



Governance and Policy Committee Agenda

GPC:002A

Wednesday, February 8, 2023

4:30 p.m.

Boardroom, Main Floor, 5050 Yonge Street, Toronto

Trustee Members:

Yalini Rajakulasingam (Chair), Sara Ehrhardt, Liban Hassan, Patrick Nunziata, Weidong Pei,
Anu Sriskandarajah

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1. Call to Order and Acknowledgement of Traditional Lands	
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8. Adjournment



P048, Occupational Health and Safety Policy: Annual Review

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4476

Strategic Directions

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the Occupational Health and Safety Policy (P048), as presented in this report, be approved.

Context

The Occupational Health and Safety Policy (P048) (the “Policy”) is being reviewed in accordance with the Policy Review Schedule and the *Occupational Health and Safety Act* which requires school boards to review their policies related to occupational health and safety annually.

In accordance with the Board’s Policy Development and Management Procedure (PR501), section 6.17: “policies that are mandated by legislation to be reviewed on an annual basis may undergo a simplified review process annually and a complete process every four years (e.g., Occupational Health and Safety Policy, Workplace Violence Prevention Policy, etc.). Under the simplified process, the policy may be exempted from consultation requirement if no substantive changes to the policy are being proposed”.

Upon reviewing the governing legislation and other school board policies, no substantive changes are being recommended to the current Policy (see Appendix A). It is therefore proposed that the simplified review process be applied.

In compliance with the *Occupational Health and Safety Act*, the Occupational Health and Safety Policy (P048) is being provided for the Committee's review and approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's approval, the Policy will be presented to the Board of Trustees on March 8, 2023 for final approval.

Resource Implications

No additional resources will be required for revisions to this Policy.

Communications Considerations

Following Board approval, the Policy will be posted on the Board's public website. In addition, a message will be circulated to the System Leaders' Bulletin instructing site management and school principals throughout the TDSB system to post the Policy in a conspicuous location within their workplace.

Board Policy and Procedure Reference(s)

- Equity Policy (P037)
- Employee Accident or Injury Procedure (PR659)
- Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Policy (P034)
- Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Procedure (PR515)
- Workplace Violence Prevention Policy (P072)

Appendices

- Appendix A: Occupational Health and Safety Policy (P048) – Revised with Track Changes

From

Stacey Zucker, Associate Director, Modernization and Strategic Resource Alignment at Stacey.zucker@tdsb.on.ca or at 416-397-3188

Maia Puccetti, Executive Officer, Facilities and Planning at maia.puccetti@tdsb.on.ca at 416-393-8780

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Patrick Mohammed, Senior Manager, Occupational Health and Safety at patrick.mohammed@tdsb.on.ca at 416-397-3210

Toronto District School Board

Policy P048

Title: **OCCUPATIONAL HEALTH AND SAFETY**

Adopted: August 26, 1998

Effectuated: August 26, 1998

Revised: February 7, 2018, March 20, 2019; February 5, 2020; May 26, 2021; February 2, 2022; **[insert date]**

Reviewed: January 26, 2016; February 7, 2018; March 20, 2019; February 5, 2020; May 26, 2021; February 2, 2022; **[insert date]**

Authorization: Board of Trustees

1.0 RATIONALE

The Occupational Health and Safety Policy (the “Policy”) supports the legislative requirements of the *Occupational Health and Safety Act*, and affirms the Toronto District School Board’s (“TDSB”) commitment to maintaining safe and healthy working environments.

2.0 OBJECTIVE

To establish the Board’s commitment to the well-being of its employees through the promotion of health and safety in the workplace and active participation of all employees in the prevention of accidents.

3.0 DEFINITIONS

Board is the Toronto District School Board, which is also referred to as the “TDSB”.

Employer under the *Occupational Health and Safety Act* is a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.

Employee is any person included in the definition of “worker” under the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*, including, but not limited to regular, temporary, probationary employees, co-op students and contract employees.

Hazard is any source of potential damage, harm or adverse health effects on something or someone under certain conditions at work. Examples include workplace violence and harassment, toxic chemicals, moving machinery parts,

working at heights, high voltage electricity, temperature extremes, slippery work surfaces or any other occupational health hazard in the workplace that is capable of making an employee sick.

Internal Responsibility System is a system recognized by the Ministry of Labour and fundamental to the successful working of the *Occupational Health and Safety Act*, whereby employers and employees are mutually responsible for health and safety in the workplace through the identification and elimination of hazards and development of strategies for the protection of workers.

Joint Health and Safety Committee (JHSC) is a committee established by the employer in accordance with the requirements of Section 9 of the *Occupational Health and Safety Act*.

Supervisor under the *Occupational Health and Safety Act* is a person who has charge of a workplace or authority over an employee.

TDSB is the Toronto District School Board, which is also referred to as the "Board."

Workplace under the *Occupational Health and Safety Act* is any land, premises, location or thing at, upon, in or near which an employee works. For the purpose of this Policy, it also includes any place where employees perform work or work-related duties, activities or functions, but does not include a private residence and its related lands. Schools and school-related activities, such as extra-curricular activities and excursions comprise the workplace, as do Board offices and facilities (including eating, lounge/changing areas and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions (e.g., staff parties, retirement celebrations) also fall within the scope of this Policy.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director's Office, the responsibility for the coordination and day-to-day management of the Policy is assigned to the Associate Director, Modernization and Strategic Resource Alignment ~~Business Operations and Service Excellence~~, and the Executive Officer, Facilities and Planning.

5.0 APPLICATION AND SCOPE

This Policy applies to all employees of the TDSB.

The Policy also covers students, parents/guardians, volunteers, permit holders, contractors, customers of the Board and other members of organizations and

includes all activities that occur in Board workplaces or while engaging in Board related functions or social events.

6.0 POLICY

General

- 6.1. The TDSB values learning and working environments that are safe, nurturing, positive and respectful.
- 6.2. The TDSB is committed to providing and maintaining a healthy and safe working environment through the development, promotion and implementation of programs designed to improve employee well-being and prevent occupational illness and injury, workplace violence and harassment.
- 6.3. The TDSB endorses the Internal Responsibility System which recognizes health and safety as a shared responsibility of both the employer and its employees, and as such, encourages the active participation of all employees in the prevention of accidents and the promotion of health and safety in the workplace.

Roles and Responsibilities

- 6.4. The TDSB recognizes the role of all parties, including designated staff who represent the employer, TDSB employees, Joint Health and Safety Committee members as well as Ministry of Labour inspectors and/or other health and safety representatives in the monitoring of workplace safety and overall well-being of employees.
- 6.5. The Board and its employees will comply with the legislative requirements as outlined in the *Occupational Health and Safety Act*.
- 6.6. The Director of Education will assign responsibility for Occupational Health and Safety and will ensure that the Board's program is implemented and maintained, through:
 - implementing and operationalizing applicable policy and/or procedure;
 - ensuring all employees, supervisors and the Joint Health and Safety Committee members are provided with ongoing information and training programs on safe work practices where required by legislation;
 - ensuring information, policies, procedures and training for employees are developed in consultation with the Joint Health and Safety Committee(s); and
 - ensuring every precaution reasonable in the circumstances is taken for the protection of an employee.

- 6.7. The employer is responsible for establishment and promotion of the Internal Responsibility System to ensure that it can function successfully. The Internal Responsibility System is an important element of a strong health and safety culture in a workplace. Senior management and supervisors (including Associate Directors, Executive Officers, Supervisory Officers, Principals and Managers) will actively model and promote efforts that lead to healthy and safe learning and working environments.
- 6.8. The employer, through senior management and supervisors, will implement applicable Board health and safety policies and programs; comply with the *Occupational Health and Safety Act* and regulations; and will ensure that workplaces under their direct control are kept in a healthy and safe condition.
- 6.9. Supervisors will be held accountable for the health and safety of workers under their supervision, including but not limited to responsibility for receiving and investigating health and safety concerns, responding to findings, and taking corrective actions in consultation with other parties as appropriate. The Board will ensure that all supervisors have a working knowledge of the *Occupational Health and Safety Act* and regulations as well as any actual or potential hazards at the workplace.
- 6.10. All employees are required to complete the mandatory training required by the Board and Ontario Regulation 297/13 under the *Occupational Health and Safety Act* and its regulations.
- 6.11. Employees have a common responsibility for their own health and safety and that of others and are required to adhere to safe work practices and to report to their supervisor any unsafe or unhealthy conditions or practices.
- 6.12. Employees have the right to know about hazards in their workplace and to receive information, instruction and supervision to protect their health and safety on the job. Employees have the right to participate in identifying and solving workplace health and safety problems through either a health and safety representative or an employee member of the Joint Health and Safety Committee. In accordance with the *Occupational Health and Safety Act* and related regulations, employees have the right to refuse work in situations they believe would be dangerous to their health and safety or to that of any other employee in the workplace.
- 6.13. The Board will ensure that this Policy is posted in conspicuous workplace locations and made available on the TDSB's website for all employees and members of the public.

Joint Health and Safety Committee

- 6.14. The TDSB will maintain a Joint Health and Safety Committee(s) in accordance with Section 9 of the *Occupational Health and Safety Act*.
- 6.15. The TDSB acknowledges the integral role of the Joint Health and Safety Committee(s) in bringing the Internal Responsibility System into practice and will support and/or cooperate with its functions and authority under the *Occupational Health and Safety Act*.

Legislation Prevails

6.16. The TDSB will make every effort to ensure that this Policy is consistent and up-to-date with the most current legislative requirements. In circumstances where the Policy is found to be inconsistent with, or contradicts, the Occupational Health and Safety Act or any other legislative act or regulation, the statute will prevail.

7.0 SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

8.0 EVALUATION

This Policy will be reviewed every year in accordance with the *Occupational Health and Safety Act*.

9.0 APPENDICES

N/A

10.0 REFERENCE DOCUMENTS

Policies and Operational Procedures:

- Employee Accident or Injury Procedure (PR659)
- Equity Policy (P037)
- Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Policy (P034)
- Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Procedure (PR515)
- Workplace Violence Prevention Policy (P072)

Legislative Acts and Regulations:

- *Occupational Health and Safety Act* (OHSA), R.S.O. 1990, c. O.1
- Regulations under the *Occupational Health and Safety Act*

- *Ontario Human Rights Code*
- *Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A*

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P072, Workplace Violence Prevention Policy: Annual Review

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4477

Strategic Directions

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the Workplace Violence Prevention Policy (P072), as presented in this report, be approved.

Context

The Workplace Violence Prevention Policy (P072) (the “Policy”) is being reviewed in accordance with the Policy Review Schedule and the *Occupational Health and Safety Act* which requires school boards to review their policies related to occupational health and safety annually.

In accordance with the Board’s Policy Development and Management Procedure (PR501), section 6.17: “policies that are mandated by legislation to be reviewed on an annual basis may undergo a simplified review process annually and a complete process every four years (e.g., Occupational Health and Safety Policy, Workplace Violence Prevention Policy, etc.). Under the simplified process, the policy may be exempted from consultation requirement if no substantive changes to the policy are being proposed”.

Upon reviewing the governing legislation and other school board policies, no changes are being recommended to the current Policy (see Appendix A). It is therefore proposed that the simplified review process be applied.

In compliance with the *Occupational Health and Safety Act*, the Workplace Violence Prevention Policy (P072) is being provided for the Committee's review and approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's approval, the Policy will be presented to the Board of Trustees on March 8, 2023 for final approval.

Resource Implications

No additional resources will be required for revisions to this Policy.

Communications Considerations

Following Board approval, the Policy will be posted on the Board's public website. In addition, a message will be circulated to the System Leaders' Bulletin instructing site management and school principals throughout the TDSB system to post the Policy in a conspicuous location within their workplace.

Board Policy and Procedure Reference(s)

- Equity Policy (P037)
- Human Rights Policy (P031)
- Occupational Health and Safety Policy (P048)
- Workplace Harassment Prevention for Non-Human Rights Code Harassment Policy (P034)
- Workplace Harassment Prevention and Human Rights Procedure (PR515)

Appendices

- Appendix A: Workplace Violence Prevention Policy (P072) – Revised with Track Changes

From

Stacey Zucker, Associate Director, Modernization and Strategic Resource Alignment at Stacey.zucker@tdsb.on.ca

Maia Puccetti, Executive Officer, Facilities and Planning at maia.puccetti@tdsb.on.ca

Patrick Mohammed, Senior Manager, Occupational Health and Safety at patrick.mohammed@tdsb.on.ca

Toronto District School Board

Policy P072

Title:	WORKPLACE VIOLENCE PREVENTION
Adopted:	June 23, 2010
Effected:	June 23, 2010
Revised:	April 18, 2018; March 20, 2019; February 5, 2020; May 26, 2021; February 2, 2022; [New Date]
Reviewed:	October 11, 2011; September 1, 2013; October 6, 2015; April 18, 2018; March 20, 2019; February 5, 2020; May 26, 2021; February 2, 2022; [New Date]
Authorization:	Board of Trustees

1.0 RATIONALE

The Workplace Violence Prevention Policy (the “Policy”) affirms the Toronto District School Board’s (“TDSB”) commitment to providing a safe, nurturing, positive learning and working environment, free of workplace violence, where every individual is treated with dignity and respect.

This Policy complies with the Board’s obligations under the *Occupational Health and Safety Act* (“OHSA”) and is consistent with the Board’s Mission, Values and Goals Policy (P002) and Equity Policy (P037).

2.0 OBJECTIVE

- To establish the framework for the Board’s compliance with the *Occupational Health and Safety Act* related to workplace violence prevention; and
- To demonstrate the Board’s commitment in providing a work environment that is safe and free of workplace violence.

3.0 DEFINITIONS

Board is the Toronto District School Board, which is also referred to as the “TDSB”.

Employer is the Toronto District School Board and defined under the *Occupational Health and Safety Act* as a person who employs one or more employees or contracts for the services of one or more employees and includes a contractor or subcontractor who performs work or supplies services and a contractor or

subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.

Employee is any person included in the definition of “worker” under the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*, including, but not limited to regular, temporary, probationary employees, co-op students and contract employees.

TDSB is the Toronto District School Board, which is also referred to as the “Board.”

Workplace under the OHSA is any land, premises, location or thing at, upon, in or near which an employee works. For the purpose of this Policy, it also includes any place where employees perform work or work-related duties, activities or functions (including virtual settings), but does not include a private residence and its related lands. Schools and school-related activities, such as extra-curricular activities and excursions comprise the workplace, as do Board offices and facilities (including eating, lounge/changing areas and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions (e.g., staff parties, retirement celebrations) also fall within the scope of this Policy.

Workplace Violence under the OHSA is a) the exercise of physical force by a person against an employee, in a workplace that causes or could cause physical injury to the employee; b) an attempt to exercise physical force against an employee, in a workplace, that could cause physical injury to the employee; and c) a statement or behaviour that is reasonable for an employee to interpret as a threat to exercise physical force against an employee in a workplace that could cause physical injury to the employee.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director’s Office, the responsibility for the day-to-day management and coordination of the Policy is assigned to the Associate Director, Modernization and Strategic Resource Alignment ~~Business Operations and Service Excellence~~ and Executive Officer, Facilities and Planning.

5.0 APPLICATION AND SCOPE

This Policy applies to all TDSB employees and Trustees.

The Policy also covers students, parents/guardians, volunteers, permit holders, contractors, customers of the Board and other members of organizations and

includes all activities that occur in Board workplaces or while engaging in Board related functions or social events.

6.0 POLICY

- 6.1. The Board believes in the prevention of workplace violence and is committed to promoting a violence-free workplace in which all people respect one another and work together to achieve common goals.
- 6.2. The Board will take every precaution reasonable in the circumstances for the protection of an employee in accordance with its duties and responsibilities as outlined in the *Occupational Health and Safety Act* and corresponding regulations.
- 6.3. The Board will make every reasonable effort to ensure that all steps are taken to protect employees from workplace violence through the implementation of workplace violence procedures and programs which include measures for summoning immediate assistance when violence occurs or is likely to occur, requirements for incident reporting and investigation, reduction of violent incidents and risk assessment, prevention and control measures, communication and system training.
- 6.4. The Board will ensure that this Policy is posted in conspicuous workplace locations and made available on the TDSB's website for all employees, and that all employees receive information and instruction about violence in the workplace.
- 6.5. The Board will ensure that employees of the TDSB do not experience reprisal as a result of incident reporting, in accordance with the *Occupational Health and Safety Act*.

7.0 SPECIFIC DIRECTIVES

The Director of Education has authority to issue operational procedures to implement this Policy.

8.0 EVALUATION

This Policy will be reviewed annually, in accordance with the *Occupational Health and Safety Act*.

9.0 APPENDICES

N/A

10.0 REFERENCE DOCUMENTS

Legislative Acts and Regulations:

- *Occupational Health and Safety Act, R.S.O. 1990, c. O.1*
- *Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A*

Policies:

- Equity Policy (P037)
- Mission, Values and Goals (P002)



P069, Accessibility Policy: Policy Review, Phase 5

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4478

Strategic Directions

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the revisions to the Accessibility Policy (P069), as presented in this report, be approved.

Context

On September 28, 2022, upon recommendation of the Governance and Policy Committee, the Board of Trustees initiated review of the Accessibility Policy and approved the Policy Review Work Plan (Appendix A). In accordance with the Policy Review Work Plan, staff prepared the draft revised Policy, and conducted public consultations from November 24, 2022 to February 2, 2023. As part of the public consultations, the Policy was posted on the TDSB website and shared with various stakeholder groups (i.e., Community Advisory Committees, School Councils, Student Senate, professional associations/unions) for input and comments.

The revised Accessibility Policy (P069) is consistent with the legislative requirements, Government directives, other school boards' best practices. The Policy establishes the framework for the Board's compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* and the Integrated Accessibility Standards Regulation, and demonstrates the Board's commitment in actively removing barriers and increasing

accessibility and participation for all members of its community. It is important to note that the TDSB is actively monitoring emerging legislation including the Kindergarten to Grade 12 (K-12) Education Standards recommendations which are currently under review by the Government. This Policy may require another review if K-12 Education Standards recommendations are implemented and put into law.

The revised draft Accessibility Policy was reviewed and approved by Executive Council on January 31, 2023.

The revised Policy (Appendix B) is presented for Committee's consideration and approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's directions, the Policy will be presented to the Board of Trustees for consideration and final approval on March 8, 2023. Once approved by the Board, the newly revised Policy will come into effect immediately. In addition, related operational procedures to support implementation of the Policy will be reviewed and/or developed as required.

Resource Implications

No additional resources will be required for implementation of the revised Policy at this time.

Communications Considerations

Following Board approval, the Policy will be communicated to the public in accordance with the Policy Review Work Plan.

Board Policy and Procedure Reference(s)

- Use of Service Animals by the General Public (PR604)
- Use of Support Persons by the General Public (PR605)
- Use of Assistive Devices by the General Public (PR606)

Appendices

- Appendix A: Policy Review Work Plan
- Appendix B: Accessibility Policy (P069) – Revised Track Changes

From

Leola Pon, Associate Director, Organizational Transformation and Accountability at leola.pon@tdsb.on.ca or 416-395-4932

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Jim Spyropoulos, Executive Superintendent, Human Rights and Indigenous Education
at jim.spyropoulos@tdsb.on.ca or 416-397-3678

Dina Anker, Accessibility Coordinator at dina.anker@tdsb.on.ca or 416-397-2401

POLICY REVIEW WORK PLAN

Date: [September 15, 2022](#)

All policies will be developed to ensure consistency with the TDSB's Mission, Values and Goals Policy (P002), the Equity Policy (P037), and the Board's Multi-Year Strategic Plan.

POLICY INFORMATION

Policy Title and Policy Number: [Accessibility Policy \(P069\)](#)

Review during fiscal year: [2021/22 - 2022/2023](#)

Last reviewed: [May 22, 2019](#)

Executive Council member responsible for this Policy review: [Executive Superintendent, Human Rights and Indigenous Education](#)

I. PLANNING AND OBTAINING DIRECTIONS

This Policy Review Plan has been discussed with the Policy Coordinator:

- Yes
 No

This Policy Review Plan will be discussed at the Governance and Policy Committee meeting held on: [September 15, 2022](#)

II. REVISIONS

Formatting Changes

The Policy will be reformatted to ensure alignment with the current Policy Template (see Operational Procedure PR501, Policy Development and Management, Appendix A):

- Yes
 No

Content Changes

The Policy requires content revisions:

- Yes
 No

The content changes are due to the following reason(s): [\[select one or more\]](#)

- Legislation
- Government directives/policies
- Board decisions
- Multi-Year Strategic Plan requirements
- Operational requirements
- Simplify and/or update using plain language
- Alignment with Equity Policy

Detailed information on proposed content changes, including findings of the policy equity assessment:

- [Review Policy to ensure alignment with Ontario Regulation 191/11, Integrated Accessibility Standards;](#)
- [Remove any references to Ontario Regulation 429/07 \(revoked\) and replace with Ontario Regulation 191/11, Integrated Accessibility Standards, where appropriate;](#)
- [Include additional content in the Policy in response to the Ministry of Seniors and Accessibility directions concerning inclusion of additional information on training and accessible employment policies, including but not limited to:](#)

[Under 6.1.11 to 6.1.13, include additional information about training requirements and details, including:](#)

- [purpose of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the Customer Service Standard](#)
- [our policies related to the Customer Service Standards](#)
- [how to interact and communicate with people with various types of disabilities](#)
- [how to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person](#)
- [how to use the equipment or devices available on-site or otherwise that may help with providing goods, services or facilities to people with disabilities. These include:](#)
 - [List Equipment/Devices](#)
 - [what to do if a person with a disability is having difficulty in accessing our organization's goods, services or facilities.](#)

[Under 6.3.3 regarding individualized emergency workplace response information, add the following:](#)

- [With the employee's consent, the TDSB will provide workplace emergency information to a designated person who is providing](#)

- assistance to that employee during an emergency.
- The TDSB will provide the information as soon as practicable after we become aware of the need for accommodation due to the employee's disability.
 - The TDSB will review the individualized workplace emergency response information:
 - when the employee moves to a different location in the organization;
 - when the employee's overall accommodations needs or plans are reviewed; and
 - when the employer reviews its general emergency response policies.
 - Consider provisions based on the upcoming Kindergarten to Grade 12 (K-12) Education Standards;
 - Include a provision regarding the Multi-Year Accessibility Plan (MYAP) in relation to the Multi-Year Strategic Plan, and process to ensure the achievement of its goals;
 - Include express commitment to accessibility-related legislation, including the *Accessibility for Ontarians with Disabilities Act (AODA)* and the *Ontario Human Rights Code (OHRC)*
 - Review and revise definitions, as appropriate, based on the legislation and best practice

A review of leading practices for similar policies across jurisdictions will be undertaken for this policy.

III. INTERNAL REVIEWS AND SIGN-OFFS

The draft Policy will include input from TDSB departments affected by the Policy:

- Modernization and Strategic Resource Alignment
- Equity, Well-Being and School Improvement
- Human Rights and Indigenous Education
- Leadership, Learning and School Improvement

In addition, the following departments will be required to sign-off on the proposed Draft Policy:

- Legal Services
- Policy Services
- Government, Public and Community Relations

Following internal reviews and TDSB departments' sign-off, the draft Policy will be submitted to Executive Council on: late September-October 2022

A sign-off from the Director of Education will be obtained before proceeding with external consultations and/or Committee/Board approval.

Director of Education

IV. EXTERNAL CONSULTATIONS

Are external consultations applicable to this Policy?

Yes

No (*Ministry of Education mandated policy or corporate policy without external stakeholders*)

Mandatory external consultations will include, at a minimum:

1. Posting of the working draft Policy on TDSB website for public feedback (45 days minimum): 45 days
2. Extending invitations for consultation to:

Student Senate

and

all Community Advisory Committees of the Board and conducting consultations with the Community Advisory Committees that expressed interest (either individually with each interested committee or collectively with representatives of all interested committees):

- Urban Indigenous Community Advisory Committee
- 2SLGBTQ+ Community Advisory Committee
- Alternative Schools Community Advisory Committee
- Black Student Achievement Community Advisory Committee
- Community Use of Schools Community Advisory Committee
- Early Years Community Advisory Committee
- Environmental Sustainability Community Advisory Committee
- Equity Policy Community Advisory Committee
- French as a Second Language Community Advisory Committee
- Inner City Community Advisory Committee
- Parent Involvement Advisory Committee (PIAC)
- Special Education Advisory Committee (SEAC)

In addition to mandatory consultations, other external participants and projected dates of consultation(s) include:

- School Councils
- Professional Associations and Unions
- Other:

The following methods will be applied in the external consultations:

- Public meeting
- Facilitated focus group
- Call for public delegations
- Expert panel discussion
- Survey
- Posting on the TDSB website
- Other: (e.g., electronic communication) [Communications and/or focus group for persons with disabilities to ensure inclusion of perspectives and opinions of persons with disabilities in the review processes.](#)

V. COMMITTEE/BOARD APPROVALS

Following external consultations and revisions, the working draft Policy will be presented to the Governance and Policy Committee on the following date: [November 22, 2022](#)

Following recommendation by the Governance and Policy Committee, the revised Policy will be presented to the Board on the following date: [December 7, 2022](#)

Once approved, the revised Policy will replace the existing policy on the TDSB website.

