
- (d) Five (5) minute closing arguments by the Principal (or their Legal Counsel, if applicable);
- (e) Five (5) minute closing arguments by parent or adult student (or their Legal Counsel, if applicable);
- (f) Ten (10) minute question-and-answer session by the Committee.

\*Note: video evidence, if shown, does not count toward the 20-minute time limit

(g) Caucus, deliberations and decision by the Committee. The Committee has the power to reserve its decision.

**12. What if translation or interpretation services are required?**

If translation or interpretation services are required, the time limit in each step may be altered.

**13. What will the Committee of the Board consider in making a decision?**

The Committee will consider:

- all submissions and views of the parties, including their views as to whether the pupil, if expelled, should be expelled from ~~his or her~~ **the pupil's** school only or from all schools of the board;
- (b) any mitigating or other factors prescribed by the regulations and as outlined in TCDSB Policy S.S.01; and
- (c) any written response to the principal's report recommending expulsion that a person gave to the board under subsection 311.1 (10) of the *Education Act* before the completion of the hearing.

**14. Can the Committee reserve its decision?**

Yes. The Committee has the power to reserve its decision; that is, require further time for its deliberations and conclusions and give its decision at a later date/time.

**15. Will the Committee issue a decision in writing?**

Yes. The decision of the Committee will be in writing and signed by the chair of the Committee. A copy of the decision will be sent to all parties to the proceeding who took part in the hearing at their respective addresses last known to the Board.

~~OPERATIONAL PROCEDURES: Principal Investigation Guideline~~

# ~~APPENDIX~~

## SECTION H

### Principal Investigation Guideline

**APPENDIX SECTION H****Operational Procedures: Principal Investigation Guideline**

We believe that those entrusted with leadership positions in the Catholic Schools must be conspicuous for their goodness, sincerity and attachment to the faith. In other words, they are ~~men and women~~ **persons** who demonstrate in practice the very reason for the Catholic school's existence: an integrated Christian maturity inspired by the Gospel and lived in authentic freedom and commitment. (Fulfilling the Promise: The Challenge of Leadership, 1993).

As outlined in the TCDSB Suspension and Expulsion Policy S.S.01, it is the policy of the Board that, whenever the principal suspends a student pending possible expulsion, the principal will conduct an investigation under the Board's Suspension and Expulsion Policy S.S. 01 to determine whether to recommend to the Board that the pupil be expelled. The student, and any other person who may reasonably be regarded as having been affected by such activity, shall be given a fair opportunity to promptly furnish information relevant to the principal's investigation, unless it is impractical to do so, eg. the student is in custody.

Guidelines:

1. In circumstances where there is police involvement regarding a school related incident and the principal has been given direction by police not to proceed with a school investigation, the principal may exclude the student for the duration of the police investigation according to *Education Act* Section 265 (1) (m). During this time, the principal shall continue to provide academic programming to the student. The principal will also maintain ongoing contact with police to determine when it is permissible for the principal to continue with the school investigation. Once the principal has been granted permission by police to proceed with the school investigation, the principal will conduct an investigation to determine appropriate next steps.

2. Where the principal believes that a student has engaged in activity for which expulsion must be considered, the principal shall suspend the student from school and from all school-related activities. The principal shall discuss with the student and parent/guardian (if minor) the TCDSB long-term suspension program (TIPSS) and will encourage the student's participation in this program. The principal shall conduct an investigation to determine whether to recommend to the Board that the student be expelled.
  - a. The investigation shall be considered as a matter of high priority and shall be conducted and completed as soon as reasonably possible. The principal shall endeavor to complete the school investigation within 5 school days from the start of the suspension.
  - b. The investigation shall be conducted by the principal who may request the assistance of a designate(s). It is recommended that interviews be conducted in the presence of another staff person designated by the principal.
  - c. The principal shall remain neutral in attitude and non-judgmental as to the matters disclosed to ~~him/her~~ **the principal** during the investigation, and shall gather information from students, staff and other persons about the activity that has given rise to the investigation.
  - d. The principal shall inform a student what the allegations are, and shall give the accused student an opportunity to respond to those allegations prior to reaching a final determination unless it is impractical to do so, e.g. the student is in custody.

- e. During the investigation stage and before being interviewed further by the principal the subject student, and ~~his/her~~ **the subject student's** parents if the student is a minor, shall be advised of the student's right to have one other adult present with the student ("accompanying person") during the interview. The principal, however, in ~~his/her~~ **the principal's** sole discretion may permit more than one accompanying person.
- f. The Principal will document information gathered from the school investigation in the Safe Schools Progressive Discipline Application, specifically the online Principal Investigation.
- g. Before making a final determination, the principal shall consider mitigating factors and other factors in accordance with the requirements of the Ministry of Education.
- h. Upon reviewing the school investigation and relevant mitigating and other factors, the principal shall make a final determination which will include one of the following:
  - i. Board Expulsion
  - ii. School Expulsion
  - iii. Confirmed Suspension
  - iv. Shortened or Reduced Suspension
  - v. Withdrawal of Suspension and Expungement of the Record
- i. The principal shall provide a written notice outlining details related to the principal's final determination to every person to whom ~~he/she~~ **the principal** was required to give notice of suspension under Section 311 of *Education Act*. This written notice is entitled "Parent Report Package".



**~~OPERATIONAL PROCEDURES: Search and Seizure Guideline~~**

# APPENDIX

## SECTION I

### Search and Seizure Guideline

## **APPENDIX SECTION I**

### **Operational Procedures: Search and Seizure Guideline**

1. From time to time, proper investigation of an incident in a school may require a search of a student or his/ her property.

For example,

- a. a principal or a teacher may have reason to suspect that a student is carrying a concealed weapon, or
  - b. a student questioned with regard to a fight may blurt out that one of the antagonists sells drugs and keeps some in ~~his/her~~ **the antagonist's** locker, or
  - c. a student reports that ~~his/her~~ **the student's** personal property has been stolen and indicates that ~~he/she~~ **the student** believes it was taken by another student and may be found in that student's knapsack.
2. The Toronto Catholic District School Board prohibits the possession, on school property or at school functions, of substances or objects which may threaten good order, discipline, decorum, and public safety. Such substances or objects may include, but are not limited to:
  - a) alcoholic beverages;
  - b) cannabis/cannabis products, unless the student is a medical cannabis user;
  - c) illegal or restricted drugs;
  - d) stolen property;
  - e) weapons, either restricted or prohibited by law;
  - f) any object which may be used as a weapon and which may cause serious injury; and
  - g) hate literature, racist material, pornography, etc.

What is the proper procedure to follow in circumstances such as these?

3. Section 8 of the *Canadian Charter of Rights and Freedom* provides that: "Everyone has the right to be secure against unreasonable search and seizure". However, a student's reasonable expectation of privacy is diminished at school because the student knows that principals and teachers are responsible for providing a safe environment and maintaining order and discipline in the school.
4. Principals and teachers may conduct a search if there are reasonable grounds to believe that a school rule has been violated and that evidence will be found in school property, in student property, or on the person searched. Staff must, where possible, consult with the principal or designate prior to conducting a search of school property, student property, or a person. School property includes, but is not limited to, student lockers, student desks, student cubbies, or any other place on school property. Student property includes, but is not limited to, knapsacks, purses, and personal electronic devices.
5. The following may constitute reasonable grounds:
  - a. information received from one student considered to be credible;
  - b. information received from more than one student;
  - c. a teacher's or principal's own observations; and
  - d. any combination of these pieces of information which the school authority considers to be credible.

Random or arbitrary searches or searches on groundless suspicion are not reasonable and will likely be in contravention of the Charter.

6. All searches of property and persons may only be conducted in the presence of the principal or teacher and one other adult witness.
7. Where need for a personal search is indicated, and where it is safe to do so, all personal searches of a student should be conducted in the privacy of the principal's office or another suitable room.
8. The student involved should be given the opportunity to produce the substance or object which ~~he or she~~ **the student** is suspected of possessing before a search of the student is conducted. If the student is not cooperative in producing the substance or object, the principal or designate will immediately contact the police.
9. The principal or designate will make all reasonable efforts to contact the

parent/guardian of the student (unless the student is 18 years of age and older or the student is 16/17 years of age and has withdrawn from parental control) once the search has been conducted, unless otherwise directed by Police. The principal will contact the parent/guardian when cleared by Police to do so. In all cases, the principal or designate will document all efforts/attempts to contact the parent/guardian and any instructions received from Police.

10. When a search is conducted, a record of all pertinent information, including action taken, witnesses present, the date, time and place of the search, and results of the search, will be documented as soon as possible. Documents will be filed appropriately and the Area Superintendent will be promptly advised. This information is subject to the provisions of Freedom of Information legislation. Confiscated property will be appropriately secured until removed from school premises by police or by other arrangement as determined by Principal and Area Superintendent.



REPORT TO

REGULAR BOARD

## RESCINDMENT OF SIGNING OFFICERS POLICY (FM.02)

*“Take delight in the Lord, and he will give you the desires of your heart.”*

**Psalm 37:4**

Created, Draft	First Tabling	Review
January 19, 2021	February 2, 2021	<a href="#">Click here to enter a date.</a>
P. De Cock, Comptroller of Business Services & Finance		

### RECOMMENDATION REPORT

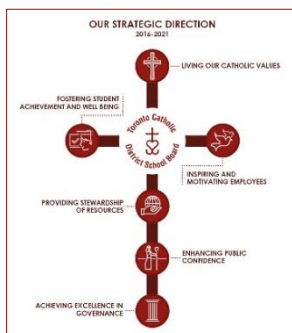
**Vision:**

*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.*



**Brendan Browne, PhD**  
Director of Education

**D. Koenig**  
Associate Director  
of Academic Affairs

**S. Camacho**  
Acting Associate Director of  
Facilities, Business and  
Community Development, and  
Chief Financial Officer

## **A. EXECUTIVE SUMMARY**

This report reviews and recommends the rescindment of TCDSB Board Policy FM.02 (Signing Officers) in order to remove a redundant internal financial control and consolidate into the Board's Effective Financial Management and Control of Operations Policy.

*The cumulative staff time required to prepare this report was 3 hours.*

## **B. PURPOSE**

1. This Recommendation Report is on the Order Paper of the Governance and Policy Committee as it recommends the rescindment of the Signing Officers Policy (FM.02) as it is a redundant policy and better served by consolidating into the TCDSB's Effective Financial Management and Control of Operations Policy FM.08.

## **C. BACKGROUND**

1. The TCDSB Policy FM.02 (Signing Officers) was approved on November 24<sup>th</sup>, 1986 without any subsequent revisions to date (attached as Appendix A).
2. This report appeared at the February 2, 2021 Governance and Policy Meeting.

## **D. EVIDENCE/RESEARCH/ANALYSIS**

1. The TCDSB Effective Financial Management and Control of Operations Policy FM.02 provides a comprehensive governance and procedural framework for the administration of financial operations for the TCDSB.
2. In addition, recent changes to the Purchasing Policy FP.01 requires the Board of Trustees review and approve any procurement award in excess of the \$50,000 threshold by a report complete with detailed descriptions and cost analyses for review and approval.
3. TCDSB's existing Policy and Procedures regulates all financial, budget and reporting activities and requires compliance with the Education Act.

## **E. COMMITTEE RECOMMENDATION**

This Policy is being recommended for rescindment effective immediately.



## TCDSB Policy Register

### SIGNING OFFICERS F.M.02

#### Policy

The signing officers are empowered to sign on behalf of the TCDSB providing the document in question has been previously signed or initialed by the responsible member of administration to verify the correctness of the document.

