



## Governance and Policy Committee Revised Agenda

GPC:028A

Wednesday, September 30, 2020

4:30 p.m.

Electronic Meeting

### Trustee Members:

Christopher Mammoliti (Chair), Stephanie Donaldson, Harpreet Gill, James Li,  
Patrick Nunziata, Robin Pilkey (Chair), Manna Wong

	Pages
1. Call to Order and Acknowledgement of Traditional Lands	
2. Approval of the Agenda	
3. Declarations of Possible Conflict of Interest	
*4. Delegations	
To be presented	
5. Information Flow Protocol: New Governance Procedure [3937]	1
6. P047, Naming of Schools and Special Purpose Areas Review, Phase 2: Status Update [3938]	25
7. PR697, Promoting a Positive School Climate: Revised [3946]	39
8. Policy Review Schedule	
Oral Update	
9. Notices of Motion for Consideration	
9.1 Membership on the Director's Performance Appraisal Committee (Trustees Pilkey and Doyle)	79
9.2 Board Bylaws Amendments (Trustee Li, on behalf of Trustee Story and Trustee Doyle)	81
10. Adjournment	

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## **Information Flow Protocol – New Governance Procedure**

**To:** Governance and Policy Committee

**Date:** 30 September, 2020

**Report No.:** 09-20-3937

### **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 Information Flow Protocol, as presented in this report, be received for information.

### **Context**

On June 2, 2020, the Governance and Policy Committee considered draft provisions for the new governance procedure - Information Flow Protocol. The Committee provided comments on the draft provisions and directed staff to work with the Integrity Commissioner and include her recommendations, prior to returning to the Committee for further consideration. Staff undertook to prepare a scan of comparable policies and procedures of school boards and public organizations and to provide it at the subsequent Committee meeting.

The Committee's recommendations were approved by the Board of Trustees on June 17, 2020.

Based on feedback received at the Governance and Policy Committee on June 2, 2020 and in consultation with the Integrity Commissioner, staff prepared the draft Information Flow Protocol (Appendix A) and the scan of selected school boards and organizations (Appendix B). The key revisions to the draft provisions of the Information Flow Protocol made since June 2, 2020 are highlighted in the Appendix C.

The draft Information Flow Protocol is provided for Committee's information.

### **Action Plan and Associated Timeline**

Subject to the Governance and Policy Committee's directions, the draft Information Flow Protocol will be prepared by staff and provided to the Committee for consideration.

### **Resource Implications**

No additional resources will be required for implementation of the Protocol.

### **Communications Considerations**

The Protocol will be communicated to the system through the System Leaders' Bulletin, shared with Trustees through Director's Weekly Update, and posted on the TDSB's public website. In addition, the Trustee orientation package will be updated to incorporate the Protocol.

### **Board Policy and Procedure Reference(s)**

- Board Member Code of Conduct (P075)
- Governance Policy (P086)
- Open Data Policy (P091)
- Parent Concern Protocol (PR505)

### **Appendices**

- Appendix A: Information Flow Protocol
- Appendix B: Scan of Selected School Boards and Organizations
- Appendix C: Comparison of June 2 and September 30, 2020 versions

### **From**

Manon Gardner, Associate Director, School Operations and Service Excellence at 416-394-2041 or [manon.gardner@tdsb.on.ca](mailto:manon.gardner@tdsb.on.ca)

# Toronto District School Board

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Governance Procedure [number]

Title: **INFORMATION FLOW PROTOCOL**

Adopted: [insert date]

Effectuated: [insert date]

Revised: N/A

Reviewed: N/A

Authorization: Board of Trustees

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## 1. RATIONALE

The Information Flow Protocol (the “Protocol”) is a governance procedure developed in accordance with the resolution of the Board of Trustees on June 17, 2020 and pursuant to the TDSB Integrity Commissioner’s recommendations with regard to Trustee access to information under the custody or control of the TDSB.

The Protocol is aligned with and supports implementation of the TDSB’s Governance Policy (P086) and the Board Member Code of Conduct (P075).

## 2. OBJECTIVE

To ensure that the Board of Trustees has access to information and support that allows the Board to fulfil their role to:

- Govern in a manner that is responsive to all school communities;
- Act in the interests of all learners in the district;
- Advocate actively for students, their learning and their well-being in the Board’s work with the community, the municipality and the province;
- Promote confidence in publicly funded education through its communications about the goals and achievements of the Board.

To establish a clear, transparent, fair and efficient process for accessing and requesting information and effective mechanisms for responding to information requests from the Board of Trustees and individual Trustees in accordance with the Municipal Freedom and Information and Protection of Privacy Act and other applicable legislation and policies.

### 3. DEFINITIONS

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

*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 (“MFIPPA”), 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 his or her 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 MFIPPA;
- Information subject to solicitor-client privilege; and/or
- An ongoing investigation under the Ombudsman Act respecting the TDSB.

*Freedom of Information (FOI) Request* is a request under MFIPPA for access to information that is in the custody or control of the Board.

*Personal Information* is recorded information about an identifiable individual. As defined by the MFIPPA 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.

#### **4. RESPONSIBILITY**

The Director of Education holds primary responsibility for the implementation of this Protocol.

Within the Director's Office, the responsibility for the coordination and day-to-day management of the Protocol is assigned to the Associate Director, School Operations and Service Excellence.

#### **5. APPLICATION AND SCOPE**

This Protocol applies to TDSB Trustees and staff, including employees involved in managing and responding to requests for information.

The Protocol does not replace or circumvent the Board's Parent Concern Protocol (PR505) for Trustees' interactions with Superintendents of Education and relevant central staff as part of addressing parents' concerns related to school matters.

#### **6. PROCEDURES**

##### **6.1. General Principles**

- 6.1.1. The flow of information between the Board of Trustees, the Director of Education and TDSB staff will uphold the principles of transparency, accountability, fairness, impartiality and effectiveness and will operate in accordance with the MFIPPA and other applicable legislation and policies.
- 6.1.2. As a collective, the Board of Trustees – the TDSB's governing body – has authority to direct the Director of Education with regard to access to information, including confidential information, under the custody or control of the TDSB.
- 6.1.3. Individually, Trustees have access to information in the custody or control of the TDSB that is relevant to matters before the Board of Trustees or its Committees and which would support Trustees' participation in an informed way in upcoming Committee and Board meetings.
- 6.1.4. Individual Trustees will have access to information that is not restricted under MFIPPA. Individual Trustees should not access or attempt to gain access to confidential information.
- 6.1.5. The Director of Education is responsible for establishing and implementing effective processes for responding to information requests from the Board of Trustees and individual Trustees.

6.1.1. The types of information that is routinely requested, including aggregate numbers, information about processes, key statistical indicators, etc., will be identified and proactively disclosed and posted on the Board's website in accordance with the TDSB Open Data Policy (P091).

## **6.2. Information Requests by Individual Trustees**

- 6.2.1. Individual Trustees need access to appropriate information about their communities. They can have information that is readily available and has already been communicated.
- 6.2.2. Information is considered readily available where information is already in the possession of a TDSB staff member and the retrieval of the information will not require more than two hours for one staff member to complete. Open Data Policy (P091) will be implemented to identify records and information that is frequently requested by Trustees and to ensure proactive and routine disclosure of such information.
- 6.2.3. For information that is readily available and has already been communicated, individual Trustees may request the information directly from the Director of Education or their designate. Requests:
- Should be in writing
  - Will be acknowledged
  - Will be responded to during regular business hours
- 6.2.4. For information that is confidential or not readily available, a Board of Trustees direction is required.
- 6.2.5. Requests for such information may be submitted by a Trustee through a notice of motion to the Board of Trustees or its Committee (see Board Bylaws, section 5.15 – Motions).
- 6.2.6. In addition, Trustees will be provided with a schedule of upcoming reports, including regular annual reports as well as ad hoc reports that will be produced during a school year. The schedule will include targeted Board/Committee meeting dates.
- 6.2.7. If a Trustee requires a significant amount of additional information related to a Board of Trustees or Committee meeting agenda item, before a decision can be made, the Trustee may move that consideration of the matter be postponed and that the Director of Education or designate provide additional information at a subsequent meeting.
- 6.2.8. Trustees are encouraged to contact Board Services staff who will advise on the Board's Bylaws requirements and timelines, and provide support with drafting corresponding notices of motion. Trustees may also engage their respective Superintendents of Education or Executive Superintendents if they require assistance.
- 6.2.9. Once the request is authorized by the Board of Trustees, the information will be prepared by staff in accordance with the Board of



Trustees' resolution and presented as a staff report to the Board of Trustees.

### **6.3. Freedom of Information (FOI) Request**

- 6.3.1. Individual Trustees, like any member of the public, may use the TDSB's FOI Request process to access information in the custody or control of the TDSB.
- 6.3.2. Information requests submitted by FOI Request are processed in accordance with the Freedom of Information and Protection of Privacy Policy (P094) and the MFIPPA.
- 6.3.3. Trustees may contact the Board's FOI and Privacy Office which can advise on the FOI Request process and timelines, which are also available on the TDSB website.

### **6.4. Sharing Information**

- 6.4.1. Information that is readily available and provided to an individual Trustee will be shared with all Trustees if the requested information is systemic in nature. This may include, for example, key messages and questions and answers related to issues that could impact multiple wards, or ward-specific breakdowns of data.
- 6.4.2. Information about school programs, consultations, corporate news, announcements, media releases, newsworthy articles, and statements by the Chair of the Board and Director of Education will be shared with Trustees by the Director of Education and designates electronically through emails, Trustees' Weekly, TDSB Update and TDSB Connects.
- 6.4.3. The Government, Public and Community Relations department, as the Director's designate, will share information with Trustees including school incidents reports, crisis communications information, daily media information and letters for parents and students.
- 6.4.4. Non-confidential information provided to the Board of Trustees will be publicly available and may be posted on the TDSB's website in accordance with the Board's Open Data Policy (P091).

### **6.5. Working With Superintendents of Education**

- 6.5.1. Superintendents of Education will provide timely information and support to their local Trustee about local school-related matters and concerns. Clear expectations will be outlined and regularly discussed and reinforced with the Superintendents of Education on information sharing and support to Trustees.
- 6.5.2. When a local matter has system-wide implications, the respective Superintendents of Education will work with their Executive Superintendent to inform all Trustees as soon as practicable. Protection of privacy, legal obligations as well as the safety and well-

being of students and community will be considered and balanced when sharing information.

## **6.6. Protection of Privacy and Confidentiality**

- 6.6.1. In accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), no personal information can be provided to an individual Trustee, subject to restrictions and exemptions under MFIPPA and other applicable legislation and policies. Such information can be provided to all Trustees as part of the Board/Committee meeting materials only.
- 6.6.2. Under MFIPPA, some of the circumstances in which government institutions are permitted to disclose personal information include:
  - Where the individual has consented to the disclosure;
  - For the purpose for which the personal information was obtained or compiled or for a consistent purpose;
  - Where the disclosure is necessary and proper in the discharge of the institution's functions;
  - For the purpose of complying with another act;
  - For law enforcement purposes;
  - In compelling circumstances affecting the health or safety of an individual;
  - In compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased;
  - To the Information and Privacy Commissioner; and
  - To the Government of Canada in order to facilitate the auditing of shared cost programs.
- 6.6.3. Confidential documents may be provided as library copies on yellow paper to all Trustees physically present at the meeting. For virtual Board/Committee meetings, Trustees will be provided with secure electronic copies of confidential documents.
- 6.6.4. Meeting materials from previous open (public) meetings are available on the TDSB website:  
<https://www.tdsb.on.ca/Leadership/Boardroom/Agenda-Minutes> and can be accessed by Trustees directly or obtained through a request to Board Services staff.  
  
 For Trustees convenience, the following search engine can be used to search for required reports, agendas and minutes of the Board:  
<https://www.tdsb.on.ca/Leadership/Boardroom/Search-Agenda-Minutes>.
- 6.6.5. Closed (private) meeting materials from a previous meeting may be provided to individual Trustees by request to Board Services staff. "Library copies" will be shared for viewing.

- 6.6.6. In accordance with the Board Member Code of Conduct (P075), it is the responsibility of individual Trustees to ensure that confidential materials provided to them for Board of Trustees or Committee meetings are kept secure at all times and disposed of appropriately.
- 6.6.7. Upon becoming aware of a potential breach of confidentiality or unauthorized disclosure of personal information, Trustees should immediately notify the Chair of the Board and the Director of Education or designate

### **6.7. Training**

- 6.7.1. Trustees will be provided with an orientation on the Information Flow Protocol as part of the overall orientation for newly elected or appointed Trustees.

## **7. EVALUATION**

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

## **8. APPENDICES**

N/A

## **9. REFERENCE DOCUMENTS**

Legislation:

- *Education Act*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*

Policies and Procedures:

- Equity Policy (P037)
- Board Member Code of Conduct (P075)
- Freedom of Information and Protection of Privacy Policy (P094)
- Governance Policy (P086)
- Open Data Policy (P091)
- Parent Concern Protocol (PR505)

Other Documents:

- Board Bylaws, December 1, 2018
- Integrity Commissioner Annual Report for 2018, presented to the Board of Trustees on June 19, 2019

**Scan of Selected School Boards and  
Other Public Organizations:  
Information Flow Protocol**

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**Summary:**

The results of the scan indicate that several school boards and the majority of municipalities in Ontario have established rules governing access to information and information flow between elected officials and staff. While the scan focused on Ontario's public organizations, somewhat similar findings were observed in school boards and municipalities in some other Canadian provinces.

In Ontario, access to information and protection of personal information at both school boards and municipalities are governed by the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). The powers and responsibilities of elected official at school boards and legal relationship between their governing bodies (Boards of Trustees) and staff are outlined by the *Education Act*. The *Municipal Act* is the corresponding governing legislation for city councils and staff at municipalities.

The TDSB, as other Ontario school boards, is governed by the *Education Act* and MFIPPA. The Board adopted the Freedom of Information and Protection of Privacy Policy (P094), Board Member Code of Conduct (P075) as well as Governance Policy (P086) which impact the flow of certain information between administration and elected officials. In response to a Board decision, the TDSB is also in the process of developing a Communications Policy.