VI. IMPLEMENTATION

Following Board approval, the final revised Policy will be communicated through:

- Posting of the revised Policy on the TDSB website through the Policy Coordinator
- Sharing with staff through the System Leaders' Bulletin
- Informing departments at staff meetings and channeling information to the school principals through respective superintendents
- Implementation of a broad communication plan for internal and external audiences, including summary of policy revisions and expected outcomes

Policy implementation will include:

- Conducting information/training sessions to TDSB staff affected by the Policy

Review of accompanying procedures or initiate development of new procedures (January to March 2023)

- Use of Service Animals by the General Public (PR604)
- Use of Support Persons by the General Public (PR605)
- Use of Assistive Devices by the General Public (PR606)
- Development of a new procedure regarding Digital Accessible Documents

Toronto District School Board

 Policy P069

Title:	ACCESSIBILITY
Adopted:	February 12, 2014
Effected:	February 12, 2014
Revised:	March 22, 2017; March 21, 2018; May 22, 2019; [New Date]
Reviewed:	March 22, 2017; March 21, 2018; May 22, 2019
Authorization:	Board of Trustees

1. RATIONALE

The Toronto District School Board (the “Board”) is committed to maintaining learning and working environments which actively promote and support human rights and accessibility for persons with disabilities. This Accessibility Policy (the “Policy”) was developed to support the Board’s legislated duties and obligations required by the *Accessibility for Ontarians with Disabilities Act, 2005* and the corresponding Ontario Regulation 191/11, Integrated Accessibility Standards.

2. OBJECTIVE

- To establish the framework for the Board’s compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* and the Integrated Accessibility Standards Regulation; and
- To demonstrate the Board’s commitment in actively removing barriers and increasing accessibility and participation for all members of its community and maintain compliance through this **pP**olicy.

3. DEFINITIONS

Ableism **refers to is defined as** a belief system, analogous to racism, sexism or ageism, that sees persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems or the broader culture of a society. It can limit the opportunities of persons with disabilities and

reduce their inclusion in the life of their communities. (Refer to the Ontario Human Rights Commission's *Guidelines on Accessible Education* and [Policy on Ableism and Discrimination Based on Disability](#), at <www.ohrc.on.ca>.

Assistive Device(s) refers to are equipment that persons with disabilities utilize to assist in their daily lives at home, work, school, etc. Such devices could be a walker, scooter, cane, magnification or specialized learning software, communication board, etc.

Assistive Technology refers to is equipment or software such as screen readers, audio recording and voice recognition which people with disabilities use to obtain information and communicate with others.

Accessible formats ~~refers to may include, but are not limited to,~~ large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Accommodation ~~refers to :-Aa~~ an adjustment made to policies, procedures, programs, guidelines, or practices, including adjustments to physical settings and various types of criteria, that ensures fair and equitable, access, service and treatment for individuals to participate equally and perform to the best of their ability in the workplace or an educational setting. Accommodation is considered appropriate if it results in equal opportunity to enjoy the same level of benefits and privileges experienced by others, or if it is proposed or adopted to achieve equal opportunity, and meets the individual's needs. The most appropriate accommodation is the one that, respects dignity (including autonomy, comfort and confidentiality), responds to a person's individualized needs and allows for integration and full participation; short of undue hardship. Accommodations are provided so that individuals are not disadvantaged or discriminated against on the basis of the prohibited grounds of discrimination identified in the Ontario Human Rights Code or other factors. (Adapted from the Ontario Human Rights Commission's [Guidelines on Accessible Education](#) and [Policy on Ableism and Discrimination Based on Disability](#), at <www.ohrc.on.ca>.

Communications ~~refers to means~~ the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

Communication Supports ~~refers to may include, but are not limited to,~~ captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

Customer ~~refers to is~~ any person who uses the services of the Board.

Disability refers to (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other service animal or on a wheelchair or other remedial appliance or device; (b) a condition of mental impairment or a developmental disability; (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language; (d) a mental disorder; or (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

Inclusive Design (Universal Design) refers to :- Ddesign with everyone in mind. Identifying and removing barriers for people that require individual accommodations before an individual accommodation request or complaint has been made. Effective inclusive design in organizations removes the need for people to ask for individual accommodations because the principles of inclusive design have been used when creating policies, procedures, programs, and facilities (from the Ontario Human Rights Commission, Inclusive Design Fact Sheet).

Information refers to includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning. It does not include product and product labels, unconvertible information or communications, and information that the Board does not control directly or indirectly through a contractual relationship.

Internet Website refers to means a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and is accessible to the public.

Kiosk refers to means an interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

Multi-Year Accessibility Plan (MYAP) refers to is a requirement under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). It is a five-year plan to identify, remove, and prevent accessibility barriers across the organization by committing to specific initiatives and outcomes aimed at making sure so that staff and students with disabilities can fully participate; learn and work to their full potential.

Performance Management refers to ~~means~~ activities related to assessing and improving employee performance, productivity and effectiveness which contribute to the facilitation of employee success.

Redeployment refers to ~~means~~ the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated by the organization.

Service Animal refers to ~~is~~ an animal that is being used to provide accommodation support to a person with a disability, either readily apparent or supported by a letter from a regulated health professional.

Assistive Service Person refers to ~~is~~ a person who assists or interprets for a person with a disability as the services of the Board are accessed. An assistive service person is distinct from an employee who supports a student in the system.

Systemic Discrimination refers to ~~is~~ a pattern of discrimination that arises out of what appears to be neutral institutional policies or practices, that are reinforced by institutional structures and power dynamics, and which result in the differential and inequitable treatment of members of certain groups.

TDSB refers to ~~is~~ the Toronto District School Board, which is also referred to as the "Board."

Undue hardship, under the Ontario Human Rights Code, refers to the measure for any limitations to the provision of Human Rights Accommodations. Accommodations need not be provided if it causes undue or excessive hardship. However, some degree of hardship is acceptable. Undue hardship is assessed in terms of overall cost, outside sources of funding (if any) and health and safety factors. Evidence must be objective, real, direct and in the case of cost, quantifiable and so substantial it would alter the essential nature of the enterprise. Other 'bona fide' requirements of an organization, such as legislative requirements may also account for undue hardship factors to consider, as long as the said requirement is adopted in good faith and reasonably meant to fulfil a necessary goal, purpose or function of the organization.

4. RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy. Within the Director's Office, the responsibility for the day-to-day management and coordination of the policy is assigned to the Executive Superintendent, Human Rights

and Indigenous Education and subsequently the Accessibility Coordinator, Human Rights and Indigenous Education.

5. APPLICATION AND SCOPE

This Policy applies to all TDSB employees and Trustees.

The Policy also covers students, parents/guardians, volunteers, permit holders, contractors, customers of the Board and other members of organizations not related to the Board but who nevertheless work on or are invited onto Board premises or utilize Board services.

6. POLICY

6.1. General Accessibility

6.1.1. The Toronto District School Board is committed to maintaining learning and working environment which actively promotes and supports human rights, inclusion and the principles of equity. The Board recognizes, however, that systemic discrimination can be embedded in seemingly neutral policies, procedures, practices and structures that have an adverse effect and/or exclusionary impact on people with disabilities and contribute to a system culture of ableism and is therefore committed to identifying, removing and preventing any such barriers or bias. As part of this commitment, the Board will ensure that all policies, practices and procedures are consistent with the principles of independence, dignity, integration and equality of opportunity to all with particular attention to persons with disabilities.

6.1.2. The Board will ensure that the principles of accessibility, equity and the right to equal opportunity and inclusion for people with disabilities, as outlined in the Ontario Human Rights Code and the Board's Equity Policy (P037) are reflected and valued in the learning and working environment.

6.1.2.1 The Board recognizes it has a legal duty to accommodate the needs of people with disabilities who are adversely affected by a requirement, rule or standard and that any accommodations must ensure three principles: respect for dignity, individualization, as well as

integration and full participation.

6.1.2.2 The Board recognizes inclusive design that emphasizes barrier free environments and equal participation for everyone is the preferred, proactive approach to barrier removal because it emphasizes accessibility and inclusion from the start rather than relying on individual accommodation requests.

6.1.3. The Board is committed to meeting the accessibility needs of persons with disabilities in a timely manner and to the point of undue hardship.

6.1.4. The Board will make reasonable efforts to provide goods, services, and facilities that are accessible to all parents/guardians, the public, and staff, including but not limited to:

(a) Customer Service, Information and Communication

(b) Accessible Employment

(c) Accessible School Transportation

(d) Accessible Design of Public Spaces

6.1.5. The Board will implement policies, procedures and practices in relation to the requirements set out in the Integrated Accessibility Standards (Ontario Regulation 191/11) on a graduated basis in the following areas: general accessibility, information, communication and customer service, employment, school transportation, and design of public spaces.

6.1.6. The Board will establish and maintain a Multi-Year Accessibility Plan (“Accessibility Plan”), which outlines its strategy to identify, prevent and remove barriers to persons with disabilities in relation to each area identified in the section above.

6.1.7. The Board will review and update its Multi-Year Accessibility Plan (MYAP) at least once every five years in consultation with persons with disabilities. The Board will post the MYAP and progress updates on its website and make available in accessible format upon request.

- 6.1.8. The Board will provide copies of the Multi-Year Accessibility Plan and all related policies and procedures in an accessible format upon request.
- 6.1.9. The Board will incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except when it is not practicable to do so. If the Board determines it is not practicable to do so, it will provide an explanation upon request.
- 6.1.10. The Board will incorporate accessibility features when designing, procuring or acquiring self-serve kiosks.
- 6.1.11. The Board will provide training on the requirements of the customer service, other Ontario accessibility standards and aspects of Integrated Accessibility Standards and the Human Rights Code as it pertains to persons with disabilities regularly and on an ongoing basis to:
- (a) all employees and volunteers;
 - (b) all persons who participate in developing the Board's policies; and
 - (c) all other persons who provide goods, services or facilities on behalf of the Board.
- 6.1.12. Training will include:
- Purpose of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the Customer Service Standards;
 - Overview of policies or procedures related to Customer Service Standards;
 - How to interact and communicate with people with various types of disabilities;
 - How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person;

- How to use the equipment or devices available on-site or otherwise that may help with providing goods, services, or facilities to people with disabilities.
- What to do if a person with a disability is having difficulty accessing the TDSB's goods, services or facilities.

6.1.13. This training will be appropriate to their duties and will be provided as soon as practicable following commencement of those duties.

6.1.14. The Board will provide training with respect to any changes to this Policy.

6.1.15. The Board will maintain records of such training provided, including the dates on which the training was provided and the number of individuals to whom it was provided.

6.2. Accessible Customer Service, Information and Communication

6.2.1. The Board will welcome all members of the school and broader community to our facilities by committing our staff and volunteers to providing services that respect the independence and dignity of persons with disabilities, including the use of assistive devices and service animals.

6.2.2. When services that are normally provided to a person with a disability are temporarily unavailable such as access to an elevator, a disruption of service notice will be posted at the site and on the Board's website.

6.2.3. In order to monitor the effectiveness of implementation of the Accessible Customer Service Standard, the Board will develop a process for receiving and responding to feedback. Information about the feedback process will be readily available to the public and will allow people to provide feedback using a number of methods.

6.2.4. The Board will provide or arrange for provision of accessible formats and communication supports for persons with disabilities:

- (a) in a timely manner that takes into account the person's accessibility needs due to disability.
 - (b) at a cost, if any, that is no more than the regular cost charged to other persons.

- 6.2.5. The Board will consult with the person making the request to determine the suitability of an accessible format or communication support.

- 6.2.6. The Board will notify the public about the availability of accessible formats and communication supports.

- 6.2.7. The Board will ensure that its policies and procedures related to the *Accessibility for Ontarians with Disabilities Act, 2005* are made available to the public and also ensure there is capacity to provide communication about these policies and procedures in a format that takes into account a person's disability.

- 6.2.8. If the Board determines that information or communications are unconvertible, it will provide the person requesting the information or communication with:
 - (a) An explanation as to why the information or communications are unconvertible; and
 - (b) summary of the unconvertible information or communications.

- 6.2.9. The Board and all its managers and school-based administrators will take into account the impact on persons with disabilities when purchasing new equipment, designing new systems or planning a new initiative.

- 6.2.10. The Board will create a feedback process that will review the implementation of this policy with the Board's various constituency groups. Examples include Special Education Advisory Committee (SEAC), federations, unions, citizens' groups. Methods would include

use of electronic means such as websites.

- 6.2.11. The Board will also establish a process for consulting with staff and volunteers who have a role in implementing the expectations and procedures established under the policy to review its effectiveness.
- 6.2.12. The Board will implement a feedback process that is accessible to persons with disabilities by arranging or providing for the provision of accessible formats and communication supports upon request.
- 6.2.13. The Board will provide any emergency procedures, plans or public safety information that is available to the public in an accessible format or with appropriate communications support, as soon as practicable, upon request.
- 6.2.14. The Board will make its internet websites and web content conform with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG 2.0) at Level A (for new internet websites), and/or Level AA (with some exceptions), unless it is not practicable to do so.
- 6.2.15. If notified of a need, the Board will provide educational or training resources or material in an accessible format that takes into account the accessibility needs due to disability of the person to whom the material is to be provided by:
 - (a) Procuring through purchase or obtaining by other means an accessible or conversion-ready electronic format of educational or training resources or materials, where available; or
 - (b) Arranging for the provision of a comparable resource in an accessible or conversion ready electronic format, if educational or training resources or material cannot be procured, obtained by other means or converted into an accessible format.
- 6.2.16. The Board will provide student records and information on program requirements, availability and descriptions in an accessible format to persons with disabilities.

- 6.2.17. The Board will provide employees involved in program or course design, delivery and instruction with training related to challenging systemic ableism and ensuring accessible program or course delivery and instruction. The Board will keep records of such training.
- 6.2.18. The Board, upon request, will make accessible or conversion-ready versions of any educational or training textbooks and print-based educational or training supplementary learning resources that it produces.
- 6.2.19. The Board's libraries, upon request, will provide, procure or acquire any accessible or conversion ready format of print, digital, or multi-media resources or materials (with some exceptions) for a person with a disability.

6.3. Accessible Employment

- 6.3.1. The Board will develop a procedure to notify, consult with, and/or inform its employees and the public about the availability of accommodation for applicants with disabilities in its recruitment and selection processes. Specifically, the Board will:
- (a) Notify job applicants who are selected for further consideration that accommodations are available upon request;
 - (b) Consult with job applicants who request an accommodation and provide or arrange to provide suitable accommodation in a manner that takes into account their needs due to disability;
 - (c) Notify the successful applicant(s) of its policies for accommodating employees with disabilities when making an offer of employment; and
 - (d) Inform employees of its accessibility and accommodation policies and procedures as soon as practicable after starting employment and in the event of changes to such policies and procedures.

- 6.3.2. The Board, upon request, will consult with an employee to provide or arrange to provide suitable accessible formats and communications support for job and employment-related information.
- 6.3.3. The Board will develop and maintain a procedure to provide individualized workplace emergency response information to employees who have a disability, if necessary and if the Board is aware of the need for accommodation.
- 6.3.4. With the employee's consent, the TDSB will provide workplace emergency information to a designated person who is providing assistance to that employee during an emergency.
- 6.3.5. The TDSB will provide the information as soon as practicable after informed of the need for accommodation due to the employee's disability.
- 6.3.6. The TDSB will review the individualized workplace emergency response information:
a) When the employee moves to a different location in the organization;
b) When the employee's overall accommodations needs or plans are reviewed; and,
a)c) When the employer reviews its general emergency response policies.
- 6.3.7. The Board will develop and maintain a procedure for the development of documented individual accommodation plans for employees with disabilities. The individual accommodation plan will be provided in a format that takes into account the employee's accessibility needs due to disability.
- 6.3.8. The Board will develop and maintain a written return to work procedure for employees who have been absent from work due to a disability. The return to work procedure will outline the steps the Board will take to facilitate return to work and use documented individual accommodation plans as part of the process.

- 6.3.9. The Board will take into account the needs of employees with disabilities as well as their individual accommodation plans when using any performance management process in respect of employees with disabilities.
- 6.3.10. The Board will take into account the accessibility needs of employees with disabilities as well as their individual accommodation plans when providing career development and advancement.
- 6.3.11. The Board will take into account the accessibility needs of employees with disabilities as well as individual accommodation plans when redeploying employees with disabilities.

6.4. Accessible School Transportation

- 6.4.1. The Board will provide integrated accessible school transportation, or appropriate alternative accessible transportation services for students with disabilities where integrated services are not possible or not the best option due to the nature of the disability or safety concerns.
- 6.4.2. The Board will, in consultation with parents or guardians of students with disabilities:
 - (a) Identify students with disabilities before the commencement of each school year or during the school year;
 - (b) Develop an Individual School Transportation Plan ("ISTP") for each student with a disability which sets out the student's assistance needs and includes plans for individual student boarding, securement, and de-boarding; and
 - (c) Identify and communicate to the appropriate parties the roles and responsibilities of the transportation provider, the parents or guardians of the student with the disability, the operator of the vehicle used to transport the student, appropriate school staff, and the student with the disability.

6.5. Accessible Design of Public Spaces (Accessibility Standards for the Built Environment)

The principles of inclusive design will be embedded in the TDSB's policies, procedures, programs and practices to enable equitable access, participation and the elimination of systemic barriers where identified.

- 6.5.1. The Board will consult with the public and persons with disabilities when it constructs new or redevelops existing outdoor play spaces.
- 6.5.2. The Board will incorporate accessibility features as identified in the Integrated Accessibility Standards when it constructs new or redevelops existing outdoor play spaces that it intends to maintain.
- 6.5.3. The Board will address the requirements set out in the Integrated Accessibility Standards when it constructs new or redevelops existing exterior pedestrian walkways and outdoor sidewalks, connected ramps, and connected stairs, including those at Outdoor Education Centres.
- 6.5.4. The Board will consult with the public and persons with disabilities when it constructs new or redevelops existing rest areas on exterior pedestrian walkways and outdoor sidewalks.
- 6.5.5. The Board will address the requirements set out in the Integrated Accessibility Standards when it constructs new or redevelops existing parking facilities that it intends to maintain.
- 6.5.6. The Board will address the requirements set out in the Integrated Accessibility Standards when it constructs new service counters and fixed queuing guides, and when it constructs new or redevelops existing waiting areas.
- 6.5.7. The Board will prepare procedures for preventative and emergency maintenance of the accessible elements in the public spaces noted above in its multi-year accessibility plan.
- 6.5.8. The Board will prepare procedures for dealing with temporary disruptions when accessible elements in the public spaces noted above are not in working order.

7. SPECIFIC DIRECTIVES

The Director of Education has authority to issue operational procedures to implement this Policy.

8. EVALUATION

This Policy will be reviewed as required at a minimum every four (4) years.

9. APPENDICES

N/A

10. REFERENCE DOCUMENTS

Legislation

- *Accessibility for Ontarians with Disabilities Act, 2005*
- *Human Rights Code*
- Ontario Regulation 191/11, Integrated Accessibility Standards
- *Workplace Safety and Insurance Act, 1997*
- United Nations' Convention on the Rights of Persons with Disabilities, (CRPD) 2010
- Ontario Human Rights Commission Policy on Ableism and Discrimination Based on Disability, 2017

Policies and Procedures

- Equity Policy (P037)
- Human Rights Policy (P031)
- Use of Service Animals by the General Public Procedure (PR604)
- Use of Support Persons by the General Public Procedure (PR605)
- Use of Assistive Devices by the General Public Procedure (PR606)



PR718, Delegation Procedure: Revised Procedure

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4472

Strategic Directions

- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the revised Delegation Procedure (PR718), as presented in this report, be approved.

Context

TDSB's Delegation Procedure (PR718) is a governance procedure that was approved by the Board of Trustees on December 7, 2016.

The objective of the Procedure is to set out a consistent and easily understandable process for the public to address Committees of the Board through delegations (i.e., in person, through electronic means or through written submission).

Revisions to the Delegation Procedure are being recommended to ensure consistency with legislative requirements, Board directions, and operational practices. Specifically, the proposed changes include:

- Alignment with recent amendments to the Board Bylaws (dated October 26, 2022);
- Alignment with [Ontario Regulation 463/97: Electronic Meetings and Meeting Attendance](#) under the *Education Act* and the TDSB's Electronic Participation in Board and Committee Meetings Policy (P039);
- Updated the Delegation Request Form, clarified provisions on expected conduct of delegates, and clarified process for review of delegation requests;

- Clarified authority for the Chair to conclude a delegation or have the delegate removed from the meeting in circumstances where there is clear violation of the code of conduct;
- Greater clarity around staff delegations and the responsibility of staff to disclose their employment with the TDSB and compliance with the Employee Conflict of Interest Policy (P057);
- Clarified section on processing accommodation requests, consistent with the TDSB's Accessibility Policy (P069);
- Revised Definition section, including definitions of Committee, Committee of the Whole, Member, Personal Information, Special Committee, and Subcommittee.

The draft Delegation Procedure (PR718) was reviewed by Executive Council on January 10, 2023 and is being recommended to the Committee for approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's recommendations, the Procedure will be submitted to the Board of Trustees on March 8, 2023 for consideration and approval.

Resource Implications

Not applicable

Communications Considerations

Subject to Board's approval, the revised Delegation Procedure (PR718) will be posted on the Board's website and communicated through the System Leaders' Weekly Bulletin.

Board Policy and Procedure Reference(s)

- Board Bylaws
- Accessibility Policy (P069)
- Electronic Participation in Board and Committee Meetings (P039)
- Employee Conflict of Interest Policy (P057)
- *Ombudsman Act*
- Regulation 464/97 under the *Education Act*

Appendices

- Appendix A: Delegation Procedure (PR718) – Revised Clean
- Appendix B: Delegation Procedure (PR718) – Revised Tracked Changes

From

Denise Joseph-Dowers, Senior Manager, Governance and Board Services, at
denise.joseph-dowers@tdsb.on.ca

Toronto District School Board

Governance Procedure PR718

Title: **DELEGATION**

Adopted: December 7, 2016

Effectuated: December 7, 2016

Revised: [new date]

Reviewed: [new date]

Authorization: Board of Trustees

1. RATIONALE

This Delegation Procedure (the “Procedure”) supports implementation of the Board Bylaws related to addressing a Committee of the Board (also known as “delegations” and as defined below in section 3.0), and managing the delegation process.

This Procedure is designed to allow members of the public to provide information and perspectives to Trustees and to be actively involved in the Board’s decision-making process.

2. OBJECTIVE

To set out a consistent and easily understandable process for the public to address Committees of the Board through delegations (i.e., by speaking in person or through written submission).

3. DEFINITIONS

Agenda Clearing means the process by which the Chair of the Committee, in consultation with the Committee Vice-Chair (if available) and the Director of Education or designate, determines the meeting agenda which is then shared with Governance and Board Services.

Board means the Board of Trustees of the Toronto District School Board.

Board Bylaws mean the procedural rules governing operations and meetings of the Board of Trustees.

Chair means the Chairperson of the Board or of a Committee of the Board.

Closed (Private) Session means a meeting of members of the Board which is closed to the public in accordance with subsections 207 (2) and 207 (2.1) of the *Education Act*, when the subject-matter under consideration involves:

- the security of the property of the TDSB;
- 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 TDSB or a pupil or their parent or guardian;
- the acquisition or disposal of a school site;
- decisions in respect of negotiations with employees of the TDSB;
- litigation affecting the TDSB; or
- an ongoing investigation under the Ombudsman Act respecting the TDSB.

Committee means the following committees of the Board established pursuant to the Board Bylaws: Planning and Priorities Committee, Standing Committees, Special Committees, and Subcommittees.

Committee Mandate means formal authority and duties assigned to a Committee of the Board.