*BM p 213, 24 Nov 86; BM p 1194, Aug 72.*

---

80 Sheppard Ave. E., Toronto ON., M2N 6E8

Contact Us

phone: 416-222-8282

**Admissions / Registration** Ext. 5320

**Communications / Public Relations** Ext. 5314

**Community Use of Schools / Permits** Ext. 4370

**Night School / Summer School** Ext. 2168 or [eregister@tcdsb.org](mailto:eregister@tcdsb.org)

**Transportation** 416-229-5313

[More](#)

The TCDSB wants to provide the best possible experience for all our stakeholders. If you have a disability or questions related to accessibility, please contact [flora.cifelli@tcdsb.org](mailto:flora.cifelli@tcdsb.org).

For more information refer to TCDSB policies:

<https://www.tcdsb.org/Board/Policies/Documents/A35.pdf> and

<https://www.tcdsb.org/Board/Policies/Documents/A36.pdf>

©2021 Toronto Catholic District School Board. All rights reserved.



REPORT TO

REGULAR BOARD

## FROM THE GOVERNANCE AND POLICY COMMITTEE REVISION OF THE TRUSTEE CODE OF CONDUCT POLICY T.04

*For we are His workmanship, created in Christ Jesus for good work, which God prepared beforehand that we should walk in them. **Ephesians 2:10***

### Created, Draft

February 9, 2021

### First Tabling

February 18, 2021

### Review

[Click here to enter a date.](#)

Paul Matthews, General Legal Counsel

## 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.*



Brendan Browne, PhD  
Director of Education

D. Koenig  
Associate Director  
of Academic Affairs

S. Camacho  
Acting Associate Director  
Facilities, Business and  
Community Development



## **A. EXECUTIVE SUMMARY**

This report recommends updating the current Policy on Trustee Code of Conduct Policy T.04 to conform to current practice and policies.

*The cumulative staff time required to prepare this report was 20 hours*

## **B. PURPOSE**

This Recommendation Report is on the Order Paper of the Regular Board Meeting as it recommends policy revision based on input from the Governance and Policy Committee.

## **C. BACKGROUND**

1. This draft of the proposed Trustee Code of Conduct Policy includes revisions adopted by the Committee on January 12, 2021, and February 2, 2021. Attached at Appendix A is the revised draft policy.
2. The proposed draft protocol is attached at Appendix B.
3. Changes to this policy reflect current practice and alignment with related policies.

## **D. EVIDENCE**

This proposed policy is a complete revision of the existing policy and is submitted by the Integrity Commissioner in consultation with the Director of Education, General Legal Counsel and the Governance and Policy Committee.

## **E. METRICS AND ACCOUNTABILITY**

1. Recommendations in this report will be monitored by the Director, with the support of Legal Services.
2. Further reports will be brought to the Board in accordance with the policy review schedule.

## **F. IMPLEMENTATION**

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

## **G. COMMITTEE RECOMMENDATION**

The Governance and Policy Committee recommends that the revised Trustee Code of Conduct Policy T.04 provided in Report Appendix A, and the accompanying TCDSB Code of Conduct Complaint Protocol provided in Report Appendix B, be adopted.



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

<b>Date Approved:</b>	<b>Date of Next Review:</b>	<b>Dates of Amendments:</b>
<p><b>Cross References:</b></p> <p>Education Act, R.S.O. 1990, c. E.2</p> <p>Municipal Act, 2001, S.O. 2001, c. 25</p> <p>Municipal Conflict of Interest Act, R.S.O. 1990, c. M50 (MCIA)</p> <p>Municipal Elections Act, 1996, SO 1996, c. 32</p> <p>Municipal Freedom of Information and Protection of Privacy Act, R.S.O 1990, C. M.56 (MFIPPA)</p> <p>Criminal Code of Canada R.S.S., 1985, c. C-46</p> <p>Human Rights Code, R.S.O. 1990, c. H. 19</p> <p><i>Harassment and Discrimination Policy H.M.14</i></p> <p><i>Fair Practice in Hiring and Promotion Policy H.M.40</i></p> <p><i>Trustee Services and Expenditures Policy T.17</i></p> <p><i>Trustee Honorarium T.05</i></p> <p><i>Code of Conduct S.S.09</i></p>		
<b>Appendix A – Trustee Code of Conduct Protocol</b>		

### **Table of Contents**

<b>PURPOSE .....</b>	<b>1</b>
<b>GENERAL INTRODUCTION .....</b>	<b>4</b>
<b>ALIGNMENT WITH MYSP .....</b>	<b>7</b>
<b>POLICY .....</b>	<b>7</b>



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: TRUSTEE CODE OF CONDUCT

POLICY NO: T.04

<b>REGULATIONS</b>	8
1. Avoidance of Conflicts of Interest	8
2. Gifts, Benefits and Hospitality	12
3. Trustee's Role in Funding Charitable/Community Events	19
4. Confidential Information	21
5. Use of Board Resources	23
6. Election Campaigns	25
7. Improper Use of Influence	28
8. Business Relations	30
9. Trustee Conduct	30
10. Media Communications	32
11. Respect for Board By-laws and Policies	34
12. Respectful Workplace	35
13. Conduct Respecting Staff	36
14. Employment of a Trustee's Relatives/Family Members and Acquaintances	38
15. Not Undermine, Work Against the Board's Decisions	39
16. Reprisals and Obstruction	40
17. Acting on Advice of Integrity Commissioner	41
18. Implementation	41
<b>DEFINITIONS</b>	42
<b>EVALUATION AND METRICS</b>	44



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

### **Purpose:**

This *Code of Conduct* applies to all Trustees. It is to be given broad, liberal interpretation in accordance with applicable legislation and the definitions set out herein. As a living document the Code of Conduct will be brought forward for review at the end of each term of the Board, when relevant legislation is amended, and at other times when appropriate to ensure that it remains current and continues to be a useful guide to Trustees.

Commentary and examples used in this *Code of Conduct* are illustrative and not exhaustive. From time to time additional commentary and examples may be added to this document by the Integrity Commissioner and supplementary materials may also be produced as deemed appropriate.

Where a Trustee discloses all known facts to the Integrity Commissioner and as long as those facts remain unchanged, the Trustee may rely on written advice provided by the Integrity Commissioner. The Integrity Commissioner will be bound by the advice given, as long as the facts remain unchanged, in the event that they are asked to investigate a complaint.

Trustees seeking clarification of any part of this *Code* should consult with the Integrity Commissioner.

The *Education Act* is the primary piece of legislation governing school boards however there are other statutes that govern the conduct of elected officials. It is intended that the *Code of Conduct* operate together with and as a supplement to applicable legislation, including the:

- *Education Act*
- *Municipal Act, 2001*;
- *Municipal Conflict of Interest Act (MCIA)*;
- *Municipal Elections Act, 1996*;



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA);*
- *Criminal Code of Canada*
- *Ontario Human Rights Code*

Trustees are expected to discharge their duties and responsibilities in a professional and ethical manner consistent with Gospel Values and the teachings of the Catholic Church.

### **General Introduction:**

Trustees of the Toronto Catholic District School Board (Trustees) recognize their obligation to serve the Board's students and staff, their constituents and the general public in a conscientious and diligent manner understanding that as leaders of the community, they are held to a higher standard of behaviour and conduct. That standard includes upholding the Catholic Faith and adhering to the Oath of Office taken each year at the Caucus meeting.

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

Trustees recognize that ethics and integrity are at the core of public confidence in government and in the political process; that elected officials are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence, avoids the improper use of influence of their office and conflicts of interests, both apparent and real. They recognize the need to uphold both the letter and the spirit of the law including policies adopted by the Board.



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

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

This Code of Conduct ensures that Trustees share a common basis and understanding for acceptable conduct of Trustees, in concert with and beyond the minimum standards of behaviour set out in the existing legislative framework. The Toronto Catholic District School Board is an inclusive learning community rooted in the love of Christ. We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity.

Our vision of Catholic education invites each one of us— parents, students, teachers, principals, chaplains, support staff, trustees, clergy, supervisory personnel — to work together as a community of believers committed to putting the values of our faith into practice in the daily life of the school, the home, and in all of society. (Fulfilling the Promise Assembly of Catholic Bishops of Ontario)

#### We Believe...

- in the worth and dignity of every person
- in the critical role that our Catholic schools play in promoting Gospel values, social justice, environmental responsibility, human solidarity and the common good
- that high standards and expectations foster greater achievement
- that people thrive in a safe, healthy and compassionate environment grounded in respect for the diversity of every person
- that teaching is responsive to individual needs
- that teaching and learning should be rooted in research and evidence



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

- that each of us shares responsibility for creating collaborative communities of learning
- that equity, diversity, accessibility and inclusivity are integral to the Catholic community
- that the 21st century competencies – collaboration, real world problem solving and innovation, knowledge construction, skilled communication, self-regulation and the use of information communication technology for learning, are essential.

This Code of Conduct is consistent with the principles of transparent and accountable government, and is reflective of the Board's values relating to Faith, Community and Culture which require each Trustee, within the duties prescribed in the Education Act, its Regulations and other applicable legislation, and reflecting a ministry within the Church, to:

- a) appreciate that Catholic schools are an expression of the teaching mission of the Church;
- b) provide an example to the Catholic Community that reflects the teaching of the Church;
- c) facilitate the best possible Catholic education according to the programs approved by the provincial Minister of Education and supported by the Archdiocese of Toronto and the Assembly of Catholic Bishops of Ontario (ACBO);
- d) recognize and rigorously defend the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- g) work to improve personal knowledge of current Catholic educational research and practices;
- h) affirm a strong sense of Christian Catholic Community; and
- i) provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education in Canada;





**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

**Alignment with MYSP:**

Living Our Catholic values

Strengthening Public Confidence

Fostering Student Achievement and Well-Being

Achieving Excellence in Governance

Providing Stewardship of Resources

Inspiring and Motivating Employees

**Policy:**

1. Trustees shall serve the public and their constituents in a conscientious and diligent manner.
2. Trustees should be committed to performing their functions with integrity impartiality and transparency.
3. Trustees shall perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.
4. There is a benefit to School Boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

## **Regulations:**

### **1. Avoidance of Conflicts of Interest**

In this Regulation:

- a. “disqualifying interest” means an interest in a matter that, by virtue of the relationship between the Trustee and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Trustee could not participate impartially in the decision-making processes related to the matter.
- b. “non-disqualifying interest” means an interest in a matter that, by virtue of the relationship between the Trustee and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Trustee could participate impartially in the decision-making processes related to the matter so long as:

The Trustee fully discloses the interest so as to provide transparency about the relationship; and

The Trustee states why the interest does not prevent the Trustee from making an impartial decision on the matter.

1. Trustees shall not participate in the decision-making processes associated with their office when prohibited to do so by the *Municipal Conflict of Interest Act*.
2. Trustees shall not participate in the decision-making processes associated with their office when they have a disqualifying interest in a matter.



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

3. For greater certainty:

- a) Trustees shall not participate in the decision-making processes associated with their office when they have a direct, indirect or deemed pecuniary interest in a matter, except in compliance with the *Municipal Conflict of Interest Act*.
- b) Trustees shall not participate in the decision-making processes associated with their office when they have an interest that though in compliance with the *Municipal Conflict of Interest Act*, is nevertheless a disqualifying interest by virtue of the nature of the relationship between the Trustee and other persons or bodies to be affected by the decision.