The scan centred on the rules governing information flow between staff and elected officials in seventeen (17) school boards and municipalities. The majority of the reviewed organizations adopted such rules through applicable provisions in their board/council bylaws or policies. Only a few organizations (e.g., Toronto Catholic DSB, Town of Oakville, City of Guelph) had standalone information flow protocols or procedures.

Common themes were noted in the policies, procedures and bylaws of reviewed organizations, which are summarized below.

**1. Guiding Principles including Board/Council-Staff Relations**

Across all organizational policies/procedures, the flow of information between staff and members of board/council reflected the principles of transparency, accountability and when required, confidentiality. Most organizations (i.e., City of Brampton, Town of Oakville) stressed the importance of a healthy respectful workplace and working partnership between staff and elected officials to produce

the best results and outcomes for the organization and communities served. In other examples (e.g., City of Brampton, City of Burlington, Toronto Catholic DSB, Town of Amherstburg, Town of Oakville), open lines of communication as well as timely and responsive communication were cited as being essential, along with formal communication channels to raise and manage operational issues.

The TDSB in its Board Member Code of Conduct (P075) and Governance Policy (P086) has similar guiding principles based on good governance. In addition, there is emphasis on the importance of Trustees and staff working together in the public interest and in a manner that respects respective roles. The TDSB's forthcoming Communications Policy and Information Flow Protocol will propose provisions on access to timely information, responsiveness and the managing overall expectations.

## **2. Roles and Responsibilities**

All organizations included in this scan recognized the importance of, and difference between, the political/representative role and the administrative/operational management role necessary for the provision of efficient, responsible and accountable governance. Although one organization (i.e., Town of Bancroft) was explicit in mentioning that elected officials do not have an administrative managerial role in the day-to-day business of the organization, the need for mutual trust and respect between both parties was a common theme in order for the effective execution of respective duties and functions (e.g., City of Burlington, City of Brampton, City of Kingston, Council of Directors of Education, OPSBA).

Nearly all organizations included a list of core responsibilities based on key roles including the organizational head (either Director or CAO), board chair or mayor, individual members, and the collective governing body. In one school board (i.e., York Region DSB), this section appears to be based on OPSBA's Guide on Good Governance and provincial legislation. For example, it was noted that only the Board of Trustees as a whole has the authority to make decisions or take action. In order to support the collective governing body's work, Board members rely on the director of education and senior staff for expertise and advice to help them reach informed decisions.

Within the TDSB, the Governance Policy (P086) distinguishes the roles and responsibilities of elected officials and staff based on the *Education Act* as well as OPSBA's Guide on Good Governance. To be sure, the Director of Education and other staff are responsible for the day-to-day management and administration of all schools and departments and the implementation of the policies approved by the Board of Trustees. Meanwhile, the Board of Trustees' role is to govern and provide strategic direction. It should be noted, though, that Trustees carry a dual responsibility as a representative of their ward and as a member of the board. While all staff report to the Board of Trustees through the Director of Education, decision-making rests only with the collective Board of Trustees.

### 3. Information Flow to the Board of Trustees and Various Communication Channels

Within school boards, the Director of Education is responsible for maintaining effective and consistent channels of communication with all stakeholders including the Board and its members (e.g., York Region DSB, Toronto Catholic DSB). As demonstrated in one organization's protocol (i.e., City of Guelph), the most significant flow of information to an elected body from staff/administration is related to the legislative process (e.g., committee/board or council meetings) through active files and reports being presented for consideration.

Though, in principle, members of council/board have the same rights of access to information as members of the community (e.g., City of Brampton, City of Burlington, TCDSB), elected members are often provided with information such as open committee/council meeting agendas and minutes in advance to ensure they can make informed decisions and adequately respond to members of the public and/or media (e.g., City of Guelph, Town of Bancroft). For some organizations (e.g., Town of Amherstburg, Town of Oakville), emphasis is put on keeping the council or board apprised of any known issues that may impact their decision-making process in a timely manner. In recognizing the importance of a two-way communication process, the same applies in the case of individual members where staff is expected to apprise them of known issues in advance regarding events, meetings and actions that may impact constituents in their respective wards.

However, despite an administration's best efforts, the board/council or individual members will often times require additional or new information from staff. Although these requests are handled differently across all organizations included in this scan, there are both formal and informal processes in place and they sometimes depend on the situation at hand. When the board/council or individual member, for example, has questions of clarification regarding existing or upcoming reports, several organizations (e.g., City of Burlington, City of Brampton, Edmonton Public School Board, Town of Bancroft) authorize the respective department head to respond to the report in question. At other organizations, such as the Toronto Catholic DSB, the information is provided through the Director's Office.

A theme consistent across all organizations is that the board/council can direct staff to provide the requested information by way of formal resolution at a meeting.

Members of the board/council may also exercise this right during committee and board/council meetings by way of a member motion.

The TDSB is consistent with the practices outlined above and provides information to Board and its members both informally and through more formal channels such as the committee/board structure, in accordance with the Board Bylaws or the freedom of information process as outlined in the Freedom of Information and Protection of Privacy Policy (P094).

#### 4. Requests from Individual Members

Most policies/protocols (e.g., City of Kingston, Town of Bancroft, Toronto Catholic DSB) also include rules concerning information requests from individual members.

One school board (i.e., Toronto Catholic DSB), for example, indicates that information requests by an individual Trustee should be directed to the Director of Education. Information will be provided to an individual Trustee when it is in accordance with regulations and is (i) reasonably necessary under the exercise of an individual Trustee's duties and responsibilities in order for the Board of Trustees to exercise its powers and duties; (ii) readily available; and (iii) not sensitive. Information will not be released routinely if it is not readily available. Information is "readily available" when it is already in the possession of a person employed by the organization, and the retrieval of the information will not require more than three hours for one staff member to complete.

In another example (i.e., Town of Oakville), information requests are handled based on whether they are classified as routine and non-routine matters. A "routine matter," which is similar to information that is "readily available" as identified above, refers to a communication by an elected member with a member of staff which:

- In the ordinary course of business constitutes a type of communication that would typically occur between a member of the public and staff;
- Constitutes a request for information that is routinely produced by the member of staff in the course of their duties; or
- Constitutes a request for a service that is routinely done by staff in the course of their duties and which requires no expenditure of unbudgeted resources.

By comparison, a "non-routine matter" refers to a communication, request for information or service that is not typically undertaken in the ordinary course of business, and/or for which there is no routine policy, procedure or guideline to guide members and staff. At this organization (i.e., Town of Oakville), members of council may direct these types of questions and concerns which may exceed two hours of staff time to process, to management staff (the respective department's director).

In recognizing that an individual member may not be granted the information they request, most organizations (e.g., TCDSB, Town of Amherstburg, Town of Oakville) include an appeal/resolution process to review the request. While in these cases either the Director of Education or CAO handles the concerns/complaints related to the flow of information given that they maintain responsibility for initiating appropriate processes and remedies to address such issues, one organization (i.e., Town of Bancroft) takes a similar approach but requires that the Mayor be contacted. The Mayor will then bring the matter to the attention of the staff member's manager or the CAO.

Ultimately, when information is released to an individual member, nearly all organizations included in the scan (e.g., City of Brampton, City of Burlington, Edmonton Public School Board, Toronto Catholic DSB, Town of Bancroft) require

that the information be shared with all members of the governing body, unless it relates to a local matter and has no organizational-wide impact.

In addition, any member of the public, including council/board and staff members are able to make freedom of information requests under MFIPPA for requested information.

Trustee access to information under the custody and control of the TDSB has been discussed in the Integrity Commissioner's 2018 annual report. In response to the recommendations of the report, this process will be documented in the TDSB's Information Flow Protocol and considered by the Board of Trustees for approval.

## **5. Information that is Restricted, Confidential or Sensitive**

The rights of access to information and obligations to protect the confidentiality of information including personal information are set out in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*. While it is recognized that under MFIPPA, city councils/boards of trustees are referred to as the "heads" of the organization for the purpose of the Act, city councils/boards of trustees as a collective body under internal administrative processes usually do not get full access to information that is protected under MFIPPA (e.g., City of Hamilton, City of Toronto, Town of Bancroft, Town of Oakville, Toronto Catholic DSB, York Region DSB). As an example, several municipalities (e.g., City of Burlington, City of Hamilton, Town of Oakville) when discussing personal or confidential information (even if requested by resolution) will typically provide their council with an oral update in closed/private session or will distribute "library copies", with certain information redacted if necessary. Most organizations stipulate in their codes of conduct that elected officials who have access to records containing personal or other confidential information have a responsibility to protect this information while it is in their possession.

While individual members are provided access to board/city information, personal or confidential information is generally not provided through routine disclosure in most organizations. In one organization (i.e., City of Toronto), requests for information not available or where the information may relate to private individuals or other third party interests are usually directed through the city's formal freedom of information process.

At the Toronto Catholic District School Board, information is not provided to individual members if it is considered sensitive. Information is considered "sensitive" when it is required or permitted by law to be kept confidential; it is person-identified, by name, position or otherwise; its possession could be prejudicial to the interest of the Board; or it is tentative, incomplete or misleading by reason that the subject matter is in the conceptual or developmental stage. At the TDSB, several documents including the Board Bylaws, the Board Member Code of Conduct (P075) and Freedom of Information and Protection of Privacy Policy (P094) govern member responsibilities and the information types which



generally cannot be released to members of the public including the Board and its members under MFIPPA. Greater clarity will be provided with the TDSB's proposed Information Flow Protocol and forthcoming Communications Policy.

**Organizations Reviewed (17):** City of Brampton, City of Burlington, City of Dawson Creek, B.C., City of Elk Grove, California, City of Guelph, City of Hamilton, City of Kingston, City of Toronto, Council of Ontario Directors of Education (CODE), Edmonton Public School Board, OPSBA, Toronto District School Board, Toronto Catholic District School Board, Town of Amherstburg, Town of Bancroft, Town of Oakville, York Region DSB.

# Toronto District School Board

Governance Procedure [number]

Title: **INFORMATION FLOW PROTOCOL**

Adopted: [insert date]  
 Effected: [insert date]  
 Revised: N/A  
 Reviewed: N/A  
 Authorization: Board of Trustees

## 1. RATIONALE

The Information Flow Protocol (the “Protocol”) is a governance procedure developed in accordance with the resolution of the Board of Trustees on June 17, 2020 and pursuant to the TDSB Integrity Commissioner’s recommendations with regard to Trustee access to information under the custody or control of the TDSB.

The Protocol is aligned with and supports implementation of the TDSB’s Governance Policy (P086) and the Board Member Code of Conduct (P075).

## 2. OBJECTIVE

To ensure that the Board of Trustees has access to information and support that allows the Board to fulfil their role to:

- ~~govern~~Govern in a manner that is responsive to all school communities;
- ~~act~~Act in the interests of all learners in the district;
- ~~advocate~~Advocate actively for students, their learning and their well-being in the Board’s work with the community, the municipality and the province;
- ~~promote~~Promote confidence in publicly funded education through its communications about the goals and achievements of the Board.

To establish a clear, transparent, fair and efficient process for accessing and requesting information and effective mechanisms for responding to information requests from the Board of Trustees and individual Trustees in accordance with the Municipal Freedom and Information and Protection of Privacy Act and other applicable legislation and policies.

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- 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 his or her 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 MFIPPA;
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- An ongoing investigation under the Ombudsman Act respecting the TDSB.

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- 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.

## **2.4. RESPONSIBILITY**

The Director of Education holds primary responsibility for the implementation of this Protocol.

Within the Director's Office, the responsibility for the coordination and day-to-day management of the Protocol is assigned to the Associate Director, School Operations and Service Excellence.

## **3.5. APPLICATION AND SCOPE**

This Protocol applies to TDSB Trustees and staff, including employees involved in managing and responding to requests for information.

The Protocol does not replace or circumvent the Board's Parent Concern Protocol (PR505) for Trustees' interactions with Superintendents of Education and relevant central staff as part of addressing parents' concerns related to school matters.

## **4.6. PROCEDURES**

### **5.0-6.1. General Principles**

5.1-1-6.1.1. The flow of information between the Board of Trustees, the Director of Education and TDSB staff will uphold the principles of transparency, accountability, fairness, impartiality and effectiveness and will operate in accordance with the [Municipal Freedom and Information and Protection of Privacy Act](#) (MFIPPA) and other applicable legislation and policies.

6.1.2. As a collective, the Board of Trustees – the TDSB's governing body – has authority to direct the Director of Education with regard to access to information, including confidential information, under the custody or control of the TDSB.

~~5.1.2. Individually, Trustees have access to information in the custody or control of the TDSB that is relevant to matters before the Board of Trustees or its Committees. Individual Trustees should not access or attempt to gain access~~

to confidential information, and which would support Trustees' participation in an informed way in upcoming Committee and Board meetings.

6.1.3. Individual Trustees will have access to information that is not restricted under MFIPPA. Individual Trustees should not access or attempt to gain access to confidential information.

5.1.3. The Director of Education is responsible for establishing and implementing effective processes for responding to information requests from the Board of Trustees and individual Trustees.

6.1.1. The types of information that is routinely requested, including aggregate numbers, information about processes, key statistical indicators, etc., will be identified and proactively disclosed and posted on the Board's website in accordance with the TDSB Open Data Policy (P091).

#### **6.0.6.2. Information Requests by Individual Trustees**

6.1.1.6.2.1. Individual Trustees need access to appropriate information about their communities. They can ~~also receive~~have information that is readily available ~~or~~and has already been communicated.

6.2.2. Information is considered readily available where information is already in the possession of a TDSB staff member and the retrieval of the information will not require more than two hours for one staff member to complete. Open Data Policy (P091) will be implemented to identify records and information that is frequently requested by Trustees and to ensure proactive and routine disclosure of such information.

6.2.3. For information that is readily available and has already been communicated, individual Trustees may request the information directly from the Director of Education or their designate. Requests:

- Should be in writing
- Will be acknowledged
- Will be responded to during regular business hours

6.2.4. For information that is confidential or not readily available, a Board ~~motion~~of Trustees direction is required.

