



REPORT TO

REGULAR BOARD

BILL 68: MODERNIZING ONTARIO'S LEGISLATION ACT, 2016

“Repent, then, and turn to God, so that your sins may be wiped out, that times of refreshing may come from the Lord”
Acts 3:19

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Paul Matthews, General Legal Counsel		
INFORMATION REPORT		

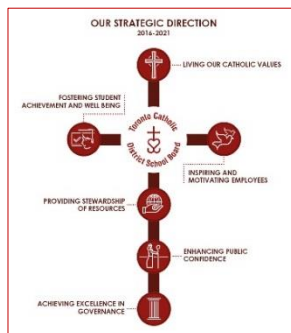
Vision:

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

Mission:

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

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



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

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Associate Director
of Planning and Facilities

T.B.D.
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report describes the highlights of Bill 68: *Modernizing Ontario's Legislation Act, 2016*.

B. PURPOSE

1. The amendments described below make changes in the area of Trustee Conflict of Interest, Trustee Term of Office, Trustee Pregnancy and Parental Leave, and the Role of the Integrity Commissioner in Assisting Trustees in Conflict Matters.

C. BACKGROUND

1. On May 30, 2017, the *Modernizing Ontario's Legislation Act, 2016*, also known as "Bill 68", passed third reading and received Royal Assent. Bill 68 amended several Acts. The amendments to Acts which impact Ontario school boards are the *Education Act*, the *Municipal Act*, the *City of Toronto Act*, and the *Municipal Conflict of Interest Act*.
2. Highlights of Bill 68 are as follows:
 - a. The start date of trustees' term of office will change from December 1 to November 15 in the year of a regular election. This change will take effect in 2022;
 - b. Section 170 of the *Education Act* is amended to require every school board to adopt and maintain policies with respect to pregnancy leaves and parental leaves of members of the board. Section 228 of the *Education Act* currently sets out circumstances where a member of the board's seat becomes vacant. A new subsection 228 (2.1) is added to provide that a vacancy does not occur where the member is absent for 20 consecutive weeks or less if the absence is the result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member;
 - c. The *Municipal Act, 2001* and the *City of Toronto Act, 2006* are amended to provide for the appointment of Integrity Commissioners by municipalities. The role of these Commissioners includes advising

- school board trustees with respect to their obligations under the *Municipal Conflict of Interest Act*, as well as any rules, policies, codes or other official documents governing trustees' conduct;
- d. Require Trustees to declare any financial interest at any meeting that may conflict with his or her duties and file a written statement of the member's financial interest at that meeting or as soon as possible after the meeting;
 - e. Require boards to establish a "registry" of statements and declarations of interests of Trustees that would be available for public inspection;
 - f. An elector, an Integrity Commissioner of a municipality, or a "person demonstrably acting in the public interest" is entitled to have a judge determine whether a trustee has acted contrary to the *Municipal Conflict of Interest Act*;
 - g. Judges have new discretion to consider reasonable measures taken by trustees to prevent contravention of the *Municipal Conflict of Interest Act*, including consultation with an Integrity Commissioner when determining the type of penalty to be imposed in the event of contravention.
3. At the time of the writing of this report, Bill 68's amendments to the *Municipal Conflict of Interest Act* had not yet been declared into law.

D. CONCLUDING STATEMENT

This report is for the consideration of the Board and.