4. Treatment of Non-Disqualifying Interests:

- a) Trustees may participate in the decision-making processes associated with their office when they have a non-disqualifying interest provided they file at their earliest opportunity a Transparency Disclosure in a form and manner established by the Director of Education acting in consultation with the Integrity Commissioner.
- b) Transparency Disclosures are public documents and shall be available for public viewing on the Board web site.
- c) The determination of whether an actual disqualifying interest or an actual non-disqualifying interest exists, when challenged, is subject to the determination by the Integrity Commissioner of whether a reasonable person fully informed of the facts would believe that the Trustee could not participate impartially in the decision-making processes related to the matter.



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

### Commentary

*Trustees should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and private conflicts of interest, both apparent and real. Trustees shall also not extend in the discharge of their official duties, preferential treatment to Family members, organizations or groups in which they or their Family members have a direct or indirect pecuniary interest.*

*Trustees have a common understanding that in carrying out their duties as a Trustee, they will not participate in activities that grant, or appear to grant, any special consideration, treatment or advantage to a Family member or an individual which is not available to every other individual.*

*Trustees may seek conflict of interest or other advice, in writing, from the Integrity Commissioner. Where members choose to seek external legal advice on conflict of interest or other Code of Conduct issues, these fees will not be reimbursed by the TCDSB and cannot be charged to any office account.*

*When a member, despite the existence of an interest, believes that he or she may still participate in a matter with an open mind, the public interest is best served when the Trustee is able to articulate the interest, and why the interest does not amount to a disqualifying conflict of interest.*

*Trustees must remain at arm's length when Board staff or the Board is asked to consider a matter involving a Family member or a person or organization with whom the Trustee has a real or apparent conflict of interest.*



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

5. Trustees who seek advice from the Integrity Commissioner with respect to the application of this Regulation may rely on the provisions of Part B. "Framework and Interpretation" (paragraph 3) and the Regulation 17, "Acting on Advice of Integrity Commissioner."
6. Trustees shall avoid any interest in any contract made by him/her in an official capacity and shall not contract with the Board or any agency thereof for the sale and purchase of supplies, material or equipment or for the rental thereof.
7. Trustees, while holding public office, shall not engage in an occupation or the management of a business that conflicts with their ability to diligently carry out their role as a Trustee, and shall not in any case profit directly or indirectly from such business that does or has contracted with the TCDSB.
8. Despite paragraph g., a Trustee may hold office or a directorship in an agency, board, commission or corporation where the Trustee has been appointed by the Board or by the Federal or Provincial Government.
9. Despite paragraph g. a Trustee may hold office or directorship in a charitable, service or other not-for-profit corporation subject to the Trustee disclosing all material facts to the Integrity Commissioner and obtaining a written opinion from the Integrity Commissioner approving the activity, as carried out in the specified manner, which concludes that the Trustee does not have a conflict between his/her private interest and public duty. In circumstances where the Integrity Commissioner has given the Trustee a qualified opinion, the Trustee may remedy the situation in the manner specified by the Integrity Commissioner.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

### Commentary

*Trustees should exercise caution if accepting such positions if the organization could be seeking a benefit or preferential treatment from the Board at any time*

*The legislative obligation is set out in the Municipal Conflict of Interest (MCIA). If the Trustee, or a family member of the Trustee, sits on a body which has a pecuniary interest in a matter before the Board (such as an application for grant, support or other contribution), that Trustee has a deemed pecuniary interest. The Trustee should disclose the interest and should not participate in or vote on such matter, in compliance with the obligations of s.5, MCIA.*

*The Code of Conduct captures the broader common law responsibility and requires members to avoid the appearance of favoring organizations or groups on which the Trustee's family members serve.*

*Family members of Trustees are not precluded, or even discouraged, from serving on not-for-profit organizations or other bodies. However, where family members of Trustees serve in such a capacity, the Trustee should declare a conflict of interest whenever there is a matter for the Board consideration in which the not-for-profit organization or body has a pecuniary interest.*

## **2. Gifts, Benefits and Hospitality**

In this Regulation:

- a. "Gift" means money, fee, advance, payment, gift, gift certificate, promise to pay, property, travel, accommodation, entertainment, hospitality or any other personal benefit connected directly or indirectly with the performance of a Trustee's duties of office, but excludes:



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

- i. Compensation authorized by law;
  - ii. Political contributions otherwise reported by law, in the case of Trustees running for office;
  - iii. Services provided by persons volunteering their time;
  - iv. Contributions of value that are specifically addressed in other provisions of this Code
  - v. Gifts provided to the TCDSB and which are logged, archived and/or publicly displayed as such.
- b. A Gift provided with the Trustee's knowledge to a Family member that is connected directly or indirectly to the performance of the Trustee's duties, is deemed to be a Gift to that Trustee.
- c. "Token of Appreciation" means such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, or which are a suitable memento of a function honouring the Trustee.
- d. "Official Hospitality" means food, lodging, transportation and entertainment provided by Provincial, Regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or at a conference, seminar or event where the Trustee is either speaking or attending in an official capacity at an official event (such as at meetings of AMO, FCM, or conducted by providers of continuing education).



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

- e. "Business Hospitality" means entertainment, food and beverages consumed at banquets, receptions or similar events, if:
  - i. attendance serves a legitimate business purpose;
  - ii. the person extending the invitation or a representative of the organization is in attendance; and
  - iii. the value is reasonable and the invitations infrequent;
- f. "Publications" means communication to the offices of a Trustee, including subscriptions to newspapers, and periodicals.
  - 1. No Trustee shall accept any Gift unless expressly permitted by this Regulation.
  - 2. No Trustee shall accept any Gift involving the use of property or facilities, such as a vehicle, office, club membership or vacation property at less than reasonable market value or at no cost. Notwithstanding this prohibition, with specific approval provided by the Board, a Trustee may be sponsored to attend educational site visits connected with an identified project.
  - 3. Gifts identified in Column B of *Gift Treatment and Disclosure Table* may be accepted by a Trustee provided the Gift is disclosed in accordance with the conditions set out in Column 'C'.
  - 4. Gift Disclosure, where required, is to be accomplished by filing within 30 days of receipt of the gift or reaching the annual limit, a Trustee Information Statement in a form prescribed by the Integrity Commissioner and providing same to the Board Recording Secretary for posting on the Board's web site.





**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

5. Gifts identified in Column B shall not be accepted, without the Integrity Commissioner's specific approval, when the conditions set out in Column 'D' are applicable.
  
6. In providing advice to a Trustee about their obligations respecting Gifts, or in considering any inquiry with respect to a Trustee Information Statement or an assertion that this Regulation has been breached, or in providing consent, where required, that a Gift may be accepted, the Integrity Commissioner shall determine whether the receipt of the Gift might, in the opinion of the Integrity Commissioner, create a conflict between a private interest and the public duty of the Trustee. In the event that the Integrity Commissioner makes that preliminary determination, they shall call upon the Trustee to justify receipt of the gift or benefit.
  
7. Should the Integrity Commissioner determine the receipt of a Gift was inappropriate, the Integrity Commissioner may direct the Trustee to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or the Integrity Commissioner may order the Trustee to forfeit the gift or remit the value of any gift or benefit already consumed to the TCDSB. Any such direction ordered by the Integrity Commissioner shall be a matter of public record.



POLICY SECTION: TRUSTEES

SUB-SECTION:

POLICY NAME: TRUSTEE CODE OF CONDUCT

POLICY NO: T.04

## Gift Treatment and Disclosure

A	B	C	D
<u>Type of Gift</u>	<u>Examples</u>	<u>Gift Disclosure</u> <i>Apparent Value at which Gift, or the <b>cumulative</b> value from one source in a calendar year is disclosable</i>	<u>Gift No Longer Allowable</u> <i>Condition or Actual Value beyond which gift is not allowable (Value assessed on basis of single Gift or cumulative Gift value from one source in calendar year) (without Integrity Commissioner approval)</i>
Token of Appreciation	Plaques, Pens, Mugs, Vase, Event Photos, and similar	No need to record - Deemed Zero Value	Actual Value of a single gift is over \$100 (allowable with IC approval)
	Perishable (includes flowers, food)	No need to record - Deemed Zero Value	Excludes Alcohol with actual value over \$100
	Gift to Board	Not a 'Gift'. No need to record. Board staff to record and take possession unless otherwise on public display. Deemed Zero Value	N/A
Course of Business	Publications	No need to record - Deemed Zero Value	N/A
	Art	\$100	\$100
	Business Meals	\$100	\$100
	Business Hospitality	\$100	\$250 More than two Event Tickets (Golf, Gala, Sporting, Entertainment) per event More than one event per year from the same person or organization (allowable with IC approval)



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

	Official Hospitality	\$100	No limit
--	----------------------	-------	----------

### Commentary

*Gifts and benefits are often received by elected officials in the course of their duties and attendance at public functions is expected and is considered part of their role. Business-related entertainment and gift-giving can be a token of respect and admiration for the elected official, but can also be seen as an instrument of influence and manipulation. The object of this regulation is to provide transparency around the receipt of incidental gifts and benefits and to establish a threshold where the total value could be perceived as potentially influencing a decision.*

*The practical problems that nominal gifts and benefits create require a Code of Conduct that provides clarity and transparency. Personal integrity and sound business practices require that relationships with developers, vendors, contractors or others doing business with the Board be such that no Trustee is perceived as showing favouritism or bias toward the giver. There will never be a perfect solution.*

*Each Trustee is individually accountable to the public and is encouraged to keep a list of all gifts and benefits received from individuals, firms or associations, with estimated values, for review by the Integrity Commissioner in the event of a complaint.*

*Use of real estate or significant assets or facilities (i.e. a vehicle, office, vacation property or club membership) at a reduced rate or at no cost is not an acceptable gift or benefit. The purpose of the Code is not to prohibit Trustees from accepting all invitations to socialize at a vacation property with personal friends who are in no way associated with the business of the TCDSB.*



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

*Proper caution and diligence must however be exercised when a social function occurs within close proximity to the individual having an issue before the Board or staff for approval. It is always prudent to consult with the Integrity Commissioner before accepting or attending at any such engagements. Any doubts about the propriety of a gift should be resolved in favour of not accepting it or not keeping it. It may be helpful to consult with the Integrity Commissioner when a Trustee chooses to decline a gift as well as when a recipient may opt to keep a gift.*

*An invitation to attend a function with a developer or supplier could be seen as allowing the giver an opportunity to influence the elected official. Such invitations should only be accepted if the invitation is within the scope of permissible gifts and benefits, meaning that Trustees should not consistently accept invitations from the same individual or corporation and should avoid any appearance of favouritism.*

*An invitation to attend a fund-raising gala, provided the Trustee is not consistently attending such events as a guest of the same individual or corporation, is also part of the responsibilities of holding public office. Where a Trustee is uncertain in regard to whether an invitation is or is not appropriate, it may be prudent to consult with the Integrity Commissioner before attending any such event.*

*Regular invitations to lunch or dinner with persons who are considered friends of Trustees is acceptable in situations where the Trustee pays their portion of the meal expense and treats it as a personal expense, meaning a claim is not made under the Trustee Services and Expenditures Policy T.17. Proper caution and diligence not to discuss matters before the Board for a decision must be exercised at all times. When in doubt it is prudent to consult with the Integrity Commissioner.*



**POLICY SECTION:** TRUSTEES

**SUB-SECTION:**

**POLICY NAME:** TRUSTEE CODE OF CONDUCT

**POLICY NO:** T.04

### 3. Trustee's Role in Funding Charitable/Community Events

There are a range of expenses that support a Trustee's role in community development and engagement activities within their ward. For federal and provincial elected officials, these expenses are often paid for by Riding Association funds. Locally-elected officials do not have this benefit. Trustees should refer to the *Trustee Services and Expenditures Policy T.17* for guidance of expenses eligible for reimbursement.

