

Regular Meeting Agenda

BD:264A Wednesday, November 10, 2021 4:30 p.m. Electronic Meeting

Trustee Members

Alexander Brown (Chair), Michelle Aarts, Rachel Chernos Lin, Stephanie Donaldson, Trixie Doyle, Harpreet Gill, Parthi Kandavel, Shelley Laskin, James Li, Alexandra Lulka, Dan MacLean, Christopher Mammoliti, Chris Moise, Patrick Nunziata, Zakir Patel, Robin Pilkey, Yalini Rajakulasingam, David Smith, Anu Sriskandarajah, Jennifer Story, Chris Tonks, Manna Wong

Pages

1. Call to Order

Private Session, 4:30 p.m.

Resolution Into Committee of the Whole (Private Session)
 (to consider matters that fall under section 207(2) of the *Education Act*)

- 3. Committee of the Whole Rises and Reports and the Meeting Reconvenes in Public Session
- 4. Report of the Committee of the Whole (Private Session), November 10, 2021

To be presented

Public Session, 7 p.m.

- 5. National Anthem and Acknowledgement of Traditional Lands
- 6. Approval of the Agenda
- 7. Celebrating Board Activities

To be presented

8. Memorials

To be presented

9.	Chair'	Chair's Announcements						
	To be	present	ted					
10.	Repor Truste		Trustees Appointed to External Organizations and Student					
	To be	present	ted					
11.	Direct	or's Lea	dership Report					
	Oral L	Jpdate						
12.	Decla	rations o	of Possible Conflict of Interest					
13.	Matte	rs to be	Decided Without Discussion					
	To be	present	ted					
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		2.	Community Access Agreement: Ossington/Old Orchard Junior Public School, 380 Ossington Avenue					
		3.	Shared Facilities Agreement: Brookside Public School and Blessed Pier Giorgio Frassati Catholic School Brookside					
		4.	Brockton Stadium: Lease Agreement Alliance of Portuguese Clubs and Associations of Ontario					
		5.	Church Street Junior Public School: Parking Lease Agreement Conseil Scolaire Viamonde					
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	Private	Session	on, 9:45 p.m.					
19.	Resolu	ition Inte	o Committee of the Whole (Private Session)					
		itinue co	onsideration of matters that fall under section 207(2) of the					
20.	Adjour	nment						



Appointment of External Member to the Audit Committee

To: Regular Meeting

Date: 10 November, 2021

Report No.: 11-21-4189

Strategic Directions

- 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 Board appoint Naveen K. Balakrishnan to serve as an external member on the Audit Committee for a period of three years, effective 31 January 2022.

Context

Ontario Regulation 361/10 outlines the requirement for school boards to establish Audit Committees. Under this regulation, the Toronto District School board (TDSB) Audit Committee consists of seven members, including four trustee members and three external members. The term of the appointment for TDSB external members is three years.

The external members who are appointed by the Board must:

- Have accounting, financial management background and relevant business experience;
- Not be an employee or officer of TDSB or any other school board during the term;
- Not have a parent, child or spouse employed by the Board; and,
- Be identified by the Selection Committee as a potential candidate for appointment to the Audit Committee.

Agenda Page 2

The current vacancy was created following the expiration of the term of external member, Ian Mackay, whose three-year term ends on January 30, 2022.

This volunteer opportunity was previously posted on the Board's website, the Institute of Corporate Director's website and LinkedIn. The interview was held on 22 October 2021. The Selection Committee was comprised of the Chair of the Board, the Chair of the Audit Committee, and the Interim Executive Officer of Finance (as the Director of Education's designate).

Action Plan and Associated Timeline

Once the appointment is approved, a letter will be sent to the candidate to confirm the appointment term.

Resource Implications

Not applicable.

Communications Considerations

Not applicable.

Board Policy and Procedure Reference(s)

Not applicable.

Appendices

• Appendix A: CV of Successful Candidate (Separate document in private)

From

Colleen Russell-Rawlins, Director of Education, at Colleen.Russell-Rawlins@tdsb.on.ca or 416 397 3190.

Craig Snider, Interim Associate Director, Business Operations and Service Excellence at Craig.Snider@tdsb.on.ca or 416 395 8469

Marisa Chiu, Interim Executive Officer, Finance at Marisa.Chiu@tdsb.on.ca or 416 395 3563.