Committee of the Whole means a meeting format of the Board of Trustees using procedural rules of a Committee. Under the Committee of the Whole meeting format, a majority vote of the Board of Trustees is required to convene in either open or closed session to consider matters, including private matters.

Delegate means a member of the public, a representative of a local community, organization or an interest group.

Delegation means the action of presenting or submitting a written statement by a delegate to a Committee.

Exceptional Circumstances means a situation arising where the number of delegations submitted for a Committee meeting cannot be accommodated by the agenda.

Member means a member of the Board of Trustees. A member may be referred to as a Trustee pursuant to section 1(12) of the *Education Act*, with duties specified in section 218.1 of the Act. A Student Trustee, although not an elected member of the Board, has certain privileges and duties which are outlined in the Board Bylaws and in accordance with the *Education Act* and its regulations.

Personal Information means recorded information about an identifiable individual. As defined by *Municipal Freedom of Information and Protection of Privacy Act* this may include, but is not limited to:

- Information relating to the race, national or ethnic origin, colour,

religion, age, sex, sexual orientation or marital or family status of the individual,

- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- Any identifying number, symbol or other particular assigned to the individual,
- The address, telephone number, fingerprints or blood type of the individual,
- The personal opinions or views of the individual except if they relate to another individual,
- Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- The views or opinions of another individual about the individual, and
- The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Special Committee means a Committee established by the Board to fulfil a specific task or objective, which is dissolved after the completion of its task. A Special Committee typically reports to a Standing Committee or directly to the Board.

Subcommittee means a Committee of Trustees established by the Board upon recommendation from the corresponding Standing Committee of the Board. Subcommittees make recommendations and report to the corresponding Standing Committees.

TDSB means the Toronto District School Board.

Trustee means Member, as defined above.

4. RESPONSIBILITY

The Chair of the Board, Chairs of Committees of the Board, in consultation with the Director of Education or designate.

5. APPLICATION AND SCOPE

This Procedure applies to all members of the Board, staff supporting Committee meetings, and members of the public wishing to address a Committee of the Board through delegations.

Delegations will not be heard at Board meetings (except by the Special Education Advisory Committee, as prescribed by Regulation 464/97 under the Education Act) but are welcome at the meetings of Committees which report to the Board.

Under exceptional circumstances, delegates may also be heard at a special meeting of a Committee.

6. PROCEDURES

Delegation Requirements

- 6.1. Delegates may request to address a Committee on an item of the agenda or on another matter relevant to the mandate of the Committee.
- 6.2. Delegates may address a Committee in person, through electronic means or through written submissions. Written submissions must be provided to Governance and Board Services one (1) day prior to the meeting.
- 6.3. A delegation may be made only to one Committee within a 12-month period, unless the subject of the delegation has changed substantially. Delegations on the same subject to multiple Committees are not permitted.
- 6.4. Delegations are open to members of the TDSB community (including parents/guardians/caregivers, students, and volunteers), residents of the City of Toronto, and individuals or organizations serving the TDSB community.

Submitting a Request for Delegation

- 6.5. Persons wishing to address a Committee of the Board through either an oral or written delegation should submit a delegation request in advance of the Committee meeting, using the Delegation Request Form (see Appendix A).
- 6.6. In order to manage the delegation process, delegation requests must be submitted to Governance and Board Services by 4:00 p.m. two (2) working days before the meeting.
- 6.7. Requests received after the deadline noted above will be considered at the discretion of the Chair of the Committee.
- 6.8. Every effort will be made by Governance and Board Services to post the meeting agendas on the public website three (3) working days before a Committee meeting. If an agenda is posted after the said deadline, additional time will be provided to submit delegation requests.
- 6.9. A request for delegation can be submitted via email, by phone, through regular mail or in person to Governance and Board Services, as follows:
 - Email: delegates@tdsb.on.ca
 - Phone: 416-397-3761

- Mailing address:
Governance and Board Services
5050 Yonge Street, 5th Floor
Toronto, Ontario
M2N 5N8
 - In person: A request for delegation may be dropped off in-person at the above address to the Reception on the main floor.
- 6.10. Using the Delegation Request Form, a request for delegation must include the following information:
- Name of the delegate and, if applicable, the name of the group the speaker represents such as a school council or community group;
 - Municipality
 - Contact information;
 - Name of the Committee, date of meeting and the agenda item (if applicable); and,
 - A description of the delegation.
- 6.11. Delegates that require accommodations in accordance with the TDSB's Accessibility Policy (P069) or need assistance may contact Governance and Board Services using one of the options outlined in section 6.9.
- 6.12. Upon receipt of a delegation request, Governance and Board Services will contact the delegate to confirm receipt of the request within one business day.
- 6.13. All delegation requests will be submitted by Governance and Board Services to respective Committee Chairs for review.
- 6.14. The Committee Chair may refer a delegation request to be heard at a different Committee or to a staff member for direct follow-up.

Conduct of Delegates

- 6.15. Delegates are expected to provide input in a respectful and constructive manner.
- 6.16. Delegates may voice concerns but must not:
- Promote hate, harassment, or violate the *Ontario Human Rights Code*, TDSB Policies and Procedures;
 - Use offensive, obscene or defamatory language, gestures or images;
 - Use negative or derogatory personal references;
 - Misuse personal information related to TDSB students, staff or Trustees;
 - Discuss topics outside of their intended delegation;
 - Discuss matters- related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the TDSB; or
- Cross debate with other delegates, staff or Trustees of the Board.

- 6.17. Delegates engaged in any behaviour that is disruptive to the meeting or violates any of the above requirements may have their delegation stopped by the Committee Chair and the delegate may be removed from the meeting.

Review of Delegation Requests

- 6.18. Governance and Board Services will provide the Committee Chair or designate with delegation requests for each Committee meeting, including information on compliance with delegation requirements as outlined in sections 6.1 - 6.4, for the Committee Chair's consideration and approval.
- 6.19. The Committee Chair will review the number of delegations for a Committee meeting to ensure the agenda and meeting is manageable.
- 6.20. If, as determined by the Chair of a Committee, the number of oral delegation requests is such that it cannot be accommodated at a meeting, the Chair of the Committee may request that delegates be contacted and the option be proposed for a delegate to submit a written delegation instead of an oral delegation.
- 6.21. If, following discussions with the delegates, the Chair of the Committee determines that the number of expected oral delegations is still high, the Chair of the Committee may recommend to the Chair of the Board and the Director or designate, to invoke the exceptional circumstances provision (as defined in section 3.0) and to call a special meeting of the Committee to hear all delegations.
- 6.22. The Chair of the Committee and Director or designate will determine whether a special meeting of the Committee would be required to hear all delegations.
- 6.23. When delegation requests are approved by the Committee Chair, Governance and Board Services will provide the delegate with Committee meeting information (e.g., date, time, location).

Delegations by Staff

- 6.24. Employees of the Board may make a delegation request on topics other than those concerning individual employment or personal professional interests, for which other channels exist.
- 6.25. Employee must disclose on their delegation request form the fact that they are employed by the TDSB. Employees are required to keep confidential any and all information they acquire during the course of employment that would reasonably be considered personal or confidential information and are responsible to ensure compliance with the TDSB's Employee Conflict of Interest Policy (P057) and any other applicable policies.

- 6.26. Delegation requests from staff will be considered and may be accepted solely at the discretion of the Chair of the Committee in consultation with the Director of Education or their designate.

Matters to be Considered in Closed (Private) Session

- 6.27. The Chair of a Committee may determine whether to schedule a delegation in closed session if the matter meets the requirements of subsections 207 (2) and 207 (2.1) of the *Education Act* (see section 3.0 – Closed (Private) Session definition).

Time Allotted for a Delegation

- 6.28. The length of time allotted for a delegate speaking to a Committee will be up to five (5) minutes. If a delegation involves more than one speaker, the maximum time allotted remains at five (5) minutes. It is the responsibility of the delegates to present according to this timeframe.
- 6.29. Following the delegation, each Trustee may ask brief questions for clarification only. Questions of clarification should be related to the delegate's presentation. The time for both questions and responses will not exceed three (3) minutes per Trustee.

Committee Discussion of the Delegation

- 6.30. Substantive discussion on the matter of the delegation will take place when its corresponding item is reached on the meeting agenda. Speaking time for each Trustee will be limited to five minutes, at a time, during the discussion.
- 6.31. If the delegation addressed a matter relevant to the mandate of the Committee, but not an item on the agenda for that meeting, a Trustee may move a motion requesting consideration of the matter at another regular meeting of the Committee. Discussion of the matter addressed by the delegation will then take place at that regular meeting of the Committee.

Written Submissions

- 6.32. All written submissions will be provided to Committee members in advance of the meeting.

7. EVALUATION

This Procedure will be reviewed as required by the Board, at a minimum every four (4) years after the effective date.

8. APPENDICES

- Appendix A: Delegation Request Form

9. REFERENCE DOCUMENTS

- Accessibility Policy (P069)
- Employee Conflict of Interest Policy (P057)
- *Ombudsman Act*
- Regulation 464/97 under the *Education Act*
- Board Bylaws



Governance and Board Services
 Toronto District School Board
 5th Floor, 5050 Yonge Street,
 Toronto, ON M2N 5N8

DELEGATION REQUEST FORM

TDSB will strive to meet the accommodation needs of persons with disabilities; the delegates are encouraged to make their needs for accommodation known in advance of the Committee meeting by e-mail to delegates@tdsb.on.ca.

All fields, unless marked optional, must be completed for the delegation request to be considered. Incomplete forms will be sent back to the delegate to be completed.

Delegates acknowledge that they have read and understood the Delegation Procedure (PR718) and that information submitted in the form of a written or oral delegation may become part of the public record, given that Board and Committee meetings may be webcast and/or recorded.

Type of Delegation (Select: Written or Oral)	
Submission Date:	

First Name:	
Last Name:	
Title and/or Organization Represented:	
Are you a TDSB Employee?	
Municipality:	
Phone Number:	
E-mail Address:	

NOTICE:

The personal information collected on this form is used and disclosed to create a public record related to a Board or Committee meeting. Please note, your personal information, written comments and presentations become part of a public record which may be disclosed to authorized third parties and members of the public in order to administer these purposes. The information is collected pursuant to sections s.169.1 and 170 of the *Education Act*. Questions about the collection may be directed to the Senior Manager, Governance and Board Services, 5050 Yonge Street, Toronto, Ontario, M2N 5N8 or at delegates@tdsb.on.ca



Governance and Board Services
 Toronto District School Board
 5th Floor, 5050 Yonge Street,
 Toronto, ON M2N 5N8

DELEGATION INFORMATION

Which committee would you like to speak to?	Finance, Budget and Enrolment	Governance and Policy	
	Program and School Services	Planning and Priorities	
Agenda Topic/Item:			
Brief Summary of the Topic of Discussion:			

NOTICE:

The personal information collected on this form is used and disclosed to create a public record related to a Board or Committee meeting. Please note, your personal information, written comments and presentations become part of a public record which may be disclosed to authorized third parties and members of the public in order to administer these purposes. The information is collected pursuant to sections s.169.1 and 170 of the *Education Act*. Questions about the collection may be directed to the Senior Manager, Governance and Board Services, 5050 Yonge Street, Toronto, Ontario, M2N 5N8 or at delegates@tdsb.on.ca

Toronto District School Board

Governance Procedure PR718

Title: **DELEGATION ~~PROCEDURE~~**

Adopted: December 7, 2016

Effectuated: December 7, 2016

Revised: [new date]

Reviewed: _____ [new date]

Authorization: Board of Trustees

1. RATIONALE

This Delegation Procedure (the “Procedure”) supports implementation of the ~~Toronto District School Board (TDSB)~~ Bylaws, ~~as~~ related to addressing a Committee of the Board (also known as “delegations” and as defined below in section 3.0), and managing the delegation process.

This Procedure is designed to ~~ensure that~~ allow members of the public ~~can~~ to provide information and perspectives to ~~trustees~~ Trustees and ~~are~~ to be actively involved in the Board’s decision-making process.

2. OBJECTIVE

To set out a consistent and easily understandable process for the public to address Committees of the Board through delegations (i.e., by speaking in person or through written submission).

3. DEFINITIONS

Agenda Clearing ~~is~~ means the process by which the Chair of the Committee,

in consultation with the ~~senior staff lead, approves,~~ Committee Vice-Chair (if available) and the Director of Education or designate, determines the meeting agenda which is then shared with Governance and Board Services.

Board means the Board of Trustees of the Toronto District School Board.

Board Bylaws mean the ~~TDSB Bylaws which establish~~ procedural rules governing operations and meetings of the Board of Trustees.

Chair means the Chairperson of the Board or of a Committee of the Board.

Closed (or Private) Session means a meeting of ~~the Board or any~~ Committee members of the Board which is closed to the public in accordance with subsections 207-~~4~~(2) and 207-~~4~~(2.1) of the *Education Act*, when the subject-matter under consideration involves:

- the security of the property of the TDSB;
- 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 TDSB or a pupil or ~~his or her~~ their parent or guardian;
- the acquisition or disposal of a school site;
- decisions in respect of negotiations with employees of the TDSB;
- litigation affecting the TDSB; or
- an ongoing investigation under the Ombudsman Act respecting the ~~Board of Trustees~~ TDSB.

Committee means ~~(for the purpose of this Procedure only):~~

- ~~permanent committee;~~
- ~~statutory committee that conducts public meetings;~~
- ~~standing committee; or~~

~~special (ad-hoc) committee~~ following committees of the Board: established pursuant to the Board Bylaws: Planning and Priorities Committee, Standing Committees, Special Committees, and Subcommittees.

Committee Mandate means formal authority and duties assigned to a Committee of the Board.

Committee of the Whole means a ~~committee with a membership composition that includes all trustees of the Board and is governed by meeting format of the Board of Trustees using procedural rules applicable to of a Committee. Under the Committee of the Whole meeting format, a committee majority vote of the Board of Trustees is required to convene in either open or closed session to consider matters, including private matters.~~

Delegate means ~~any~~a member of the public, a representative of a local community, organization or ~~any~~an interest group.

Delegation means the action of ~~speaking~~presenting or submitting a written statement by a delegate to a Committee, ~~as defined in this Procedure.~~

Exceptional ~~circumstances~~ Circumstances means a situation arising where the number of delegations submitted for a ~~committee~~Committee meeting cannot be accommodated by the agenda. ~~The Chair~~

Member means a member of the Board of Trustees, ~~in consultation. A member may be referred to as a Trustee pursuant to section 1(12) of the Education Act, with duties specified in section 218.1 of the Act. A Student Trustee, although not an elected member of the Board, has certain privileges and duties which are outlined in the Board Bylaws and in accordance with the Chair of the Committee Education Act and the Executive Officer, Governance its regulations.~~

Personal Information means recorded information about an identifiable individual. As defined by *Municipal Freedom of Information and Board Services*, will ~~determine whether a special meeting~~Protection of the ~~Committee~~Privacy Act this may include, but is not limited to:

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the ~~Whole~~ individual,
- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- Any identifying number, symbol or other particular assigned to the individual,
- The address, telephone number, fingerprints or blood type of the individual,
- The personal opinions or views of the individual except if they relate to another individual,
- Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to

~~that correspondence that would be required to hear all delegations reveal the contents of the original correspondence,~~

- ~~• The views or opinions of another individual about the individual, and~~
- ~~• The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.~~

~~*Special Committee* means a Committee established by the Board to fulfil a specific task or objective, which is dissolved after the completion of its task. A Special Committee typically reports to a Standing Committee or directly to the Board.~~

~~*Subcommittee* means a Committee of Trustees established by the Board upon recommendation from the corresponding Standing Committee of the Board. Subcommittees make recommendations and report to the corresponding Standing Committees.~~

~~TDSB is~~means the Toronto District School Board.

~~*Trustee* means Member, as defined above.~~

4. RESPONSIBILITY

The Chair of the Board, ~~Chair~~Chairs of a ~~Committee~~Committees of the Board, in consultation with the ~~Executive Officer, Governance and Board Services~~Director of Education or designate.

5. APPLICATION AND SCOPE

This Procedure applies to all members of the Board, staff supporting Committee meetings, and members of the public wishing to address a Committee of the Board.

~~This Procedure sets out the process for delegations at the meetings of permanent, statutory, standing and special (ad-hoc) Committees (as defined under section 3.0) through delegations.~~

Delegations will not be heard at Board meetings (except by the Special Education Advisory Committee, as prescribed by Regulation 464/97 under the Education Act) but are welcome at the meetings of Committees which report to the Board.

Under exceptional circumstances, delegates may also be heard at a special meeting of a Committee ~~of the Whole (as described below in section 6.0).~~

6. PROCEDURES

~~1.1. Subject Matter~~

Delegation Requirements

- 6.1. Delegates may request to address a Committee on an item of the agenda or on another matter relevant to the mandate of the Committee.
- 6.2. Delegates may address a Committee in person, through electronic means or through written submissions. Written submissions must be provided to Governance and Board Services one (1) day prior to the meeting.
- 6.3. A delegation may be made only to one Committee within a 12-month period, unless the subject of the delegation has changed substantially. Delegations on the same subject to multiple Committees are not permitted.
- 6.4. Delegations are open to members of the TDSB community (including parents/guardians/caregivers, students, and volunteers), residents of the City of Toronto, and individuals or organizations serving the TDSB community.

Submitting a Request -for Delegation

- ~~6.2.6.5.~~ Persons wishing to address a Committee of the Board through either an oral or written delegation should submit a ~~-delegation request in advance of the Committee meeting-~~ using the Delegation Request Form (see Appendix A).
- 6.6. In order to ~~accommodate all delegates,~~ manage the delegation process, delegation requests ~~are expected to~~ must be ~~received in~~ submitted to Governance and Board Services by 4:00 p.m. two (2) working days before the meeting.
- 6.7. Requests received after the deadline noted above will be considered at the discretion of the Chair of the Committee.
- ~~6.3.6.8.~~ Every effort will be made by Governance and Board Services to post the meeting agendas on the public website three (3) working days before a Committee meeting. If an agenda is posted after the said deadline, ~~the public~~

~~will be notified and~~ additional time will be provided to submit delegation requests.

- ~~i. The Chair of the Committee will give consideration to hearing late delegation requests while taking into account the number of delegations already received by the deadline.~~

6.4.6.9. A request for delegation can be submitted via email, by phone, ~~by fax,~~ through regular mail or in person to Governance and Board Services, as follows:

- Email: delegates@tdsb.on.ca
- Phone: 416-397-~~36273761~~
 - ~~Fax: 416-393-9969 (with Attention: Written Submission for Consideration by Trustees)~~
- Mailing address:
 - Governance and Board Services
 - 5050 Yonge Street, 5th Floor
 - Toronto, Ontario
 - M2N 5N8
- In person: A request for delegation may be dropped off in-person at the above address to the Reception ~~at~~on the main floor.

6.5.6.10. Using the Delegation Request Form, a request for delegation must include the following information:

- ~~The name~~Name of the delegate and, if applicable, the name of the group the speaker represents such as a school council or community group;
- Municipality
- Contact information;
- ~~The name~~Name of the Committee, date of ~~the~~ meeting and the agenda item ~~or the matter related to the Committee mandate that the delegate wishes to address;(f applicable); and,~~
- A description of the delegation ~~matter.~~

~~1.2. Delegation Requirements~~

- ~~i. Delegates may address a committee in person or provide written submissions.~~

6.11. Delegates that require accommodations in accordance with the TDSB's Accessibility Policy (P069) or need assistance may contact Governance and Board Services using one of the options outlined in section 6.9.

- ii. ~~All written submissions will be provided to Committee members in advance of the meeting.~~

6.12. Upon receipt of a delegation request, Governance and Board Services will ~~consult with and assist~~contact the delegate to ~~ensure that~~confirm receipt of the delegate's concerns are accommodated most appropriately. request within one business day.

6.13. All delegation requests will be submitted by Governance and Board Services to respective Committee Chairs for review.

~~6.6.6.14.~~ _____ The ~~issue~~Committee Chair may ~~be referred~~refer a delegation request to be heard at a different ~~committee~~Committee or to a staff member for direct follow-up.

Conduct of Delegates

~~6.7.6.15.~~ _____ Delegates are expected to provide input in a respectful and constructive manner.

~~6.8.6.16.~~ _____ Delegates ~~are encouraged to~~may voice concerns but ~~shall avoid~~must not:

- ~~use of~~Promote hate, harassment, or violate the Ontario Human Rights Code, TDSB Policies and Procedures;
- Use offensive, obscene or defamatory language, gestures or images;
- Use negative or derogatory personal references, or;
- ~~cross~~Misuse personal information related to TDSB students, staff or Trustees;
- Discuss topics outside of their intended delegation;
- Discuss matters- related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the TDSB; or
Cross debate with other delegates, staff or ~~trustees~~Trustees of the Board.

6.17. Delegates engaged in any behaviour that is disruptive to the meeting or violates any of the above requirements may have their delegation stopped by the Committee Chair and the delegate may be removed from the meeting.

Review of Delegation Requests

6.18. Governance and Board Services will provide the Committee Chair or designate with delegation requests for each Committee meeting, including information on compliance with delegation requirements as outlined in sections 6.1 – 6.4 for the Committee Chair's consideration and approval.

6.19. The Committee Chair will review the number of delegations for a Committee meeting to ensure the agenda and meeting is manageable.

6.9-6.20. If, as determined by the Chair of a Committee, the number of oral delegation requests is high such that it cannot be accommodated at a meeting, the Chair of the Committee may request that delegates be contacted and the option be proposed for a delegate to submit a written delegation instead of an oral delegation.

6.10-6.21. If, following discussions with the delegates, the Chair of the Committee determines that the number of expected oral delegations is still high, he/she the Chair of the Committee may recommend to the Chair of the Board and the Executive Officer, Governance and Board Services Director or designate, to invoke the exceptional circumstances provision (as defined in section 3.0) and to call a special meeting of the Committee of the Whole to hear all delegations.

6.22. If it is decided to call The Chair of the Committee and Director or designate will determine whether a special meeting of the Committee of the Whole would be required to hear all delegations.

6.11-6.23. When delegation requests are approved by the corresponding agenda item will be deferred from the regular Committee meeting to the special meeting. Committee Chair, Governance and Board Services will contact delegates as soon as possible informing them about the change in their delegation meeting provide the delegate with Committee meeting information (e.g., date, time, location).

iii. A delegation may be made on a topic only once to any Committee within a 12 month period, unless the subject matter of the delegation has changed substantially.

Delegations by Staff

6.24. Requests for delegation from staff, regardless of topic, Employees of the Board may make a delegation request on topics other than those concerning individual employment or personal professional interests, for which other channels exist.

6.25. Employee must disclose on their delegation request form the fact that they are employed by the TDSB. Employees are required to keep confidential any and all information they acquire during the course of employment that would reasonably be considered personal or confidential information and are responsible to ensure compliance with the TDSB's Employee Conflict of Interest Policy (P057) and any other applicable policies.

~~6.12.6.26.~~ Delegation requests from staff will be considered and may be accepted solely at the discretion of the Chair of the Committee in consultation with the Director of Education or ~~his/her designate. It is staff's responsibility to ensure compliance with the TDSB's Employee Conflict of Interest Policy (P057).~~their designate.

~~Employees making a delegation at a Committee meeting are required to disclose to the Committee the fact that they are employed by the TDSB, confirm that they are not acting on behalf of the TDSB, and confirm that they have read and adhere to the Employee Conflict of Interest Policy (P057).~~

~~Confidential~~ Matters to be Considered in Closed (Private) Session

~~6.13.6.27.~~ The Chair of a Committee may determine ~~at the Committee agenda clearance meeting whether~~ to schedule a delegation in closed session if the matter ~~is deemed to be of a confidential nature~~meets the requirements of subsections 207 (2) and 207 (2.1) of the Education Act (see section 3.0 Closed (Private) Session definition).

Time Allotted for a Delegation

~~6.14.6.28.~~ The length of time allotted for a delegate speaking to a Committee will be up to five (5) minutes. If a delegation involves more than one speaker, the maximum time allotted remains at five (5) minutes. It is the responsibility of the delegates to present according to this timeframe.

~~6.15.6.29.~~ Following the delegation, each ~~trustee~~Trustee may ask brief questions for clarification only. Questions of clarification should be related to the delegate's presentation. The time for both questions and responses will not exceed three (3) minutes per ~~trustee~~Trustee.

Committee Discussion of the Delegation

~~6.16.6.30.~~ Substantive discussion on the matter of the delegation will take place when its corresponding item is reached on the meeting agenda. Speaking time for each ~~trustee~~Trustee will be limited to five minutes, at a time, during the discussion.