1. As community leaders, Trustees may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups. Monies raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group and Trustees should not handle any funds on behalf of such organizations.

Trustees routinely perform important work in supporting charitable causes and in so doing, there is a need for transparency respecting the Trustee's involvement. The following guidelines shall apply:

- a) Trustees should not directly or indirectly manage or control any monies received relating to community or charitable organizations fundraising;
- b) Trustees or persons acting on behalf of a Trustee shall not solicit or accept support in any form from an individual, group or corporation, with any pending significant matter or procurement proposal before the Board, which the Trustee knew or ought to have known about;



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

- c) With reference to member-organized community events, Trustees must report to the Integrity Commissioner, the names of all donors and the value of their donation that supplement the event;
- d) Where a Trustee sponsors and/or lends support to a community or charitable event, this *Code* recognizes that all donations are subject to the *Trustee Services and Expenditures Policy T.17*;
- e) No donation cheques should be made payable to a Trustee. Trustees may only accept donation cheques made payable to a Business Improvement Association, charity or community group and only for the purpose of passing the cheques on to such group;
- f) Trustees should not handle any cash on behalf of any charitable organization, not-for-profit or community group, and should always remain at arm's length from the financial aspects of these community and external events. If a Trustee agrees to fundraise on behalf of a charity or community group, the Trustee should not handle any cash on behalf of any charitable organization, not-for-profit or community group, and should always remain at arm's length from the financial aspects of these community and external events. If a Trustee agrees to fundraise on behalf of a charity or community group, the Trustee should ensure that payment is received by a means that does not involve cash, including bank draft, money order, credit card or cheque made payable to the applicable group or organization.



POLICY SECTION: TRUSTEES  
 SUB-SECTION:  
 POLICY NAME: TRUSTEE CODE OF CONDUCT  
 POLICY NO: T.04

2. Nothing included herein affects the entitlement of a Trustee to:

- a) urge constituents, businesses or other groups to support community events and advance the needs of a charitable organization put on by others in the Trustee's ward or elsewhere in the City of Toronto;
- b) play an advisory ex officio or honorary role in any charitable or non- profit organization that holds community events in the Trustees' ward; and
- c) collaborate with the TCDSB and its affiliates to hold community events.

#### Commentary

*By virtue of the office, Trustees will be called upon to assist various charities, service clubs and other non-profits as well as community associations, by accepting an honorary role in the organization, lending their name or support to it or assisting in fundraising. Transparency and accountability are best achieved in today's era by encouraging contributors to make donations to such organizations on-line through a website or where that is not possible through a cheque made payable directly to the organization. Cash should never be accepted.*

#### **4. Confidential Information**

- 1. No Trustee shall disclose the content of any such matter, or the substance of deliberations, of an *in-camera* meeting until the Board discusses the information at a meeting that is open to the public or releases the information to the public.



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

2. No Trustee shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by law or authorized by the Board to do so.
3. No Trustee shall use confidential information for personal or private gain, or for the gain of Family members or any person or corporation.
4. No Trustee should directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of Board property or assets.
5. Trustees should not access or attempt to gain access to confidential information in the custody of the Board unless it is necessary for the performance of their duties and is not prohibited by Board policy.

*Commentary:*

*Confidential Information includes information in the possession of, or received in confidence by, the TCDSB that the TCDSB is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"), or any other legislation.*

*MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.*





**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

*The Education Act allows information that concerns personnel, labour relations, litigation, property acquisitions and security of the property of the Board, and matters authorized in other legislation including MFIPPA, to remain confidential. For the purposes of the Code of Conduct, “confidential information” includes this type of information.*

*As elected officials, Trustees will receive highly sensitive and confidential information concerning residents who need their assistance. This is consistent with the nature of the Trustees’ duties Constituency records that are at all times under the control of the Trustee and are not subject to MFIPPA.*

*Where it is clear that a communication was not made in a confidential manner (i.e. copied to others, or made in the presence of others) or the manner of communication undermines the validity of labelling it “Confidential”, such communication will not be given any higher level of confidentiality than any other communication. The words “Privileged”, “Confidential” or “Private” will not be understood to preclude the appropriate sharing of the communication for the limited purpose of reviewing, responding or looking into the subject-matter of the communication.*

## **5. Use of Board Resources**

1. No Trustee shall use for personal purposes any staff services, property, equipment, services, supplies, websites, blogs, or other Board-owned materials, other than for purposes connected with the discharge of their Board duties.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

2. No Trustee shall obtain personal financial gain from the use or sale of Board developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations or any other item capable of being patented. Trustees acknowledge and do not dispute that all such property remains exclusively that of the TCDSB.
3. No Trustee shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.

### Commentary

*Trustees, by virtue of their position, have access to a wide variety of property, equipment, services and supplies to assist them in the conduct of their Board duties as public officials.*

*Trustees are held to a higher standard of behaviour and conduct and therefore should not use TCDSB property for any purpose other than for carrying out their official duties. For clarity, this Regulation is intended to prohibit the use of Board resources for purposes such as running a home business. It is not intended to prohibit occasional personal use, but it should be subject to practical limitations.*

*Careful attention should be given to the provisions of the Board's Trustee Services and Expenditures Policy T.17 which identifies allowable expenses. During election campaigns, the provisions of Regulations 6 and 7 will apply.*



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

4. No Trustee shall use the services of Board staff, or make requests for documents or information from Board staff, unless such information is required for the purpose of carrying out their duties as public officials.
5. No Trustee shall include in his or her website, newsletters, E-mails or other printed material, advertising of businesses in the Board, including the distribution of gift certificates, free tickets or a compiled list of businesses located in a ward.

## **6. Election Campaigns**

1. Trustees are required to follow the provisions of the *Municipal Elections Act, 1996* and Trustees are accountable under the provisions of that statute.
2. No Trustee shall use the facilities, equipment, supplies, services, staff or other resources of the Board (including the Board's newsletters, individual websites linked through the Board's website and social media accounts used for ward communication) for any election campaign or campaign-related activities and all such sites shall not use the TCDSB logo.
  - a) If a member of the Board uses any social media account for campaign purposes, such account must not be created or supported by Board resources or use the TCDSB logo. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

- b) To avoid confusion with any website or social media accounts used for the Trustee's work, Trustees who choose to create or use social media accounts for campaign communications must include, for the duration of the campaign, a clear statement on each campaign website or social media account's home page indicating that the account is being used for election campaign purposes.
  - c) Despite the foregoing, Trustees are allowed to place campaign phone numbers, websites and E-mail addresses on election pages on the Board's website may be available and authorized for use by all candidates for school board office.
- 3. In a municipal election year, commencing May 1 (alternate: July 2) until the date of the election, Trustees may not publish newsletters or distribute newsletters in TCDSB facilities. All newsletters distributed through the mail must be post- marked by no later than May 1 (alternate July 2) in an election year. Trustees may, during such period, use Board facilities to communicate important notifications to separate school supporters in their ward by E-mail or by letter on the Trustee's usual letterhead.
- 4. In a municipal election year, commencing on May 1(alternate July 2), until the date of the election, no candidate, including Trustees, may directly or indirectly book any TCDSB facility for any purpose that might be perceived as an election campaign purpose.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

*Commentary*

*Staff should not interpret or provide advice to Trustees regarding the requirements placed on candidates for municipal office.*

*Trustees should not authorize any event that could be perceived as the TCDSB providing them with an advantage over other candidates. It is the personal responsibility of Trustees to ensure that any use of facilities or the services of staff are carried out in accordance with applicable legislation. Staff are not responsible for monitoring and advising Trustees or any other candidates, in this regard.*

5. No Trustees shall use the services of persons for campaign related Activities during hours in which those persons receive any compensation from the Board.
6. The Integrity Commissioner may at any time be consulted with regard to complying with any part of Regulation 6.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

## **7. Improper Use of Influence**

1. No Trustee shall use the influence of their office for any purpose other than for the exercise of their official duties.

If the Board has taken a position in an Ontario Municipal Board/Local Planning Appeal Tribunal (“OMB/LPAT”) matter and instructed the Board’s legal counsel to appear at a hearing in support of such position, no member of the Board who disagrees with such position, shall give evidence at such hearing or otherwise work against the will of the Board in such matter. With the consent of the lawyer assigned to represent the Board at an OMB/LPAT hearing, a member of the Board who is in support of the the Board instructions to such lawyer, may give evidence at an OMB/LPAT hearing. Notwithstanding the above, if the OMB/LPAT has decided to mediate a dispute between parties in a matter, any member of the Board may offer his or her services to assist with such mediation regardless of his or her position in the matter and participate, if approved by the OMB/LPAT mediator.

### Commentary

*Examples of prohibited conduct are the use of one’s status as a Trustee to improperly influence the decision of another person to the private advantage of oneself, or one’s Family member, or friends. This would include attempts to secure preferential treatment beyond activities in which Trustees normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of a future advantage through a Trustee’s supposed influence within the Board in return for present actions or inaction.*



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

*Contact with members of tribunals appointed by the Board on any case might be viewed as attempts to intimidate the tribunal member. Generally, Trustees should not take part in the proceedings of any other tribunal where the Board is a party unless such participation is approved by the Integrity Commissioner*

2. Pursuant to section 283 of the *Education Act*, the Director of Education is the CEO of the Board and has exclusive authority to direct Board staff. The Board, and not individual Trustees appropriately give direction to the Director of Education.

Note from p. 7 of T.04:

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

- a) maintaining an unimpeachable standard of integrity in all their relationships, both inside and outside the Board;
- b) fostering the highest standard of professional competence amongst those for whom they are responsible;
- c) complying with and being seen to comply the letter and spirit of:
  - The laws of Canada and the Province of Ontario,
  - Contractual obligations applicable to the Board; and
- d) rejecting and denouncing any business practice that is improper or inappropriate or may appear to be improper or inappropriate.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

## **8. Business Relations**

1. No Trustee shall allow the prospect of his/her future employment by a person or entity to affect the performance of their duties to the Board, detrimentally or otherwise.
2. No Trustee shall borrow money from any person who regularly does business with the Board unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union.
3. No Trustee shall act as a paid agent before the Board or a committee of the Board or any agency, board or committee of the Board.
4. No Trustee shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

## **9. Trustee Conduct**

### Conduct at the Board and Committee Meetings:

1. Trustees shall conduct themselves at the Board and committee meetings with decorum in accordance with the provisions of the Board's Operating By-law.





**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

2. Trustees shall endeavour to conduct and convey the Board's business and all their duties in an open and transparent manner (other than for those decisions which by virtue of legislation are authorized to be dealt with in a confidential manner in closed session), and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

#### Commentary

*Trustees recognize the importance of cooperation and strive to create an atmosphere during Board and committee meetings that is conducive to solving the issues before the Board, listening to various points of view and using respectful language and behaviour in relation to all of those in attendance.*

*Various statutes, the Board's Operating By-law and decisions by courts and quasi-judicial tribunals and the Information and Privacy Commission, establish when the Board can discuss issues in closed session. Transparency requires that the Board apply these regulations narrowly so as to best ensure that decisions are held in public session as often as possible.*

*Unless prohibited by law, Trustees should clearly identify to the public how a decision was reached and the rationale for so doing.*

3. Trustees shall make every effort to participate diligently in the activities of the committees, agencies, boards, commissions and advisory committees to which they are appointed by the Board or by virtue of being an elected official.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

### Commentary

*Individual Trustees are appointed to committees, agencies, boards and commissions based on their various backgrounds and their ability to contribute to matters before them, bringing their expertise and experience. Trustees should not be absent from the Board or committee meetings, or from those of agencies, boards and commissions to which they are appointed without reasonable justification (for example, illness of the Trustee, family circumstance, or other Board business) for more than three consecutive scheduled meetings or on a regular basis.*

4. Trustees shall conduct themselves with appropriate decorum at all times.

### Commentary

*As leaders in the community, Trustees are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.*

## **10. Media Communications**

1. Trustees will accurately communicate the decisions of the Toronto Catholic District School Board, even if they disagree with the majority decision of the Board, and by so doing affirm the respect for and integrity in the decision-making processes of the Board.
2. Trustees will keep confidential information confidential, until such time as the matter can properly be made public.