Integrity Commissioner Selection Committee

Report No. 02

ICSC:002A
Friday, October 22, 2021
1 p.m.
Electronic Meeting

Members Present Trustees Stephanie Donaldson, Chris Moise, Zakir Patel and Anu

Sriskandarajah

Regrets Trustee David Smith

All trustees participated by electronic means in accordance with amendments to Section 7 of Ontario Regulations 463/97, Electronic

Meetings.

Part A: Committee Recommendations

1. Integrity Commissioner Selection Committee Terms of Reference

The Committee considered a report (see ICSC:002A, page 5) presenting the Terms of Reference for the Integrity Commissioner Selection Committee.

Moved by: Trustee Moise

Seconded by: Trustee Sriskandarajah

The Integrity Commissioner Selection Committee RECOMMENDS that the

Terms of Reference, as presented in the report, be approved.

Carried

Part B: Information Only

2. Call to Order and Acknowledgement of Traditional Lands

An electronic meeting of the Integrity Commissioner Selection Committee was called to order at 1:00 p.m. with Stephanie Donaldson presiding.

3. Approval of the Agenda

On motion of Trustee Moise, seconded by Trustee Sriskandarajah, the agenda was approved.

4. Declarations of Possible Conflict of Interest

No matters to report

5. Delegations

No matters to report

6. Integrity Commissioner Selection Committee Timeline and Schedule of Meetings

The Committee received information from staff (see ICSC:002A, page 1) presenting a timeline of the selection process and schedule of proposed meetings until February 2022.

Staff undertook to provide a revised timeline and schedule of meetings at the next meeting of the Committee with additional information on meeting content and bid review timelines.

7. Private Matters

At 1:23 p.m. on motion of Trustee Moise, seconded by Trustee Patel, the meeting resolved into private to consider matters on the private agenda.

8. Adjournment

On motion of Trustee Moise, seconded by Trustee Sriskandarajah, the meeting adjourned at 3:11 p.m.

Part C: Ongoing Matters

No matters to report

Submitted by: Stephanie Donaldson, Committee Chair



Governance and Policy Committee Report No. 08

GPC:008A Wednesday, October 27, 2021 4:30 p.m. Electronic Meeting

Members Present Trustees James Li (Chair), Michelle Aarts, Harpreet Gill, Yalini

Rajakulasingam and Anu Sriskandarajah

Regrets Trustee Stephanie Donaldson

Also Present Trustees Alexander Brown, Rachel Chernos Lin, Trixie Doyle, Parthi

Kandavel, Shelley Laskin, Dan MacLean, Christopher Mammoliti, Chris

Moise, Zakir Patel and Robin Pilkey

All trustees participated by electronic means in accordance with amendments to Section 7 of Ontario Regulations 463/97, Electronic

Meetings.

Part A: Committee Recommendations

1. Specialized Schools and Programs Policy: Consultation Update [4186]

The Committee considered a report from staff (see GPC:008A, page 1) presenting an outline of the consultation process.

Moved by: Trustee Rajakulasingam

Seconded by: Trustee Li

The Governance and Policy Committee **RECOMMENDS** that the report be

received.

Carried

2. <u>Sharing Information on New and Revised Operational Procedures</u> [4185]

The Committee considered a report from staff (see GPC:008A, page 5) presenting two options on the process for sharing information on new and revised operational procedures.

Moved by: Trustee Rajakulasingam

Seconded by: Trustee Brown

The Governance and Policy Committee **RECOMMENDS**:

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

Carried

3. Policy Review Schedule 2021-22 to 2024-25 School Years [4184]

The Committee considered a report from staff (see GPC:008A, page 7) presenting information on the policy review schedule to the 2025 school year.

Moved by: Trustee Sriskandarajah Seconded by: Trustee Rajakulasingam

The Governance and Policy Committee **RECOMMENDS** that the policy review schedule for the 2021-2022 to 2024-2025 school years, as presented in the report, be approved.

Carried

4. Anti-Sex Trafficking: New Policy [4182]

The Committee considered a report from staff (see GPC:008A, page 19) presenting information on Ministry of Education policy/program memorandum, PPM 166, Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols, which requires school boards to establish partnerships and implement tailored anti-sex trafficking protocols by January 31, 2022.