~~6.17.6.31.~~ If the delegation addressed a matter relevant to the mandate of the Committee, but not an item on the agenda for that meeting, a ~~trustee~~Trustee

may move a motion requesting consideration of the matter at another regular meeting of the Committee. Discussion of the matter addressed by the delegation will then take place at that regular meeting of the Committee.

Written Submissions

~~6.18.~~ 6.32 All written submissions will be provided to Committee members in advance of the meeting.

7. EVALUATION

This Procedure will be reviewed as required by the Board, at a minimum every four (4) years after the effective date.

8. APPENDICES

~~N/A~~

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- Appendix A: Delegation Request Form

9. REFERENCE DOCUMENTS

- Accessibility Policy (P069)
- Employee Conflict of Interest Policy (P057)
- *Ombudsman Act*
- ~~Toronto District School Board Bylaws~~
- Regulation 464/97 under the *Education Act*
- Board Bylaws

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Sexual Misconduct Policy: New Policy, Phase 5

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4471

Strategic Directions

- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being
- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that the newly developed Sexual Misconduct Policy, as presented in this report, be approved.

Context

On June 20, 2018, the Board adopted a resolution which directed staff to commence a review of Board policies and procedures related to any allegations of sexual harassment and sexual misconduct by Board employees. The objective of the review was to ensure that the investigation process, response, and action around sexual misconduct are addressed more effectively, transparently, in a timely manner and with greater accountability.

In response to the resolution, staff conducted analysis of TDSB policies and procedures and determined their degree of relevance with regards to the reporting and investigation of sexual misconduct incidents. As part of the analysis, staff recommended, and the Governance and Policy Committee approved the development of a new overarching Board policy to address sexual harassment and misconduct allegations. The work on development of the Policy continued through March 2020, however, due to the COVID-19 pandemic and resource implications, the Policy development was delayed during the 2020/2021 school year.

As the development of the Policy continued in the 2021/2022 school year, staff prepared preliminary provisions for the proposed Sexual Misconduct Policy. In addition, staff revised the Policy Development Work Plan (Appendix A) which updated consultation and implementation timelines. The draft preliminary provisions and the revised Policy Development Work Plan were approved by the Board of Trustees on June 29, 2022.

Staff developed the draft Sexual Misconduct Policy based on approved preliminary provisions and initiated public consultations in September 2022.

Public consultations were carried out for 90 days (September 28, 2022 – January 9, 2023). The draft policy was shared with various stakeholder groups (i.e., Community Advisory Committees, School Councils, Student Senate, professional associations/unions, and the general public) for input and comments.

In addition, three focus group sessions were held with community partners (i.e., Boost Child and Family Services, Victim Services of Toronto, African Canadian Counsel Confederation, Aura Freedom, Children's Aid Society of Toronto), and TDSB staff (i.e., Mental Health Leads, Social Workers). A survey was also posted on the TDSB public website for 90 days to receive and analyze public input.

Below is a summary of feedback, comments, and recommendations received during consultation of the draft Sexual Misconduct Policy:

1. Ensure investigation processes regarding sexual misconduct incidents are reviewed in an accountable and transparent manner;
2. Provide clarifications around the difference between a policy and procedure (many comments received relate to implementation processes, which will be further detailed when updating related operational procedures);
3. Focus on school community voice, impact and engagement in any development, reviews and revisions;
4. Enhance knowledge and awareness of assumptions or stereotypes that are based on or reinforce bias, prejudice and discrimination, and may lead to discriminatory application when investigating and assessing sexual misconduct incidents.

The feedback obtained through consultations, focus groups, and surveys was analyzed and considered in the draft Policy.

The draft Sexual Misconduct Policy (Appendix B) is provided for the Committee's consideration and approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's directions, the proposed Policy will be presented to the Board of Trustees for consideration and final approval on March 8, 2023. Staff will initiate the review of existing and, as required, development of new operational procedures to support implementation of the Policy.

Resource Implications

No additional resources will be required for the implementation of the revised Policy at this time.

Communications Considerations

Following Board approval, the Policy will be communicated to the system and posted on the Board's public website.

Board Policy and Procedure Reference(s)

- Caring and Safe Schools Policy (P051)
- Dealing with Abuse and Neglect of Students Policy (P045)
- Equity Policy (P037)
- Gender-Based Violence Policy (P071)
- Human Rights Policy (P031)
- Workplace Violence Prevention Policy (P072).

Appendices

- Appendix A: Policy Development Work Plan
- Appendix B: Sexual Misconduct Policy - New

From

Audley Salmon, Associate Director, Learning Transformation and Equity, at audley.salmon@tdsb.on.ca or at 416-397-3187

Leola Pon, Associate Director, Organization Transformation and Accountability, at Leola.pon@tdsb.on.ca or at 416-395-4932

Jim Spyropoulos, Executive Superintendent, Human Rights and Indigenous Education at jim.spyropoulos@tdsb.on.ca or at 416-397-3678

POLICY DEVELOPMENT WORK PLAN

All policies will be developed to ensure consistency with the TDSB's Mission, Values and Goals Policy (P002), the Equity Policy (P037), and the Board's Multi-Year Strategic Plan.

Date: [June 1st, 2022](#)

POLICY INFORMATION

Proposed Policy Title: [Sexual Misconduct Policy](#)

Executive Council member responsible for development of the new Policy:
[Associate Director, Learning Transformation and Equity and Executive and Superintendent, Human Rights and Indigenous Education](#)

Phase I. APPROVAL OF POLICY RATIONALE

The rationale for the new Policy:

[This Policy is being proposed in response to decision of the Board from the June 20, 2018 meeting which directed staff to ensure that the investigation process, response, and action around sexual misconduct are addressed more effectively, transparently, in a timely manner and with greater accountability.](#)

This Work Plan has been discussed with the Policy Coordinator:

- Yes
 No

Phase II. OBTAINING TRUSTEES' DIRECTIONS AND DRAFTING POLICY

This Policy Development Work Plan will be discussed at the Governance and Policy Committee meeting held on: [June 1st, 2022](#)

Creating the Draft Policy

The draft Policy will be created and aligned with the current Policy Template (see Operational Procedure PR501, Policy Development and Management, Appendix A):

- Yes
 No

Detailed information on the proposed policy provisions, including findings of the policy equity assessment:

- See attached draft Sexual Misconduct Preliminary Provisions (Appendix B)
- Consider developing an overarching policy to address harassment and misconduct allegations through introducing new provisions (as indicated below) and linking and aligning existing TDSB policies that contain further specifics related to the type of incident that needs to be addressed (i.e., Dealing with Abuse and Neglect of Students (P045); Human Rights (P031); Workplace Harassment Prevention (P034); Equity Policy (P037); Caring and Safe Schools (P051); Reporting of Suspected Wrongdoing (Whistleblowing) (P066); Gender-based Violence (P071); Workplace Violence Prevention (P072); Respectful Learning and Working Environment (P073); and Board Member Code of Conduct (P075).

As part of the Policy development process the following provisions are proposed for consideration:

- Application and Scope: The Policy is proposed to apply to all employees, Trustees, and students of the Board. In addition, the Policy will cover parents/guardians, occasional staff, volunteers, visitors, and Board employed or affiliated registered medical/health professionals. The Policy is proposed to apply to various possible instances of sexual harassment and misconduct allegations, including adult to adult; adult to student; student to student; and student to adult.
- Definitions: Consider defining and differentiating between the notions of “sexual misconduct” and “sexual harassment”.
 - As defined in the *Protecting Students Act*, “sexual misconduct” refers to the inappropriate behaviour or remarks of a sexual nature by the member that is not sexual abuse of a student where, one or more students are exposed to the behaviour or remarks, or the member knows or ought to know that one or more students are likely to be exposed to the behaviour or remarks, and a reasonable person would expect the behaviour or remarks to have the effect of:
 - causing distress to a student exposed to the behaviour or remarks,
 - being detrimental to the physical or mental well-being of a student,
 - creating a negative environment at a school for a student exposed to the behaviour or remarks,
 - remarks and conduct include acts or remarks that are done or made by electronic means as well.
- Outlining the expectations for communication with parents, students, and stakeholder groups related to sexual harassment or misconduct incidents in the school community in accordance with appropriate legislation.
- Developing process that provides for periodic reporting on sexual harassment and misconduct to the Director of Education and the Board of Trustees.

- Mechanisms to ensure consistency in the investigative processes related to sexual harassment and misconduct incidents throughout the system.
- Provisions for providing appropriate training on how to conduct an investigation related to sexual harassment or misconduct allegations.
- Provisions where all parties involved in investigation are offered ongoing assistance or accommodations within the TDSB school system to address their individual needs (e.g., additional safety measures, counselling, advocacy, support, academic accommodations/interim measures, and home instruction).
- Provisions on increasing awareness and education related to recognizing and reporting sexual harassment and misconduct incidents.
- Outlining harassment and misconduct investigation protocols that adhere to the principles of equity as stated in the Equity Policy (P037).
- Provisions addressing frivolous complaints, including protocols on detecting frivolous complaints and increasing awareness of the damage caused by frivolous complaints and the possible repercussions.

A review of leading practices for similar policies across jurisdictions has been conducted and is included with this Work Plan.

Phase III. INTERNAL REVIEWS AND SIGN-OFFS

The draft Policy will include input from TDSB departments affected by the Policy:

- Business Operations and Service Excellence
- Equity, Well-Being and School Improvement
- Human Rights and Indigenous Education
- Leadership, Learning and School Improvement

In addition, the following departments will be required to sign-off on the proposed draft Policy:

- Legal Services
- Policy Services
- Government, Public and Community Relations

Following internal reviews and TDSB departments' sign-offs, the draft Policy will be submitted to Executive Council on: [September 2022](#)

A sign-off from the Director of Education will be obtained before proceeding with external consultations and/or Committee/Board approval.

- Director of Education

Phase IV. EXTERNAL CONSULTATIONS

Are external consultations applicable to this Policy?

Yes

No (*Ministry of Education mandated policy or corporate policy without external stakeholders*)

Mandatory external consultations will include, at a minimum:

1. Posting of the working draft Policy on TDSB website for public feedback (45 days minimum): [90 days \(September 2022 – January 2023\)](#)
2. Extending invitations for consultation to:

Student Senate

and

all Community Advisory Committees of the Board and conducting consultations with the Community Advisory Committees that expressed interest (either individually with each interested committee or collectively with representatives of all interested committees): [September 2022 – January 2023](#)

- 2SLGBTQ+ Community Advisory Committee
- Alternative Schools Community Advisory Committee
- Black Student Achievement Community Advisory Committee
- Community Use of Schools Community Advisory Committee
- Early Years Community Advisory Committee
- Environmental Sustainability Community Advisory Committee
- Equity Policy Community Advisory Committee
- French-as-a-Second-Language Community Advisory Committee
- Inner City Community Advisory Committee
- Parent Involvement Advisory Committee (PIAC)
- Special Education Advisory Committee (SEAC)
- Urban Indigenous Community Advisory Committee

In addition to mandatory consultations, other external participants and projected dates of consultation(s) include:

School Councils

Professional Associations and Unions

Other:

The following methods will be applied in the external consultations:

- Public meeting
- Facilitated focus group – [Alternative Consultation Method](#)
- Call for public delegations
- Expert panel discussion
- Survey
- Posting on the TDSB website
- Other (e.g., electronic communication): [e-mail communication](#)

Phase V. COMMITTEE/BOARD APPROVALS

Following external consultations and revisions, the draft Policy will be presented to the Governance and Policy Committee on the following date: [January 2023](#)

Following recommendation by the Governance and Policy Committee, the draft Policy will be presented to the Board on the following date: [January 2023](#)

Once approved, the new Policy will be added to the TDSB website.

Phase VI. IMPLEMENTATION

Following Board approval, the new Policy will be communicated through:

- Posting of the new Policy on the TDSB website through the Policy Coordinator
- Sharing with staff through the System Leaders' Bulletin
- Informing departments at staff meetings and channeling information to the school principals through respective superintendents
- Implementation of a broad communication plan for internal and external audiences, include summary of policy provisions and expected outcomes

Policy implementation will include:

- Conducting information/training sessions to TDSB staff affected by the Policy

The projected time period for conducting information/training sessions to staff will be: [Winter/Spring 2023](#)

- Initiate development of new procedures or review of associated procedures
 - [Board Code of Conduct \(PR585\)](#)
 - [Dealing with Abuse and Neglect of Students Procedure \(PR560\)](#)
 - [Police/School Board Protocol \(PR698\)](#)
 - [Promoting a Positive School Climate Procedure \(PR697\)](#)

- Refusal to Admit Procedure (PR724)
- Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools Procedure (PR728)
- Sexual Misconduct by Students Procedure (PR608)
- Workplace Harassment Prevention and Human Rights Procedure (PR515)

Toronto District School Board

Policy P0XY

Title: **SEXUAL MISCONDUCT**

Adopted: Insert New Date Here

Effectuated: Insert New Date Here

Revised: Insert New Date Here

Reviewed: Insert New Date Here

Authorization: Board of Trustees

1.0 RATIONALE

The Sexual Misconduct Policy (the “Policy”) affirms the Toronto District School Board’s commitment to provide a safe, nurturing, positive learning and working environment, free of sexual misconduct. This Policy outlines the system’s shared responsibility in fostering a harassment free learning and working environment.

The Policy is aligned with governing legislation, including but not limited to, the *Criminal Code of Canada*, the *Education Act*, the *Child, Youth, and Family Services Act*, the *Occupational Health and Safety Act*, the *Protecting Students Act*, the *Police Services Act*, and the *Municipal Freedom of Information and Protection of Privacy Act*.

The Policy is also consistent with TDSB policies and procedures related to the reporting, investigating and dealing of abuse, neglect, exploitation, sexual harassment and misconduct within the TDSB (see Appendix A and B of this Policy for a complete list of relevant documents).

2.0 OBJECTIVE

To prevent sexual misconduct from taking place and to investigate and respond to incidents and complaints of such behavior in an accountable, timely and effective manner.

3.0 DEFINITIONS

Anti-racism refers to the practice of identifying, challenging, and changing the values, structures and behaviors that perpetuate systemic racism. (Ontario Anti-Racism Secretariat). Anti-racism examines the Power Imbalances between racialized people and non-racialized/white people. These imbalances play out in the form of unearned Privileges that white people benefit from, and racialized people do not (McIntosh, 1988).

Board refers to the Toronto District School Board, which is also referred to as the “TDSB”.

Board Premises or Board Property refers to any TDSB land, premises, location or thing at, upon, in or near which a student learns or an employee works.

Confidential Information refers to information in the possession of, or received in confidence by the TDSB, that the TDSB is either prohibited from disclosing, or is required to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act*, or other legislation, or received in confidence from other third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.

Confidential information includes matters considered by the Board of Trustees in closed session in accordance with sections 207(2) and 207 (2.1) of the *Education Act*, which include:

- Litigation or any potential litigation affecting the Board;
- 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 their parent or guardian;
- The acquisition or disposal of the Board’s real property, including a school site;
- Decisions in respect of negotiations with the staff members of the Board;
- Information deemed to be “personal information” under the *Municipal Freedom of Information and Protection of Privacy Act*;
- Information subject to solicitor-client privilege; and/or
- An ongoing investigation under the Ombudsman Act respecting the TDSB

Culturally Responsive refers to an environment that is spiritually, socially and emotionally safe, as well as physically safe for people; where there is no assault challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning together.

Personal Information refers to recorded information about an identifiable individual. As defined by the *Municipal Freedom of Information and Protection of Privacy Act* this may include, but is not limited to:

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- Any identifying number, symbol or other particular assigned to

- the individual;
- The address, telephone number, fingerprints or blood type of the individual
- The personal opinions or views of the individual except if they relate to another individual;
- Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- The views or opinions of another individual about the individual; and
- The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Reprisal includes any harassment, intimidation, threats, or discipline against a person for making a report to the Board about suspected sexual misconduct by an employee and/or student of the Board.

Sexual Misconduct refers to a wrongdoing of a sexual nature that comprises a broad range of sexual behaviors, including any sexual act and/or act targeting an individual's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened, or attempted against an individual.

Systemic Racism refers to when institutions or systems create or maintain racial inequity, often as a result of hidden institutional biases in policies, practices and procedures that privilege some groups and disadvantage others.

TDSB refers to the Toronto District School Board, which is also referred to as the "Board".

Trauma-Informed refers to practices that recognize the connections between violence, trauma, negative health outcomes and behaviours. These practices increase safety, control and resilience for people who are seeking services in relation to experiences of violence and/or have a history of experiencing violence.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director's Office, the executive oversight and responsibility for coordination and day-to-day management of the Policy is assigned to Associate Director, Organizational Transformation and Accountability, and Executive Superintendent, Human Rights and Indigenous Education.

5.0 APPLICATION AND SCOPE

This Policy applies to all students, employees, and Trustees of the Board.

The Policy also covers, parents/guardians, school council members, visitors, third party service providers, volunteers, permit holders, customers of the Board and other members of organizations while partaking in any activities that occur in Board premises or while engaging in Board or school related activities, either in-person or online.

Schools and school-related activities, such as extra-curricular activities, Board-sponsored sporting events and board-operated before- and after-school programs and excursions comprising the learning and working environment, fall within the scope of this Policy, as do Board offices and facilities (including eating, lounge/changing areas and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions also fall within the scope of this Policy.

6.0 POLICY

Board Commitment

- 6.1 The Board is committed to a safe, nurturing, positive learning and working environment, free of sexual misconduct. The Board will not tolerate, condone or ignore sexual misconduct at the TDSB.
- 6.2 In accordance with the *Child, Youth, and Family Services Act*, all TDSB employees who have reasonable grounds to suspect that a child is, or may need protection, must first immediately report the suspicion and the information on which it is based directly to a children's aid society.

Investigation Framework

- 6.3 The Board will establish an anti-oppressive, anti-racist, trauma-informed, culturally responsive, unbiased, clear, and accountable framework for reporting and investigating sexual misconduct incidents at the TDSB.
- 6.4 The Board will investigate incidents of sexual misconduct and will take corrective measures in a timely manner.

Human Rights and Equity Principles

- 6.5 The Board will ensure that the processes related to sexual misconduct investigations adhere to the principles of equity, human rights, anti-racism, anti-oppression, and transparency, in accordance with the Human Rights Policy (P031) and the Equity Policy (P037).

- 6.6 The Board will promote equity and provide a culturally safe (in particular anti-oppressive and anti-racist), nurturing, positive, and respectful learning environment focused on preventing sexual misconduct for all students, including Black and Indigenous students, students with special education needs, and newcomer students.

Upholding Indigenous Rights

- 6.7 The TDSB recognizes the importance of Indigenous education programs and in providing culturally responsive and identity affirming supports to Indigenous students and staff.
- 6.8 The Board will uphold that Indigenous Peoples are protected of their rights, as outlined in the UN Declaration on the Rights of Indigenous Peoples (inclusive of First Nations, Métis and Inuit) when assessing and investigating sexual misconduct incidents effecting Indigenous staff, students, and their families at the TDSB.

Collaborative Investigation

- 6.9 The Board will engage, when appropriate, with TDSB centralized departments (such as Caring and Safe Schools, Employee Services (for staff only), and Social Work and Attendance) and community partners (e.g., Toronto Police Service, Children's Aid Society) to provide consultation about the event and to work collaboratively when assessing and/or investigating sexual misconduct incidents.
- 6.10 Any investigations done collaboratively with respective TDSB departments and community partners will ensure confidentiality and privacy for all parties involved, in accordance with appropriate legislation (e.g., *MFIPAA*), Board policies and procedures.

Investigations Involving Students

- 6.11 As per the *Child, Youth, and Family Services Act*, and provision 6.2 aforementioned, all complaints and suspicions related to sexual misconduct involving children must first be reported to the children's aid society.
- 6.12 To ensure system-wide consistency, compliance, and eliminate bias, the Board will require all complaints related to sexual misconduct involving students be reported to local administration (i.e., Principal) and central administration (i.e., Superintendent, TDSB centralized departments) for assessment and investigation.

APPENDIX B

6.13 The Board will review investigation processes and take appropriate corrective and/or preventative measures, including implementing local (i.e., schools), and system changes.

6.14 When assessing and investigating complaints related to sexual misconduct involving students, the Board will apply all applicable policies and associated procedures, including:

- Anti-Sex Trafficking Policy (P099)
- Caring and Safe Schools Policy (P051)
- Dealing with Abuse and Neglect of Students Policy (P045)
- Equity Policy (P037)
- Gender-Based Violence Policy (P071)
- Human Rights Policy (P031)

The list of current policies and procedures applicable to assessment and investigation of incidents involving students is provided in Appendix A.

Investigations Involving Staff

6.15 To ensure system-wide consistency, compliance, and eliminate bias, the Board will ensure all complaints related to sexual misconduct between staff be reported to Employee Services for assessment and investigation.

6.16 The Board will review investigation processes and take appropriate corrective and/or preventative measures, including implementing local (i.e., schools), and system changes.

6.17 When assessing and investigating complaints related to sexual misconduct involving staff, the Board will apply all applicable policies and associated procedures, including:

- Anti-Sex Trafficking Policy (P099)
- Caring and Safe Schools Policy (P051)
- Dealing with Abuse and Neglect of Students Policy (P045)
- Equity Policy (P037)
- Human Rights Policy (P031)
- Workplace Violence Prevention Policy (P072)

The list of current policies and procedures applicable to assessment and investigation of incidents involving staff is provided in Appendix B.

Safety and Support

6.18 The Board will ensure that all individuals involved in sexual misconduct investigations will be offered supports, which may include trauma-informed

and culturally responsive supports, assistance and accommodations, and/or interim measures.

Communicating to the School Community

6.19 The Board will establish a system-wide framework outlining expectations of timely communication, when and where appropriate, to the school community and Trustees in response to sexual misconduct incidents at the TDSB. Any communication related to investigations will be in accordance with appropriate legislation, Board policies and procedures, protecting confidential and personal information of all parties involved.

Training

6.20 The Board will provide evidence-based education related to preventing, recognizing, and reporting sexual misconduct at the TDSB.

6.21 The Board will provide training to designated staff, which may include, on how to investigate/address sexual misconduct incidents in an anti-oppressive, anti-racist, trauma-informed, culturally responsive and unbiased manner.

Protection against Reprisal

6.22 The Board will make every effort to ensure that a person, who in good faith brings forward suspicions of sexual misconduct under this Policy, and any associated persons, including witnesses, is protected from reprisal, harassment, retaliation, or adverse employment or contract consequence.

Reporting to the Board of Trustees and the Director of Education

6.23 The Board will provide annual reports regarding prevention efforts to the Board of Trustees based on statistically significant trends and developments.

Retention of Records

6.24 All electronic and paper records obtained through an investigation must be treated as highly confidential and will only be accessed by authorized officials. Only individuals overseeing investigations are to retain records related to the respective investigations of sexual misconduct.

6.25 Records will be retained for a term specified in the Board's records retention schedule unless other legal requirements necessitate a longer term. Upon expiry of the retention term, records will be disposed of securely so that they cannot be retrieved or reconstructed.

7.0 EVALUATION

This Policy will be reviewed as required, but at a minimum every four (4) years.

8.0 APPENDICES

Appendix A: List of Policies and Procedures - Investigations involving Students
Appendix B: List of Policies and Procedures - Investigations involving Staff

9.0 SPECIFIC DIRECTIVES

The Director of Education has authority to issue operational procedures to implement this Policy.