6.1.2.6.2.5. Requests for such information may be submitted by a Trustee through a notice of motion to the Board of Trustees or its Committee (see Board Bylaws, section 5.15 – Motions).

6.2.6. In addition, Trustees will be provided with a schedule of upcoming reports, including regular annual reports as well as ad hoc reports that will be produced during a school year. The schedule will include targeted Board/Committee meeting dates.

6.2.7. If a Trustee requires a significant amount of additional information related to a Board of Trustees or Committee meeting agenda item, before a decision can be made, the Trustee may move that consideration of the matter be postponed and that the Director of Education [or designate](#) provide additional information at a subsequent meeting.

6.2.8. Trustees are encouraged to contact Board Services staff who will advise on the Board's Bylaws requirements and timelines, and provide support with drafting corresponding notices of motion. Trustees may also engage their respective Superintendents of Education or Executive Superintendents if they require assistance.

~~6.1.3.~~6.2.9. Once the request is authorized by the Board of Trustees, the information will be prepared by staff in accordance with the Board of Trustees' resolution and presented as a staff report to the Board of Trustees.

### **6.3. Freedom of Information (FOI) Request**

6.3.1. Individual Trustees, like any member of the public, may use the TDSB's FOI Request process to access information in the custody or control of the TDSB.

6.3.2. Information requests submitted by FOI Request are processed in accordance with the Freedom of Information and Protection of Privacy Policy (P094) and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

6.3.3. Trustees may contact the Board's FOI and Privacy Office which can advise on the FOI Request process and timelines, which are also available on the TDSB website.

### **7.0.6.4. Sharing Information**

~~7.1.1.~~6.4.1. Information that is readily available and provided to an individual Trustee will be shared with all Trustees if the requested information is systemic in nature. This may include, for example, key messages and questions and answers related to issues that could impact multiple wards, or ward-specific breakdowns of data.

~~7.1.2.~~6.4.2. Information about school programs, consultations, corporate news, announcements, media releases, newsworthy articles, and statements by the Chair of the Board and Director of Education will be shared with Trustees by the Director of Education and designates electronically through emails, Trustees' Weekly, TDSB Update and TDSB Connects.

6.4.3. The Government, Public and Community Relations department, as the Director's designate, will share information with Trustees including school incidents reports, crisis communications information, daily media information and letters for parents and students.

7.1.3-6.4.4. Non-confidential information provided to the Board of Trustees will be publicly available and may be posted on the TDSB's website in accordance with the Board's Open Data Policy (P091).

#### **8-0-6.5. Working ~~with~~With Superintendents of Education**

6.5.1. Superintendents of Education will provide timely information and support to their local Trustee about local school-related matters and concerns. Clear expectations will be outlined and regularly discussed and reinforced with the Superintendents of Education on information sharing and support to Trustees.

6.5.2. When a local matter has system-wide implications, the respective Superintendents of Education will work with their Executive Superintendent ~~and the Government, Public, and Community Relations Department~~ to inform all Trustees as soon as practicable. Protection of privacy, legal obligations as well as the safety and well-being of students and community -will be considered and balanced when sharing information.

#### **9-0-6.6. Protection of Privacy and Confidentiality**

9.1.1-6.6.1. In accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), no personal information can be provided to an individual Trustee, subject to restrictions and exemptions under MFIPPA and other applicable legislation and policies. Such information can be provided to all Trustees as part of the Board/Committee meeting materials only.

6.6.2. Under MFIPPA, some of the circumstances in which government institutions are permitted to disclose personal information include:

- Where the individual has consented to the disclosure;
- For the purpose for which the personal information was obtained or compiled or for a consistent purpose;
- Where the disclosure is necessary and proper in the discharge of the institution's functions;
- For the purpose of complying with another act;
- For law enforcement purposes;
- In compelling circumstances affecting the health or safety of an individual;

- In compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased;
- To the Information and Privacy Commissioner; and
- To the Government of Canada in order to facilitate the auditing of shared cost programs.

6.6.3. Confidential documents may be provided as library copies on yellow paper to all Trustees physically present at the meeting. For virtual Board/Committee meetings, Trustees will be provided with secure electronic copies of confidential documents.

6.6.4. Meeting materials from previous open (public) meetings are available on the TDSB website: <https://www.tdsb.on.ca/Leadership/Boardroom/Agenda-Minutes> and can be accessed by Trustees directly or obtained through a request to Board Services staff.

For Trustees convenience, the following search engine can be used to search for required reports, agendas and minutes of the Board: <https://www.tdsb.on.ca/Leadership/Boardroom/Search-Agenda-Minutes>.

6.6.5. Closed (private) meeting materials from a previous meeting may be provided to individual Trustees by request to Board Services staff. "Library copies" will be shared for viewing.

6.6.6. In accordance with the Board Member Code of Conduct (P075), it is the responsibility of individual Trustees to ensure that confidential materials provided to them for Board of Trustees or Committee meetings are kept secure at all times and disposed of appropriately.

~~9.1.2.6.6.7.~~ Upon becoming aware of a potential breach of confidentiality or unauthorized disclosure of personal information, Trustees should immediately notify the Chair of the Board and the Director of Education or designate.

#### ~~10.0.6.7.~~ **Training**

~~10.1.1.6.7.1.~~ Trustees will be provided with an orientation on the Information Flow Protocol as part of the overall orientation for newly elected or appointed Trustees.

## **7. EVALUATION**

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



## **8. APPENDICES**

N/A

## **9. REFERENCE DOCUMENTS**

### Legislation:

- *Education Act*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*

### Policies and Procedures:

- Equity Policy (P037), and as part of the TDSB's commitment to equity)
- Board Member Code of Conduct (P075)
- Freedom of Information and anti-discrimination, all Protection of Privacy Policy (P094)
- Governance Policy (P086)
- Open Data Policy (P091)
- Parent Concern Protocol (PR505)

### Other Documents:

- Board Bylaws, December 1, 2018
- Integrity Commissioner Annual Report for 2018, presented to the Board of Trustees will be provided with equity and anti-oppression training on June 19, 2019

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## **Naming of Schools and Special Purpose Areas Policy (P047) Review, Phase 2 – Status Update**

**To:** Governance and Policy Committee

**Date:** 30 September, 2020

**Report No.:** 09-20-3938

### **Strategic Directions**

- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students

### **Recommendation**

It is recommended that the preliminary provisions for draft Naming of Schools and Special Purpose Areas Policy (P047), as presented in Appendix B of this report, be received for information.

### **Context**

The Naming of Schools and Special Purpose Areas Policy (P047) (Appendix A) was adopted by the Board of Trustees on August 29, 2001 and last updated on February 9, 2011. The current policy establishes rules for the naming and renaming of schools, special purpose areas of schools and new additions.

The review of the Naming of Schools and Special Purpose Areas Policy (P047) was initiated on November 3, 2016. On May 23, 2018, the Board of Trustees decided that the Naming of Schools and Special Purpose Areas Policy (P047) and related Procedure (PR592) be suspended to allow the process to rename Kipling Collegiate Institute to be completed with a student-centred approach. The approach ensured that students enrolled at the school as of September 2018 had a strong voice on the renaming process and revitalization of Kipling CI. While the outcome resulted in the status quo, it underscored the importance of student involvement in the school naming/renaming process.

With the Naming of Schools and Special Purpose Areas Policy emerging as a priority more recently, a working group comprised of senior staff developed preliminary provisions for the revised draft Policy (Appendix B). The preliminary provisions are expected to be incorporated in the revised draft Policy and then shared during public consultations with the Board's stakeholders, including students (Student Senate), parents/guardians, Community Advisory Committees, school councils, and the general public.

Upon completion of the public consultations, the revised draft Policy will be brought back to the GPC and then to the Board of Trustees for final approval.

In light of recent discussions on racial injustices, inequality and anti-Black racism, including scrutiny of the origins and history of monuments, street names, parks, buildings and schools across the city, staff conducted a jurisdictional policy scan of comparative school boards and public organizations (Appendix C).

The preliminary provisions, as outlined in Appendix B, are being presented for the Committee's information.

## **Action Plan and Associated Timeline**

October – November 2020: Internal Reviews and Sign-Offs (Phase 3)

- Subject to the Governance and Policy Committee and Board directions, staff will prepare the draft Policy based on the preliminary provisions and will conduct internal reviews/sign-offs by key departments impacted by and involved in implementation of the Policy.
- Draft Policy will be submitted to Executive Council and provided to the Director of Education for sign-off prior to initiation of public consultations.

**[Timeline to be determined due to COVID-19]:** Public Consultations (Phase 4)

- Staff will initiate public consultations for duration of 45 days.
- Draft Policy will be posted on the TDSB policy consultation website and also shared with Community Advisory Committees, Student Senate, school councils, and other Board stakeholders.

**[Timeline to be determined due to COVID-19]:** Committee / Board Approvals (Phase 5)

- Staff will analyze feedback provided during the public consultations, revise the draft Policy, as applicable, and submit the revised draft Policy to the Governance and Policy Committee and the Board of Trustees for final approval.

**[Timeline to be determined due to COVID-19]:** Implementation (Phase 6)

- The approved Policy will be communicated to the system and posted on the TDSB public website.

## Agenda Page 27

- Staff will review operational procedure PR592, Naming Schools and Special Purpose Areas, to ensure alignment with the Policy.
- Training/information sessions will be conducted, as required, with staff involved in implementation of the Policy.

### **Resource Implications**

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

### **Communications Considerations**

The Policy will be communicated in accordance with the Policy Review Work Plan.

### **Board Policy and Procedure Reference(s)**

- Equity Policy (P037)
- Human Rights Policy (P031)
- Fundraising Policy (P021)
- Naming of Schools and Special Purpose Areas Procedure (PR592)
- Fundraising Procedure (PR508)

### **Appendices**

- Appendix A: Naming of Schools and Special Purpose Areas Policy (P047) – Current
- Appendix B: Preliminary Provisions for draft Naming of Schools and Special Purpose Areas Policy (P047)
- Appendix C: Policy: Scan of Selected School Boards and Other Jurisdictions

### **From**

Manon Gardner, Associate Director, School Operations and Service Excellence at [manon.gardner@tdsb.on.ca](mailto:manon.gardner@tdsb.on.ca)

Andrew Gowdy, System Planning Officer, Strategy and Planning at [andrew.gowdy@tdsb.on.ca](mailto:andrew.gowdy@tdsb.on.ca)

# Toronto District School Board

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Policy P047

Title: **NAMING SCHOOLS AND SPECIAL PURPOSE AREAS**

Adopted: August 29, 2001

Revised: December 14, 2005, February 11, 2009, **February 9, 2011**

Reviewed: April 2010, March 2012

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## 1.0 OBJECTIVE

To establish guidelines for the naming and renaming of schools, special purpose areas of schools and new additions.

## 2.0 RESPONSIBILITY

Director, Strategy and Planning

## 3.0 DEFINITIONS

*Special Purpose Area* A room or other sub-component area of a school (including new wings) other than a classroom that is unique or has special significance to the school and the local community such as an auditorium, courtyard or garden.

*Local Community* The geographic area defined by the local school's attendance area, families of students attending the school, and alumni association members, if any.

## 4.0 POLICY

### Schools

- 4.1. The naming or renaming of a school or school wing may be necessitated as a result of site consolidations, academic redesignation, school closures, school reopenings, school expansions and on the rare occasion, a request from the school or local community.
- 4.2. Approval of the Board is required before a process may be implemented to determine and propose a new name (except when the school is already part of a Board-approved reorganization).
- 4.3. Consultation with the school (including students) and local community shall be an integral part of any renaming process.
- 4.4. Names of schools shall be based on one of the following criteria:
  - (a) The name of the street on which the school faces

- (b) The historical or current name of the district or local community in which the school is located
- (c) A name symbolic of the unique program focus of the school in the case of specialized or alternative schools
- (d) The name of a renowned Canadian of historical significance to the Toronto community, or whose contribution to Canadian society or to the world is recognized and valued across Canada
- (e) The name of an internationally renowned person whose contribution to humanity is widely recognized within the Toronto community or across Canada
- (f) In respect of a new school wing, the name of a community member whose long-term unique contribution of voluntarism has enhanced the learning environment and overall well-being of the school community

4.5. The Board shall approve school names and name changes.

#### Special Purpose Areas

- 4.6. The school principal and Business Development staff, in consultation with school representatives, student representatives (student council representatives, where applicable) and the local trustee, shall determine the names of special purpose areas of a school.
- 4.7. When a donor's contribution constitutes a significant percentage of the total cost of a project, the donor's name may be considered as a possibility for the name of the special purpose area.
- 4.8. Signage and plaques recognizing donors shall not constitute commercial advertising.
- 4.9. Signage and plaques recognizing donors shall be modest, in good taste, and complement the style and design of the facility and project.
- 4.10. Any sponsorships involving written contractual arrangements, advertising, logos or any other instances that will affect another school, department or the Board system-wide will be referred to the Business Development department prior to acceptance.

## **5.0 SPECIFIC DIRECTIVES**

The Director is authorized to issue operational procedures to implement this policy.

## **6.0 REFERENCE DOCUMENTS**

Policy P021, Fundraising and Donor Recognition

Operational Procedure PR592, Naming Schools and Special Purpose Areas

Operational Procedure PR508, Fundraising

**PRELIMINARY PROVISIONS – NAMING OF SCHOOLS, SPECIAL-  
PURPOSE AREAS AND TEAMS POLICY  
(FORMERLY NAMING OF SCHOOLS AND SPECIAL PURPOSE AREAS  
POLICY)**

## **1. OBJECTIVE**

To establish guiding principles and criteria for the naming and renaming of schools, special-purpose areas, and teams consistent with the Board's Mission, Values and Goals Policy (P002) and the Equity Policy (P037) commitments.

## **2. DEFINITIONS**

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

*Special-Purpose Area* is a room or other sub-component area of a school other than a classroom such as an auditorium, gymnasium, wing, courtyard, garden or field that is unique or has special significance to the school.