Moved by: Trustee Sriskandarajah **Seconded by:** Trustee Rajakulasingam

The Governance and Policy Committee **RECOMMENDS** that the policy development work plan for an anti-sex trafficking policy, as presented in the report, be approved.

Carried

5. PR733, Information Flow Protocol, Request for Information List: Update [4177]

The Committee considered a report from staff (see GPC:008A, page 43) presenting an update on the development of a request for information list platform as part of the implementation of PR733, Information Flow Protocol.

Moved by: Trustee Sriskandarajah **Seconded by:** Trustee Rajakulasingam

The Governance and Policy Committee **RECOMMENDS** that the report be received.

Carried

6. <u>PR597, French Immersion/Extended French: Revised Procedure</u> [4152]

The Committee considered a report from staff (see GPC:008A, page 47) presenting revisions to procedure PR597, French Immersion/Extended French.

Moved by: Trustee Sriskandarajah **Seconded by:** Trustee Rajakulasingam

The Governance and Policy Committee **RECOMMENDS** that the report be received.

Carried

7. PR699, Management for Risk of Injury Behaviours: Revised Procedure [4180]

The Committee considered a report from staff (see GPC:008A, page 79) presenting revisions to procedure PR699, Management for Risk of Injury Behaviours, formerly Students With Special Needs: Management for Risk of Injury Behaviours.

Moved by: Trustee Sriskandarajah **Seconded by:** Trustee Mammoliti

The Governance and Policy Committee **RECOMMENDS** that the report be

received.

Carried

8. PR575, Access to Schools by Third Party Professionals: Revised Procedure [4179]

The Committee considered a report from staff (see GPC:008A, page 211) presenting revisions to procedure PR575 and the recission of PR578.

Moved by: Trustee Sriskandarajah **Seconded by:** Trustee Rajakulasingam

The Governance and Policy Committee **RECOMMENDS** that the report be received.

Carried

9. PR719, Digital File Storage: Revised Procedure [4178]

The Committee considered a report from staff (see GPC:008A, page 235) presenting revisions to procedure, PR719, Digital File Storage, formerly Storage Quota

Moved by: Trustee Rajakulasingam **Seconded by:** Trustee Sriskandarajah

The Governance and Policy Committee **RECOMMENDS** that the report be received.

Carried

Part B: Information Only

10. Call to Order and Acknowledgement of Traditional Lands

An electronic meeting of the Governance and Policy Committee was called to order at 4:32 p.m., with Vice-chair, Trustee Michelle Aarts presiding.

11. Approval of the Agenda

On motion of Trustee Gill, seconded by Trustee Sriskandarajah, the agenda was approved.

12. <u>Delegations</u>

No matters to report

13. <u>Declarations of Possible Conflict of Interest</u>

No matters to report

14. Report No. 06 of the Bylaws Review Ad Hoc Committee

On motion of Trustee Sriskandarajah, seconded by Trustee Rajakulasingam, the Committee received Report No. 06 of the Bylaws Review Ad Hoc Committee (October 7, 2021) (see GPC:008A, page 251) including:

- Review of Administrative Efficiencies
- Bylaws Review Preliminary Suggestions to Date

15. Report No. 07 of the Bylaws Review Ad Hoc Committee

On motion of Trustee Sriskandarajah, seconded by Trustee Rajakulasingam, the Committee received Report No. 07 of the Bylaws Review Ad Hoc Committee (October 21, 2021) (see GPC:008A, page 253) including:

- Accessibility for Ontarians with Disabilities Act Compliance Review
- Accessibility, Format and Style Review
- Bylaws Review Preliminary Suggestions to Date

16. Private Matters

At 7:38 p.m., on motion of Trustee Sriskandarajah, seconded by Trustee Mammoliti, the meeting resolved into private to consider matters on the private agenda.

17. Adjournment

On motion of Trustee Rajakulasingam, seconded by Trustee Sriskandarajah, the meeting adjourned at 8:18 p.m.