10.0 REFERENCE DOCUMENTS

Policies:

- Anti-Sex Trafficking Policy (P099)
- Caring and Safe Schools Policy (P051)
- Dealing with Abuse and Neglect of Students Policy (P045)
- Equity Policy (P037)
- Gender-Based Violence Policy (P071)
- Human Rights Policy (P031)
- Workplace Violence Prevention Policy (P072)

Legislative Acts and Regulations:

- *Child, Youth, and Family Services Act, 2017*
- *Education Act*
- *Human Rights Code*
- *Protecting Students Act*
- *Municipal Freedom of Information and Protection of Privacy Act*

Other Documents:

- [PPM 9: Duty to Report Children in Need of Protection](#)
- [PPM 166: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols](#)

Resources:

- Sexual Abuse Prevention Program : <https://www.oct.ca/public/sexual-abuse-prevention-program>

Appendix A

LIST OF POLICIES AND PROCEDURES: INVESTIGATIONS INVOLVING STUDENTS

The list of current policies and procedures applicable to assessment and investigation of incidents involving students:

- **Anti-Sex Trafficking Policy (P099)**
- **Caring and Safe Schools Policy (P051)**
 - Board Code of Conduct (PR585)
 - Hearing of an Appeal Under Section 265(1)(m) of the Education Act Procedure (PR602)
 - Non-discretionary and Discretionary Student Transfers Procedure (PR540)
 - Police/School Board Protocol (PR698)
 - Programs for Students on Long-term Suspensions and Expulsions Procedure (PR586)
 - Progressive Discipline and Promoting Positive Student Behaviour Procedure (PR702)
 - Promoting a Positive School Climate Procedure (PR697)
 - Refusal to Admit Procedure (PR724)
 - Video Surveillance Procedure (PR694)
- **Dealing with Abuse and Neglect of Students Policy (P045)**
 - Dealing with Abuse and Neglect of Students Procedure (PR560)
- **Equity Policy (P037)**
- **Gender-Based Violence Policy (P071)**
 - Sexual Misconduct by Students Procedure (PR608)
- **Human Rights Policy (P031)**
 - Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools Procedure (PR728)

Appendix B

The list of current policies and procedures applicable to assessment and investigation of incidents involving staff:

- **Anti-Sex Trafficking Policy (P099)**
- **Caring and Safe Schools Policy (P051)**
 - Board Code of Conduct (PR585)
 - Police/School Board Protocol (PR698)
 - Promoting a Positive School Climate Procedure (PR697)
 - Refusal to Admit Procedure (PR724)
 - Video Surveillance Procedure (PR694)
- **Dealing with Abuse and Neglect of Students Policy (P045)**
 - Dealing with Abuse and Neglect of Students Procedure (PR560)
- **Equity Policy (P037)**
- **Human Rights Policy (P031)**
 - Workplace Harassment Prevention and Human Rights Procedure (PR515)
- **Workplace Violence Prevention Policy (P072)**

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Written Notice of Motion for Consideration (Trustees Rajakulasingam and Sriskandarajah)

From: Denise Joseph-Dowers, Senior Manager, Governance and Board Services

In accordance with Board Bylaws 5.15.45 notice of the following motion was provided at the Regular meeting on October 26, 2022 and is therefore submitted for consideration at this time.

5.15.45 Motions must first be introduced as a Notice of Motion to provide advance notification of a matter, ...

5.15.50 A Notice of Motion submitted to the Board, will be referred to the appropriate Committee for consideration..

Caste Oppression

Whereas, according to the 2016 census, Toronto's South Asian population accounts for 84% of Ontario's South Asians; and

Whereas, Caste-based oppression is experienced by various faith communities in South Asia and the Caribbean; and

Whereas, there is a rise in documented caste-based discrimination in the diaspora, including Toronto;

Whereas, Caste may be identified by but not limited to an individual's last name, family occupation, diet and area of origin, and self-identification can be unsafe when caste-based discrimination is not recognized;

Therefore, be it resolved:

That the Director:

- (a) Implement a two-phased plan to address caste oppression at the Toronto District School Board;
- (b) That phase one of the plan include the establishment of a working group with the following members and mandate:

Membership

Activists who self-identify as Dalit and are from caste-oppressed groups;

Mandate

- i. to define caste-based discrimination, lead curriculum and instruction development on caste oppression and professional development for staff.
- ii. to present a report to the Governance and Policy Committee

- (c) Report back to the Board by February 2023 on the membership of the working group;
- (d) That phase two of the plan include caste oppression as a system of power and oppression in the Multi-Year Strategic Plan, when it is up for review.



PR738, Electronic Monitoring: New Procedure

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4474

Strategic Directions

- Create a Culture for Student and Staff Well-Being
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being
- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that the Electronic Monitoring Procedure (PR738), as presented in this report, be received for information.

Context

On January 10, 2023 Executive Council approved the newly developed Electronic Monitoring Procedure (the “Procedure”) (Appendix A). The Procedure was developed in response to the legislative directions under the *Employment Standards Act* (ESA) requiring employers with 25 or more employees to adopt a written policy on the electronic monitoring of employees.

The Procedure establishes controls around electronic monitoring activities by setting up principles and conditions for electronic monitoring, approval requirements, objectives and circumstances for electronic monitoring, and the purpose for which information obtained through electronic monitoring may be used by the Board.

The Procedure operationalizes the use of electronic monitoring systems, where necessary, promoting security, health, well-being and safety of students, employees, and visitors, and protecting TDSB property and information technology resources.

The Electronic Monitoring Procedure supports the implementation of multiple Board policies and corresponding procedures, including the Anti-Fraud Measures Policy

(P081), the Dealing with Abuse and Neglect of Students Policy (P045), the Reporting of Suspected Wrongdoing (Whistleblowing) Policy (P066), the Caring and Safe Schools Policy (P051), the Acceptable Use of Information Technology Resources Policy (P088), and the Freedom of Information and Protection of Privacy Policy (P094).

The Electronic Monitoring Procedure (PR738) is presented to the Committee for information.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's receipt on January 11, 2023, the newly developed Electronic Monitoring Procedure will be provided to the Board of Trustees for information on February 1, 2023.

Resource Implications

No additional resources will be required at this time.

Communications Considerations

The Electronic Monitoring Procedure (PR738) is posted on the Board's internal and external websites and has been communicated through the System Leaders' Bulletin, Trustee's Weekly, and TDSB Connects.

Board Policy and Procedure Reference(s)

- Acceptable Use of Information Technology Resources Policy (P088),
- Anti-Fraud Measures Policy (P081),
- Caring and Safe Schools Policy (P051),
- Dealing with Abuse and Neglect of Students Policy (P045),
- Freedom of Information and Protection of Privacy Policy (P094).
- Reporting of Suspected Wrongdoing (Whistleblowing) Policy (P066),

Appendices

- Appendix A: Electronic Monitoring Procedure (PR738) – New

From

Leola Pon, Associate Director, Organizational Transformation and Accountability,
Leola.Pon@tdsb.on.ca or at 416-395-4932.

Toronto District School Board

Operational Procedure PR738

Title: **ELECTRONIC MONITORING**

Adopted: January 10, 2023
Effectuated: January 10, 2023
Revised: N/A
Reviewed: N/A
Authorization: Executive Council

1. RATIONALE

The Electronic Monitoring Procedure (the “Procedure”) operationalizes the use of electronic monitoring systems, where necessary, promoting security, health, well-being and safety of students, employees, and visitors, and protecting TDSB property and information technology resources.

The Procedure was developed in accordance with the requirements of the *Employment Standards Act, 2000 (ESA)* regarding electronic monitoring of employees.

The Procedure establishes controls around electronic monitoring activities by setting up principles and conditions for electronic monitoring, approval requirements, objectives and circumstances for electronic monitoring, and the purpose for which information obtained through electronic monitoring may be used by the Board.

The Procedure supports the implementation of multiple Board policies and corresponding procedures, including but not limited to, the Anti-Fraud Measures Policy (P081), the Dealing with Abuse and Neglect of Students Policy (P045), the Reporting of Suspected Wrongdoing (Whistleblowing) Policy (P066), the Caring and Safe Schools Policy (P051), the Acceptable Use of Information Technology Resources Policy (P088), and the Freedom of Information and Protection of Privacy Policy (P094).

2. OBJECTIVE

- To establish requirements and processes for electronic monitoring of TDSB employees.

3. DEFINITIONS

Board is the Toronto District School Board (also referred to as TDSB).

Board Property refers to any TDSB land premises (leased and/or owned), location at, upon, in or near which a student learns or an employee works including TDSB vehicles.

Data refers to facts, figures and statistics objectively measured according to a standard or scale, such as frequency, volumes or occurrences and forms the basis of Information.

Electronic Monitoring refers to all forms of monitoring of employees that is done electronically.

Employee refers to an individual employed by TDSB to perform services in exchange for a salary or an hourly wage on a casual, temporary or permanent basis. For clarity, independent and dependent contractors and their staff and subcontractors are not considered Employees.

Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”) establishes legal obligations on how public organizations, including school boards, may collect, use and disclose Personal Information. MFIPPA also establishes a right of access that enables individuals to request their own Personal Information and have it corrected.

Personal Information (as defined in *MFIPPA*) is recorded information about an identifiable individual which will be treated as confidential unless it is public information or, unless the individual consents to its disclosure or, disclosure of the information is otherwise permitted by *MFIPPA*. Personal information may include, but is not limited to:

- information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- any identifying number, symbol or other particular assigned to the individual,
- the address, telephone number, fingerprints or blood type of the individual,
- the personal opinions or views of the individual except if they relate to another individual,
- correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,

- the views or opinions of another individual about the individual, and
- the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Record or "Recorded Information" refers to any record of information, however recorded, whether in printed form, on film, by electronic means or otherwise, made, or received and retained by an organization in pursuance of legal obligations or in the transaction of business.

TDSB is the Toronto District School Board, which is also referred to as the "Board".

TDSB Information Technology Resources include but are not limited to TDSB owned or leased computers, phones, tablets, cellular/mobile technology, computer applications, email, servers, networks, internet services, internet access including access to external websites, Global Positioning System (GPS) devices, data and any other electronic or communication technology provided by TDSB that exist today or may be developed in the future regardless of whether or not it may be used as a stand-alone device.

TDSB Vehicles refers to any vehicles owned, leased, or rented by TDSB, and operated by Board staff.

Wrongdoing refers to:

- a contravention of a federal or provincial act or regulation (for example: *Criminal Code of Canada, Education Act* and applicable regulations, etc.);
- an act or omission that creates danger to life, physical and mental health, safety of persons, or to the environment;
- mismanagement inconsistent with laws, regulations, and Board policies, including waste of financial resources, abuse of managerial authority, mismanagement, or loss/theft of public assets;
- financial fraud (e.g., an act of deception, manipulation, or trickery) in respect to the finances of the Board or a school/department operated by the Board;
- time theft (i.e., a fraudulent act where an employee collects pay for time not actually worked);
- deliberate non-compliance with Board policies and procedures; and
- directing or counseling a person to commit any of the above.

4. RESPONSIBILITY

Associate Director, Organizational Transformation and Accountability, and Executive Superintendent, Employee Services.

5. APPLICATION AND SCOPE

This Procedure applies to all employees (including, temporary, permanent and occasional employees).

The Procedure encompasses electronic monitoring of Board employees by engaging and using TDSB Information Technology Resources as defined in section 3. In addition, the TDSB reserves the right to engage electronic devices and resources of third-party investigators.

6. PROCEDURES

6.1. Electronic Monitoring Principles and Conditions

- 6.1.1. TDSB will conduct electronic monitoring of individual employees, as applicable, in order to promote security, health, well-being and safety of students, employees and visitors, and to protect Board Property, assets and TDSB Information Technology Resources.
- 6.1.2. Electronic monitoring of individual employees will not be conducted without proper authorization by Executive Superintendent, Employee Services and the relevant Associate Director (or their designates).
- 6.1.3. Information obtained through electronic monitoring will be used to: protect the safety and security of students and employees; identify suspected wrongdoing and misconduct; support TDSB's commitments to maintaining a respectful work and educational environment; ensure appropriate use of TDSB Information Technology Resources; and secure Board property in accordance with TDSB policies and procedures.
- 6.1.4. TDSB will initiate a request for electronic monitoring based on the principles and conditions outlined in section 6.1.1 to 6.1.3.

6.2. Protection of Privacy and Record-Keeping

- 6.2.1. TDSB will safeguard records including records containing Personal Information collected during electronic monitoring of employees. The records will be kept confidential and used exclusively for the original intended purpose in accordance with *MFIPPA* and related regulations and the Freedom of Information and Protection of Privacy Policy (P094).
- 6.2.2. TDSB will protect the privacy of TDSB's employees, students, and stakeholders. Personal Information obtained through the electronic monitoring will be used in accordance with TDSB's privacy obligations set out in *MFIPPA* and the Freedom of Information and Protection of Privacy Policy (P094). TDSB will take steps to secure and protect Personal Information from unauthorized access, use,

disclosure and inadvertent destruction by adhering to established safeguards and TDSB's records retention schedule.

6.2.3. TDSB will retain copies of the Procedure after the Procedure ceases to be in effect in accordance with the Records and Information Management Policy (P097) and TDSB's records retention schedule.

6.2.4. To ensure that all Personal Information is only kept for as long as it is necessary to do so, all data that is captured as a result of electronic monitoring will be stored digitally as outlined in the Records and Information Management Policy (P097) and TDSB's records retention schedule.

6.3. Distribution to Employees

6.3.1. Employees will be provided with a copy of this Procedure within 30 days of approval or revision.

6.3.2. New employees will be provided with a copy of the Procedure within 30 days of starting employment with TDSB.

6.4. Prohibited Forms of Electronic Monitoring

6.4.1. To provide TDSB employees with a reasonable degree of privacy, the following forms of electronic monitoring are prohibited:

- Keylogging (recording individual keystrokes)
- Video monitoring in washrooms and/or changerooms
- Use of external camera device to record computer activity

7. EVALUATION

This Procedure will be reviewed as required, but at a minimum every four (4) years after the effective date.

8. APPENDICES

Not applicable

9. REFERENCE DOCUMENTS

Policies:

- Acceptable Use of Information Technology Resources (P088)
- Anti-Fraud Measures (P081)
- Caring and Safe Schools (P051)
- Dealing with Abuse and Neglect of Students (P045)
- Freedom of Information and Protection of Privacy (P094)
- Human Rights (P031)
- Occupational Health and Safety (P048)
- Records and Information Management (P097)

- Reporting of Suspected Wrongdoing (Whistleblowing) (P066)
- Workplace Harassment Prevention (P034)
- Workplace Violence Prevention (P072)

Operational Procedures:

- Board Code of Conduct (PR585)
- Code of On-line Conduct (PR571)
- Cyber Risk and Security Procedure (PR725)
- Privacy Breach Procedure (PR736)

Legislative Acts and Regulations:

- *Education Act*
- *Employee Standards Act, 2000*
- *Municipal Freedom of Information and Protection of Privacy Act*



PR507, Advertising and Distribution of Materials Procedure: Revised Procedure

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4479

Strategic Directions

- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the revised Advertising and Distribution of Materials Procedure, as presented in this report, be received for information.

Context

The revised Advertising and Distribution of Materials Procedure (formerly Advertising Procedure) (PR507) supports implementation of the TDSB's Advertising and Distribution of Materials Policy (P006).

The Procedure outlines the central pre-approval process for advertising and distribution of materials at the TDSB through which:

- Distribution of materials to TDSB schools are reviewed and approved; and,
- Vendors/service providers/partners who intend to promote their goods or services to TDSB are reviewed and screened.

The Advertising and Distribution of Materials Procedure was approved by Executive Council on January 31, 2023 and is being presented to the Committee for information.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's receipt, the Procedure will be provided to the Board of Trustees on March 8, 2023 for information.

Resource Implications

Not applicable

Communications Considerations

The Advertising and Distribution of Materials Procedure will be posted on the Board's internal and external website and communicated through the System Leaders' Weekly Bulletin. The Procedure will also be communicated through Business Development department to external stakeholders as required.

Board Policy and Procedure Reference(s)

- Advertising Policy (P006)

Appendices

- Appendix A: Advertising and Distribution of Materials Procedure (PR507) – Revised Clean
- Appendix B: Advertising Procedure (PR507) – Previous Version

From

Stacey Zucker, Associate Director, Modernization and Strategic Resource Alignment at Stacey.zucker@tdsb.on.ca or 416-397-3188

Craig Snider, Executive Officer, Finance at Craig.Snider@tdsb.on.ca or 416-395-8469

Garry Green, Senior Manager, Community, Business and Student Transportation Services at garry.green@tdsb.on.ca or 416-397-3883

Toronto District School Board

Operational Procedure PR507

Title: **ADVERTISING AND DISTRIBUTION OF MATERIALS**

Adopted: June 12, 2002

Effectuated: June 12, 2002

Revised: May 13, 2003, January 31, 2023

Reviewed: N/A

Authorization: Executive Council

1. RATIONALE

The Advertising and Distribution of Materials Procedure (the "Procedure") supports the implementation of the Advertising and Distribution of Materials Policy (P006).

2. OBJECTIVE

To outline the central pre-approval process for advertising and distribution of materials at the TDSB through which:

- Distribution of materials to TDSB schools are reviewed and approved; and,
- Vendors/service providers/partners who intend to promote their goods or services to TDSB are reviewed and screened.

3. DEFINITIONS

Accessible formats may include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Advertising means any public notice, representation, or activity, including promotional and marketing activities, that is intended to attract attention to a commercial or non-commercial product or service, the brand name of the product or service, the name of the premises where the product or service is available, or the name under which the holder of the product or service carries on business. The terms "advertise" and "advertisement" have corresponding meanings.

Approved Vendors and Service Providers are external entities vetted and approved through TDSB's central procurement process. The procurement process is carried out by the TDSB Purchasing department or Business

Development department in accordance with applicable TDSB policies, including the Purchasing Policy (P017).

Board is Toronto District School Board, which is also referred to as “TDSB”.

Board Property means all schools, administrative and non-administrative Board buildings or lands, Board-owned vehicles, and machinery, as well as websites, email accounts or social media platforms, owned, occupied or licensed by the Board. Board-sanctioned conferences and events, whether in-person or virtual, is also considered Board Property.

Business Development (BD) Department is the central TDSB department responsible for reviewing and approving advertising practices and materials for distribution.

Central Agreements are formal contractual arrangements, established between TDSB and external entities defining the terms for the delivery of education related programs, goods or services.

Central Pre-Approval means review and approval coordinated by a central department of TDSB. The central pre-approval process involves: a) review and approval of vendors/service providers/partners who wish to participate in partnerships or provide goods or services to TDSB, and b) review and approval of materials suitable for distribution to TDSB schools by ensuring compliance and alignment with the terms and conditions as set out in a formal agreement with TDSB.

Distribution of Materials means dissemination of information from external organizations (including via school councils) to staff, students, parents/guardians and the broader school community through TDSB’s distribution system.

Distribution System refers to TDSB’s distribution system where information is circulated from central TDSB departments to TDSB schools and may include physical (e.g., handouts, bulletin board, inclusion in a newsletter or making the materials available in the school office) or electronic (e.g., e-bulletin board) methods. Materials may be referred to the Principal and/or school council for final review and approval. TDSB’s distribution system referred to herein does not include school and school council websites, indoor or outdoor signage and mobile applications used in classrooms.

Educational Programming Partnership Agreement is a document defining the terms for educational programming or services implemented by external agencies at TDSB’s sites during instructional time that enhance curriculum, uniquely contribute to TDSB’s strategic directions and help students expand their learning opportunities.

Educational Programming Partner refers to an external provider or agency

under a TDSB Education Partnership Agreement, in accordance with the Educational Programming Partnerships Policy (P024) and procedures.

Instructional Hours means time scheduled for the purposes of instruction and other activities for students where direct student–teacher interaction and supervision are maintained. Instructional hours do not include lunch time, Professional Development Days and March, Winter and Summer breaks.

Permit Holder refers to the individual, community group or organization named in the permit that maintains responsibility for ensuring that all permit users comply with the rules and regulations governing the use of TDSB’s facilities, including TDSB’s Community Use of Board Facilities (Permits) Policy (P011) and permit rules and regulations related to advertising, such as that a facility permit does not include permission to advertise and/or display banners on Board *Property*.

Public Health, Safety and Essential Notices are informational messages shared by government organizations or agencies (e.g., Ontario Ministry of Education, City of Toronto, Toronto Police Service, Toronto Public Health, etc.), TDSB (e.g., Director, TDSB’s departments) and Board approved information.

School Councils are governed by the regulations outlined in the Education Act including Ontario Regulation 612/00 and 613/00. The purpose of a school council is to improve pupil achievement and enhance the accountability of the education system to parents through the active participation of parents.

Sponsorship is an agreement between TDSB/School and an association or company by which the sponsor provides financial or resource support for which they may receive recognition and/or advertisement.

TDSB is Toronto District School Board, which is also referred to as the “Board”.

4. RESPONSIBILITY

Associate Director, Modernization and Strategic Resource Alignment and Executive Officer, Finance.

5. APPLICATION AND SCOPE

This Procedure applies to all TDSB employees overseeing and managing advertisement and distribution of materials at the TDSB.

The Procedure also covers Trustees, students, parents/guardians/caregivers, volunteers, the Board’s school councils and their members, community advisory

committees and their members, TDSB educational programming partners, approved vendors and service providers, contractors and TDSB visitors.

6. PROCEDURES

General Principles

- 6.1. All advertising and distribution of materials activities will be consistent with the Advertising and Distribution of Materials Policy (P006), Mission, Values and Goals Policy (P002), Multi-Year Strategic Plan and section 24 of Ontario Regulation 298 – Operation of Schools – General.
- 6.2. All activities involving advertising or distribution of materials and recognition related to a donation, grant or sponsorship must be submitted to TDSB's Business Development Department for review and approval.
- 6.3. TDSB reserves the right to not distribute and/or display advertising or materials that are objectionable or inappropriate.
- 6.4. The Board will not advertise services for:
 - i. After school programming, unless explicitly approved by the Board.
 - ii. Casting and/or modelling agencies.
 - iii. Homecare services and external daycares (Exemption: Community-based childcare services e.g., licensed childcare providers and after-hour childcare programming if the school principal is of the opinion that the school community faces a shortage and/or could benefit from the program(s)).
 - iv. Driver training courses/providers.
 - v. Non-centrally approved tutoring services.
 - vi. Materials containing political messaging that promotes a specific political party, group, person or personal point of view (refer to the TDSB's Election Activities and Use of Board Resources Procedure (PR533)).
 - vii. Materials that promote a particular religion or set of beliefs.
 - viii. Materials directly competing with the TDSB regular school programming and supports. (e.g., private/independent schools, other school boards, or programs/activities that take place during regular school hours).
 - ix. Permit Holders.
 - x. Volunteer recruitment materials.
- 6.5. All advertising initiatives must be forwarded to the Business Development department that:
 - involve a single school;

- involve more than one school;
 - have system-wide impact;
 - imply Board endorsement;
 - involve contractual obligations.
- 6.6. The Business Development department will facilitate the vetting process and advise the school principal or department regarding appropriate action.
- 6.7. The school principal will arrange for the prompt distribution to each member of the School Council any materials received by the principal from the Ministry of Education that are identified by the Ministry as being:
- (a) relevant to the functions of the School Council;
 - (b) or distribution to the members of School Councils (source: Ontario Regulation 298, section 12)
- 6.8. TDSB central departments may advertise centrally approved products and services (e.g., central department initiatives, events) throughout the system.
- 6.9. Schools and school councils wishing to distribute product samples or information in return for financial or in-kind incentives, must forward a request by the school principal to the Business Development department for review and approval.
- 6.10. For yearbooks including vendor advertising information in return for financial incentives and/or in-kind donations, schools and student councils will comply with the requirements outlined in section 6.5 of the TDSB's Advertising and Distribution of Materials Policy (P006). Schools and school councils may contact the Business Development department to review schools' list of vendors to advertise in school yearbooks.
- 6.11. Yearbook promotional advertisements will not promote organizations prohibited from advertising as outlined in section 6.3 of the Advertising and Distribution of Materials Policy (P006), specifically services directly competing with TDSB regular school programming, programming operating outside of school operating hours, or third-party service providers (i.e., driver training course/providers, homecare services, casting calls, tutoring services, etc.). Exceptions may include community-based childcare services (e.g., licensed childcare providers) and after-hour childcare programming if the school principal is of the opinion that the school community faces a shortage and/or could benefit from the program(s).
- 6.12. The Business Development Department will assess the appropriateness and feasibility of the advertising or distribution of materials request and respond promptly to the school principal.

- 6.13. Businesses/organizations that want to promote fundraising products and/or services to schools are required to contact the Business Development department. For additional information on fundraising, refer to the Fundraising Policy (P021) and Fundraising Procedures (PR508).
- 6.14. If a business/organization wants to promote through social media such as Facebook, Instagram, Twitter or other online content, the principal will send the request to their school communications officer and Business Development for review and approval. For additional information on social media activities, refer to the TDSB's Social Media and Online Content Procedure (PR735).

Advertising Approvals and Agreements

- 6.15. Agreements relating to donations, fundraising, grants, sponsorships, donor recognition or any other forms of advertising may bind the Board. For this reason, all agreements must be reviewed by the Business Development department and signed by an authorized signing authority as per the Executive Signing Authority Policy (P082). School principals may not sign agreements at the school level.
- 6.16. The Business Development department will review advertising and recognition requirements for all advertising materials, including those related to approved sponsorships, grants and donations. Respective TDSB departments and/or schools will execute the recognition requirements that are agreed upon based on the agreement.
- 6.17. The Executive Officer, Finance or designate, must approve all formal agreements listed in section 6.16.