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

*Team* is any formally-organized, sports-related, recreational, curricular or extra-curricular group involving students that represents the local school and/or the TDSB. Icons associated with a team such as but not limited to mascots, logos, costumes, promotional materials, slogans, songs, and cheers are also included.

## **3. GUIDING PRINCIPLES**

The Toronto District School Board recognizes that names of schools, special-purpose areas, and teams contribute an important element to the creation of positive school climate and image and have a direct impact on students, staff, and the entire organization.

The following guiding principles ensure naming conventions build positive climate that reflects the diversity of our students and communities; value their voices; and foster a culture of equity, inclusion, dignity and mutual respect.

Naming/Renaming will:

- Reflect the TDSB's commitments as stated in the Mission, Values and Goals Policy (P022) and the Equity Policy (P037);
- Ensure student voice is at the centre of the naming/renaming process;
- Provide inspiration, dignity and respect;
- Ensure fairness and transparency;



- Consider names that have local community, district, provincial, Indigenous, Canadian or international significance and reflect the diversity of Toronto;
- Take into account the impact of colonialism and anti-Indigenous racism that are part of Canada's history and reject any names, symbols or namesakes that reinforce that history as well as the negative impacts of colonialism; and
- Not reinforce names (symbols) or namesakes (legacies), tied to systems of oppression, race, histories of discrimination, stereotypes, bias, prejudice or hate and uphold the TDSB's commitment to human rights.

#### **4. NAMING/RENAMING SCHOOLS**

##### **Naming a New School:**

Board of Trustee approval is not required to begin the naming process but is required to endorse the selection of a name.

In the case of new school construction where no school currently exists or new school formation through closure or consolidation following a review process, the naming process may proceed after the decision to construct or form a new school has been approved by the Board of Trustees.

##### **All Other Situations:**

Board of Trustee approval is required to begin the naming process and to endorse the selection of a name.

The naming of an existing school may be necessitated by a significant change in school focus, the development of a new school, identity, or a request from the school.

Names of schools must be consistent with the Board's Mission, Values and Goals Policy (P002), the Equity Policy (P037) commitments, and TDSB's guiding principles for naming.

Student voice will be at the centre of the naming/renaming process.

The TDSB will seek and accept input regarding the names of the schools but reserves the right to make the final decision regarding the name.

#### **5. NAMING/RENAMING SPECIAL-PURPOSE AREAS**

Board of Trustee approval is not required to begin the naming/renaming process or to endorse the selection of a name.

The naming/renaming of special-purpose areas will be locally determined by each school but will also be consistent with the Board's Mission, Values and

Goals Policy (P002), the Equity Policy (P037) commitments, and TDSB's guiding principles for naming.

Student voice will be at the centre of the naming/renaming process.

## **6. NAMING/RENAMING TEAMS**

Board of Trustee approval is not required to begin the naming/renaming process or to endorse the selection of a name.

Team names and related icons will be determined locally by each school but will also be consistent with the Board's Mission, Values and Goals Policy (P002), the Equity Policy (P037) commitments, and TDSB's guiding principles for naming.

Student voice will be at the centre of the naming/renaming process.

Corporate/commercial names will not be permitted.

**Scan of Selected School Boards and Other  
Jurisdictions:  
Naming of Schools and Special  
Purpose Areas**

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**Summary**

The TDSB's [Naming Schools and Special Purpose Areas Policy](#) (P047), which establishes rules for the naming and renaming of schools, special purpose areas of schools and new additions, was adopted in 2001 and last reviewed in March 2012. According to the Policy, naming or renaming of a school is initiated as a result of site consolidations, re-designations, school closures, re-openings, expansions and sometimes as a result of school or community requests. Consultation with the school and local community is an integral part of the process, with the Board of Trustees ultimately approving school names and name changes.

**Key Themes**

Through a scan and subsequent review of twenty (20) organizations, all policies and procedures reviewed include a similar process for naming or renaming public assets. Across district school boards and municipalities, a name contributes to creating a culture and sense of identity for the community and promotes public awareness including the ability to locate the property quickly and effectively. In several organizations, names of schools are aligned with the names of streets or can be based on geographical area, while in other examples, numbering is used independently or in conjunction with a geographical name. Though some organizations (e.g., City of Burlington, City of Calgary, City of Grand Prairie) include revenue generating strategies as part of its naming through naming rights in exchange for financial support, this scan primarily focuses on honourific naming dedication.

In light of recent events such as the Black Lives Matter movement, cities and school boards are now reviewing naming of civic assets to more broadly understand and respond to how systemic racism and discrimination are embedded in public assets, commemorative programs and naming policies.

**Naming Conventions (People, Places, Events, Geography)**

All organizations included in this scan use naming conventions for their public buildings, streets and public spaces. While individuals and organizations are often recognized through dedicated naming to honour their past contributions to the organization or community, each organization uses its own yet similar criterion to determine naming recognition. Most organizations (e.g., City of Burlington, City of Toronto, City of Vancouver, Santa Rosa City Schools) give consideration to persons who have exceptionally dedicated or demonstrated excellence in service in ways that made a significant contribution to the community, city, province/state, or nation.

While many organizations require alignment to their mission, vision and values (e.g., City of Burlington, City of Edmonton, City of Vaughan, York Region DSB) or naming that is reflective of a "positive image" (e.g., Upper Grand DSB), one school board (i.e., Orleans

Parish School Board, New Orleans) also requires that individuals must have been of such outstanding character and distinction that naming a school facility, private drive or street after them would honour both the school district as well as the individual and would provide educational or motivational value to the students served at the school. At one Catholic school board (i.e., Halton Catholic DSB), schools can be named after deceased local exemplary Catholics. However, due to a recent instance of sex abuse allegations against a school's namesake which required renaming, the school board is proposing to limit all future schools from being named after anyone but saints, popes or divine persons of the Holy Family. In order to maintain integrity and practice due diligence, another organization (i.e., Princeton University) requires that honourific naming must advance the organization's values and policies and that requested names not belong to a person or organization that has a record of malfeasance of a character that would make the name inappropriate. In addition, the policy includes a presumption against names honouring countries or political bodies because they may undergo dramatic change and commit dramatic injustice.

Given that distinguishing noteworthy people or commemorating history, places or events can be subjective in nature and may not always be able to "stand the test of time," which one school board (i.e., Upper Grand DSB) refers to as a requirement in its policy, the majority of organizations also consider names which reflect the unique location, geography, or community of where the property is located, including cultural, aboriginal or social significance. This can also include native wildlife, flora, fauna or natural feature in the geographical area (City of Calgary, City of Edmonton, City of Toronto, City of Vancouver). Although a geographical naming system may help avoid future controversies, the problem still lies in understanding how the geographical areas came to exist and whether it was through colonialist methods.

Several organizations (e.g., Orleans Parish School Board, Santa Rosa City Schools) have rules that prohibit schools to be named after a living person or similar to the name of any existing district school to avoid confusion. In another organization (i.e., Ryerson University), no naming should infringe on academic integrity or be deemed to imply the University's endorsement of a partisan political or ideological position or of a commercial product or service. To protect an organization from potential controversy, one organization (i.e., Santa Rosa City Schools) reserves the authority to terminate naming rights if it is determined that the name could bring the district into disrepute, while at another institution (i.e., Ryerson University), no naming will be approved or (once approved) be continued if such a naming will call into question the integrity or reputation of the organization.

The TDSB's current policy includes similar requirements for the naming of schools and in the case of alternative or specialized schools, may also have a name symbolic to the unique program focus of the school. Special purpose areas can sometimes also be named in exchange for sponsorship or donations.

### **Numbering System**

Though not widely used, some organizations throughout the world (i.e., New York State Schools, Russia) use a numbering system for buildings, schools and other public spaces. In Russia, formats include School No.1, School No. 775 and are grouped by geography. In North America's largest school system (i.e., New York State Schools), numbering is used with either a geographical area or name attached to it within its [various school districts](#). Schools usually follow the number and name format (e.g., PS 166 – The Richard Rogers School of the Arts and Science) or geographical area and number (e.g., Geog District #15 – Brooklyn). When creating new schools in this board, an allocation code management system assigns schools with a number or code for state approval. While a numbered building or school may be seen to lack character, personality, connection or “belonging” in its community, the advantage it has is that there can be little criticism with most of these organizations citing no record of objections to its numbering system.

Under the TDSB's current policy, a numbering system is not utilized.

### **Process and Community Engagement Methods for Naming/Re-Naming**

Naming requests can come forward for various reasons including: anniversaries of significance, heritage significance, death of a significant person, honouring residents with exemplary public or community service, or the construction of a new school or civic-owned property. Across all jurisdictions scanned, the naming of schools, buildings and other civic assets could either be driven by the community through a request or application process, or facilitated by the organization which includes staff recommendations, various community engagement processes such as feedback opportunities or community meetings, and input/approval by the Board.

When soliciting input and suggestions from the community, one municipality (i.e, City of Vancouver) allows members of the public to suggest names for streets and lanes, sidewalks and cycling infrastructure, bridges and city owned properties such as buildings and associated exterior spaces, using a dedicated [web page](#). Although each organization has its own criterion, most organizations (e.g., City of Toronto, City of Vancouver, City of Grand Prairie, Orleans Parish School Board) require the rationale, relevance of the proposed name to the asset, a biography and documented support including petition and support letters as part of the application process. In Vancouver, the support of 75% of property owners that abut the street, place or building is required, whereas in Toronto and Grand Prairie, these support letters can come from recognized organizations or the general public. Similarly, in a United States municipality (City of Harrisonburg, VA), sponsors must accompany the application with a petition of at least 100 signatures of city residents. If the application is to rename a street, the application must contain signatures of at least 51% of residents or owners of properties on that street. At another organization, (e.g., City of Greater Sudbury) naming request applications are processed at a \$900 fee to cover the cost of city-wide advertising to measure the level of public community support.

Naming appropriateness is considered by staff before a name can put forward to committee/board or council for approval. As part of the process, staff are responsible for

recommending or reviewing names provided by the general public. In an effort to best understand the history of the person or naming convention, many organizations (e.g., City of Edmonton, City of Vancouver) engage experts including in-house archivists or historians to research and review names and keep an inventory of name requests and names currently in use. An online naming inventory with applicable background history is routinely used at one organization (i.e., City of Ottawa).

Most organizations (e.g., City of Grand Prairie, City of Edmonton, City of Ottawa, Santa Rosa City Schools) also engage with their advisory committees responsible for naming and renaming, which includes citizen, staff and elected official representation.

As part of a general engagement strategy, virtually all organizations conduct some form of public consultation and outreach. At one organization (e.g., Santa Rosa City Schools), the board requires a public hearing at which members of the public are given an opportunity to provide input before the board approves naming recommendations. This would be similar to the TDSB's delegation process. In another organization (City of Boulder, Colorado), the city issues a press release to announce naming efforts, followed by a collection of feedback from social media and various city run platforms. Targeted outreach is another strategy employed to ensure that all voices are heard. For example, one organization (i.e., City of Boulder) engages with its "racial equity email listserv" and works with local partners and interested organizations, while another organization (i.e., Hamilton Wentworth DSB) carefully takes into account the input from underrepresented groups (defined as "groups that are typically underrepresented and underserved and whose voices are often not included in planning or heard on issues"). Canada's largest city (i.e., City of Toronto) follows similar steps and involves certain communities such as the aboriginal community and adherence to appropriate aboriginal protocols when naming portrays aboriginal significance.

While every organization requires approval from their governing body, one organization (City of Edmonton) offers an appeal opportunity for applicants when their name is not approved whereby the matter is brought forward to the executive committee.

Under the TDSB's current policy, consultation with the school and local community is an integral part of the process, with the Board of Trustees ultimately approving school names and name changes.

### **Current and Future Equity Considerations**

Most policies include equity considerations when naming or renaming facilities and civic assets. For example, at one organization (City of Toronto) names of city properties cannot result in or be perceived to confer any competitive advantage or benefit to the named party, or be or be perceived to be discriminatory or derogatory of race, colour, ethnic origin, gender identity or expression, sex, sexual orientation, creed, political affiliation, disability or other social factors. Other organizations (e.g., City of Edmonton, City of Ottawa) include as part of its criterion that individuals can be nominated and receive naming dedication for their community work to foster equality and reduce discrimination. At a neighbouring school board (i.e., York Region DSB), consideration is

given to the principles of equity and the culture, history and accomplishments of the school(s) affected. This includes consideration to local Indigenous communities and the contributions of Indigenous peoples to the Canadian mosaic.

In acknowledging that most organizational policies related to naming are dated and have not been reviewed in recent years, recent public pressures, the Black Lives Matter movement and protests worldwide has led nearly all organizations included in this scan to review its naming policies, statues and naming conventions. While one organization (City of Vancouver) is undertaking a process of naming and renaming several existing City-owned public spaces as a fulfillment of its broader policies and approach to Reconciliation and redress regarding its Aboriginal peoples, many organizations both locally and globally (e.g., City of Toronto, City School District of Albany, Pennsylvania University, Princeton University, Ryerson University) are reviewing and/or revising its policies to ensure that all names reflect the organization's commitment to eliminate systemic and institutional barriers that result in racially disparate outcomes. As one school board (Santa Rosa City Schools) explains, the Board is conducting a comprehensive review of its naming program given that "names placed on those institutions may not have reflected an honest understanding of the history of those people." On September 15, 2020, a neighbouring school board (York Region DSB) decided to initiate the process to rename one of its schools, Vaughan Secondary School, due to the namesake's history with racism.

Using another local example, the City of Toronto has conducted a review and will release its report on September 23, 2020 to assess options for the renaming of Dundas Street in order to respond to the community at large, Black and Indigenous communities. While it is anticipated that the costs related to education, changing signage, maps and service directories will be quite significant for a major arterial street like Dundas (which will be provided in the September 2020 report), the City plans to take a constructive and symbolic step toward disavowing its historic associations with persons who have actively worked towards preserving systems of racial inequality and exploitation. Importantly, the City will be also be outlining a community engagement strategy and change management process that simultaneously addresses in an integrated manner all civic assets (streets, parks, public monuments, civic awards and honours, TTC, Toronto Public Library, and Yonge-Dundas Square) by the end of 2021.