Part C: Ongoing Matters

No matters to report

Submitted by: Michelle Aarts, Chair pro tem



Program and School Services Committee Report No. 07

PSSC:007A
Thursday, October 28, 2021
4:30 p.m.
Electronic Meeting

Members Present Trustees Rachel Chernos Lin (Chair), Trixie Doyle, Dan

MacLean, Chris Moise, Patrick Nunziata and Chris Tonks

Regrets Trustee Alexandra Lulka

Also Present Trustees Michelle Aarts, Christopher Mammoliti, Robin Pilkey,

Manna Wong, and Student Trustees Isaiah Shafqat and Evan

Woo

All trustees participated by electronic means in accordance with

amendments to Section 7 of Ontario Regulations 463/97,

Electronic Meetings

Part A: Committee Recommendations

1. Elementary Alternative Application and Admission Procedures Feasibility: Update [4181]

The Committee considered a report from staff (see PSSC:007A, page 15) presenting information on the review of the application and admission procedures for all elementary alternative schools.

Moved by: Trustee Moise

Seconded by: Trustee MacLean

The Program and School Services Committee **RECOMMENDS** that the report be received.

Carried

2. Supporting Free Public Transit for High School Students

The matter, introduced by Trustees Tonks and Nunziata, was deemed as emergency business and added to the agenda.

Moved by: Trustee Tonks

Seconded by: Trustee Nunziata

The Program and School Services Committee **RECOMMENDS**:

Whereas, the Toronto Transit Commission is seeking feedback from stakeholders as it creates a 5-Year Fare Policy and 10-Year Fare Collection Outlook and will present an initial proposal on November 17, 2021 and hold a final vote in February 2022; and

Whereas, using transit at a younger age can encourage life-long use of transit, influencing behavioural change for a more sustainable future (Lachappelle et al, 2016); and

Whereas, a program in Kingston, Ontario to provide free transit passes to high school students, along with an on-bus orientation session to teach students how to ride the bus, has increased overall transit ridership by 73% since 2012 (Federation of Canadian Municipalities, 2019); and

Whereas, students and teachers have reported a reduction in low-income students' enrolment in specialized programs, after financial constraints resulted in the end of a TDSB program to provide free TTC tickets to Grade 9-12 students taking French Immersion, Extended French, and Gifted programs in 2019 and to elementary Grade 6-8 students taking Gifted and French Immersion programs in 2020; and

Whereas, the TTC is free to ride for children 12 years and younger, but many young people do not have or carry identification and high school students reported in focus groups (TTCriders, 2021) that as younger teenagers they experienced discrimination from fare enforcement based on race and age, and were challenged about their age;

Therefore, be it resolved:

- (a) That the Toronto District School Board express support for an expansion of free public transit to high school students;
- (b) That the Chair write to the Toronto Transit Commission Board by November 17, 2021, recommending that they expand free TTC rides

- to high school students as they develop their 5-Year Fare Policy and 10-Year Fare Collection Outlook;
- (c) That the Chair write to the Mayor of Toronto, Ontario Minister of Transportation and Transport Canada to advocate for funding support for the Toronto Transit Commission in order to implement free transit for high school students;
- (d) That a copy of the letters in parts (b) and (c) above, be shared with the Ontario Public School Boards' Association and the federal Minister of Youth;
- (e) That trustees be encouraged to advocate to the City councillors in for support of free public transit for high school students;
- (f) That trustees be encouraged to delegate to Toronto City Council and the Toronto Transit Commission Board;
- (g) That a copy of the letter be sent to the federal Minister of Youth, requesting funding for free public transit for youth 18 and younger.

Carried

At the Committee meeting, parts (e), (f) and (g) were added on amendment of Trustee Moise, seconded by Trustee Nunziata.

Part B: Information Only

3. Call to Order and Acknowledgement of Traditional Lands

A meeting of the Program and School Services Committee was convened on Thursday, October 28, 2021 from 4:30 to 6:12 p.m., by electronic means, with Rachel Chernos Lin, presiding.

4. Approval of the Agenda

On motion of Trustee Doyle, seconded by Trustee MacLean, the agenda was approved.

5. Declarations of Possible Conflict

No matters to report

6. Delegations

re Item 7.1 Supporting Free Public Transit for High School Students (Trustees Tonks and Nunziata)

1. Vivian Zhang, Student

- 2. Zain Khurram, Student
- 3. Debbie King and Ayan Kailie, Queen Victoria Public School and Swansea Black Student Success Committees

7. Black Student Achievement Community Advisory Committee Report, October 4, 2021

The Committee considered a report from the Black Student Achievement Community Advisory Committee dated October 12, 2021 (see PSSC:007A, page 1). The report was presented by Committee Co-Chair, Trustee Chris Moise.