Logo Recognition of External Groups

- 6.18. Central pre-approval by the Business Development department is required for the use of TDSB's logo or wordmarks in conjunction with other commercial logos.
- 6.19. Commercial logos may be displayed in schools for a temporary, time- or event- specific, period. This may include promoting events like drama festivals, acknowledgement of partnerships, sponsorship events, Professional Development sessions, virtual events and other fundraising activities such as school fun fairs or marketplace.
- 6.20. The size and placement of logos on extra-curricular uniforms will be in accordance with the [Ontario Federation of School Athletic Associations' School Uniform Policy](#) (see below section 9 Reference Document). In circumstances not covered by OFSAA's policy, the school principal will decide and may request that the superintendent of schools be involved in the decision.

Distribution of Materials

- 6.21. Businesses/organizations that are approved TDSB vendors or service providers and are interested in sharing promotional material with the Board, are required to contact the Business Development department, which acts as the primary TDSB contact for distribution of advertising materials including those related to approved sponsorships, grants and donations.
- 6.22. All materials will be reviewed by the Business Development department (see Appendix A) to ensure that they are suitable for distribution to TDSB schools and comply with the terms and conditions of applicable formal agreement(s) with TDSB and TDSB's Mission, Values and Goals Policy (P002).
- 6.23. All "Approved" and "Not Approved" materials will be posted on Business Development's site for staff reference. The school principal will retain responsibility and accountability for the distribution of approved materials to students and parents/guardians/caregivers.
- 6.24. The school principal will be required to distribute Public Health, Safety and Essential Notices (defined in section 3 above) and as outlined in the Advertising and Distribution of Materials Policy (P006).
- 6.25. Charitable and non-profit organizations may choose to directly promote to a single school by printing and distributing their own materials through the school principal, once approved by the TDSB's Business Development department. TDSB distribution fees will be waived in these circumstances.
- 6.26. As per the Canadian Anti-Spam Legislation (CASL), commercial electronic messages cannot be sent to TDSB staff, Trustees, school councils and students. Any messages distributed electronically must comply with CASL.
- 6.27. Approved external vendors, service providers, TDSB Educational Programming Partners or school councils are responsible for ensuring that their materials (whether in electronic or hardcopy format) are accessible and in compliance with the Accessibility for Ontarians with Disabilities Act (AODA) and TDSB's Accessibility Policy (P069).
- 6.28. Approved external vendors, service providers, TDSB Educational Programming Partners or school councils will provide or arrange for the provision of accessible formats for persons with disabilities when requested, in accordance with the Accessibility Policy (P069). A fee will be charged for using the TDSB Mailroom for distribution. Approved external vendors, service providers, TDSB educational programming partners or school councils may contact Business Development for the fee schedule.
- 6.29. School principals will take into consideration the potential impact of distribution of materials on the resources of the school.

- 6.30. The school principal may choose to not distribute any advertising materials, and/or pre-approved materials and non-essential notices based on the fit and appropriateness for their school and community, taking into account the principles of equity as outlined in the TDSB Equity Policy (P037) and the potential impact of distribution of materials on the resources of the school.
- 6.31. The school principal will consult with the school council periodically to review the volume and types of requests for distribution of materials and the potential impacts of advertising materials on the school and community.
- 6.32. Principals may contact the Business Development department to include their school name on a non-distribution list. The list is updated annually.
- 6.33. Principals may order a 'No Solicitation' sign from the Business Development department to place in the front entrance of the school building.
- 6.34. School principals will advise and instruct their staff with regards to this Procedure.
- 6.35. In circumstances where it is unclear whether advertising or distribution of materials are appropriate to be distributed or if a request for distribution raises questions or concerns, the school principal will request that the superintendent of schools be involved in the decision.
- 6.36. School principals will use their discretion and refer to Ministry of Education and Training Policy/Program Memorandum No. 112: Education about Religion in the Public Elementary and Secondary Schools, to ensure that materials providing information about community/cultural events are in accordance with the Advertising and Distribution of Materials Policy (P006) and that the materials do not promote a particular faith group.

7. EVALUATION

This Procedure will be reviewed, at minimum, every four years after the effective date.

8. APPENDICES

- Appendix A – TDSB Business Development Process Flow – Distribution of Materials

9. REFERENCE DOCUMENTS

Policies

- Advertising and Distribution of Materials (P006)
- Accessibility (P069)
- Communications (P104)

- Community Use of Board Facilities (P011)
- Educational Programming Partnerships (P024)
- Equity (P037)
- Executive Signing Authority (P082)
- Fundraising (P021)
- Mission, Values and Goals (P002).
- Purchasing (P017)
- The Environment (P028)
- Naming Schools and Special Purpose Areas (P047)

Procedures

- Election Activities and Use of Board Resources (PR533)
- Social Media and Online Content (PR735)
- Fundraising (PR508)

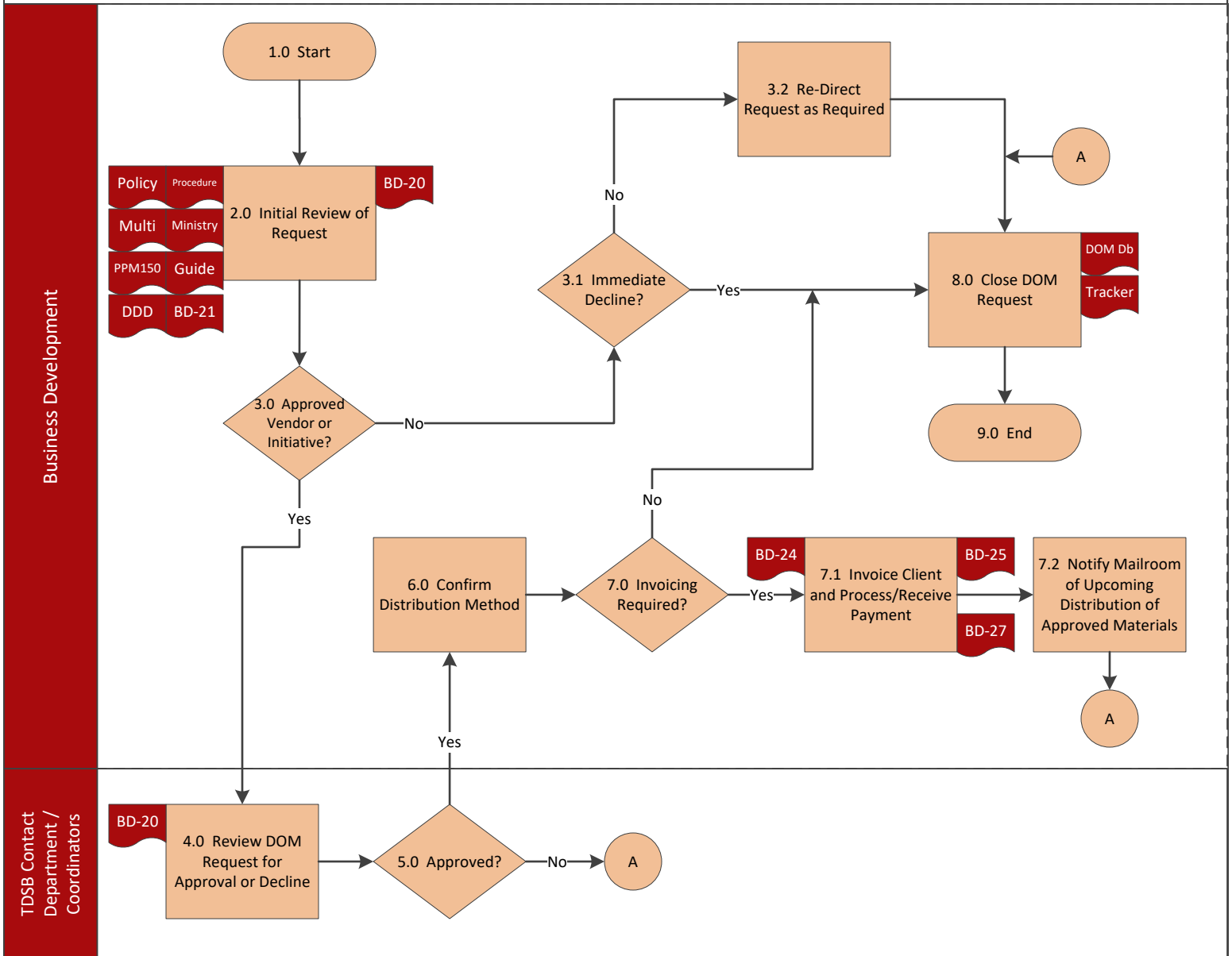
Legislation/Other Documents:

- Ontario Regulation 298: Operation of Schools - General, under the *Education Act*
- Ministry of Education and Training Policy/Program Memorandum No. 112: Education about Religion in the Public Elementary and Secondary Schools
- *Accessibility for Ontarians with Disabilities Act*
- Canadian Anti-Spam Legislation
- [Ontario Federation of School Athletic Associations' School Uniform Policy](#)

TDSB Business Development Process Flow – Distribution of Materials *

* The primary contact for this process is Business Development. Stakeholders are involved as required.

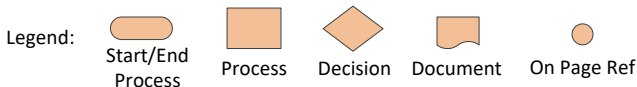
Version 3.0 (February 2022)



Documents:

- | | | |
|---|---|---|
| BD-20 DOM Vetting Form | DOM Db BD DOM Database | Policy P002 Mission, Values and Goals
P006 Advertising & Distribution of Material
P021 Fundraising
P037 Equity Foundation
P047 Naming Schools and Special Purpose Areas
P057 Employee Conflict of Interest
P069 Accessibility |
| BD-21 DOM Approval Procedure | GUIDE Approved Fundraising and Fun Fair Vendors Directory | Procedure PR507 Advertising
PR508 Fundraising
PR533 Election and Use of Board
PR565 Distribution and Display of Material
PR592 Naming Schools and Special Purpose Areas
PR609 International Disaster Relief
PR673 Employee and Community Partners Conflict of Interest |
| BD-24 DOM Quotation | Ministry Ministry of Education Fundraising Guidelines | |
| BD-25 DOM Invoice | Multi Multi Year Strategic Plan | |
| BD-27 Mailroom Distribution Instructions | PPM150 Ministry Of Education School Food & Beverage Policy | |
| DDD DOM Do's and Don'ts | Tracker BD Master Tracker | |

Note: Input documents are on the left of a shape and output documents are on the right.



Toronto District School Board

Procedure PR507

Title: **ADVERTISING**
Adopted: June 12, 2002
Revised: May 13, 2003 (replaces H.018: Advertising),
August 25, 2003, **November 19, 2007**
Authorization: Executive Council

1.0 OBJECTIVE

To establish guidelines for the implementation of Board Policy P.006 BUS: Advertising

2.0 DEFINITION

Advertising Advertising in schools may involve items such as yearbook advertisements, special event programs, fun fair sponsorships, partnerships, donor recognition, athletic uniforms and T-shirts.

3.0 RESPONSIBILITY

Executive Superintendent, Business Services

4.0 PROCEDURES

4.1 Advertising Initiatives

- (a) Policy P006, Advertising, sets the boundaries for acceptable practices. Principals in conjunction with school councils may choose options within these boundaries to create acceptable local school practices reflective of local community values and norms.
- (b) All activities involving advertising or recognition must be approved by the principal and must be within the boundaries of policy P006.
- (c) The principal will ensure compliance with the Board's mission and values and policy P041, Distribution and Display of Materials for Students and Parents from External Groups Policy. Clarification may be obtained from the Business Development department.
- (d) The principal will bring all local school-based advertising initiatives to the attention of the school and/or student council. The school and/or student council must endorse all initiatives before implementation.

- (e) All initiatives must be forwarded to the Business Development department that may:
 - involve more than one schools;
 - have system-wide impact;
 - imply Board endorsement;
 - involve contractual obligations
- (f) The Business Development department will facilitate the systemwide impact evaluation process and advise the school regarding appropriate action.
- (g) Contracts relating to sponsorship, partnership, donor recognition or other forms of advertising may bind the Board. For this reason, all contracts must be reviewed centrally and signed by the Executive Superintendent, Business Services or designate. Principals may not sign contracts at the school level.
- (h) The Board may advertise its own centrally approved products and services throughout the system.
- (i) All magazines or periodicals that include advertising, produced by external organizations, must be approved centrally through the Business Development Department.

4.2 Logo Recognition of External Groups

- (a) Commercial logos may not be used in conjunction with the TDSB logo without approval.
- (b) Commercial logos may be displayed in schools for a temporary, time- or event-specific, period. This may include promoting events like drama festivals, acknowledgement of partnerships, direct marketing and other fundraising activities such as school fun fairs and confectionery sales.
- (c) The size and placement of logos on extra-curricular uniforms shall be in accordance with the Ontario Federation of School Athletic Associations' School Uniform Policy (see Reference Document), and in circumstances not covered by OFSAA's policy, the school principal shall decide.

4.3 Business Opportunities

- (a) From time to time schools may be presented with opportunities to distribute product samples or information in return for a financial or an in-kind donation. Such arrangements, whether couched as a donation or a business opportunity, must be forwarded to the Business Development department for central approval.
- (b) The Business Development department will assess the appropriateness and feasibility of the opportunity and respond promptly to the principal.

- (c) Sale of services, resources, employee purchase plans and other business opportunities may be negotiated and administered by the Business Development department.
- (d) Initiatives that do not involve the expenditure of Board funds for the purchase of service or merchandise are not subject to the Board's purchasing policy.
- (e) The Executive Superintendent, Business Services, or designate, must approve all business opportunities.
- (f) The Business Development department will process all approved initiatives.

5.0 REFERENCE DOCUMENTS

Board Policies

P006, Advertising

P041, Distribution and Display of Materials for Students and Parents From External Groups

P047, Naming Schools and Special Purpose Areas

Ontario Federation of School Athletic Associations, The Federation's School Uniform Policy, <http://www.ofsaa.on.ca/>, Constitution, By-Laws, section 2 – Department, subsection (h)

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PR707A, Student Attendance, Safe Arrival and Safe Departure (Elementary) and PR707B, Student Attendance, Safe Arrival and Safe Departure (Secondary): Revised Procedures

To: Governance and Policy Committee

Date: 8 February, 2023

Report No.: 02-23-4475

Strategic Directions

- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the revised Student Attendance, Safe Arrival and Safe Departure (Elementary) Procedure (PR707A) and Student Attendance, Safe Arrival and Safe Departure (Secondary) Procedure (PR707B) (the “Procedures”), as presented in this report, be received for information.

Context

The Student Attendance, Safe Arrival and Safe Departure Policy (P085) was revised and approved by the Board on June 29, 2022. As a result, staff initiated a review of the associated procedures to update and align accordingly.

Content changes include:

- Added provisions regulating student safe departures/dismissals and changing the Procedure titles to include “safe departure”;
- Updated provisions regarding local oversight and principals’ responsibilities;
- Added provisions for unique scenarios of student arrival, including synchronous virtual classes, cooperative education, Ontario Youth Internship Program (OYAP), continuous intake co-op, caring and safe schools programs, Caring and

Agenda Page 112

Safe School programs, alternative attendance programs, school within a college (SWAC) programs, dual credit, accelerated OYAP, and excursions;

- Updated provisions regarding culturally responsive supports and interventions to address student absenteeism and lateness; and
- Added provisions regarding the use of a new School Information System and the School Messenger App as a means for parents/guardians to report student absences.

These Student Attendance, Safe Arrival and Safe Departure Procedures were approved by the Executive Council on January 24th, 2023 and are being presented to the Committee for information.

Staff are developing a new operational procedure to outline attendance, safe arrival and safe departure protocols for TDSB Continuing Education Programs. This new procedure is expected to be presented to the Committee for information later in the year.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's receipt, the Procedures will be provided to the Board of Trustees on March 8, 2023 for information.

Resource Implications

The Procedures will be implemented within existing budget framework. Principals will receive professional learning regarding their role in the safe arrival process, including guidance on when and how to escalate contact attempts for unexplained absences.

Communications Considerations

The revised Procedures will be posted on the Board's internal and external website and communicated through the System Leaders' Weekly Bulletin. Information regarding the new Procedures will be shared with Parents/Guardians and Caregivers in a TDSB Connects bulletin.

Board Policy and Procedure Reference(s)

- Abuse and Neglect of Students Procedure (PR560)
- Excursions Policy (P033)
- Excursions Procedure (PR511)
- Student Attendance, Safe Arrival and Safe Departure Policy (P085)
- Transportation of Students Policy (P020)

Appendices

- Appendix A: Student Attendance, Safe Arrival and Safe Departure Procedure (Elementary) (PR707A) - Revised Clean
- Appendix B: Student Attendance, Safe Arrival and Safe Departure Procedure (Secondary) (PR707B) - Revised Clean

From

Linda Curtis, Acting Associate Director, Student Well-Being and Innovation at linda.curtis@tdsb.on.ca

Diana Panagiotopoulos, System Superintendent, Secondary Program and Admissions at diana.panagiotopoulos@tdsb.on.ca.

Reiko Fuentes, Centrally Assigned Principal, Secondary Program and Admissions at reiko.fuentes@tdsb.on.ca.

Toronto District School Board

Operational Procedure PR707A

Title: **STUDENT ATTENDANCE, SAFE ARRIVAL AND SAFE DEPARTURE (ELEMENTARY)**

Adopted: June 17, 2014
Effected: June 17, 2014
Revised: January 24, 2023
Reviewed: January 24, 2023
Authorization: Executive Council

1. RATIONALE

The Student Attendance, Safe Arrival and Safe Departure (Elementary) Procedure (the “Procedure”) supports the implementation of the Student Attendance, Safe Arrival and Safe Departure Policy (P085).

2. OBJECTIVE

- To outline expectations for student attendance, arrival and departure.
- To establish intervention and supportive strategies and best practices to address patterns of absence impacting learning, unexplained absences, prolonged absenteeism, and lateness.
- To implement a system-wide standard for safe arrival and departure at TDSB schools and programs.

3. DEFINITIONS

Board refers to the Toronto District School Board, which is also referred to as the “TDSB”.

Compulsory School Age, for the purpose of this Procedure, refers to any student who turns six (6) on or before the first day of school in any year. These students are legally required to attend school. If a student is younger than six (6) but registered with a school by their parent/guardian, their attendance is also required (even if they are not yet six (6)). Students are legally required to attend school until they reach the age of eighteen (18).

Parent/Guardian - may include parents, guardians or any other caregiver legally recognized as acting in place of the parent.

Patterns of Absence Impacting Learning refers to patterns and/or frequencies of absences that can impede student learning, achievement, and well-being. It may also include absences that occur on certain days or occasions (e.g., tests or exams), or that may be the result of factors such as bullying, racism or hate, emerging mental health issues, or other socio-emotional or physical factors that may arise.

Prolonged Absence refers to an absence of at least fifteen (15) consecutive school days.

Safe Arrival refers to a system of protocols which are performed together with daily school attendance taking and which are designed to account for any student's unexplained failure to arrive at school or their off-site learning location (e.g., excursion).

Safe Departure refers to a system of protocols which are performed and designed to account for students' safe dismissal from school or school-related off-site location (e.g., excursion, inter-school athletics).

TDSB is the Toronto District School Board, which is also referred to as the "Board".

Unexplained Absence refers to situations when a student is absent and no reason has been provided to the school (e.g., parent/guardian has not phoned or provided documentation explaining the reason for the student's absence).

4. RESPONSIBILITY

Associate Director, Student Well-Being and Innovation

5. APPLICATION AND SCOPE

This Procedure applies to all TDSB students, parents/guardians, teaching and support staff, administrators and/or designate(s) who support elementary student attendance procedures.

The intervention and supportive strategies and best practices outlined in this Procedure apply to all registered students enrolled in TDSB elementary schools. The obligation of a registered student to attend school applies even if the student is not of compulsory school age (e.g., Junior and Senior Kindergarten).

6. PROCEDURE

6.1. Local Oversight/Principal Responsibilities

- 6.1.1. The Principal is responsible for coordinating internal office processes regarding students' attendance, safe arrival and safe departure.

- 6.1.2. The Principal is expected to communicate with parents/guardians about attendance practices and expectations outlined in this Procedure at the start of each school year, and as needed throughout the year.
- 6.1.3. The Principal is responsible for how communications with parents/guardians are managed by office and teaching staff.
- 6.1.4. The Principal is responsible for establishing processes through which Occasional Teachers have access to materials required for recording and reporting attendance.

6.2. Safe Arrival Program and Reporting

6.2.1. Collection of Information

- (a) At the start of each school year or upon new registration, the Principal will communicate the need for parents/guardians to provide accurate, complete, and current contact information.
- (b) The Principal will request contact information including telephone numbers (i.e., home, cellular, and/or work), email addresses, and home address for the parents/guardians of the student and an emergency contact such as a relative or neighbour.
- (c) The parent/guardian must inform the school if their contact information changes during the school year to update their contact information in the School Information System (SIS).

6.2.2. Parent/Guardian Responsibilities

- (a) Parents/Guardians are expected to notify the school when a student is going to be absent or late for school. If a student is absent or late for any reason, the parent/guardian must contact the school immediately, or use the School Messenger App, and report the reason for the absence.
- (b) If the school is not informed about the absence, TDSB's automated system attempts to contact the parent/guardian. The school Principal or designate will make attempts to contact the parent/guardian to determine the reason for the absence.

6.2.3. School Information Systems (SIS) - Tracking Absences and Lateness

- (a) In order to contribute to students' overall academic and personal profiles as well as address any issues with prolonged absences and/or patterns of absence impacting learning, all absences and late arrivals will be tracked electronically through the SIS.
- (b) The Principal (or designate) is responsible for establishing processes so that the following information is entered into the SIS before the end of each school day:

- (i) Student attendance;
 - (ii) The names of students who are absent including those reported to the school by parents/guardians;
 - (iii) The reasons for all student absences;
 - (iv) The names of students who arrived late (these names may appear on the Absentee Report); and
 - (v) Any other pertinent information (e.g., messages left for parents/guardians that could not be reached).
- (c) It is important that the information entered into the SIS is accurate and complete. Daily recording is required to identify potential errors or patterns of absence.
- (d) Additional reference materials to support staff are available through Service IT under “PowerSchool SIS - Admin Attendance Resources” and in Appendix A - TDSB Recommended Attendance Reports.

6.2.4. *Reporting of Morning Attendance*

- (a) Each morning, the classroom teacher will report all attendance (presence, absence, and lateness) to the school office promptly after the start of the school day. Discrepancies should be brought to the attention of the Office Administrator. Parents/Guardians may enter a reason for absence through the School Messenger call out, which will be automatically recorded in the SIS.
- (b) The Office Administrator (or designate) will enter in the reasons for absence, based on information provided by parents/guardians who have contacted the school, or for students who have arrived late, into the SIS. School Messenger App submissions will be automatically added into the SIS.
- (c) The Office Administrator (or designate) will attempt to contact the parents/guardians of each student who is absent for reasons unknown. This should be done as soon as possible in the morning.
- (d) If there is a concern about a student’s whereabouts or if harm is suspected, attempts should be made to reach all listed contacts and emergency contacts. If unsuccessful, the case is escalated to the Principal (or designate) if a student’s whereabouts are unknown:
- (i) Principal will begin an internal investigation;
 - (ii) Principal may consult with Board Attendance Counsellor and/or Social Worker to make contact or a home visit;

(iii) The Principal may take further action, including calling the police;

(iv) If the police become involved, the Principal will advise the appropriate Superintendent of Education and the Communications department accordingly.

6.2.5. *Reporting of Afternoon Attendance*

(a) The procedure outlined for morning attendance (see section 6.2.4 above) should be applied again in the afternoon.

6.3. Unique Attendance Taking Scenarios

6.3.1. *Synchronous Virtual Classes*

(a) The Attendance-Taking Teacher will take attendance at the start of each morning and afternoon. Students logged into the virtual environment may be asked to respond when prompted. Students arriving late will be “signed in” by the Attendance-Taking Teacher through PowerTeacher Pro.

(b) Students will be instructed to notify the teacher if they need to step away from the computer for a few minutes and they will be expected to let the teacher know when they have returned. Teachers will establish specific classroom practices for students to communicate their presence (i.e., reactions/gestures instead of verbal/electronic communication for younger students). Teachers will connect with students that leave the class too frequently or for longer-than-reasonable periods of time to provide support and guidance.