Several organizations have taken immediate steps. Until a full review can take place, one school board (Orleans Parish School Board), has amended its policy to include the following directional statement: "The Orleans Parish School Board believes all schools should be welcoming, inclusive, and inspiring places for all students, and desires to ensure that the names of our school facilities and the people that we honour through naming reflect the values of the school district. The School Board is fundamentally opposed to retaining names of school facilities named for persons who did not respect equal opportunity for all." Similarly, in response to complaints about certain names across the community, another organization (i.e., City of Calgary) is reviewing its naming policy/program and approved the following provision to be added as a criterion of the

policy as an interim measure: “Names should not be divisive in nature. When an individual or group is identified by a name, best efforts should be taken to ensure that the name is not seen as linked with discrimination, oppression and systemic racism nor in violation of community standards as they exist today.”

At the TDSB, an equity lens is applied under its Equity Policy (P037) but the current policy does not document equity considerations in the [Naming Schools and Special Purpose Areas Policy](#). The equity principles are recommended to be included in the revised Policy.

**Organizations Reviewed (20): California Department of Education,** City of Burlington, City of Grand Prairie, City of Harrisonburg, City of Ottawa, City of Toronto, City School District of Albany, City of Vancouver, Halton Catholic DSB, Hamilton Wentworth District School Board, Orleans Parish School Board, Los Angeles Unified School District, New York State Schools, Princeton University, Ryerson University, Russia, Santa Rosa Public Schools, Toronto DSB, Upper Grand DSB, Wisconsin Department of Instruction, York Region DSB.





## **Revised Procedure PR697, Promoting a Positive School Climate**

**To:** Governance and Policy Committee

**Date:** 30 September, 2020

**Report No.:** 09-20-3946

### **Strategic Directions**

- Transform Student Learning
- Build Strong Relationships and Partnerships Within School Communities to support Student Learning and Well-Being
- Provide Equity of Access to Learning Opportunities for all Students
- Create a culture for student and staff well-being

### **Recommendation**

It is recommended that the revised Promoting a Positive School Climate Procedure (PR697), as presented in this report, be received for information.

### **Context**

On July 31, 2020 the Provincial Government passed O. Reg 440/20. One of the directives in this Regulation removes the principal's discretion to suspend pupils in junior kindergarten to Grade 3 for activities listed in subsection 306(1) of the Education Act. Serious activities listed in subsection 310(1) will continue to require a mandatory suspension after the principal conducts an investigation.

In addition to removing the principal's discretion to suspend pupils for activities listed in subsection 306(1) of the Education Act, the regulation does the following:

Mandatory suspension for bullying Ed Act 310(1) (7.1):

- Where a principal is suspending a student for bullying under s. 310(1) (7.1), the requirement that "the pupil has previously been suspended for engaging in bullying" no longer applies to students in junior kindergarten to Grade 3. The remaining

requirement, that “the pupil’s continuing presence in the school creates an unacceptable risk to the safety of another person” remains in effect.

1) Mandatory investigation before mandatory suspensions under *Education Act* 310(1):

- Principals are now required to conduct an investigation respecting the allegations before imposing a mandatory suspension on a student in junior kindergarten to Grade 3 under subsection 310(1).
- This change in current practice not only documents a Principal’s investigation into an alleged incident but it promotes an opportunity for Principals to seek further guidance regarding an incident. Further, this change in practice encourages and supports investigations that are fair, equitable and consistent across TDSB schools. The documentation of these investigative practices will include a focus on ensuring that the principles of anti-oppression, in particular anti-black racism and anti-indigenous racism are at the center of school based investigations. As well, this same focus will inform and guide any subsequent suspension decisions regarding the incident. This in turn will create and foster a collegial support model that involves the school Superintendent and appropriate central staff.
- Further this process will include, identifying the need to investigate, through a thorough analysis of the incident, whether the allegations against the student were motivated by bias, prejudice or discrimination and integral to the process principals will be emboldened to examine their own bias in assessing and investigating the allegations related to the incident

As a result of the legislative changes detailed above the following actions have been completed and are being implemented to ensure TDSB compliance with these changes:

1) PR 697, Promoting a Positive School Climate Procedure has been amended and approved by Executive Council on September 22. The revised Procedure includes the following (see Appendix A for tracked changes):

## 6.2 Practices

### **Removed:**

Schools Shall:

(m) prior to suspending a student or referring a student for expulsion, conduct an investigation and consider mitigating and other factors and document the process used.

### **Added new:**

School Principals must:

(m) not suspend any student from JK to Gr.3 for any infraction under section 306(1) of the Education Act

(n) prior to issuing a mandatory suspension for a student from JK to Gr.3 for any infraction under section 310(1) of the Education Act (see chart of suspensions below), the principal is required to conduct an investigation into the matter and then determine if a suspension is required; if a principal is suspending a student for bullying under s. 310(1)(7.1), the requirement that “the pupil has previously been suspended for engaging in bullying” no longer applies to students in junior kindergarten to Grade 3. The remaining requirement, that “the pupil’s continuing presence in the school creates an unacceptable risk to the safety of another person” remains in effect.

(o) prior to suspending any student in Gr. 4 to Gr. 12 under section 306 (1) of the Education Act conduct an investigation into the incident and consider mitigating and other factors, apply the principles of progressive discipline and document the process used.

(p) prior to recommending an expulsion under section 310(1) of the Education Act for any student in Gr. 4 to Gr. 12, the Principal is required to suspend the student, conduct an investigation, consider mitigating and other factors, apply the principles of progressive discipline and document the process used.

2) The following changes to the Caring and Safe Schools Database are being implemented:

- Lock the Principal and Vice-Principal’s ability to issue any suspension under section 306(1) of the Education Act for a student in JK to Gr.3.
- Require a Principal or Vice-Principal to complete the Principal’s Investigation prior to issuing a suspension under section 310(1) of the Education Act for a student in JK to Gr.3.
- Require consultation with Superintendent of Education and appropriate central staff prior to issuing a suspension for a student in JK to Gr.3.
- Once the investigation and consultation process are complete for an incident involving a student in JK to Gr. 3 and the Principal has decided to issue a suspension under section 310(1) of the Education Act require the SOE for the school to unlock the 310(1) suspension reason in order for the Principal to complete the suspension.

3) A system message for Trustees, Senior Team, Principals, Vice-Principals and school communities outlining the above changes and expectations is being prepared.

### **Action Plan and Associated Timeline**

Subject to the Procedure being received at the Governance and Policy Committee, the revised Procedure will be provided to the Board of Trustees on October 21, 2020 for receipt.

## **Resource Implications**

The current proposal does not put a strain on existing TDSB resources. The TDSB has supports and resources already in place that will enable the proposed changes to be implemented.

## **Communications Considerations**

As detailed above, a communication plan will be developed for Trustees, Senior Team, Principals, Vice-Principals and school communities outlining the above changes and expectations.

The revised Promoting a Positive School Climate Procedure (PR697) will be posted on the Board's internal and external website and communicated through the System Leaders' Bulletin and the TDSB Connects.

## **Board Policy and Procedure Reference(s)**

### Policies:

- Caring and Safe Schools Policy (P051)
- Equity Policy (P037)

### Procedures:

- Board Code of Conduct (PR585)
- Hearing of and Appeal Under Section 265(1) (m) of the Education Act (PR602)
- Programs for Students on Long Term Suspension or Expulsion (PR586)
- Bullying Prevention and Intervention (PR703)
- Police-School Board Protocol (PR698)
- Progressive Discipline (PR702)
- Promoting a Positive School Climate Procedure (PR697)
- Non-Discretionary and Discretionary Student Transfers (PR 540)
- Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools (PR728)

### Legislative Acts and Regulations:

- *Education Act*

### Other Documents:

- TDSB Expected Practices for Understanding, Addressing and Preventing Discrimination

## **Appendices**

- Appendix A: Promoting a Positive School Climate Procedure (PR697) – Revised Tracked
- Appendix B: Promoting a Positive School Climate Procedure (PR697) – Revised Clean

**From**

Jim Spyropoulos, Executive Superintendent, Human Rights and Indigenous Education  
at [jim.spyropoulos@tdsb.on.ca](mailto:jim.spyropoulos@tdsb.on.ca) or at 416-397-3678

# Toronto District School Board

Operational Procedure PR697

Title: **PROMOTING A POSITIVE SCHOOL CLIMATE**

Adopted: March 15, 2004

Revised: June 28, 2006, December 10, 2006, January 30, 2008, June 25, 2008, February 20, 2013, November 12, 2018, September 22, 2020

Reviewed: November 12, 2018, September 22, 2020~~November 12, 2018~~

Authorization: Executive Director's Council

## 1.0 RATIONALE

The Promoting a Positive School Climate Operational Procedure ("The Procedure") affirms the Board's commitment to creating school learning environments that are caring, accepting, safe, peaceful, nurturing, positive, equitable and respectful, and that enable all students to reach their full potential. This Procedure supports the implementation of the Caring and Safe Schools Policy (P051).

### 1.02.0 OBJECTIVE

To establish a framework to enable, support and maintain a positive school climate.

### 2.03.0 DEFINITIONS

*Assault* – a person commits assault when (a) without the consent of another person, he/she applies force intentionally to the other person, directly or indirectly; (b) attempts or threatened, by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe upon reasonable grounds that he/she has present ability to his/her effect his/her purpose; (c) while openly wearing or carrying a weapon or an imitation thereof, he/she accosts or impedes another person.

*Bias* – Prejudice in favour of or against one thing, person, or group compared with another, usually in a way considered to be unfair.

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

*Bullying (including cyber-bullying)* – aggressive and typically repeated behaviour (physical, verbal, electronic, written or other means) by a pupil where:

- (a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:

- (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property; or
  - (ii) creating a negative environment at a school for another individual, and
- (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education;

*Cyber-bullying* - bullying by electronic means, including,

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

*Cannabis* – refers to a drug that is made from the dried leaves and flowers of the hemp plant. Often referred to as marijuana, pot, weed, etc., and is typically smoked, vaped, or digested.

*Cannabis Related Product* – refers to any product containing, made or derived from cannabis that is intended for human consumption whether smoked, heated, inhaled or dissolved. Common types of cannabis products include dried cannabis (e.g., joints, spliffs, blunts), concentrated cannabis products (e.g. edibles, hash, hash oil, shatter, wax, etc.), or tetrahydrocannabinol (THC)/cannabidiol (CBD) infused drinks.

*Discrimination* - Unfair or prejudicial treatment of individuals or groups on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identity, gender expression, sexual orientation, age, marital status, family status, or disability, as set out in the Ontario Human Rights Code, or on the basis of other, similar factors. Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits, or advantages that are available to other members of society. Discrimination may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

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

*Extortion* – The use of threats, intimidation, or violence towards a person to obtain something of value from that person or someone else, or to cause that person or someone else to do something.

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

*Firearm Replica* – is any device that is designed or intended to exactly resemble or to resemble with near precision, a firearm.

*Gang- related Occurrences:* Incidents involving a group, consisting of three or more persons, however organized, having as one of its main purposes the commission or facilitation of a criminal offence in which any or all the members engage.

*Harassment* – harassment is persistent, ongoing conduct or communication in any form, of attitudes, beliefs, or actions towards an individual or group which might reasonably be known to be unwelcome. A single act or expression may, in the case of sex or gender, constitute harassment.

*Hate and/or Bias Motivated Occurrences* – An incident (e.g. involving statements/ words, gestures) motivated by hatred or bias towards an identifiable group (i.e. a group distinguished by colour, race, religion, gender, sexual orientation, or ethnic origin) that is publicly communicated and that is willfully intended to promote or incite bias or hatred against such a group.

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

*Hatred* – the term “hatred” indicates emotion of an intense and extreme nature that is clearly associated with vilification and detestation. It is an emotion that, if exercised against members of an identifiable group, implies that those individuals are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of group affiliation.

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



*Medical Cannabis User* – a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal law. Students who are medical cannabis users must adhere to TDSB procedure PR 536 Medications. Adults who are providing cannabis to a student who is a medical cannabis user must adhere to TDSB procedure PR 536 Medications.

*Medical Cannabis Recipient* – in the TDSB, no student can receive medical cannabis from another student regardless of whether the students are medical cannabis users.

*Medical Cannabis Provider* – In the TDSB, no student can be a provider of medical cannabis to another student, regardless of whether the students are medical cannabis users.

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

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

*Prejudice* - A conscious or unconscious negative belief about a whole group of people and its individual members.

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

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

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

*School Climate* – the environment, values and relationships found within a school. A positive school climate exists when all members of the school community feel safe, included, and accepted and actively promote positive behaviours and interactions. Equity, inclusion and respect are critical components embedded in the learning environment.

*Sexual Assault*—any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. The term refers to a range of behaviours that involve the use of force or control over the victim. In some cases, no overt physical force is used – instead, the victim may be threatened with words or pressured into doing something he or she doesn't want to do.

*Sexual Harassment* – sexual harassment occurs when a person receives unwelcome sexual attention from another person, whose comments or conduct is known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcome. It also includes an environment in which sexist or homophobic jokes and materials are allowed.

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

*Theft* – anyone who fraudulently and without colour of right, takes or converts to their use or the use of another person, anything with the intent to deprive the owner of the thing.

*Threat* - any statement, act, or communication, by any means, including electronic means, of intent to cause harm, whether physical or emotional. To any person or thing, in circumstances where the person or thing, in the circumstances where the person threatened believes or has grounds to believe the threat may be carried out.

*Threat to Inflict Serious Bodily Harm* – a threat to cause death or serious bodily harm to a person. The term “threat”, as used here, does not apply to situations in which no real threat was intended.

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

*Weapon* – any article designed as a weapon or used or intended to be used for the purpose of threatening, intimidating, or injuring a person. All firearms, including replica firearms and imitation firearms, are always considered weapons.

### 3.04.0 RESPONSIBILITY

Executive Superintendent, Human Rights~~Equity~~ and Indigenous  
Education~~Achievement~~ and Centrally Assigned Principal, Caring and Safe  
Schools.

**4.05.0 APPLICATION AND SCOPE**

This Procedure applies to all students and employees of the Board.