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

3. In all media communications, including social media, Trustees will treat each other, staff and members of the public with decorum, dignity and respect, and shall avoid messaging that amounts to abuse, bullying or intimidation.

### Commentary

*A Trustee may state that he/she did not support a decision, or voted against the decision. A Trustee should refrain from making disparaging comments about other Trustees or about the Board's processes and decisions.*

*When communicating with the media, a Trustee should at all times refrain from speculating or reflecting upon the motives of other Trustees in respect of their actions as a Trustee.*

*While openness in government is critical, governments also must respect confidentiality when a matter must remain, at least for a period of time, confidential. Breaches of confidentiality by Trustees erodes public confidence.*

*While Trustees are encouraged to actively participate in vigorous debate, Trustees should understand that they are part of a democratically elected representative body and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a Board account.*

*Trustees who post blogs should recognize that the Canadian Association of Journalists has identified the ethical conflict faced by journalists holding elected public office. It is recognized that there may be an irreconcilable conflict in carrying out both roles at the same time.*



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

*While social media can be an excellent tool for communicating quickly with constituents and sharing ideas and obtaining input, social media can breed incivility that generally is avoided in face-to-face interactions. In a world where a transitory comment can become part of the permanent record, Trustees should exercise restraint in reacting too quickly, or promoting the social media posts of others whose views may be disparaging of the Board's decisions or another Trustee's perspectives.*

## **11. Respect for Board By-laws and Policies**

1. Trustees shall encourage public respect for the Board and its by-laws.
2. Trustees shall adhere to such by-laws, policies and procedures adopted by the Board that are applicable to them.

### *Commentary*

*A Trustee must not encourage disobedience of a Board decision or by-law in responding to a member of the public, as this undermines confidence in the Board and in the Rules of Law.*

*Trustees are required to observe the policies and procedures established by the Board at all times, and are directed to pay special attention to, and comply strictly with, the Board's Operating By-law and Trustee Services and Expenditures Policy T.17. In exceptional circumstances, a Trustee may request the Board grant an exemption from any policy.*



POLICY SECTION: TRUSTEES  
 SUB-SECTION:  
 POLICY NAME: TRUSTEE CODE OF CONDUCT  
 POLICY NO: T.04

## 12. Respectful Workplace

1. Trustees are governed by the Board's *Harassment and Discrimination Policy H.M.14*. All Trustees have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.
2. All complaints received involving Trustees under the *Harassment and Discrimination Policy H.M.14*. shall be referred to the Integrity Commissioner for processing in accordance with both the said policy and the *Trustees Code of Conduct Complaints Protocol*.
3. The *Ontario Human Rights Code* applies in addition to the Board's *Harassment and Discrimination Policy H.M.14*

### Commentary

*It is the policy of Board of Trustees that all persons be treated fairly in the workplace in an environment free of discrimination or personal and sexual harassment.*

*The Board's Harassment and Discrimination Policy H.M.14 ensures a safe and respectful workplace environment and provides for the appropriate management of any occurrences of harassment and discrimination as those terms are defined in the policy.*

*The Board's Harassment and Discrimination Policy H.M.14 applies equally to members of staff and Trustees. It will provide guidance to the Integrity Commissioner when a complaint is received involving a Trustee.*



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

### **13. Conduct Respecting Staff**

1. No Trustee shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.
2. No Trustee shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties, including the duty to disclose improper activity.
3. Trustees shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board.
4. No Trustee shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Trustees shall show respect for the professional capacities of the staff of the Board.

#### *Commentary*

*Under the direction of the Director of Education, staff serve the Board as a whole, and the combined interests of all Trustees as evidenced through the decisions of the Board. Only the Board as a whole has the authority to approve budget, policy, committee processes and other matters.*

*Accordingly, Trustees shall direct requests outside of the Board-approved budget, process or policy, to the Director of Education or directly to the Board.*



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

*In practical terms, there are distinct and specialized roles carried out by the Board as a whole and by the Trustees when performing their other roles. The key requirements of these roles include dealing with constituents and the general public, participating as committee members and as chairs of committees, and participating as Board representatives on agencies, boards, commissions and other bodies. Similarly, there are distinct and specialized roles expected of Board staff in both the carrying out of their responsibilities and in dealing with the Board. Staff are expected to provide information to Trustees that they are entitled to.*

*Board staff are accountable to the Director of Education who is accountable to the Board. Sometimes the line between staff duties and activities that are political in nature is not clear. Trustees must respect the difference between the two in making requests of staff.*

*Trustees should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalty of persons in power, or their personal opinions.*

*the Board's Harassment and Discrimination Policy H.M.14 , Code of Conduct Policy S.S.09 applies to Trustees. Staff and Trustees are entitled to be treated with respect and dignity in the workplace.*

*It is inappropriate for a Trustee to attempt to influence staff to circumvent normal processes, or overlook deficiencies in an operational matter. It is also inappropriate for Trustees to involve themselves in matters of administration or departmental management which fall within the jurisdiction of the Director of Education. Any such attempts may be reported to the Integrity Commissioner.*



**POLICY SECTION:** TRUSTEES  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY NO:** T.04

#### **14. Employment of a Trustee's Relatives/Family Members and Acquaintances**

1. No Trustee shall attempt to influence the outcome of a recruitment process to favour a friend, Family member or other relative of the Trustee.
2. No Trustees shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any Family member.
3. No Trustee shall supervise a Family member, or be placed in a position of influence over a Family member.
4. No Trustee shall attempt to use a Family relationship for his or her personal benefit or gain.
5. Every Trustee shall adhere to the Board's *Fair Practice in Hiring and Promotion H.M.11* policy.

#### Commentary

If a Family member of a Trustee is an applicant for employment with the Board or is a candidate for promotion or transfer, the Family member will proceed through the usual selection process pursuant to the Board's hiring policies, with no special consideration.





POLICY SECTION: TRUSTEES  
 SUB-SECTION:  
 POLICY NAME: TRUSTEE CODE OF CONDUCT  
 POLICY NO: T.04

## 15. Not Undermine, Work Against the Board's Decisions

1. Trustees shall not actively undermine the implementation of the Board's decisions.

### Commentary

*The role of elected officials, once a Board decision is made, is to support the implementation of that decision, not to work against its implementation, publicly or behind the scenes. The Board decisions are arrived at following discussion and debate, reflecting the democratic process. Trustees are expected to engage in debate with their fellow Board members through the democratic process of government. However, once the Board has made its decision, Trustees must recognize that decision as the duly considered decision of the Board. As members of that body, Trustees who do not agree with the decision - are not to engage in activities that seek to challenge or undermine that decision.*

*Trustees can express disagreement with the Board's decisions, but it is contrary to the ethical behaviour of Trustees to actively seek to undermine, challenge or work against the Board's decisions.*

2. Trustees shall not engage in litigation or other legal challenges against the TCDSB or the Board's decisions. Despite this provision:
  - a. Members may pursue a complaint or request for investigation under a statutory scheme dealing with requirements for open and transparent processes, access to information, the protection of privacy, or the protection of human rights;
  - b. Members are not restricted from participating in litigation or other legal challenges if they are uniquely impacted by the decision, such as when the Board has imposed a penalty or reprimand following a report of the Integrity Commissioner;



POLICY SECTION: TRUSTEES  
 SUB-SECTION:  
 POLICY NAME: TRUSTEE CODE OF CONDUCT  
 POLICY NO: T.04

- c. Members are not restricted from participating in litigation or other legal challenges if they did not participate, and were not entitled to participate, in the deliberations and respective decision of the Board, or in regard to which the the Board has made a decision in regard to their interests, in circumstances where they are uniquely impacted by the decision.

### Commentary

*When members are allowed to participate in activities to challenge the Board's properly considered decisions, such as legal challenges or other forms of litigation, this is contrary to the interests of the TCDSB as determined by the decision of the democratically elected governing body, the Board. Formal advocacy can create challenges to staff as to when and how much information can be provided to the Board (legal advice for example) because of the potential for a legal challenge, which may benefit an involved Trustee who would have 'insider knowledge'.*

3. Despite this Regulation, Trustees may seek to have a Board decision reconsidered in accordance with the Board's Operating By-law.

## **16.Reprisals and Obstruction**

1. It is a violation of the *Code of Conduct* to obstruct the Integrity Commissioner in the carrying out of their responsibilities.
2. No Trustee shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the *Code of Conduct*, or against a person who provides information to the Integrity Commissioner in any Investigation.



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

3. It is a violation of the *Code of Conduct* to destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the *Code of Conduct*.

### **17. Acting on Advice of Integrity Commissioner**

1. Any written advice given by the Integrity Commissioner to a Trustee binds the Integrity Commissioner in any subsequent consideration of the conduct of the Trustee in the same matter, as long as all the relevant facts were disclosed to the Integrity Commissioner, and the Trustee adhered to the advice given.

### **18. Implementation:**

1. Trustees are expected to formally and informally review their adherence to the Code on a regular basis or when so requested by the Board.
2. At the beginning of each term, Trustees will be expected to meet with the Integrity Commissioner and/or attend training conducted by the Integrity Commissioner.
3. The Trustee Code of Conduct applies to a Student Trustee elected to serve on the Board pursuant to Section 55 of the Education Act and the Regulations made thereunder, provided that
  - a) In giving broad, liberal interpretation to any provision of the Trustee Code of Conduct any necessary changes shall be inferred given the context and role of a Student Trustee



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

- b) Regulation 6, Election Campaigns, does not apply to Student Trustees; and
- c) Any complaint regarding whether a Student Trustee breached the Code of Conduct shall be administered by the appropriate Board personnel responsible for student discipline and not the Integrity Commissioner, however the Integrity Commissioner may be consulted for guidance on the interpretation and application of the Trustee Code of Conduct.

### Commentary

Trustees are expected to understand the obligations on elected official set out in this Code of Conduct, and are encouraged to contact the Integrity Commissioner for any clarification required. A Code of Conduct component will be included as part of the orientation for each new term of the Board.

### **Definitions:**

#### **Family**

Includes “child”, “parent” and “spouse” as those terms are defined in the *Municipal Conflict of Interest Act* (set out below for ease of reference), and also includes

- step-child and grand-child;
- siblings and step-siblings;
- aunt/uncle, niece/nephew, first cousins
- in-laws, including mother/father, sister/brother, daughter/son
- any person who lives with the Trustee on a permanent basis.



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

### **Child**

A child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

### **Parent**

A parent who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

### **Spouse**

A person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage;

### **Trustee**

A member of the Board of Trustees of the Toronto Catholic District School Board, including the Chair.

### **TCDSB**

The Toronto Catholic District School Board

### **Social Media**

Publicly available, third party hosted, interactive web technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network.