(c) Teachers are encouraged to use regular participation/engagement strategies to keep students involved. If a student stops responding to prompts and is not participating in the class, the teacher will connect with the student to check that everything is alright and to reinforce the expectation that students need to stay active and engaged in the class.

(d) Should a student be unresponsive/inactive for a significant portion of the class and have missed the essence of the class/lesson, the teacher will let the student know that if the unresponsive behaviour continues, there will be follow up with the parent/guardian and the administration.

(i) *Non-Attendance-Taking Teachers:* Teachers who do not have formal attendance taking responsibilities should keep their own record of student attendance for the purposes of assessment, evaluation and reporting. Non-Attendance-Taking Teachers will have access to the morning and afternoon attendance records to be aware of which students should be present in their virtual class. If a student is absent,

the Non-Attendance-Taking Teacher should notify the administration by email and “CC” the Homeroom Teacher about the unexplained absence.

- (e) Absences from virtual classes will be addressed in the same way as absences from in-person classes.

6.3.2. *Excursions*

- (a) Teachers are required to take attendance before departing school at the start of excursions, in the same manner as all other classes. See the Excursions Policy (P033) and Excursions Procedure (PR511) for additional safety protocols.

6.4. Safe Departure Program

6.4.1. *During School Day*

- (a) Parents/Guardians must provide authorization in order for students to depart the school premises during the school day. Students in JK – Grade 3 must be picked up by an authorized individual. Students in Grade 4 – Grade 8 are able to depart on their own with parent/guardian written authorization.
- (b) Students may temporarily leave school premises unaccompanied during lunch, subject to written authorization from their parent/guardian.
- (c) Individuals authorized to pick up a student by their parents/guardians may be required to show school staff their government issued photo identification.

6.4.2. *End of School Day*

- (a) Students in JK – Grade 3 will only be released to an authorized individual, and/or as requested by their parent/guardian (e.g., a parent may pick up their child from school or may provide a written note that their child is authorized to leave the school premises with an older sibling).
- (b) Individuals authorized to pick up a student by their parents/guardians may be required to show school staff their government issued photo identification.
- (c) Students in Grade 4 - Grade 8 are released upon the final day bell, in the manner authorized by their parent/guardian. Alternative departure practices may be required for some students in Grades 4 - 8 with Special Education Needs.
- (d) See the Transportation of Students Policy (P020) for additional information regarding the safe and equitable transportation of TDSB students.

6.5. Monitoring Absences and Lateness**6.5.1. *Strategies for Addressing Patterns of Absence Impacting Learning, Prolonged Absences and Lateness***

- (a) The following process will outline the responsibilities of school staff across three levels of interventions:
 - (i) immediate supportive and culturally responsive strategies for when a student is discovered as being late or absent without explanation;
 - (ii) longer-term immediate supportive and culturally responsive strategies for when a student demonstrates patterns of absence impacting learning or prolonged **unexplained** absences; and
 - (iii) longer-term immediate supportive and culturally responsive strategies for when a student demonstrates patterns of absence impacting learning and prolonged **explained** absences.
- (b) To enable more timely interventions, the SIS will flag all absences and late arrivals at the following intervals:
 - (i) 5, 10, and 15 day absences/late arrivals (consecutive and cumulative)
 - (ii) Every 5 out of 10 and 10 out of 30 days absences/late arrivals (cumulative)
 - (iii) 15 day-intervals up to 60 days (consecutive)
- (c) Schools are encouraged to regularly run the Daily Attendance - Consecutive Days Absent report
- (d) Additional reference materials to support staff are available through Service IT under “PowerSchool SIS - Admin Attendance Resources” and in Appendix A - TDSB Recommended Attendance Reports.

6.5.2. *Guidelines and Best Practices for Identifying Patterns of Absence Impacting Learning, Including the Implementation of Interventions and Strategies***(a) Daily Unexplained Absence**

- (i) The Office Administrator (OA) (or designate) will contact the parents/guardians and then update the SIS.
- (ii) If parents/guardians cannot be reached, please refer to 6.2.4(d).

(b) 2 – 4 Day Unexplained Absence (consecutive only)

- (i) The Principal should establish processes through which classroom teachers reach out to students and their parent/guardian when there is an unexplained absence. Teachers should reinforce the importance of regular attendance, and the expectation that students should attend class every day when possible. When not possible, the parent/guardian should notify the school, ideally prior to the absence. Teachers should document this communication.
 - (ii) The Principal should establish processes through which classroom teachers share concerns regarding students missing class without reason with the administration. Clear expectations around the steps that classroom teachers should first take should be outlined.
- (c) 5 Days (consecutive) or 5 out of 10 Days (cumulative), Explained and Unexplained Absence**
- (i) The Principal (or designate) may request an external confirmation for absences (e.g., medical note, travel verification, etc.). If absences are explained, the Principal will review the reasons provided and determine whether further information is required.
 - (ii) When first connecting with a student's parents/guardians, the Principal will attempt to determine why regular school attendance is an issue and what can be done to rectify the situation.
 - (iii) The Principal can refer the student to the In-School Support Team (IST) if absences continue to be unexplained and if the Principal suspects a student's learning, achievement, and well-being is being negatively impacted.
 - (iv) Should any information come to the attention of the school staff or be revealed through the IST process that a student may be at risk of or has suffered physical abuse, sexual abuse, emotional abuse, exposure to family violence or neglect by their caregivers, the employee will report to a Children's Aid Society (CAS) in accordance with Section 72 of the Child, Youth and Family Services Act (2017) and the Abuse and Neglect of Students Procedure (PR560).
- (d) 6 – 9 Day Unexplained Absence (consecutive only)**
- (i) The Principal should establish processes to identify students who are missing classes without reason. Schools are encouraged to regularly run the Daily Attendance - Consecutive Days Absent report and SIS reports that identify students missing consecutive and cumulative classes. Follow up with teachers should take place if they have not
-

been notifying the administration of a student missing classes.

- (ii) The Principal, and where applicable Vice Principals, will track student attendance, work with parents/guardians as partners in supporting the development of good attendance habits and send attendance letters when students continue to miss classes/school. Early steps, supports and intervention can assist students with shifting attendance patterns and can help families address concerns that may be preventing a student from regularly attending class before the attendance negatively impacts the student's achievement and success in the class/school.
- (iii) If unsuccessful in establishing contact through other methods, the Principal will send a letter home requesting an explanation for absences and requesting a meeting with the parents/guardians.

(e) 10 Days (consecutive), 10 out of 30 Days (cumulative), Explained or Unexplained Absence

- (i) The Principal may request an external validation for absences (e.g., medical note, travel verification, etc.). If absences are explained, the Principal will review the reasons provided and determine whether further information is required.
- (ii) The Principal should request a meeting with parents/guardians, where appropriate.
- (iii) The Principal will consider the available interventions to encourage attendance such as:
 - (A) Involvement of in-school staff;
 - (B) Daily attendance monitoring sheet to support positive re-engagement;
 - (C) Timetable or program change; or
 - (D) Referral to the TDSB's Professional Support Services or external community counseling agency.
- (iv) The Principal can also refer the student to the School Support Team (SST) particularly if absences continue to be unexplained or if the student's achievement or well-being is being impacted.
- (v) Should any information come to the attention of the school staff or be revealed through the SST process that a student may be at risk of or has suffered physical abuse, sexual abuse, emotional abuse, exposure to family violence or

neglect by their caregivers, the employee will report to a CAS in accordance with Section 72 of the Child, Youth and Family Services Act (2017) and the Abuse and Neglect of Students Procedure (PR560).

- (vi) Where appropriate, implementation of interventions will be pursued in consultation of the Superintendent of Education.

(f) **11 Consecutive Absences Without Appropriate Supporting Documentation**

- (i) Discussion/Referral to an Attendance Counsellor can begin for students absent 11-15 days. **Day 15 triggers a mandatory referral to Attendance Services.** The Principal will initiate a Professional Support Services Referral Form in SAP CRM (System Analysis Program Customer Relationship Management) on the 16th day of consecutive absence without appropriate supporting documentation and complete the Attendance Checklist and Attendance Profile for the student.

6.5.3. *Implications of a Referral to the School Support Team and/or Professional Support Services for Patterns of Absence Impacting Learning*

- (a) When a recommendation for Attendance Support emerges from the School Support Team (SST) in response to patterns of absence impacting learning, the Principal will refer the student to Professional Support Services.
- (b) In the elementary panel, assistance is available from the designated social worker (who acts as an attendance counselor).
- (c) The attendance counselor/social worker will further investigate the reason(s) for the absences and report back to the school to maintain coordinated engagement between student and school. Should any information come to the attention of the attendance counselor/social worker that a student may be at risk of or has suffered physical abuse, sexual abuse, emotional abuse, exposure to family violence or neglect by their caregivers, the employee will report to a CAS in accordance with Section 72 of the Child, Youth and Family Services Act (2017) and the Abuse and Neglect of Students Procedure (PR560).
- (d) The school staff and the attendance counselor/social worker will collaborate and discuss possible culturally responsive interventions and supports that center student identities and voice, and who will assume responsibility for implementing the plan.

6.6. Guideline for Addressing Prolonged Absences6.6.1. *Prolonged Absences*

- (a) If a student is absent for more than 15 consecutive days without appropriate supporting documentation, the absence is considered and addressed as a prolonged absence.

6.6.2. *After an Unexplained Additional 15 Days (consecutive only)*

- (a) If the student misses an additional 15 consecutive days after a referral has been made to the attendance counselor/social worker, the attendance counselor/social worker must immediately provide the school with a completed Prolonged Absence Form. An additional completed Prolonged Absence Form must be sent to the school after each additional 15-day period of consecutive absence.

6.6.3. *Attendance Services Support to Address Prolonged Absences*

- (a) If the full spectrum of learning options, resources, and school and emotional supports is unable to result in an improvement in the student's attendance, the attendance counselor/social worker may arrange for the student, parents/guardians, and a school administrator to attend an Attendance Review Committee (ARC) meeting. The attendance counselor will attend all Attendance Review Committee meetings. The Committee may discuss a possible recommendation for the student's return to school or enrolment in an approved alternative program. At the meeting, staff may inform the parents/guardians and student that possible measures could include:
 - (i) an application to the Provincial Offences Court and a charge laid under the Education Act against students between the ages of 12 to 16 years of age; and
 - (ii) an application to the Provincial Offences Court and a charge laid under the Education Act against parents of students under the age of 12.

6.6.4. *Implications of Prolonged Absences*

- (a) Student attendance is recorded on school registers and sent to the Ministry of Education (Ministry) for funding purposes.
- (b) The TDSB is required to record enrolment and maintain enrolment records according to the format prescribed by the Ministry and according to the enrolment register instructions provided annually by the Ministry (i.e., Enrolment Verification Application (EVA) and Ontario School Information System (OnSIS) procedures).

- (c) There are specific instructions in the Enrolment Register Guidelines related to Prolonged Absences. Schools must follow these guidelines to ensure full compliance as registers are subject to audit from the Ministry at any time. Failure to follow these guidelines can result in significant impact to the TDSB.

7. EVALUATION

This Procedure will be reviewed as required, but at a minimum every four (4) years after the effective date.

8. APPENDICES

Appendix A – TDSB Recommended Attendance Reports

9. REFERENCE DOCUMENTS

Legislation

- *Child, Youth and Family Services Act*
- *Education Act*, sections 21-31

Policies

- Excursions (P033)
- Student Attendance, Safe Arrival and Safe Departure (P085)
- Transportation of Students Policy (P020)

Procedures

- Abuse and Neglect of Students (PR560)
- Excursions (PR511)
- Student Attendance, Safe Arrival and Safe Departure (Secondary) (PR707B)

Other Documents:

- Policy/Program Memorandum No. 123 Safe Arrivals
- Ministry Enrolment Register Instructions for Elementary and Secondary Schools

TDSB RECOMMENDED ATTENDANCE REPORTS

PowerSchool Report	Breadcrumbs	Trillium Report
Absentee Report	Start Page > Attendance>Reports>Absentee Report	Administration List
N/A	N/A	Daily Absence List
Student Attendance - Daily Historical Summary	Start Page > PSCB Custom Reports > Attendance > Student Attendance - Daily Historical Summary	Attendance Profile
Attendance Profile (PDF)	Start Page > Reports > Reports (System) > Attendance Profile	Attendance Profile
Class Roster (PDF)	Start Page > Reports > Run Reports > Class Rosters (PDF)	Class List
Students - Class Roster	Start Page > PSCB Custom Reports > Scheduling (Current Year) > Students - Class Roster	Class List
Meeting Attendance - Consecutive Days Absent	Start Page > PSCB Custom Reports > Attendance > Daily Attendance - Consecutive Days Absent	Consecutive Days Absent/Late
Meeting Attendance - Selected Date / Date Range	Start Page > PSCB Custom Reports > Attendance > School Attendance Meeting Attendance - Selected Date / Date Range	Administration List
School Attendance - Daily Attendance Summary	Start Page > PSCB Custom Reports > Attendance > School Attendance - Daily Attendance Summary	Office List
Student Attendance - Daily Dates and Count Summary	Start Page > PSCB Custom Reports > Attendance > Student Attendance - Daily Count/Dates Summary	Attendance Tally

Toronto District School Board

Operational Procedure PR707B

Title: **STUDENT ATTENDANCE, SAFE ARRIVAL AND SAFE DEPARTURE (SECONDARY)**

Adopted: June 17, 2014
Effected: June 17, 2014
Revised: January 24, 2023
Reviewed: January 24, 2023
Authorization: Executive Council

1. RATIONALE

The Student Attendance, Safe Arrival and Safe Departure (Secondary) Procedure (the “Procedure”) supports the implementation of the Student Attendance, Safe Arrival and Safe Departure Policy (P085).

2. OBJECTIVE

- To outline expectations for student attendance, arrival and departure.
- To establish intervention and supportive strategies and best practices to address patterns of absence impacting learning, unexplained absences, prolonged absenteeism, and lateness.
- To implement a system-wide standard for safe arrival and departure at TDSB schools and programs.

3. DEFINITIONS

Board refers to the Toronto District School Board, which is also referred to as the “TDSB”.

Compulsory School Age, for the purpose of this Procedure, refers to any student who turns six (6) on or before the first day of school in any year. These students are legally required to attend school. Students are legally required to attend school until they reach the age of eighteen (18) unless they have already earned their Ontario Secondary School Diploma.

Homeschool, for the purpose of this Procedure, refers to the school of record, where a student is registered and their Ontario Student Record (OSR) resides.

Parent/Guardian - may include parent(s), guardian(s) or any other caregiver legally recognized as acting in place of the parent.

Patterns of Absence Impacting Learning refers to patterns and/or frequencies of absences that can impede student learning, achievement, and well-being. It may also include absences that occur on certain days or occasions (e.g., tests or exams), or that may be the result of factors such as bullying, racism or hate, emerging mental health issues, or other socio-emotional or physical factors that may arise.

Period refers to the time in which one instructional class is taught. Most secondary schools run four 75-minute classes per day (i.e., four periods per school day).

Prolonged Absence refers to an absence of at least fifteen (15) consecutive school days.

Safe Arrival refers to a system of protocols which are performed together with daily school attendance taking and which are designed to account for any student's unexplained failure to arrive at school or their course-related off-site learning location (e.g., Cooperative education, excursion).

Safe Departure refers to a system of protocols which are performed and designed to account for students' safe dismissal from school or school-related off-site location (e.g., Cooperative education, excursion, inter-school athletics).

TDSB is the Toronto District School Board, which is also referred to as the "Board".

Unexplained Absence refers to situations when a student is absent and no reason has been provided to the school (e.g., parent/guardian has not phoned or provided documentation explaining the reason for the student's absence).

4. RESPONSIBILITY

Associate Director, Student Well-Being and Innovation

5. APPLICATION AND SCOPE

This Procedure applies to all TDSB students, parents/guardians, teaching and support staff, administrators and/or designate(s), who support secondary student attendance procedures.

The intervention and supportive strategies and best practices outlined in this Procedure apply to all registered students enrolled in TDSB secondary schools. The obligation of a registered student to attend school applies even if the student is not of compulsory school age (e.g., students over the age of 18).

6. PROCEDURE

6.1. Local Oversight/Principal Responsibilities

- 6.1.1. The Principal is responsible for coordinating internal office processes regarding students' attendance, safe arrival and safe departure.
- 6.1.2. The Principal is expected to communicate with parents/guardians about attendance practices and expectations outlined in this Procedure at the start of each school year, and as needed throughout the year.
- 6.1.3. The Principal is responsible for how communications with parents/guardians are managed by office and teaching staff.
- 6.1.4. The Principal is responsible for establishing processes through which Occasional Teachers have access to materials required for recording and reporting attendance.

6.2. Safe Arrival Program and Reporting

- 6.2.1. *Collection of Information*
 - (a) At the start of each school year or upon new registration, the Principal will communicate the need for parents/guardians to provide accurate, complete, and current contact information.
 - (b) The Principal will request contact information including telephone numbers (i.e., home, cellular, and/or work), email addresses, and home address for the parents/guardians of the student and an emergency contact such as a relative or neighbour.
 - (c) The parents/guardians must inform the school if their contact information changes during the school year, to update their contact information in the School Information System (SIS).
- 6.2.2. *Parent/Guardian Responsibilities*
 - (a) Parents/Guardians are expected to notify the school when a student is going to be absent or late for school. If a student is absent or late for any reason, the parent/guardian must contact the school immediately and report the reason for the absence, or use the School Messenger App.
 - (b) If the school is not informed about the absence, TDSB's automated system attempts to contact the parent/guardian. The school Principal or designate will make attempts to contact the parent/guardian to determine the reason for the absence.
- 6.2.3. *School Information Systems (SIS) - Tracking Absences and Lateness*

- (a) In order to contribute to students' overall academic and personal profiles as well as address any issues with prolonged absences and/or patterns of absence impacting learning, all absences and late arrivals will be tracked electronically through the SIS.
- (b) The Principal (or designate) is responsible for establishing processes so that the following information is entered into the SIS before the end of each school day:
 - (i) Student attendance;
 - (ii) The names of students who are absent including those reported to the school by parents/guardians;
 - (iii) The reasons for all student absences;
 - (iv) The names of students who arrived late (these names may appear on the Absentee Report); and
 - (v) Any other pertinent information (e.g., messages left for parents/guardians who could not be reached).
- (c) It is important that the information entered into the SIS is accurate and complete. Daily recording is required to identify potential errors or patterns of absence.
- (d) Additional reference materials to support staff are available through Service IT under "PowerSchool SIS - Admin Attendance Resources" and in Appendix A - TDSB Recommended Attendance Reports.

6.2.4. *Reporting of Attendance*

- (a) For each instructional class, the classroom teacher will promptly report all attendance (presence, absence, and lateness). First phone calls to parents/guardians regarding attendance in the first class begin no later than 75 minutes after the start of the school day. Parents/Guardians may enter a reason for absence through the School Messenger call out, which will be automatically recorded in the SIS.
- (b) The Office Administrator (or designate) will enter in the reasons for absence based on information provided by parents/guardians who have contacted the school, or for students who have arrived late, into the SIS. School Messenger App submissions will be automatically added into the SIS.
- (c) A record of all attendance from all classes during the day will be communicated to parents/guardians in the evening through the automated system.
- (d) If there is a concern about a student's whereabouts or if harm is suspected, attempts should be made to reach all listed contacts and emergency contacts. If unsuccessful, the case is escalated

to the Principal (or designate). If a student's whereabouts are unknown:

- (i) Principal will begin an internal investigation;
- (ii) Principal may consult with Board Attendance Counsellor and/or Social Worker to make contact or a home visit;
- (iii) The Principal may take further action, including calling the police;
- (iv) If the police become involved, the Principal will advise the appropriate Superintendent of Education and the Communications department accordingly.

6.3. Unique Attendance Taking Scenarios

6.3.1. *Synchronous Virtual Classes*

- (a) Teachers will take attendance at the start of each class. Students logged into the virtual environment will be asked to respond when prompted. Students arriving late will be "signed in" by the classroom teacher through Power Teacher Pro.
- (b) Students will be instructed to notify the teacher (private message in the chat or as otherwise directed by the teacher) if they need to step away from the computer for a few minutes and they will be expected to let the teacher know when they have returned. Teachers will connect with students that leave the class too frequently or for longer-than-reasonable periods of time to provide support and guidance.
- (c) Teachers are encouraged to use regular participation/engagement strategies to keep students involved. If a student stops responding to prompts and is not participating in the class, the teacher will connect with the student to check that everything is alright and to reinforce the expectation that students need to stay active and engaged in the class.
- (d) Should a student be unresponsive/inactive for a significant portion of the class and have missed the essence of the class/lesson, the attendance record will be amended to show that the student was "absent" for the class. The teacher will let the student know that if the unresponsive behaviour continues, that there will be follow up with the parent/guardian and the administration.
- (e) Absences from virtual classes will be addressed in the same way as absences from in-person classes.

6.3.2. *Cooperative Education (Co-op) and Ontario Youth Apprenticeship Program (OYAP)*

- (a) For in-class components, where a homeschool teacher is supervising students directly, attendance procedures will be completed in the same manner as all other classes.
- (b) While students are attending placements or program requirements outside of the homeschool;
 - (i) For students under the age of 18, a parent/guardian is responsible for alerting the homeschool by reporting the absence. The absence must be recorded in SIS by the receiving staff member upon notification.
 - (ii) In addition to (6.3.2.b.i) parent/guardian notification of absence, all students are responsible for alerting the homeschool teacher and placement supervisor if they are going to be late or absent.
 - (iii) The homeschool teacher is responsible for establishing a communication plan between them and the placement supervisor(s) to support timely notification of students' absence from placement. The absence should be recorded in SIS upon notification. If recording of the absence falls after safe arrivals deadlines, the teacher should make a direct call home.
 - (iv) Students that begin their placements before the standard start of the school day (e.g., OYAP Baker students who begin their placement at 6:00am), will alert their homeschool teacher and placement Supervisor if they are going to be late or absent. Students under the age of 18 must have a parent/guardian report their absence to the homeschool.

6.3.3. *Continuous Intake Co-op (CIC)*

- (a) Students registering in CIC register in a host school for the CIC program.
- (b) Attendance taking procedures mirror those for Co-operative Education in section 6.3.2.
- (c) If the Co-op placement starts after the safe arrival call has been made and a student does not arrive at the co-op placement, the CIC teacher will be notified by the placement supervisor. The CIC teacher will contact the parent/guardian directly.

6.3.4. *Caring and Safe Schools Programs and Alternative Attendance Programs*

- (a) Students attending Caring and Safe Schools Programs and Alternative Attendance programs remain registered at their

homeschool. The recording of attendance and safe arrival calls are done by staff at the program site.

- (b) Attendance is taken at the start of the day. If the program staff have not been notified by a parent/guardian that a student is going to be absent, a staff member will notify the parent/guardian within 75 minutes of the start of the school day.
- (c) Site staff maintain attendance records outside of the SIS. Late arrivals and absences are included in final reporting alongside with achievement.

6.3.5. *School Within a College (SWAC)*

- (a) SWAC students have daily attendance recorded immediately upon arrival at their learning location (e.g., college campus) by the SWAC teacher. A student's expected arrival time varies based on the individual timetable created to reflect the learning needs of the student. Timetables will be shared with students, homeschools and parent/guardian(s) at the start of the program to outline expectations for attendance.
 - (i) For students under the age of 18, a parent/guardian is responsible for directly contacting the SWAC Teacher to report a student absence prior to the expected arrival time.
 - (ii) For students 18 or over, the student is responsible for alerting the SWAC Teacher directly if they are going to be late or absent.
 - (iii) The SWAC Teacher is responsible for making a call to the parent/guardian (or student, if 18 or over) if they have not been notified of the absence. The notification to parent/guardian should be done as soon as possible in the morning.
 - (iv) SWAC Teachers will record daily attendance and share attendance information with the homeschool for entry into SIS.
 - (v) Homeschools are responsible for monitoring the shared attendance files and recording information in SIS. Homeschools are responsible for shared attendance support, including formal attendance referrals, if required.

6.3.6. *Dual Credit and Accelerated OYAP*

- (a) For students enrolled in a dual credit course, students will be excused from homeschool classes as required to attend their scheduled Dual Credit course.

- (b) For students enrolled in Accelerated OYAP, students are a part of a four-credit co-op program. See section 6.3.2 for attendance taking procedures while in class components and at placement.
- (c) Attendance is taken and recorded in the Dual Credit or Accelerated OYAP course by the Course Instructor, but no safe arrival calls are made. Attendance information is shared with the homeschool for recording in SIS.
- (d) Dual Credit Contact/OYAP teachers will provide support when students have missed one or more classes without reason, and will be in communication with a parent/guardian if a student is under the age of 18.