The Procedure also covers trustees, parents and guardians, occasional staff, volunteers, contractors and visitors.

**5.06.0 PROCEDURES****1.1.6.1. Principles**

- (a) Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build on strategies that promote positive behaviours.  
When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. Schools should utilize a range of interventions, supports, and consequences that include learning opportunities for reinforcing positive behaviour while helping students to make good choices.
- (b) Mitigating factors must be considered for all students prior to discipline. The following mitigating factors shall be taken into account:
  - (i) The pupil does not have the ability to control his or her behaviour;
  - (ii) The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour;
  - (iii) The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.
- (c) Other factors must also be considered for all students prior to discipline. The following other factors shall be taken into account:
  - (i) The pupil's history;
  - (ii) Whether a progressive discipline approach has been used with the pupil;
  - (iii) Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation, or to any other harassment;
  - (iv) How the suspension or expulsion would affect the pupil's on-going education;

- (v) The age of the pupil;
  - (vi) When an Individual Education Plan has been developed for the pupil;
  - (vii) Whether the behaviour was a manifestation of a disability identified in the pupil's IEP;
  - (viii) Whether appropriate individualized accommodation has been provided;
  - (ix) Whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
- (d) In some circumstances, a short-term suspension may be a useful approach to assist in changing a student's behaviour~~tool~~. In the case of a serious incident, long-term suspension or expulsion, which is further along the continuum of progressive discipline, may be the response that is required.
- (e) For students with special education needs, interventions, supports, and consequences must be consistent with the student's strengths, needs, goals, and expectations contained in his or her Individual Education Plan (IEP).

#### 1.2.6.2. Practices

##### **School principals must :**

~~Implementation strategies and procedures shall be developed in accordance with the following policy statements (see section 5.0 Specific Directions):~~

##### ~~Schools shall:~~

- (a) develop and implement school-wide progressive discipline plans that consider the individual's needs and circumstances and that reflect Board policy and procedure;
- ~~(a)~~(b) develop a range of interventions, supports, and consequences including circumstances in which short-term suspension, long-term suspension, or expulsion may be the required response;
- ~~(b)~~(c) use the most appropriate method to respond to a student's behaviour as outlined in this procedure and the school's progressive discipline plan;
- ~~(c)~~(d) use interventions, consequences, and supports for students with special education needs that shall be consistent with the expectations in the student's Individual Education Plan;

- | ~~(d)~~(e) \_\_\_\_\_ develop a process for building on existing partnerships, or developing new partnerships, with community agencies and local police services that support students and their families;
- | ~~(e)~~(f) \_\_\_\_\_ provide opportunities for on-going dialogue with parents related to student achievement and behaviour;
- | ~~(f)~~(g) \_\_\_\_\_ provide opportunities for students to improve the school climate by assuming leadership roles (e.g., peer mediation, mentorship);
- | ~~(g)~~(h) \_\_\_\_\_ review the School's Code of Conduct to ensure that it is aligned with a progressive discipline approach;
- | ~~(h)~~(i) \_\_\_\_\_ establish a supportive learning environment through appropriate interactions between all members of the school community;
- | ~~(i)~~(j) \_\_\_\_\_ communicate policies and procedures on progressive discipline to all students, parents, staff members and school council members and information shall be shared, as appropriate, with parents whose first language is other than English;
- | ~~(j)~~(k) \_\_\_\_\_ establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of this and related procedures.
- | ~~(k)~~(l) \_\_\_\_\_ apply interventions which may include but are not limited to:
  - Discussion with a teacher, member of the support staff, vice-principal or principal
  - Attendance / performance/ behaviour contracts
  - Time Out
  - Reflection Sheet
  - Parental contact and involvement in applying an appropriate remedy
  - Loss of privilege to participate in specified school activities
  - Peer mediation
  - Individual or group counselling
  - Written or oral apology
  - Essay / poster campaign
  - Detention
  - Restitution for damage or stolen property
  - Community service
  - Restorative Practices

(m) prior to suspending a student or referring a student for expulsion, conduct an investigation and consider mitigating and other factors and document the process used.

(m) not suspend any student from JK to Gr.3 for any infraction under section 306(1) of the *Education Act* (see chart of suspension below)

(n) prior to issuing a mandatory suspension for suspending a student or referring a student from JK to Gr.3 for any infraction under section 310(1) of the Education Act (see chart of suspensions below), the principal is required to for expulsion, conduct an investigation into the matter and then determine if a suspension is required; if a principal is suspending a student for bullying under s. 310(1)(7.1), the requirement that “the pupil has previously been suspended for engaging in bullying” no longer applies to students in junior kindergarten to Grade 3. The remaining requirement, that “the pupil’s continuing presence in the school creates an unacceptable risk to the safety of another person” remains in effect.

(o) prior to suspending any student in Gr. 4 to Gr. 12, under section 306 (1) of the Education Act, the principal is required to conduct an investigation into the incident and consider mitigating and other factors, apply the principles of progressive discipline and document the process used.

(p) prior to recommending an expulsion under section 310(1) of the Education Act for any student in Gr. 4 to Gr. 12, the principal is required to suspend the student, conduct an investigation, consider mitigating and other factors, apply the principles of progressive discipline and document the process used.

SUSPENSIONS A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.306 (1)).	Principal May Issue Suspension	Notify Police	
		May	Shall
1. Uttering a threat to inflict serious bodily harm on another person *	1–19 Days		X
2. Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis	1–19 Days		X
3. Being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis	1–19 Days	X	
4. Swearing at a teacher or at another person in a position of authority*	1–19 Days	N/A	N/A
5. Committing an act of vandalism that causes extensive damage to school property at the pupil’s school or to	1–19 Days		X

property located on the premises of the pupil's school*			
6. Bullying*	1–19 Days	X	
<i>*Any activity listed in section 306(1) motivated by hate, bias or prejudice based on the prohibited grounds of the OHRC and gender identity and expression will be considered suspendable under section 310(1) of the Education Act.</i>			

SUSPENSIONS A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.306 (1)7.	Principal May Issue Suspension	Notify Police	
		May	Shall
1. Willful destruction of school property; vandalism causing damage to school or Board property or property located on school or Board premises*	1–19 Days	X	
2. Use of profane or improper language*	1–19 Days	N/A	
3. Use of tobacco*	1–19 Days	X	
4. Theft*	1–19 Days	X	
5. Aid or incite harmful behaviour*	1–19 Days	X	
6. Physical assault*	1–19 Days	X	
7. Being under the influence of illegal drugs*	1–19 Days	X	
8. Fighting*	1–19 Days	X	
9. Possession or misuse of any harmful substances*	1–19 Days	X	
10. Extortion*	1–19 Days		X
11. Inappropriate use of electronic communications or media devices*	1–19 Days	X	
12. An act considered by the school principal to be a breach of the Board's or school code of conduct*	1–19 Days	X	
13. Immunization	20 Days	N/A	N/A
<i>* Any activity listed in section 306(1) motivated by hate, bias or prejudice based on the prohibited grounds of the OHRC and gender identity and expression will be considered suspendable under section 310(1) of the Education Act.</i>			

SUSPENSIONS PENDING POSSIBLE EXPULSION	Principal May	Notify Police
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A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.310 (1). After the suspension is issued an investigation will be conducted by the principal within five (5) school days.	Issue Suspension	May	Shall
1. Possessing a weapon, including a firearm	1–20 Days		X
2. Using a weapon to cause or to threaten bodily harm to another person	1–20 Days		X
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner	1–20 Days		X
4. Committing sexual assault (Refer TDSB procedure PR. 608)	1–20 Days		X
5. Trafficking in weapons or in illegal drugs	1–20 Days		X
6. Committing robbery	1–20 Days		X
7. Giving alcohol or cannabis to a minor	1–20 Days		X
7.1 Bullying if,  i. <del>The</del> the pupil has previously been suspended for engaging in bullying and, ii. <del>The</del> The pupil's continuing presence in the school creates an un- <del>acceptable</del> acceptable risk to the safety of another person.	1–20 Days	X	
7.2 Any activity listed in section 306(1) motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor.	1–20 Days	X	X

SUSPENSIONS PENDING POSSIBLE EXPULSION A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.310 (1)8. After the suspension is issued an investigation will be conducted by the principal within five (5) school days.	Principal May Issue Suspension	Notify Police	
		May	Shall
1. Possession of an explosive substance	1–20 Days		X
2. Sexual Harassment	1–20 Days	X	



3. Hate Motivated Occurrences	1–20 Days		X
4. Distribution of Hate Material	1–20 Days	X	
5. Racial Harassment	1–20 Days	X	
6. An act considered by the principal to be a serious breach of the Board's or school's code of conduct.	1–20 Days		X
7. Trafficking in cannabis	1 -20 Days		X

1.3-6.3. Duty to Report Harm (Education Act – Part XIII)

**Delegation by principals**

**300.1 (1)** A principal of a school may delegate in writing any of his or her powers, duties or functions under this Part to,

- (a) vice-principal of the school;
- (b) a teacher employed in the school;
- (c) a person appointed by a board under paragraph 5.1 of subsection 171 (1) to supervise persons in positions designated by the board as requiring an early childhood educator; and
- (d) a person appointed by a board under subsection 260 (2) to a position in an extended day program designated by the board as requiring an early childhood educator. 2009, c. 17, s. 1; 2011, c. 9, Sched. 10, s. 12 (1).

**Same**

**(2)** A teacher who is not a vice-principal may only act under a delegation under this section if the principal and vice-principal of the school are absent from the school. 2009, c. 17, s. 1.

**Same**

**(2.1)** A person described in clause (1) (c) or (d) may only act under a delegation under this section if,

- (a) the principal and vice-principal of the school are absent from the school;
- (b) the delegated power, duty or function is exercised in respect of a pupil enrolled in an extended day program in the school; and
- (c) the delegated power, duty or function is exercised during the time that the extended day program is operated in the school. 2011, c. 9, Sched. 10, s. 12 (2).

**Reporting to the principal** (See Appendix A – PR697A)

**300.2** (1) An employee of a board who becomes aware that a pupil of a school of the board may have engaged in an activity described in subsection 306 (1) or 310 (1) shall report to the principal of the school about the matter. 2009, c.-17, s.-1; 2012, c.-5, s.-8 (1).

**Same**

(2) An employee shall report to the principal as soon as reasonably possible or, if a different time period is specified by the policies or guidelines, within that time period. 2012, c.-5, s.-8 (2).

**Principal's duty to investigate**

(3) A principal shall investigate any matter reported under subsection (1). 2012, c.-5, s.-8 (2).

**Informing reporter** (See Appendix B - PR697B)

(4) After investigating a matter reported under subsection (1), the principal shall communicate the results of the investigation to:

- (a) if the matter was reported by a teacher, that teacher; or
- ~~(b)~~ if the matter was reported by an employee who is not a teacher, that employee unless, in the principal's opinion, it would not be appropriate to do so. 2012, c. 5, s. 8-(2).

~~(c)~~ (b) \_\_\_\_\_

**Same**

(5) The principal shall not disclose more personal information under subsection (4) than is reasonably necessary for the purpose of communicating the results of the investigation. 2012, c.-5, s.-8-(2).

**Notice to parent or guardian**

**300.3** (1) Subject to subsections (2) and (3), if the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306 (1) or 310 (1), the principal shall, as soon as reasonably possible, notify,

- (a) the parent or guardian of the pupil who the principal believes has been harmed; and

- (b) the parent or guardian of any pupil of the school who the principal believes has engaged in the activity that resulted in the harm. 2012, c.-5, s.-9 (1).

**Same**

(2) A principal shall not, without the pupil's consent, notify a parent or guardian of a pupil who is,

- (a) 18 years or older; or  
(b) 16 or 17 years old and has withdrawn from parental control. 2009, c.-17, s.-1.

**Same**

(3) A principal shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian of the pupil, such that the notification is not in the pupil's best interests. 2009, c.-17, s.-1.

**Same**

(4) When notifying a parent or guardian of a pupil under clause (1) (a), the principal shall disclose,

- (a) the nature of the activity that resulted in harm to the pupil;  
(b) the nature of the harm to the pupil;  
(c) the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the activity; and  
(d) the supports that will be provided for the pupil in response to the harm that resulted from the activity. 2012, c. 5, s. 9 (2).

**Same**

(5) When notifying a parent or guardian of a pupil under clause (1) (a), the principal shall not disclose the name of or any other identifying or personal information about a pupil who engaged in the activity that resulted in the harm, except in so far as is necessary to comply with subsection (4). 2009, c.-17, s.-1; 2012, c.-5, s.-9 (3).

**Same**

(6) When notifying a parent or guardian of a pupil under clause (1) (b), the principal shall disclose,

- (a) the nature of the activity that resulted in harm to the other pupil;
- (b) the nature of the harm to the other pupil;
- (c) the nature of any disciplinary measures taken in response to the activity; and
- (d) the supports that will be provided for the pupil in response to his or her engagement in the activity. 2012, c. 5, s. 9 (4).

### **Same**

(7) When notifying a parent or guardian of a pupil under clause (1) (b), the principal shall not disclose the name of or any other identifying or personal information about a pupil who has been harmed as a result of the activity, except in so far as is necessary to comply with subsection (6). 2012, c. ~~5~~, s. ~~9~~ (4).

### **Parent's right to provide comments**

(8) When notifying a parent or guardian under this section, the principal shall invite the parent or guardian to have a discussion with the principal about the supports that will be provided for his or her child. 2012, c. ~~5~~, s. ~~9~~ (4).

### **Response by board employees**

**300.4** (1) If the Minister has established policies or guidelines under subsection 301 (5.6), an employee of a board who observes a pupil of a school of the board behaving in a way that is likely to have a negative impact on the school climate shall respond in accordance with those policies and guidelines and in accordance with any policies and guidelines established by the board under subsection 302 (3.3). 2009, c. ~~17~~, s. ~~1~~.

### **Exception**

(2) Subsection (1) does not apply in circumstances set out in a regulation made under clause 316 (1) (d). 2009, c. ~~17~~, s. ~~1~~.