### **Staff**

Includes the Director of Education, Associate Directors, Superintendents, Directors, Managers, Supervisors [better description of Board Administrative Staff?] and all non-union and union staff whether full-time, part- time, contract, seasonal or volunteers.



**POLICY SECTION: TRUSTEES**

**SUB-SECTION:**

**POLICY NAME: TRUSTEE CODE OF CONDUCT**

**POLICY NO: T.04**

### **Nomination Day**

The last day for filing or withdrawing a nomination as provided for by the Municipal Elections Act, 1996.

### **Evaluation and Metrics:**

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

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

APPENDIX A

TCDSB CODE OF  
CONDUCT  
COMPLAINT  
PROTOCOL

## TCDSB CODE OF CONDUCT COMPLAINT PROTOCOL

### Definitions:

“Eligible Complainant” means:

- a) a Trustee, student, staff member, contractor or service provider of the TCDSB;
- b) a Roman Catholic (Separate School) elector;
- c) an Eastern Right Catholic;
- d) a representative of an organization demonstrably interested in TCDSB matters; or
- e) such other persons demonstrably interested in TCDSB matters.

### PART A: INFORMAL COMPLAINT PROCEDURE

Any Eligible Complainant who has identified or witnessed behaviour or an activity by a Trustee that they believe is in contravention of the *Trustees Code of Conduct* (the “Code”) may wish to address the prohibited behaviour or activity themselves as follows:

- (1) advise the Trustee that the behaviour or activity contravenes the Code;
- (2) encourage the Trustee to stop the prohibited behaviour or activity;
- (3) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (4) if applicable, confirm to the Trustee their satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of their dissatisfaction with the response; and
- (5) consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

All Eligible Complainants are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite



that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

**PART B: FORMAL COMPLAINT PROCEDURE TO BRING  
ALLEGED BREACHES TO THE ATTENTION OF THE  
BOARD:**

**Initial Complaint**

1. (1) A request from an Eligible Complainant for an investigation of a complaint that a Trustee has contravened the Trustees Code of Conduct (the “complaint”) shall be brought to the attention of the Board by sending it directly to the Integrity Commissioner by E-mail substantially in the form attached to this Protocol as Schedule “A”, or delivered in hard copy to an address the Integrity Commissioner may designate for that purpose.
- (2) All complaints shall be submitted by an identifiable Eligible Complainant (which includes an authorized signing officer of an organization).
- (3) A complaint shall set out reasonable and probable grounds for the allegation that the member has contravened the Trustees Code of Conduct. The complaint should include the name of the applicable Trustee, the provision of the Code allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.
- (4) Election Blackout Period:

No investigation shall be commenced or continued, nor shall the Integrity Commissioner report to the Board respecting an investigation, within the election period described within s.223.4 and 223.4.1 of the *Municipal Act*, except as described in those sections.

### Classification by Integrity Commissioner

2. (1) Upon receipt of a complaint, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Trustees Code of Conduct and not covered by other legislation, a complaint with respect to the *Municipal Conflict of Interest Act* or other relevant the Board policies.
- (2) If the complaint, on its face, is not a complaint with respect to non-compliance with the Trustees Code of Conduct or another Board policy governing ethical behaviour or the *Municipal Conflict of Interest Act*, or if the complaint is covered by other legislation, the Integrity Commissioner shall advise the complainant in writing as follows:
  - (a) if the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
  - (b) if the complaint on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter;
  - (c) the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, and shall be provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate. The Integrity Commissioner may proceed with that part of the complaint that is within jurisdiction.
- (3) The Integrity Commissioner may reformulate a complaint by

restating, narrowing or clarifying the complaint so that the public interest will be best served were the complaint to be pursued.

- (4) The Integrity Commissioner may report to the Board that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- (5) The Integrity Commissioner shall report annually to the Board on complaints not within the jurisdiction of the Integrity Commissioner, or which have been resolved informally by the Integrity Commissioner, but, where possible, shall not disclose information that could identify a person concerned.

### **Investigation**

- 3. (1) The Integrity Commissioner is responsible for performing the duties set out in this Protocol independently and shall report directly to the Board in respect of all such matters. In applying this Protocol, the Integrity Commissioner shall retain the discretion to conduct investigations applying the principles of procedural fairness, and any deviation from the provisions of this Protocol for that purpose shall not invalidate the investigation or result in the Integrity Commissioner losing jurisdiction.
- (2) If the Integrity Commissioner is of the opinion that a complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, or that the pursuit of the investigation would not, in the opinion of the Integrity Commissioner, be in the public interest, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.
- (3) The Integrity Commissioner shall file an annual report to the Board respecting the advice, education and investigations carried out in the previous year, and developments or recommendations of significance related to the role of the Integrity Commissioner. Other than in exceptional circumstances, the Integrity Commissioner will not report

to the Board on any complaint described in subsection (2) except as part of an annual or other periodic report.

- (4) Where the Integrity Commissioner rejects or terminates an investigation pursuant to this section, reasons shall be provided.
4. (1) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and may attempt to settle the complaint.
  5. (1) The Integrity Commissioner will proceed as follows, except where otherwise required in the context of a particular situation, the principles of procedural fairness:
    - (a) provide the complaint (or where the complaint has been restated in accordance with subsection 2(3), the restatement) and relevant supporting material to the member whose conduct is in question and provide the member with a reasonable opportunity to respond.
  - (2) Except where the Integrity Commissioner determines that it is not in the public interest to do so, the name of the complainant shall be provided as part of the complaint documents.
  - (3) The Integrity Commissioner may speak to anyone relevant to the complaint, and access and examine any information as the Integrity Commissioner believes to be necessary to support an investigation into a matter, including all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the TCDSB, and the Integrity Commissioner may enter any Board work location relevant to the complaint for the purposes of investigation and settlement.
  - (4) The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any Trustee unless the member has had reasonable notice of the basis for and an opportunity to comment on the proposed findings.

- (5) The Integrity Commissioner may make interim reports to the Board where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.
- 6. (1) The Integrity Commissioner shall report to the complainant and the respective Trustee generally no later than 90 days after the making of the complaint.
- (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also submit a public report to the Board outlining the findings, and any recommended corrective action.
- (3) Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to the Board except as part of an annual or other periodic report.
- (4) Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.
- 7. If the Integrity Commissioner determines that there has been no contravention of the Trustees Code of Conduct or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
- 8. the Recording Secretary shall process the report for the next meeting of the Board.

## Board Review

- 9. (1) The Integrity Commissioner's report shall be considered to be a report brought to the attention of the Board pursuant to subsection 218.3(1) of the *Education Act*.

(2) Consideration of the Integrity Commissioner's report by the Board satisfies the requirement of the Board to make inquiries into the matter pursuant to subsection 218.3 (2) of the Education Act.

(3) The Board shall consider the Integrity Commissioner's report at a meeting open to the public provided that where the breach or alleged breach involves:

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

the meeting may be closed to the public to the extent required to permit the Board to consider such confidential content so long as the vote on whether the Trustee has breached the Trustees Code of Conduct, and any vote on any imposition of a sanction, is open to the public.

(4) If after consideration of the Integrity Commissioner's report the Board determines that a Trustee has breached the Trustees Code of Conduct, the Board may:

- a) Censure the Trustee
- b) Bar the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board
- c) Bar the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board
- d) Revoke the appointment of the Trustee as Chair of the

Board or as Chair of a Committee of the Board, or as a member of a body to which the Board appoints one or more Trustees

- e) Such other remedies within the Board's power to impose that are directly relevant to the nature of the breach and/or which are designed to prevent future occurrences of a similar breach. Without restricting the generality of the foregoing such remedies may include:
  - a. a request that a genuine apology be made
  - b. training as may be recommended by the Integrity Commissioner
  - c. the Board adopting a public resolution disassociating itself from any action or statement the Trustee has been found to have taken or made.

### **Consequences of the Imposition of a Sanction**

- (5) 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.
- (6) Where a Trustee is barred from attending all or part of a meeting of the Board the Trustee's absence is deemed to be authorization for the Trustee to be absent from the meeting for the purpose of clause 228 (1) (b) of the Education Act.
- (7) If the Board determines that a Trustee has breached the Trustees Code of Conduct under subsection (4),
  - (a) the Board shall give the Trustee written notice of the determination and of any sanction imposed by the Board;
  - (b) the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination

or sanction by a date specified in the notice that is at least 14 days after the notice is received by the member; and  
 (c) the Board shall consider any submissions made by the Trustee in accordance with clause (b) and shall confirm or revoke the determination within 14 days after the submissions are received.

- (8) If the Board revokes a determination under clause (7) (c), any sanction imposed by the Board is revoked.
- (9) If the Board confirms a determination under clause (7) (c), the board shall, within the time referred to in that clause, confirm, vary or revoke the sanction.
- (10) If a sanction is varied or revoked under subsection (8) or (9), the variation or revocation shall be deemed to be effective as of the date the original determination was made under subsection (4).
- (11) The Board's deliberations and voting to confirm or revoke a determination that the Trustee has breached the Trustees Code of Conduct, or to confirm, vary or revoke a sanction imposed as a consequence, shall be open to the public and only such portions of the meeting as provided for in subsection (3) may be closed to the public.

### **Confidentiality**

- 10. (1) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding.
- (2) All reports from the Integrity Commissioner to the Board will be made available to the public.
- (3) Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.
- (4) The Integrity Commissioner in a report to the Board on whether a



Trustee has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

**Schedule  
“A”  
Complaint  
Form**

I (name of Eligible Complainant).

being an Eligible Complainant on the basis that I am (select all that are relevant)

- ☐ a Trustee, student, staff member, contractor or service provider of the TCDSB;
- ☐ a Roman Catholic (Separate School) elector;
- ☐ an Eastern Right Catholic;
- ☐ a representative of an organization demonstrably interested in TCDSB matters; or
- ☐ an other person demonstrably interested in TCDSB matters,

hereby request the Integrity Commissioner appointed by the Toronto Catholic District School Board to conduct an inquiry about whether or not the following Trustee(s) has contravened the Trustees Code of Conduct or the *Municipal Conflict of Interest Act*:

(name of Trustee(s))

I have reasonable and probable grounds to believe that the above Trustee(s) has contravened the Trustees Code of Conduct and/or the *Municipal Conflict of Interest Act* by reason of the following (please include date, time and location of conduct, the Rules contravened, and particulars, including names of all persons involved, and of all witnesses, and information as to how they can be reached, (attach additional pages as needed):