6.3.7. *Excursions*

- (a) Teachers are required to take attendance before departing school at the start of excursions, in the same manner as all other classes.
- (b) For excursions starting off site, teachers are required to notify the school of any students not present. School staff will contact home as per section 6.2.4. See the Excursions Policy (P033) and Excursions Procedure (PR511) for additional safety protocols.

6.4. **Safe Departure Program**

6.4.1. *During School Day*

- (a) In order to depart the school premises during the school day, students should proceed to the main office to sign out. A teacher may notify the main office that a student is on their way to sign out.
- (b) The Office Staff (or designate), will either call a parent/guardian for permission to excuse the student (based on the contact information in the SIS) or enter the note into the SIS to record the departure.
 - (i) Students 18 years of age and older do not need parent/guardian permission.
- (c) Absences with permission/reason will not yield a call home from the automated system. Classes missed without reason will lead to an automated call at or after 6 pm.
- (d) Students in Grades 9 -12 may leave the school premise during non-instructional time (i.e., lunchtime and spare).

6.4.2. *End of School Day*

- (a) Students in Grades 9-12 are permitted to leave school property upon the final bell of the day.

- (b) Alternative departure practices may be required for some students in Grades 9-12 with Special Education Needs.
- (c) See the Transportation of Students Policy (P020) for additional information regarding the safe and equitable transportation of TDSB students.

6.5. Monitoring Absences and Lateness

6.5.1. *Strategies for Addressing Patterns of Absence Impacting Learning, Prolonged Absences and Lateness*

- (a) The following process will outline the responsibilities of school staff across three levels of interventions:
 - (i) immediate supportive and culturally responsive strategies for when a student is discovered as late or absent without explanation;
 - (ii) longer-term immediate supportive and culturally responsive strategies for when a student demonstrates patterns of absence impacting learning or prolonged **unexplained** absences; and
 - (iii) longer-term on-going supportive and culturally responsive strategies for when a student demonstrates patterns of absence impacting learning and prolonged **explained** absences.
- (b) To enable more timely interventions, the SIS will flag all absences and late arrivals at the following intervals:
 - (i) 5, 10, and 15 day absences/late arrivals (consecutive and cumulative)
 - (ii) Every 5 out of 10 and 10 out of 30 days absences/late arrivals (cumulative)
 - (iii) Each course set for 5, 10, and 15 missed/late classes in one course (cumulative)
 - (iv) 15 day-intervals up to 60 days (consecutive)
- (c) Schools are encouraged to regularly run the Daily Attendance - Consecutive Days Absent report.
- (d) Additional reference materials to support staff are available through Service IT under "PowerSchool SIS - Admin Attendance Resources" and in Appendix A - TDSB Recommended Attendance Reports.

6.5.2. *Guidelines and Best Practices for Identifying Patterns of Absence Impacting Learning, Including the Implementation of Interventions and Strategies*

(a) Daily Unexplained Absence

- (i) First phone calls to parents/guardians regarding first period attendance begin no later than 75 minutes after the start of the school day. All attendance notifications for subsequent periods will be communicated to parents/guardians in the evening.
- (ii) The Principal (and designates) will receive a report outlining if parents/guardians have been reached for follow up.

(b) 2 – 4 Classes Missed - Unexplained

- (i) The Principal should establish processes through which classroom teachers reach out to students and their parent/guardian when there is an unexplained absence. Teachers should reinforce the importance of regular attendance, and the expectation that students should attend class every day when possible. When not possible, the parent/guardian should notify the school, ideally prior to the absence. Teachers should document this communication.
- (ii) The Principal should establish processes through which classroom teachers share concerns regarding students missing class without reason with the administration. Clear expectations around the steps that classroom teachers should first take should be outlined.

(c) 5 Days/Classes in 1 Course Missed (cumulative)

- (i) The Principal (or designate) may request an external confirmation for absences (e.g., medical note, travel verification, etc.). If absences are explained, the Principal will review the reasons provided and determine whether further information is required.
- (ii) When first connecting with a student's parents/guardians, the Principal will attempt to determine why regular school attendance is an issue and what can be done to improve the situation.
- (iii) The Principal can refer the student to the In-School Support Team (IST) if absences continue to be unexplained and if the Principal suspects a student's learning, achievement, and well-being is being negatively impacted.
- (iv) Should any information come to the attention of the school staff or be revealed through the IST process that a student may be at risk of or has suffered physical abuse, sexual abuse, emotional abuse, exposure to family violence or neglect by their caregivers, the employee will report to a Children's Aid Society (CAS) in accordance with Section 72

of the Child, Youth and Family Services Act (2017) and the Abuse and Neglect of Students Procedure (PR560).

(d) 6 – 9 Days/Classes Missed in 1 Course

- (i) The Principal should establish processes to identify students who are missing classes without reason. Schools are encouraged to regularly run the Daily Attendance - Consecutive Days Absent Report and SIS reports that identify students missing consecutive and cumulative classes. Follow up with teachers should take place if they have not been notifying the administration of a student missing classes.
- (ii) The Principal should support Vice Principals with tracking student attendance, working with parents/guardians as partners in supporting the development of good attendance habits, and the sending of attendance letters when students continue to miss classes/school. Early steps, supports and intervention can assist students with shifting attendance patterns and can help families address concerns that may be preventing a student from regularly attending class before the attendance negatively impacts the student's achievement and success in the class/school.
- (iii) If unsuccessful in establishing contact through other methods, the Principal will send a TDSB letter home requesting an explanation for absences and requests a meeting with the parents/guardians.

(e) 10 Days Missed/10 Classes Missed in 1 Course

- (i) The Principal may request an external validation for absences (e.g., medical note, travel verification, etc.). If absences are explained, the Principal will review the reasons provided and determine whether further information is required.
- (ii) The Principal should request a meeting with parents/guardians, where appropriate.
- (iii) The Principal will consider the available interventions to encourage attendance such as:
 - (A) Involvement of in-school staff;
 - (B) Daily attendance monitoring sheet to support positive re-engagement;
 - (C) Timetable or program change;
 - (D) Referral to the TDSB's Professional Support Services or external community counseling agency;

- (E) Credit Rescue and Credit Recovery Programs;
 - (F) Dual Credit Programs with colleges;
 - (G) New programming that better meets student interest;
 - (H) e-Learning;
 - (I) Co-operative education and Continuous Intake Co-op;
 - (J) School Within A College (SWAC) Programs;
 - (K) Continuing education (Summer & Night School); or
 - (L) Ontario Youth Apprenticeship Program (OYAP).
- (iv) The Principal can also refer the student to the School Support Team (SST) particularly if absences continue to be unexplained or if the student's achievement or well-being is being negatively impacted.
 - (v) Should any information come to the attention of the school staff or be revealed through the SST process that a student may be at risk of or has suffered physical abuse, sexual abuse, emotional abuse, exposure to family violence or neglect by their caregivers, the employee will report to a CAS in accordance with Section 72 of the Child, Youth and Family Services Act (2017) and the Abuse and Neglect of Students Procedure (PR560).
 - (vi) Where appropriate, implementation of interventions will be pursued in consultation with the Superintendent of Education.
- (f) **11 Consecutive Absences Without Appropriate Supporting Documentation**
- (i) Discussion/Referral to an Attendance Counsellor can begin for students absent 11-15 days. **Day 15 triggers a mandatory referral to Attendance Services.** The Principal will initiate a Professional Support Services Referral Form in SAP CRM (System Analysis Program Customer Relationship Management) on the 16th day of consecutive absence without appropriate supporting documentation and complete the Attendance Checklist and Attendance Profile for the student.
- 6.5.3. *Implications of a Referral to the School Support Team and/or Professional Support Services for Problematic Attendance*
- (a) When a recommendation for Attendance Support emerges from the School Support Team (SST) in response to patterns of absence impacting learning, the Principal will refer the student

to Professional Support Services for an attendance counselor with an Attendance Referral.

- (b) Once accepted, the attendance counsellor will conduct inquiries, identify the cause of the student's absenteeism, and explore options such as mobilizing the resources of the family, school, and community in collaboration with the school staff.
- (c) The attendance counselor will further investigate the reason(s) for the absences and report back to the school to maintain coordinated engagement between student, parents/guardians and school. Should any information come to the attention of the attendance counselor that a student may be at risk of or has suffered physical abuse, sexual abuse, emotional abuse, exposure to family violence or neglect by their caregivers, the employee will report to a CAS in accordance with Section 72 of the Child, Youth and Family Services Act (2017) and the Abuse and Neglect of Students Procedure (PR560).
- (d) The school staff and the attendance counsellor will collaborate and discuss possible culturally responsive interventions and supports that center student identities and voice, and who will assume responsibility for implementing the plan.

6.6. Guideline for Addressing Prolonged Absences

6.6.1. Prolonged Absences

- (a) If a student is absent for more than 15 consecutive days without appropriate supporting documentation, the absence is considered and addressed as a prolonged absence.

6.6.2. After an Additional Unexplained 15 Days (consecutive only)

- (a) If the student misses an additional 15 consecutive days after a referral has been made to the attendance counselor, the attendance counsellor must immediately provide the school with a completed Prolonged Absence Form. An additional completed Prolonged Absence Form must be sent to the school after each additional 15-day period of consecutive absence.

6.6.3. Attendance Services Support to Address Prolonged Absences

- (a) If the full spectrum of learning options, resources, and school and emotional supports is unable to result in an improvement in the student's attendance, the attendance counselor may arrange for the student, parent(s)/guardian(s), and a school administrator to attend an Attendance Review Committee (ARC) meeting. The attendance counselor will attend all Attendance Review Committee meetings. The Committee may discuss a possible recommendation for the student's return to school or enrolment in an approved alternative program. At the meeting,

staff may inform the parent(s) guardians(s) and student that possible measures could include an application to the Provincial Offences Court and a charge laid under the Education Act against students under 16 years of age.

- (b) For students 14 to 17 years of age, a referral to Supervised Alternative Learning (SAL), Regulation 374/10 may be considered. The Principal will forward a SAL Application Form, signed by the parent(s)/guardian(s) and the student along with a credit summary, to the attendance counselor-SAL (refer to the [SAL process document](#)). The SAL process legally excuses the student from regular full-time attendance and gives the student options to attend school or an alternative program on a part-time basis, work, volunteer, and receive counseling or a mix of these components depending on the academic, social, behavioural, and mental health needs and requests.

6.6.4. *Implications of Prolonged Absences*

- (a) Student attendance is recorded on school registers and sent to the Ministry of Education (Ministry) for funding purposes.
- (b) The TDSB is required to record enrolment and maintain enrolment records according to the format prescribed by the Ministry and according to the enrolment register instructions provided annually by the Ministry (i.e., Enrolment Verification Application (EVA) and Ontario School Information System (OnSIS) procedures).
- (c) There are specific instructions in the Enrolment Register Guidelines related to Prolonged Absences. Schools must follow these guidelines to ensure full compliance as registers are subject to audit from the Ministry at any time. Failure to follow these guidelines can result in significant impact to the TDSB.
- (d) The maximum number of days a secondary school student may remain on the attendance register while being absent is 60 days, as long as the file is active. The Prolonged Absence Form must include the dates the attendance counselor had contact with the student and/or family and a “C” code is entered in the SIS by the OA (or designate).

7. EVALUATION

This Procedure will be reviewed as required, but at a minimum every four (4) years after the effective date.

8. APPENDICES

Appendix A – TDSB Recommended Attendance Reports

9. REFERENCE DOCUMENTS

Legislation

- *Child, Youth and Family Services Act*
- *Education Act*, sections 21-31
- *Ontario Regulation 374/10*

Policies

- Excursions (P033)
- Student Attendance, Safe Arrival and Safe Departure (P085)
- Transportation of Students (P020)

Procedures

- Abuse and Neglect of Students (PR560)
- Excursions (PR511)
- Student Attendance, Safe Arrival and Safe Departure (Elementary) (PR707A)

Other Documents:

- Policy/Program Memorandum No. 123 Safe Arrivals
- Ministry Enrolment Register Instructions for Elementary and Secondary Schools

TDSB RECOMMENDED ATTENDANCE REPORTS

PowerSchool Report	Breadcrumbs	Trillium Report
Absentee Report	Start Page > Attendance>Reports>Absentee Report	Administration List
N/A	N/A	Daily Absence List
Student Attendance - Daily Historical Summary	Start Page > PSCB Custom Reports > Attendance > Student Attendance - Daily Historical Summary	Attendance Profile
Attendance Profile (PDF)	Start Page > Reports > Reports (System) > Attendance Profile	Attendance Profile
Class Roster (PDF)	Start Page > Reports > Run Reports > Class Rosters (PDF)	Class List
Students - Class Roster	Start Page > PSCB Custom Reports > Scheduling (Current Year) > Students - Class Roster	Class List
Meeting Attendance - Consecutive Days Absent	Start Page > PSCB Custom Reports > Attendance > Daily Attendance - Consecutive Days Absent	Consecutive Days Absent/Late
Meeting Attendance - Selected Date / Date Range	Start Page > PSCB Custom Reports > Attendance > School Attendance Meeting Attendance - Selected Date / Date Range	Administration List
School Attendance - Daily Attendance Summary	Start Page > PSCB Custom Reports > Attendance > School Attendance - Daily Attendance Summary	Office List
Student Attendance - Daily Dates and Count Summary	Start Page > PSCB Custom Reports > Attendance > Student Attendance - Daily Count/Dates Summary	Attendance Tally

Acknowledgement of Traditional Lands

We acknowledge we are hosted on the lands of the Mississaugas of the Anishinaabe (A NISH NA BEE), the Haudenosaunee (HOE DENA SHOW NEE) Confederacy and the Wendat. We also recognize the enduring presence of all First Nations, Métis and Inuit peoples.

Reconnaissance des terres traditionnelles

Nous reconnaissons que nous sommes accueillis sur les terres des Mississaugas des Anichinabés (A NISH NA BAY), de la Confédération Haudenosaunee (HOE DENA SHOW NEE) et du Wendat. Nous voulons également reconnaître la pérennité de la présence des Premières Nations, des Métis et des Inuit."

Funding Information Requirement

At the special meeting held on March 7, 2007, the Board decided that to be in order any trustee motion or staff recommendation that would require the Board to expend funds for a new initiative include the following information: the projected cost of implementing the proposal; the recommended source of the required funds, including any required amendments to the Board's approved budget; an analysis of the financial implications prepared by staff; and a framework to explain the expected benefit and outcome as a result of the expenditure.

[1]Closing of certain committee meetings

(2) A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration 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. R.S.O. 1990, c. E.2, s. 207 (2).

(2.1) Closing of meetings re certain investigations – A meeting of a board or a committee of a board, including a committee of the whole board shall be closed to the public when the subject-matter under considerations involves an ongoing investigation under the Ombudsman Act respecting the board

Acknowledgement of Traditional Lands

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Committee Mandate

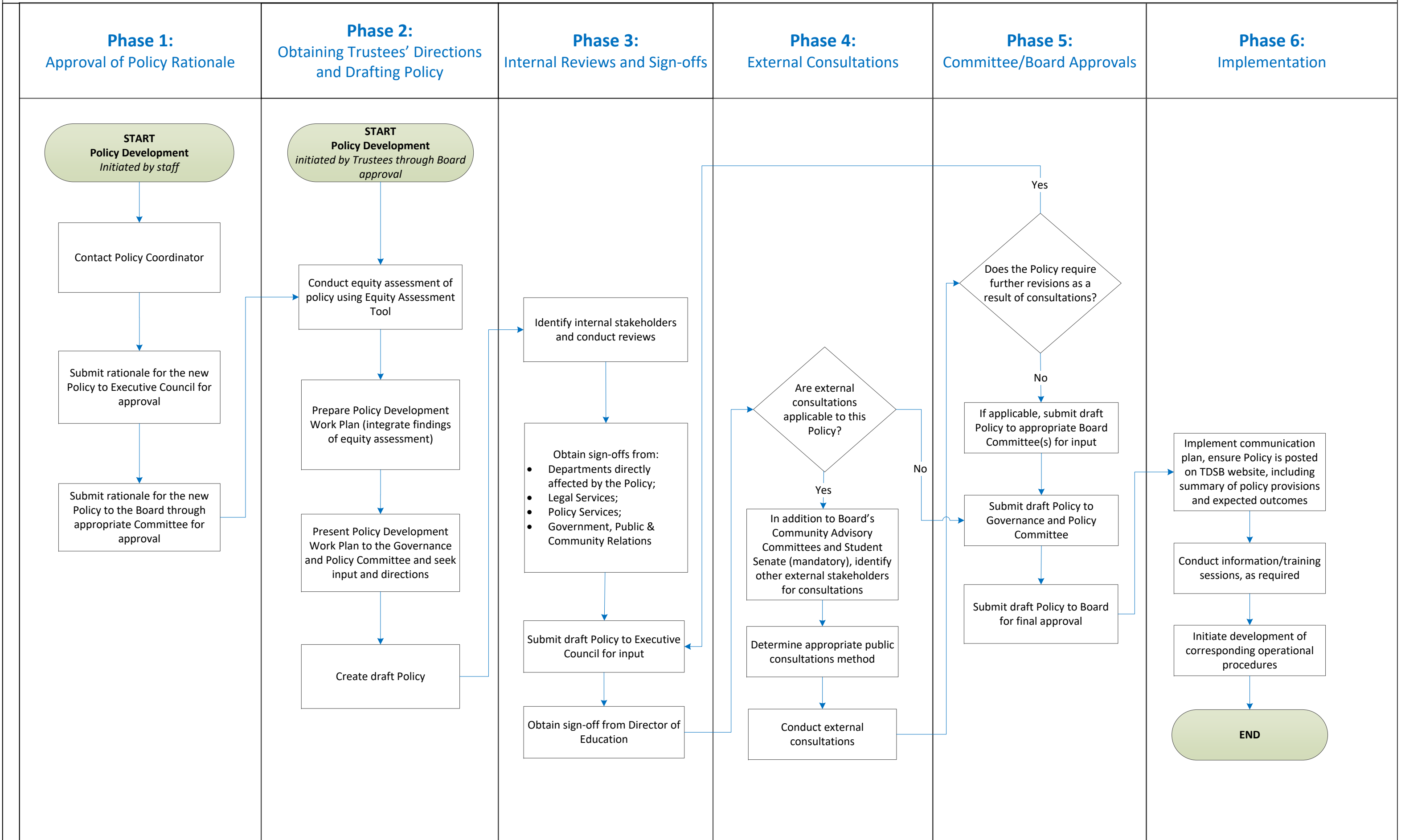
The Governance and Policy Committee's mandate will be to consider and make recommendations to the Board on governance and policy matters referred to it for consideration, including review of Board governance practices and the ongoing development and review of the Board's policies.

For Information Only Items

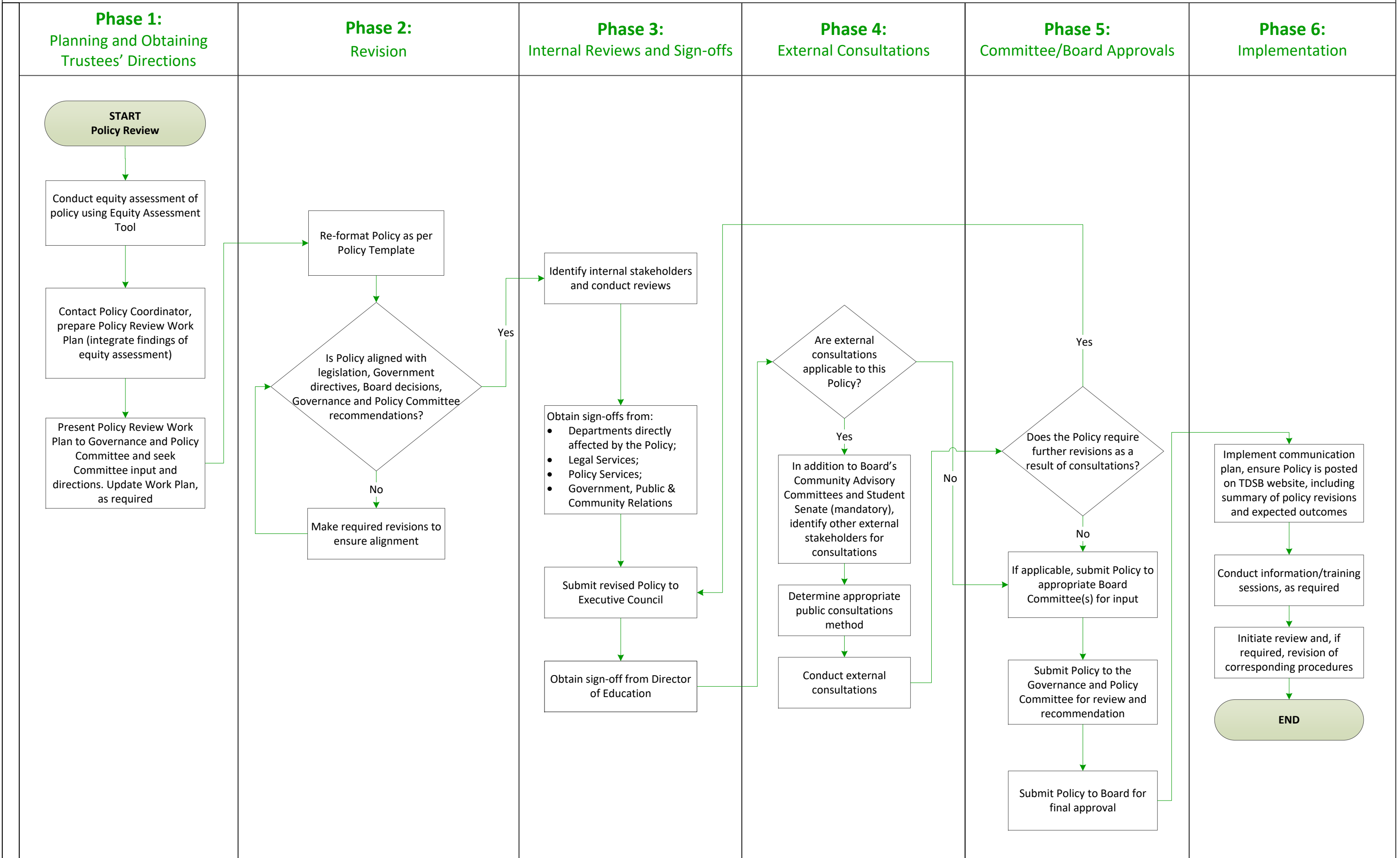
On November 10, 2021, the Board decided:

- (a) That operational procedures be included in the committee agenda package for information only and would not be presented by staff during the meeting, with questions and discussion held until the end of the meeting, as required;
- (b) That procedures for information be included in Trustees' Weekly as a reminder only.

POLICY DEVELOPMENT PROCESS



POLICY REVIEW PROCESS





Our Mission

To enable all students to reach high levels of achievement and well-being and to acquire the knowledge, skills and values they need to become responsible, contributing members of a democratic and sustainable society.

We Value

- Each and every student's interests, strengths, passions, identities and needs
- A strong public education system
- A partnership of students, staff, family and community
- Shared leadership that builds trust, supports effective practices and enhances high expectations
- The diversity of our students, staff and our community
- The commitment and skills of our staff
- Equity, innovation, accountability and accessibility
- Learning and working spaces that are inclusive, caring, safe, respectful and environmentally sustainable

Our Goals

Transform Student Learning

We will have high expectations for all students and provide positive, supportive learning environments. On a foundation of literacy and math, students will deal with issues such as environmental sustainability, poverty and social justice to develop compassion, empathy and problem solving skills. Students will develop an understanding of technology and the ability to build healthy relationships.

Create a Culture for Student and Staff Well-Being

We will build positive school cultures and workplaces where mental health and well-being is a priority for all staff and students. Teachers will be provided with professional learning opportunities and the tools necessary to effectively support students, schools and communities.

Provide Equity of Access to Learning Opportunities for All Students

We will ensure that all schools offer a wide range of programming that reflects the voices, choices, abilities, identities and experiences of students. We will continually review policies, procedures and practices to ensure that they promote equity, inclusion and human rights practices and enhance learning opportunities for all students.

Allocate Human and Financial Resources Strategically to Support Student Needs

We will allocate resources, renew schools, improve services and remove barriers and biases to support student achievement and accommodate the different needs of students, staff and the community.

Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

We will strengthen relationships and continue to build partnerships among students, staff, families and communities that support student needs and improve learning and well-being. We will continue to create an environment where every voice is welcomed and has influence.