**Same, reporting to principals**

Individuals who are not board employees, who come into direct contact with pupils of a board on a regular basis in the normal course of,

- (a) providing goods or services to the board;
  - (b) carrying out their employment functions as an employee of a person who provides goods or services to the board; or
  - (c) providing services to a person who provides goods or services to the board or
  - (d) providing programs or services to pupils in a school of the board.
- 2011, c. 9, sched 10, s.-13.

**2.07.0 EVALUATION**

This Procedure is to be reviewed and updated as required but at a minimum every four (4) years.

**3.08.0 APPENDICES**

Appendix A: Incident Reporting Form – Part I (PR697A)

Appendix B: Incident Reporting Form (Acknowledgement of Receipt of Report) – Part II (PR697B)

**4.09.0 REFERENCE DOCUMENTS**Policies

- Caring and Safe Schools (P051)
- Community Use of Board Facilities (P011) (~~Permits~~)
- Equity-~~Foundation~~ (P037)
- Gender-Based Violence (P071)
- Human Rights (P031)

Operational Procedures

- Board Code of Conduct (PR585)
- Bully Prevention and Intervention (PR703)
- Non-Discretionary and Discretionary Student Transfers (PR540)
- Programs for Students on Long-Term Suspensions and Expulsions (PR586)
- Progressive Discipline and Promoting Positive Student Behaviour (PR702)
- Sexual Misconduct by Students (PR608) Police-School Board Protocol (PR698)
- Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools (PR728)

Other Documents

- *Education Act*, R.S.O 1990, Chapter E.2 as amended (particularly Part XIII)

- O.Reg 472/07, Suspension and Expulsion of Pupils
- O.Reg 612/00, School Councils
- [TDSB Expected Practices for Understanding, Addressing and Preventing Discrimination](#)

Ministry of Education Policy/Program Memoranda

- PPM 120: Reporting Violent Incidents to the Ministry of Education
- PPM 128: The Provincial Code of Conduct and School Board Code of Conduct
- PPM 141: School Board Programs for Students on Long-Term Suspension
- PPM 142: School Board Programs for Expelled Students
- PPM 144: Bullying Prevention and Intervention
- PPM 145: Progressive Discipline and Promoting Positive Student Behaviour

# Toronto District School Board

Operational Procedure PR697

Title: **PROMOTING A POSITIVE SCHOOL CLIMATE**

Adopted: March 15, 2004

Revised: June 28, 2006, December 10, 2006, January 30, 2008, June 25, 2008,  
February 20, 2013, November 12, 2018, September 22, 2020

Reviewed: November 12, 2018

Authorization: Executive Council

## 1.0 RATIONALE

The Promoting a Positive School Climate Operational Procedure (“The Procedure”) affirms the Board’s commitment to creating school learning environments that are caring, accepting, safe, peaceful, nurturing, positive, equitable and respectful, and that enable all students to reach their full potential. This Procedure supports the implementation of the Caring and Safe Schools Policy (P051).

## 2.0 OBJECTIVE

To establish a framework to enable, support and maintain a positive school climate.

## 3.0 DEFINITIONS

*Assault* – a person commits assault when (a) without the consent of another person, he/she applies force intentionally to the other person, directly or indirectly; (b) attempts or threatened, by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe upon reasonable grounds that he/she has present ability to his/her effect his/her purpose; (c) while openly wearing or carrying a weapon or an imitation thereof, he/she accosts or impedes another person.

*Bias* – prejudice in favour of or against one thing, person, or group compared with another, usually in a way considered to be unfair.

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

*Bullying (including cyber-bullying)* – aggressive and typically repeated behaviour (physical, verbal, electronic, written or other means) by a pupil where:

- (a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:
  - (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property; or
  - (ii) creating a negative environment at a school for another individual, and
- (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education;

*Cyber-bullying* - bullying by electronic means, including,

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

*Cannabis* – refers to a drug that is made from the dried leaves and flowers of the hemp plant. Often referred to as marijuana, pot, weed, etc., and is typically smoked, vaped, or digested.

*Cannabis Related Product* – refers to any product containing, made or derived from cannabis that is intended for human consumption whether smoked, heated, inhaled or dissolved. Common types of cannabis products include dried cannabis (e.g., joints, spliffs, blunts), concentrated cannabis products (e.g. edibles, hash, hash oil, shatter, wax, etc.), or tetrahydrocannabinol (THC)/cannabidiol (CBD) infused drinks.

*Discrimination* - unfair or prejudicial treatment of individuals or groups on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identity, gender expression, sexual orientation, age, marital status, family status, or disability, as set out in the Ontario Human Rights Code, or on the basis of other, similar factors. Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits, or advantages that are available to other members of society. Discrimination may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.



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

*Extortion* – the use of threats, intimidation, or violence towards a person to obtain something of value from that person or someone else, or to cause that person or someone else to do something.

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

*Firearm Replica* – is any device that is designed or intended **to exactly resemble or to resemble with near precision, a firearm.**

*Gang- related Occurrences* - incidents involving a group, consisting of three or more persons, however organized, having as one of its main purposes the commission or facilitation of a criminal offence in which any or all the members engage.

*Harassment* – harassment is persistent, ongoing conduct or communication in any form, of attitudes, beliefs, or actions towards an individual or group which might reasonably be known to be unwelcome. A single act or expression may, in the case of sex or gender, constitute harassment.

*Hate and/or Bias Motivated Occurrences* – an incident (e.g. involving statements/ words, gestures) motivated by hatred or bias towards an identifiable group (i.e. a group distinguished by colour, race, religion, gender, sexual orientation, or ethnic origin) that is publicly communicated and that is willfully intended to promote or incite bias or hatred against such a group.

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

*Hatred* – the term “hatred” indicates emotion of an intense and extreme nature that is clearly associated with vilification and detestation. It is an emotion that, if exercised against members of an identifiable group, implies that those individuals are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of group affiliation.

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

*Medical Cannabis User* – a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal law. Students who are medical cannabis users must adhere to TDSB procedure PR 536 Medications. Adults who are providing cannabis to a student who is a medical cannabis user must adhere to TDSB procedure PR 536 Medications.

*Medical Cannabis Recipient* – in the TDSB, no student can receive medical cannabis from another student regardless of whether the students are medical cannabis users.

*Medical Cannabis Provider* – in the TDSB, no student can be a provider of medical cannabis to another student, regardless of whether the students are medical cannabis users.

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

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

*Prejudice* - a conscious or unconscious negative belief about a whole group of people and its individual members.

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

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

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

*School Climate* – the environment, values and relationships found within a school. A positive school climate exists when all members of the school community feel safe, included, and accepted and actively promote positive behaviours and interactions. Equity, inclusion and respect are critical components embedded in the learning environment.

*Sexual Assault* – any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. The term refers to a range of behaviours that involve the use of force or control over the victim. In some cases, no overt physical force is used – instead, the victim may be threatened with words or pressured into doing something he or she doesn't want to do.

*Sexual Harassment* – sexual harassment occurs when a person receives unwelcome sexual attention from another person, whose comments or conduct is known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcome. It also includes an environment in which sexist or homophobic jokes and materials are allowed.

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

*Theft* – anyone who fraudulently and without colour of right, takes or converts to their use or the use of another person, anything with the intent to deprive the owner of the thing.

*Threat* - any statement, act, or communication, by any means, including electronic means, of intent to cause harm, whether physical or emotional. To any person or thing, in circumstances where the person or thing, in the circumstances where the person threatened believes or has grounds to believe the threat may be carried out.

*Threat to Inflict Serious Bodily Harm* – a threat to cause death or serious bodily harm to a person. The term "threat", as used here, does not apply to situations in which no real threat was intended.

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

*Weapon* – any article designed as a weapon or used or intended to be used for the purpose of threatening, intimidating, or injuring a person. All firearms, including replica firearms and imitation firearms, are always considered weapons.

#### **4.0 RESPONSIBILITY**

Executive Superintendent, Human Rights and Indigenous Education and Centrally Assigned Principal, Caring and Safe Schools and Alternative Programs

#### **5.0 APPLICATION AND SCOPE**

This Procedure applies to all students and employees of the Board.

The Procedure also covers trustees, parents and guardians, occasional staff, volunteers, contractors and visitors.

#### **6.0 PROCEDURES**

##### **6.1. Principles**

- (a) Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build on strategies that promote positive behaviours.

When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. Schools should utilize a range of interventions, supports, and consequences that include learning opportunities for reinforcing positive behaviour while helping students to make good choices.

- (b) Mitigating factors must be considered for all students prior to discipline. The following mitigating factors shall be taken into account:
- (i) The pupil does not have the ability to control his or her behaviour;
  - (ii) The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour;
  - (iii) The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.
- (c) Other factors must also be considered for all students prior to discipline. The following other factors shall be taken into account:
- (i) The pupil's history;
  - (ii) Whether a progressive discipline approach has been used with the pupil;

- (iii) Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation, or to any other harassment;
- (iv) How the suspension or expulsion would affect the pupil's on-going education;
- (v) The age of the pupil;
- (vi) When an Individual Education Plan has been developed for the pupil;
- (vii) Whether the behaviour was a manifestation of a disability identified in the pupil's IEP;
- (viii) Whether appropriate individualized accommodation has been provided;
- (ix) Whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
- (d) In some circumstances, a short-term suspension may be a useful approach to assist in changing a student's behaviour. In the case of a serious incident, long-term suspension or expulsion, which is further along the continuum of progressive discipline, may be the response that is required.
- (e) For students with special education needs, interventions, supports, and consequences must be consistent with the student's strengths, needs, goals, and expectations contained in his or her Individual Education Plan (IEP).

## 6.2. Practices

### **School principals must:**

- (a) develop and implement school-wide progressive discipline plans that consider the individual's needs and circumstances and that reflect Board policy and procedure;
- (b) develop a range of interventions, supports, and consequences including circumstances in which short-term suspension, long-term suspension, or expulsion may be the required response;
- (c) use the most appropriate method to respond to a student's behaviour as outlined in this procedure and the school's progressive discipline plan;
- (d) use interventions, consequences, and supports for students with special education needs that shall be consistent with the expectations in the student's Individual Education Plan;
- (e) develop a process for building on existing partnerships, or developing new partnerships, with community agencies and local police services that support students and their families;
- (f) provide opportunities for on-going dialogue with parents related to student achievement and behaviour;
- (g) provide opportunities for students to improve the school climate by assuming leadership roles (e.g., peer mediation, mentorship);

- (h) review the School's Code of Conduct to ensure that it is aligned with a progressive discipline approach;
- (i) establish a supportive learning environment through appropriate interactions between all members of the school community;
- (j) communicate policies and procedures on progressive discipline to all students, parents, staff members and school council members and information shall be shared, as appropriate, with parents whose first language is other than English;
- (k) establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of this and related procedures.
- (l) apply interventions which may include but are not limited to:
  - Discussion with a teacher, member of the support staff, vice-principal or principal
  - Attendance / performance/ behaviour contracts
  - Time Out
  - Reflection Sheet
  - Parental contact and involvement in applying an appropriate remedy
  - Loss of privilege to participate in specified school activities
  - Peer mediation
  - Individual or group counselling
  - Written or oral apology
  - Essay / poster campaign
  - Detention
  - Restitution for damage or stolen property
  - Community service
  - Restorative Practices
- (m) not suspend any student from JK to Gr.3 for any infraction under section 306(1) of the Education Act (see chart of suspension below)
- (n) prior to issuing a mandatory suspension for a student from JK to Gr.3 for any infraction under section 310(1) of the *Education Act* (see chart of suspensions below), the principal is required to conduct an investigation into the matter and then determine if a suspension is required; if a principal is suspending a student for bullying under s. 310(1)(7.1), the requirement that "the pupil has previously been suspended for engaging in bullying" no longer applies to students in junior kindergarten to Grade 3. The remaining requirement, that "the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person" remains in effect.

(o) prior to suspending any student in Gr. 4 to Gr. 12, under section 306 (1) of the *Education Act*, the principal is required to conduct an investigation into the incident and consider mitigating and other factors, apply the principles of progressive discipline and document the process used.

(p) prior to recommending an expulsion under section 310(1) of the *Education Act* for any student in Gr. 4 to Gr. 12, the principal is required to suspend the student, conduct an investigation, consider mitigating and other factors, apply the principles of progressive discipline and document the process used.

SUSPENSIONS A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.306 (1)).	Principal May Issue Suspension	Notify Police	
		May	Shall
1. Uttering a threat to inflict serious bodily harm on another person *	1–19 Days		X
2. Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis	1–19 Days		X
3. Being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis	1–19 Days	X	
4. Swearing at a teacher or at another person in a position of authority*	1–19 Days	N/A	N/A
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school*	1–19 Days		X
6. Bullying*	1–19 Days	X	
*Any activity listed in section 306(1) motivated by hate, bias or prejudice based on the prohibited grounds of the OHRC and gender identity and expression will be considered suspendable under section 310(1) of the <i>Education Act</i> .			

SUSPENSIONS A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.306 (1)7.	Principal May Issue Suspension	Notify Police	
		May	Shall
1. Willful destruction of school property; vandalism causing damage to school or Board property or property located on school or Board premises*	1–19 Days	X	
2. Use of profane or improper language*	1–19 Days	N/A	
3. Use of tobacco*	1–19 Days	X	
4. Theft*	1–19 Days	X	
5. Aid or incite harmful behaviour*	1–19 Days	X	
6. Physical assault*	1–19 Days	X	
7. Being under the influence of illegal drugs*	1–19 Days	X	
8. Fighting*	1–19 Days	X	
9. Possession or misuse of any harmful substances*	1–19 Days	X	
10. Extortion*	1–19 Days		X
11. Inappropriate use of electronic communications or media devices*	1–19 Days	X	
12. An act considered by the school principal to be a breach of the Board's or school code of conduct*	1–19 Days	X	
13. Immunization	20 Days	N/A	N/A
* Any activity listed in section 306(1) motivated by hate, bias or prejudice based on the prohibited grounds of the OHRC and gender identity and expression will be considered suspendable under section 310(1) of the Education Act.			