---

---

---

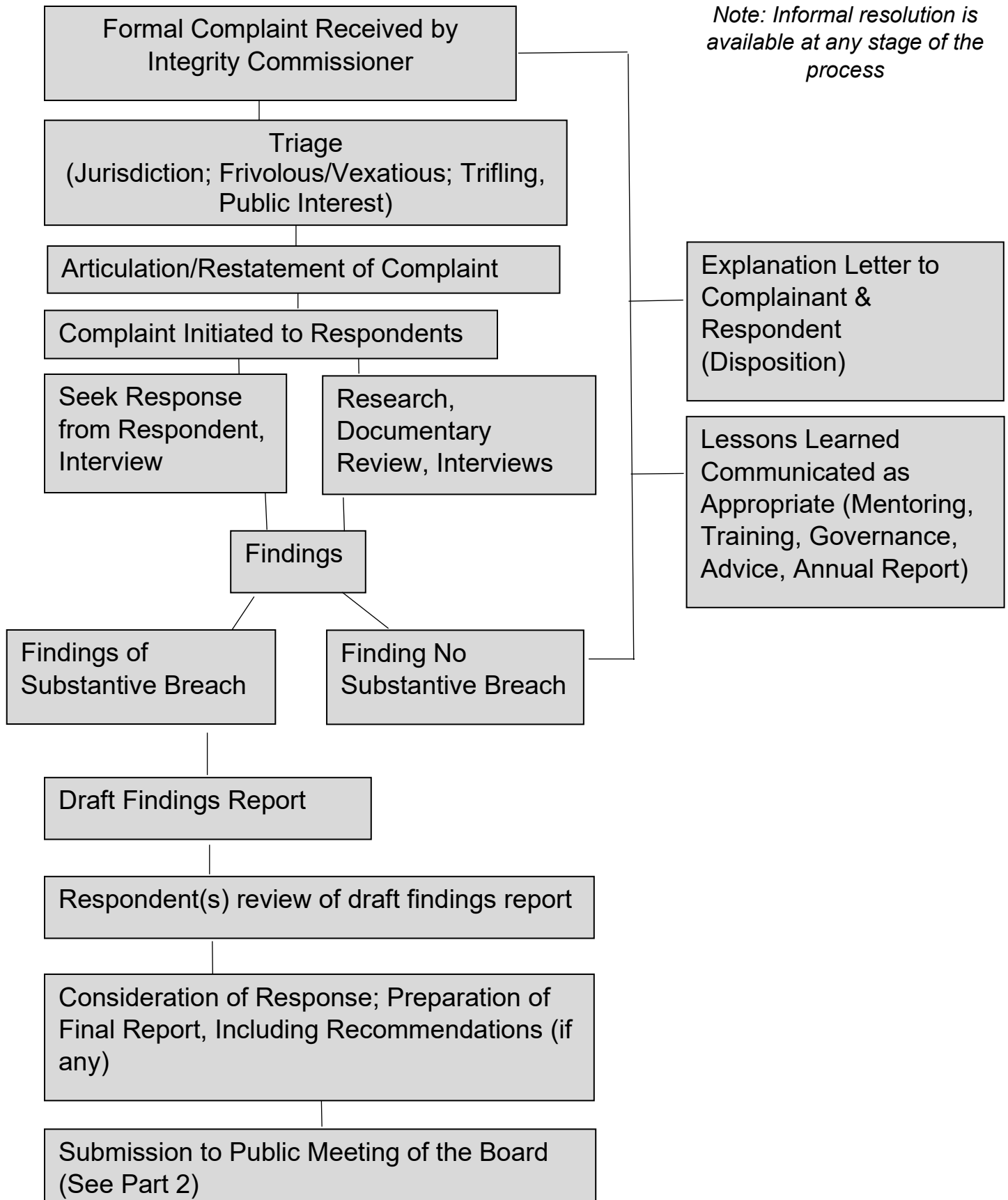
---

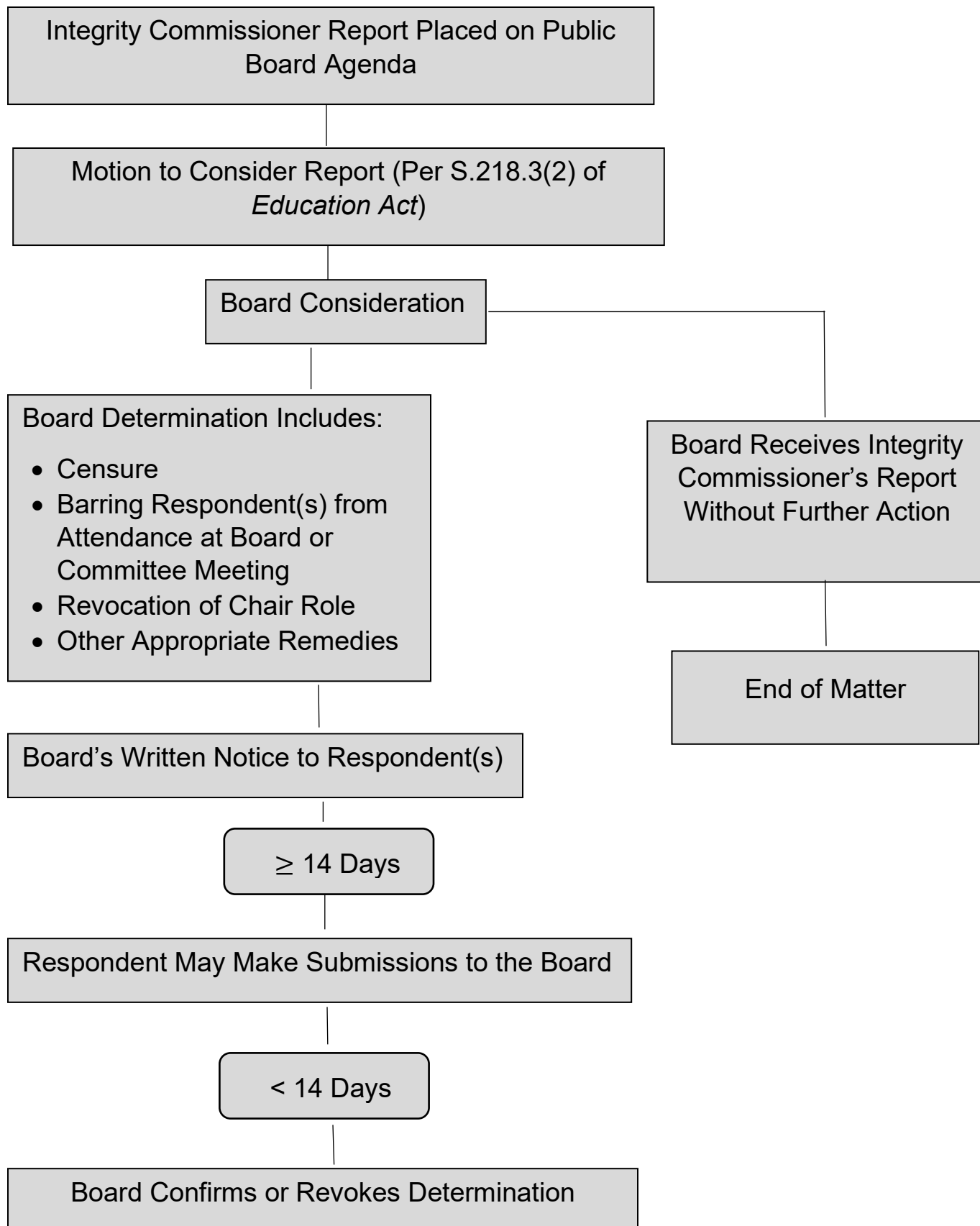
I hereby request the Integrity Commissioner to conduct an inquiry with respect to the above conduct. Attached are copies of documents and records relevant to the requested inquiry.

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

All Fields Mandatory

Email completed Complaint to  
Principles *Integrity* at:  
[postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)



Part 2 – Board Review

## **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 VIRTUAL MEETING OF THE GOVERNANCE AND POLICY COMMITTEE PUBLIC SESSION**

**HELD TUESDAY, JANUARY 12, 2021**

## **PRESENT:**

### **Trustees:**

M. de Domenico, Chair – In Person  
N. Di Pasquale, Vice-Chair  
T. Lubinski  
I. Li Preti  
N. Crawford - Ex-Officio  
J. Martino – Ex-Officio

**Non-Voting Trustee:** M. Rizzo

### **Staff:**

B. Browne  
C. Fernandes  
S. Camacho  
P. Matthews  
C. Onyia

S. Harris, Recording Secretary  
S. Hinds-Barnett, Assistant Recording Secretary

### **External Guests:**

A. Robertson, Parliamentarian  
J. Abrams, Integrity Commissioner, Principles Integrity

## **5. Approval of the Agenda**

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

The Motion was declared

CARRIED

**6. Declarations of Interest**

There were none.

**7. Approval and Signing of the Minutes**

MOVED by Trustee Martino, seconded by Trustee Lubinski, that the Minutes of the Meeting held November 10, 2020 be approved.

The Motion was declared

CARRIED

**14. Staff Reports**

MOVED by Trustee Di Pasquale, seconded by Trustee Martino, that Item 14a) be adopted as follows:

- 14a) Revision of the Trustee Code of Conduct Policy T.04** that the revised draft Trustee Code of Conduct Policy (T.04), provided in Appendix A and the accompanying guidelines in Appendix B, be adopted.

MOVED in AMENDMENT by Trustee Di Pasquale, seconded by Trustee Li Preti,:

- 1) That Staff create a section of the Trustee Code of Conduct specific to Student Trustees;
- 2) That Staff consider whether the inclusion of Items d) and e) in the *Eligible Complainant* list, Page 52, should only apply to Municipal Conflict of Interest Act complaints; and
- 3) That Staff consider adding flowcharts for the processes outlined in Appendix B of the Report.

MOVED by Trustee Di Pasquale, seconded by Trustee Martino, that the AMENDMENT be tabled.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
de Domenico  
Di Pasquale  
Li Preti  
Lubinski  
Martino

The Motion to Table was declared

CARRIED



With the consent of the Assembly, Trustee Di Pasquale withdrew the Main Motion (which automatically also withdrew the AMENDMENT).

MOVED by Trustee Di Pasquale, seconded by Trustee Martino, that the Revision of the Trustee Code of Conduct Policy T.04 report be referred back to Staff with the following recommendations:

- 1) That Staff create a section of the Trustee Code of Conduct specific to Student Trustees;
- 2) That Staff consider whether the inclusion of Items d) and e) in the *Eligible Complainant* list, Page 52, should only apply to Municipal Conflict of Interest Act complaints; and
- 3) That Staff consider adding flowcharts for the processes outlined in Appendix B of the Report.

MOVED in AMENDMENT by Trustee Crawford, seconded by Trustee Lubinski:

1. That Policy S.S.09 Safe School Code of Conduct be included in the *Cross References* section, Page 12;
2. That in Appendix A relating to “*held to a higher standard*”, reference to our *Catholic Faith and the Oath of Office* we make each year be included, Page 14 or 3 of 39, first paragraph, last line;
3. That in Appendix A of the Report, *Canadian Conference of Catholic Bishops* be replaced with the *Assembly of Catholic Bishops of Ontario* (ACBO), Page 15 or 4 of 39, Item c);
4. That Principles Integrity and Toronto Catholic District School Board (TCDSB) Staff review Policy S.S.09 to determine if Policy S.S.09 is the

- overarching Code of Conduct of the TCDSB, serving all potential complainants and all potential situations;
5. That the TCDSB Trustee Code of Conduct limit the potential complainants to align with the Education Act, Section 218.3; and
  6. That the Trustee Code of Conduct policy comply with the current meta-policy format, and that all other material be included as an appendix Manual.

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

**In Favour**

**Opposed**

Trustees Crawford  
de Domenico  
Di Pasquale  
Li Preti  
Lubinski  
Martino

The AMENDMENT was declared

CARRIED

MOVED in AMENDMENT by Trustee Li Preti, seconded by Trustee Di Pasquale, that the Integrity Commissioner determine whether or not a Trustee may be able to fundraise to cover expenses incurred (e.g. legal consultant fees) and, if allowed, consider the criteria, process and parameters.

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

**In Favour**

**Opposed**

Trustees Crawford  
de Domenico  
Di Pasquale  
Li Preti  
Martino

Lubinski

The AMENDMENT was declared

CARRIED

MOVED in AMENDMENT by Trustee Lubinski, seconded by Trustee Martino:

- 1) That the General Introduction reflect *Catholic Values* along with the *Board's Mission and Vision* relating to Faith, Community and Culture, Page 15 or 4 of 39, first paragraph; and
- 2) That Item c) include Archdiocese of Toronto, Page 15 or 4 of 39.

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

**In Favour**

**Opposed**

Trustees Crawford  
de Domenico  
Di Pasquale  
Li Preti  
Lubinski  
Martino

The AMENDMENT was declared

CARRIED

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

**In Favour**

**Opposed**

Trustees Crawford  
de Domenico  
Di Pasquale  
Li Preti  
Lubinski  
Martino

The Motion, as amended, was declared

CARRIED

**18. Adjournment**

MOVED by Trustee Martino, seconded by Trustee Li Preti, that the meeting be adjourned.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
de Domenico  
Di Pasquale  
Li Preti

Lubinski  
Martino

The Motion was declared

CARRIED

---

SECRETARY

---

CHAIR



## MASTER PENDING LIST AND ROLLING CALENDAR TO FEBRUARY 18, 2021

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
1	Jan-2020 Corporate Services	TBC	Corporate Services	That all options be explored for Loretto Abbey and Dante Alighieri and that a report on relocation come back at the February 13, 2020 Corporate Services Committee meeting or February 20, 2020 Board meeting, and a report on Dante Alighieri comes back at the March 12, 2020 or April 16, 2020 Corporate Services Committee meeting; <b>(2020-2021 School Relocations Plan)</b>	Associate Director of Facilities, Business & Comm. Dev & CFO
2	Jan-21 Student Achievement	TBC	Corporate Services	1. That staff bring back a report with a revised 2020-2021 Renewal Plan in the Spring of 2021 following announcement of CVRIS funding allocations; and  2. That a report be submitted to Board on the findings of the consultant <b>(Renewal Plan 2020-2021 and Three-Year Forecast (All Wards))</b>	Associate Director of Facilities, Business & Comm. Dev.
3	June-2020 Special Board	TBC	Regular Board	Report outlining strategies to make hiring more racially representative (both locally and centrally) which acknowledge how important it is for students to be able to see themselves reflected in different fields and positions of leadership <b>(Consideration of Motion from Student Trustee Dallin regarding Anti-Black and Anti-Indigenous Racism in Schools)</b>	Director of Education & Associate Director of Education, Academic Services & Associate Director of Facilities, Business &

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
					Comm. Dev & CFO
4	Oct-2020 Corporate Services	TBC	Regular Board	The Director of Education bring a report to Board outlining the details of an Attendance Boundary Review for St. Catherine Catholic Elementary School. <b>(Consideration of Motion from Trustee Kennedy regarding Attendance Boundary Review for St Catherine's Catholic Elementary School)</b>	Director of Education & Associate Director of Facilities, Business & Comm. Dev & CFO
5	Feb-21 Student Achievement	TBC	Regular Board	Referred to the African-Canadian Advisory Committee for a report to come to the Board indicating how a partnership can be implemented and operationalized. <b>(Delegation from Samantha Adebisi and Garth Neilson regarding Black Achiever Initiative)</b>	Associate Director of Education, Academic Services
6	June-2020 Special Board	TBC	Student Achievement	That future device programs such as formal bring-your-own-device (BYOD) and low income family device loan program be explored and presented to the Board of Trustees at the end of the COVID-19 pandemic. <b>(Computers for Students in Need)</b>	Associate Director of Facilities, Business & Comm. Dev & CFO
7	Jan-21 Student Achievement	Mar-21	Student Achievement	That Staff come back to Student Achievement in March with a report on what resources can be made available to further support LGBTQ Students, during and after the pandemic <b>(Mental Health and Well-Being Annual Report 2019-2020)</b>	Associate Director of Education, Academic Services



#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
8	Feb-21 Student Achievement	Mar-21	Student Achievement	Referred to Staff for a written report to come to the March 4, 2021 Student Achievement and Well-Being Committee Meeting. <b>(Inquiry from Trustee Di Pasquale regarding the implementation of Anti-Black and Indigenous Motion passed at the June 2020 Regular Board Meeting)</b>	Associate Director of Education, Academic Services

## 2021 CALENDAR OF ANNUAL REPORTS & POLICY METRICS

A = Annual Report

P = Policy Metric Report

Q = Quarter Report

#	Due Date	Committee/Board	Subject	Responsibility of
1	January (P)	Corporate Services	B.R.01 Rental of Surplus School Space & Properties Policy Metric	A.D. Facilities, Business, Community Development
2	February (Q)	Corporate Services	Financial Status Update Report #1	A.D. Facilities, Business, Community Development
3	March (A)	Corporate Services	Budget Series Report: Financial Planning and Consultation Plan	A.D. Facilities, Business, Community Development
4	March (A)	Corporate Services	Consensus Student Enrolment Projection	A.D. Facilities, Business, Community Development
5	March (A/P)	Corporate Services	Transportation Annual Report and <u>S.T.01 Transportation Policy Metric</u>	A.D. Facilities, Business, Community Development
6	March	Corporate Services	A.18 Development Proposals, Amendments and Official Plans and Bylaws Policy Metric	A.D. Facilities, Business, Community Development
7	April (A)	Corporate Services	Budget Series Report: Grants for Student Needs Update	A.D. Facilities, Business, Community Development
8	May (Q)	Corporate Services	Financial Status Update Report #2	A.D. Facilities, Business, Community Development
9	May (A)	Corporate Services	Budget Series Report: Preliminary Budget Estimates for the Following Fiscal Year	A.D. Facilities, Business, Community Development
10	June (A)	Corporate Services	Budget Series Report: Recommended Budget Estimates for the Following Fiscal Year	A.D. Facilities, Business, Community Development
11	June (A)	Corporate Services	Delegated Authority Report	A.D. Facilities, Business, Community Development
12	September (Q)	Corporate Services	Financial Status Update Report #3	A.D. Facilities, Business, Community Development

## 2021 CALENDAR OF ANNUAL REPORTS & POLICY METRICS

<b>13</b>	September (A)	Corporate Services	Capital Program Update	A.D. Facilities, Business, Community Development
<b>14</b>	September (A)	Corporate Services	Delegated Authority Update Report	A.D. Facilities, Business, Community Development
<b>15</b>	October (A)	Corporate Services	Trustee Honorarium Report	A.D. Facilities, Business, Community Development
<b>16</b>	November	Corporate Services	Preliminary Enrolment Reports Elementary and Secondary Schools and S.A.01 Elementary Admission and Placement Policy Metric	A.D. Facilities, Business, Community Development
<b>17</b>	November (A)	Corporate Services	Legal Fees Report	A.D. Facilities, Business, Community Development
<b>18</b>	November (A/Q)	Corporate Services	Audited Financial Statement and Financial Status Update #4	A.D. Facilities, Business, Community Development
<b>19</b>	December (A)	Corporate Services	Budget Series Report: Revised Budget Estimates for the Current Fiscal Year	A.D. Facilities, Business, Community Development
<b>20</b>	December	Corporate Services	Capital Renewal Program Report	A.D. Facilities, Business, Community Development
<b>21</b>	December (A)	Corporate Services	Annual Investment Report	A.D. Facilities, Business, Community Development
<b>22</b>	February (A)	Regular Board	School Year Calendar	Associate Director Academic Services
<b>23</b>	March (A)	Regular Board	Staffing Projections Report	Associate Director Academic Services
<b>24</b>	August (P)	Regular Board	T.19 Electronic Participation in Meetings of the Board, Committees of the Board, and Committee of the Whole Board Metric	Director of Education
<b>25</b>	August (P)	Regular Board	H.M. 19 Conflict Resolution Department	Associate Director Academic Services

## 2021 CALENDAR OF ANNUAL REPORTS & POLICY METRICS

26	October (P)	Regular Board	H.M.33 Acceptance of Hospitality or Gifts Policy Metric	Director of Education
27	October (A)	Regular Board	Ongoing Exit and Entry Survey for all students either changing schools within the Board or entering or exiting the Board	A.D. Facilities, Business, Community Development
28	November (A)	Regular Board	Annual Report on the Multi Year Strategic Plan	Director of Education
29	November (A)	Regular Board	Annual Calendar of Meetings	Director of Education
30	December (A)	Regular Board	Director's Annual Report	Director of Education
31	October (A)	Special Board	Director's Performance Appraisal (over 3 consecutive Special Board Meetings)	Director of Education
32	January (A)	Student Achievement	Mental Health Report	Associate Director Academic Services
33	January (P)	Student Achievement	<u>A.35 Accessibility Standards</u> Policy Metric	Associate Director Academic Services
34	February (P)	Student Achievement	<u>S. 19 External Research Policy Metric</u>	Associate Director Academic Services
35	April (A)	Student Achievement	Non-Resident VISA Student Fees	Associate Director Academic Services
36	May (A)	Student Achievement	Staffing Status Report for Next School Year	A.D. Facilities, Business, Community Development
37	May (A)	Student Achievement	Ratification of Student Trustee Nominees	Associate Director Academic Services
38	June (P)	Student Achievement	<u>B.B.04 Smoke &amp; Vapour Free</u> Policy Metric	Associate Director Academic Services
39	September (A/P)	Student Achievement	Annual Safe Schools Report and <u>S.S.12 Fresh Start</u> Policy Metric	Associate Director Academic Services
40	September (P)	Student Achievement	<u>H.M. 40 Fair Practice in Hiring and Promotion</u> Policy Metric	Associate Director Academic Services

## 2021 CALENDAR OF ANNUAL REPORTS & POLICY METRICS

41	September	Student Achievement	<u>Community Advisory Committees Report</u>	Associate Director Academic Services
42	September (P)	Student Achievement	<u>T.07 Community Engagement Policy Report</u>	Director of Education
43	September	Student Achievement	<u>A.37 Communications Policy Metric</u>	Associate Director Academic Services
44	October (A)	Student Achievement	Student Trustees: Voices that Challenge- CSLIT	Associate Director Academic Services
45	October (A)	Student Achievement	International Languages Program Report	Associate Director Academic Services
46	October (A)	Student Achievement	Primary and Junior Division Assessments Of Reading, Writing and Mathematics (EQAO); the Grade 9 Assessment of Mathematics; and the OSSLT Assessment (EQAO)	Associate Director Academic Services
47	October (A)	Student Achievement	<u>S.22 Religious Accommodation Policy Report</u> and <u>S.S.02 Opening or Closing Exercises Policy Report</u> (combined)	Associate Director Academic Services
48	October	Student Achievement	Board Learning Improvement Plan (BLIP)	Associate Director Academic Services
49	November (A)	Student Achievement	K-12 Professional Development Plan for Student Achievement and Well-Being	Associate Director Academic Services
50	November (A)	Student Achievement	CPIC Annual Report including Financial Report	Associate Director Academic Services
51	November (P)	Student Achievement	Elementary Catholic School Leadership Impact Team Report ESLIT	Associate Director Academic Services
52	November (P)	Student Achievement	<u>S.24 Combined (Split) Grade Classes for Elementary Schools Policy Report</u>	Associate Director Academic Services

## 2021 CALENDAR OF ANNUAL REPORTS & POLICY METRICS

<b>53</b>	December (A/P)	Student Achievement	Accountability Framework for Special Education and <u>S.P.01 Special Education Programs and Services Policy Metric</u>	Associate Director Academic Services
<b>54</b>	December (P)	Student Achievement	<u>S.10 Catholic School Parent Council Policy Metric</u>	Associate Director Academic Services
<b>55</b>	December	Student Achievement	<u>Staff CPIC Annual Report Including Financial Reporting</u>	Associate Director Academic Services