SUSPENSIONS PENDING POSSIBLE EXPULSION A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.310 (1). After the suspension is issued an investigation will be conducted by the principal within five (5) school days.	Principal May Issue Suspension	Notify Police	
		May	Shall
1. Possessing a weapon, including a firearm	1–20 Days		X
2. Using a weapon to cause or to threaten bodily harm to another person	1–20 Days		X
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner	1–20 Days		X
4. Committing sexual assault (Refer TDSB procedure PR. 608)	1–20 Days		X
5. Trafficking in weapons or in illegal drugs	1–20 Days		X
6. Committing robbery	1–20 Days		X
7. Giving alcohol or cannabis to a minor	1–20 Days		X
7.1 Bullying if,  i. The pupil has previously been suspended for engaging in bullying and, ii. The pupil's continuing presence in the school creates an un-acceptable risk to the safety of another person.	1–20 Days	X	
7.2 Any activity listed in section 306(1) motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor.	1–20 Days	X	X

SUSPENSIONS PENDING POSSIBLE	Principal May	Notify Police
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EXPULSION A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at a school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate (Education Act s.310 (1)8. After the suspension is issued an investigation will be conducted by the principal within five (5) school days.	Issue Suspension	May	Shall
1. Possession of an explosive substance	1–20 Days		X
2. Sexual Harassment	1–20 Days	X	
3. Hate Motivated Occurrences	1–20 Days		X
4. Distribution of Hate Material	1–20 Days	X	
5. Racial Harassment	1–20 Days	X	
6. An act considered by the principal to be a serious breach of the Board's or school's code of conduct.	1–20 Days		X
7. Trafficking in cannabis	1 -20 Days		X

### 6.3. Duty to Report Harm (Education Act – Part XIII)

#### **Delegation by principals**

**300.1 (1)** A principal of a school may delegate in writing any of his or her powers, duties or functions under this Part to,

- (a) vice-principal of the school;
- (b) a teacher employed in the school;
- (c) a person appointed by a board under paragraph 5.1 of subsection 171 (1) to supervise persons in positions designated by the board as requiring an early childhood educator; and
- (d) a person appointed by a board under subsection 260 (2) to a position in an extended day program designated by the board as requiring an early childhood educator. 2009, c. 17, s. 1; 2011, c. 9, Sched. 10, s. 12 (1).

**Same**

(2) A teacher who is not a vice-principal may only act under a delegation under this section if the principal and vice-principal of the school are absent from the school. 2009, c. 17, s. 1.

**Same**

(2.1) A person described in clause (1) (c) or (d) may only act under a delegation under this section if,

- (a) the principal and vice-principal of the school are absent from the school;
- (b) the delegated power, duty or function is exercised in respect of a pupil enrolled in an extended day program in the school; and
- (c) the delegated power, duty or function is exercised during the time that the extended day program is operated in the school. 2011, c. 9, Sched. 10, s. 12 (2).

**Reporting to the principal** (See Appendix A – PR697A)

**300.2 (1)** An employee of a board who becomes aware that a pupil of a school of the board may have engaged in an activity described in subsection 306 (1) or 310 (1) shall report to the principal of the school about the matter. 2009, c.17, s.1; 2012, c.5, s.8 (1).

**Same**

(2) An employee shall report to the principal as soon as reasonably possible or, if a different time period is specified by the policies or guidelines, within that time period. 2012, c.5, s.8 (2).

**Principal's duty to investigate**

(3) A principal shall investigate any matter reported under subsection (1). 2012, c.5, s.8 (2).

**Informing reporter** (See Appendix B - PR697B)

(4) After investigating a matter reported under subsection (1), the principal shall communicate the results of the investigation to:

- (a) if the matter was reported by a teacher, that teacher; or
- (b) if the matter was reported by an employee who is not a teacher, that employee unless, in the principal's opinion, it would not be appropriate to do so. 2012, c. 5, s. 8(2).

**Same**

(5) The principal shall not disclose more personal information under subsection (4) than is reasonably necessary for the purpose of communicating the results of the investigation. 2012, c.5, s.8(2).

**Notice to parent or guardian**

**300.3 (1)** Subject to subsections (2) and (3), if the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306 (1) or 310 (1), the principal shall, as soon as reasonably possible, notify,

(a) the parent or guardian of the pupil who the principal believes has been harmed; and

(b) the parent or guardian of any pupil of the school who the principal believes has engaged in the activity that resulted in the harm. 2012, c.5, s.9 (1).

**Same**

(2) A principal shall not, without the pupil's consent, notify a parent or guardian of a pupil who is,

(a) 18 years or older; or

(b) 16 or 17 years old and has withdrawn from parental control. 2009, c.17, s.1.

**Same**

(3) A principal shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian of the pupil, such that the notification is not in the pupil's best interests. 2009, c.17, s.1.

**Same**

(4) When notifying a parent or guardian of a pupil under clause (1) (a), the principal shall disclose,

(a) the nature of the activity that resulted in harm to the pupil;

(b) the nature of the harm to the pupil;

(c) the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the activity; and

(d) the supports that will be provided for the pupil in response to the harm that resulted from the activity. 2012, c. 5, s. 9 (2).

**Same**

(5) When notifying a parent or guardian of a pupil under clause (1) (a), the principal shall not disclose the name of or any other identifying or personal information about a pupil who engaged in the activity that resulted in the harm, except in so far as is necessary to comply with subsection (4). 2009,c.17, s.1; 2012, c.5, s.9 (3).

**Same**

(6) When notifying a parent or guardian of a pupil under clause (1) (b), the principal shall disclose,

- (a) the nature of the activity that resulted in harm to the other pupil;
- (b) the nature of the harm to the other pupil;
- (c) the nature of any disciplinary measures taken in response to the activity; and
- (d) the supports that will be provided for the pupil in response to his or her engagement in the activity. 2012, c. 5, s. 9 (4).

**Same**

(7) When notifying a parent or guardian of a pupil under clause (1) (b), the principal shall not disclose the name of or any other identifying or personal information about a pupil who has been harmed as a result of the activity, except in so far as is necessary to comply with subsection (6). 2012, c.5, s.9 (4).

**Parent's right to provide comments**

(8) When notifying a parent or guardian under this section, the principal shall invite the parent or guardian to have a discussion with the principal about the supports that will be provided for his or her child. 2012, c.5, s.9(4).

**Response by board employees**

**300.4** (1) If the Minister has established policies or guidelines under subsection 301 (5.6), an employee of a board who observes a pupil of a school of the board behaving in a way that is likely to have a negative impact on the school climate shall respond in accordance with those policies and guidelines and in accordance with any policies and guidelines established by the board under subsection 302 (3.3). 2009, c.17, s.1.

**Exception**

(2) Subsection (1) does not apply in circumstances set out in a regulation made under clause 316 (1) (d). 2009, c.17, s.1.

**Same, reporting to principals**

Individuals who are not board employees, who come into direct contact with pupils of a board on a regular basis in the normal course of,

- (a) providing goods or services to the board;
- (b) carrying out their employment functions as an employee of a person who provides goods or services to the board; or
- (c) providing services to a person who provides goods or services to the board or
- (d) providing programs or services to pupils in a school of the board. 2011, c. 9, sched 10, s.13.

**7.0 EVALUATION**

This Procedure is to be reviewed and updated as required but at a minimum every four (4) years.

**8.0 APPENDICES**

Appendix A: Incident Reporting Form – Part I (PR697A)

Appendix B: Incident Reporting Form (Acknowledgement of Receipt of Report) – Part II (PR697B)

**9.0 REFERENCE DOCUMENTS**Policies

- Caring and Safe Schools (P051)
- Community Use of Board Facilities (P011)
- Equity (P037)
- Gender-Based Violence (P071)
- Human Rights (P031)

Operational Procedures

- Board Code of Conduct (PR585)
- Bully Prevention and Intervention (PR703)
- Non-Discretionary and Discretionary Student Transfers (PR540)
- Programs for Students on Long-Term Suspensions and Expulsions (PR586)
- Progressive Discipline and Promoting Positive Student Behaviour (PR702)
- Sexual Misconduct by Students (PR608) Police-School Board Protocol (PR698)
- Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools (PR728)

Other Documents

- Education Act, R.S.O 1990, Chapter E.2 as amended (particularly Part XIII)
- O.Reg 472/07, Suspension and Expulsion of Pupils

- O.Reg 612/00, School Councils
- Expected Practices for Understanding, Addressing and Preventing Discrimination
- Ministry of Education Policy/Program Memoranda
- PPM 120: Reporting Violent Incidents to the Ministry of Education
- PPM 128: The Provincial Code of Conduct and School Board Code of Conduct
- PPM 141: School Board Programs for Students on Long-Term Suspension
- PPM 142: School Board Programs for Expelled Students
- PPM 144: Bullying Prevention and Intervention
- PPM 145: Progressive Discipline and Promoting Positive Student Behaviour

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**Written Notice of Motion for Consideration (Trustees Pilkey and Doyle)**

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

In accordance with Board Bylaw 5.15.2, notice of the following motion was provided at the regular meeting of the Governance and Policy Committee on February 10, 2020 and is therefore submitted for consideration at this time.

5.15.2 A notice of motion will be introduced by a member who is present as an advance notification of a matter to be considered at a subsequent Board or Committee meeting. A notice of motion will not be debated at the meeting at which it is introduced...

5.15.2 (c) A notice of motion submitted prior to, or at a committee meeting, will be considered at a subsequent committee meeting...

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**Membership on the Director's Performance Appraisal Committee**

Whereas, on December 1, 2016, the Board established the Director's Performance Appraisal Committee with a membership of seven trustees, including the Chair and Vice-chair of the Board; and

Whereas, the Board appointed Trustees Arp, Chadwick, Gershon, Gough, Kandavel, Moise and Pilkey to serve on the Director's Performance Appraisal Committee for a term ending November 30, 2017; and

Whereas, on December 4, 2017, the Board decided:

- (a) That the term for membership on the Director's Performance Appraisal Committee be changed from one year to two years;
- (b) That the term of the current members on the Director's Performance Appraisal Committee, Trustees Arp, Chadwick, Gershon, Gough, Kandavel, Moise and Pilkey be extended to November 30, 2018

and;

Whereas, on December 3, 2018, the Board appointed Trustees Donaldson, Li, Mammoliti, Moise, Pilkey, Sriskandarajah and Wong to service on the Director's Performance Appraisal Committee for a term ending November 14, 2020; and

Whereas, Trustee Doyle was elected as Vice-chair of the Board on November 18, 2019 and thereby replaced Trustee Moise as Vice-chair; and

Whereas, on August 10, 2020, Trustee Brown was elected as Chair of the Board and thereby replaced Trustee Pilkey as Chair;

Therefore, be it resolved:

(a) That membership on the Director's Performance Appraisal Committee be revised to reflect that:

i. Trustee Doyle has replaced Trustee Moise on the committee for the term November 18, 2019 to November 14, 2020,

ii. Trustee Brown has replaced Trustee Pilkey on the committee for the term August 10, 2020 to November 14, 2020,

(b) That the following be added to the terms for membership on the Director's Performance Appraisal Committee:

That the term for membership on the Director's Performance Appraisal Committee for the Board chair and vice-chair positions be subject to the results of the Organizational meeting for the positions of chair and vice-chair of the Board.

(c) That a review of policy P049, Performance Management: Director of Education, be conducted to include, among other considerations, clarification on the composition of the Director's Performance Appraisal Committee;

(d) That the revised policy P049, as referenced in section (c) above, be presented to the Governance and Policy Committee for review, prior to implementing public consultations.

### **Written Notice of Motion for Consideration (Trustee Li, on behalf of Trustee Story and Doyle)**

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

In accordance with Board Bylaw 5.15.2, notice of the following motion was provided at the regular meeting of the Governance and Policy Committee on February 10, 2020 and is therefore submitted for consideration at this time.

5.15.2 A notice of motion will be introduced by a member who is present as an advance notification of a matter to be considered at a subsequent Board or Committee meeting. A notice of motion will not be debated at the meeting at which it is introduced...

5.15.2 (c) A notice of motion submitted prior to, or at a committee meeting, will be considered at a subsequent committee meeting...

\*\*\*\*\*

### **Board Bylaws: Amendments**

Whereas, on November 28, 2018, the Board approved revised bylaws, which included, the following clauses:

5.15.2 A notice of motion will be introduced by a member who is present as an advance notification of a matter to be considered **at a subsequent Board** or Committee meeting. A notice of motion will not be debated at the meeting at which it is introduced.

5.12.8 The consent agenda will be prepared for regular Board meetings as part of agenda development. The consent agenda is the portion of the agenda with items presented together and adopted at once without further debate.

4.1.2 The Board may establish by resolution any committee it deems appropriate, including but not limited to standing, statutory, special or community advisory committees, subject to applicable legislation...

and;

Whereas, the Board established three standing committees, the Finance, Budget and Enrolment Committee, the Program and School Services Committee and the Governance and Policy Committee, all with mandates that speak to their title; and

Whereas, a Committee of the Whole, composed of all trustees with full participation and voting privileges was established with the following mandate:

- i. The development and annual review of the Board's Multi-Year Strategic Plan for the Board, in consultation with the Director or designate;
- ii. The Board's inter-governmental relations;
- iii. The development and management of plans for senior leadership succession;
- iv. Professional development for members of the Board;
- v. Facility and property matters, including property disposition, major capital projects, boundary changes;
- vi. Matters related to Trustees and Trustee Services; and
- vii. Other issues referred to it from time to time by the Board or the Chair of the Board;

and;

Whereas, in comparison with the titles of the standing committees, the title, Committee of the Whole, does not reflect the work of that committee;

Therefore, be it resolved:

- (a) That the Director present revisions to the Board's bylaws to reflect the following, for consideration by the Governance and Policy Committee in the spring 2020 cycle of meetings:
  - (i) That "at a subsequent Board" be deleted from clause 5.15.2;
  - (ii) That 'staff reports that are presented directly to the Board, without prior discussion at committee, be excluded from the consent process and be presented at the meeting for discussion" be added to clause 5.12.8;
  - (iii) That the name of the committee, Committee of the Whole be changed to Planning and Priorities Committee, with no change to the membership and mandate.

### **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."

### **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.



# 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.