Moved by: Trustee Moise Seconded by: Trustee Doyle

That the report be received.

Carried

8. Community Use of Schools Community Advisory Committee Report, October 12, 2021

The Committee considered a report from the Community Use of Schools Community Advisory Committee dated October 12, 2021 (see PSSC:007A, page 3). The report was presented by Committee Co-Chair, Judy Gargaro

Moved by: Trustee MacLean Seconded by: Trustee Doyle

That the report be received.

Carried

9. Environmental Sustainability Community Advisory Committee Report, October 5, 2021

The Committee considered a report from the Environmental Sustainability Community Advisory Committee dated October 5, 2021 (see PSSC:007A, page 7).

Moved by: Trustee Moise

Seconded by: Trustee MacLean

That the report be received.

Carried

10. Equity Policy Community Advisory Committee Report, September 27, 2021

The Committee considered a report from the Equity Policy Community Advisory Committee dated September 27, 2021 (see PSSC:007A, page 9).

Moved by: Trustee MacLean
Seconded by: Trustee Mammoliti

That the report be received.

Carried

11. Inner City Community Advisory Committee Report, October 21, 2021

The Committee considered a report from the Inner City Community Advisory Committee dated October 21 2021 (see PSSC:007A, page 11) The report was presented by Trustee Co-Chair Michelle Aarts.

Moved by: Trustee Doyle

Seconded by: Trustee Mammoliti

That the report be received.

Carried

12. Parent Involvement Advisory Committee Report, October 19, 2021

The Committee considered report from the Parent Involvement Advisory Committee dated October 19, 2021 (see PSSC:007A, page 13). The report was presented by Committee Co-Chairs, D. Williams and Felicia Seto-Lau.

Moved by: Trustee Moise

Seconded by: Trustee Mammoliti

That the report be received.

Carried

13. Adjournment

On motion of Trustee Doyle, seconded by Trustee Mammoliti, the meeting adjourned at 6:12 p.m.

Part C: Ongoing Matters

No matters to report

Submitted by: Rachel Chernos Lin, Chair of Committee



Board Self-Assessment Committee Report No. 01

Monday, November 1, 2021 7:30 p.m. Electronic Meeting

Members Present Trustees Parthi Kandavel (Chair), Alexander Brown, Rachel

Chernos Lin, Stephanie Donaldson, David Smith and Anu

Sriskandarajah

Regrets Trustee James Li

Trustees participated by electronic means in accordance with

amendments to Section 7 of Ontario Regulations 463/97,

Electronic Meetings.

Part A: Committee Recommendations

No matters to report

Part B: For Information Only

1. Call to Order and Acknowledgement of Traditional Lands

The meeting was called to order at 7:34 p.m. by electronic means, with Trustee Parthi Kandavel presiding.

2. Approval of the Agenda

Trustee Chernos Lin, seconded by Trustee Donaldson moved that the agenda be approved.

3. Declarations of Possible Conflict of Interest

No matters to report

4. Results of the Self-Assessment Tool

The Committee received a report from Charles Ungerleider of Directions Evidence and Policy Research Group on the results of the Board Self-Assessment Tool, as approved by the Board on November 24, 2020 (see attached).

The Committee discussed:

- The roles and responsibilities of Trustees and the governance structure of the Board;
- The importance of student achievement as a specific area of focus;
- The expectations and powers of the Code of Conduct;
- A plan to respond to the results of the Self-Assessment and continue the work of Board Self-Assessment;
- The continued effort required by Trustees in order to develop a work plan to address the issues identified through the Self-Assessment.

5. Adjournment

On motion of Trustee Donaldson, seconded by Trustee Sriskandarajah, the meeting adjourned at 8:44 p.m.

Part C: Ongoing Matters

No matters to report

Submitted by: Parthi Kandavel, Committee Chair

Toronto District School Board: Results of the Self-Assessment Tool



Toronto District School Board: Results of the Self-Assessment Tool

Submitted to:

Board of Trustee Toronto District School Board

Vendor:

Directions Evidence and Policy Research Group, LLP

Vancouver: suite 219 – 1321 Pacific Boulevard, Vancouver, BC, V6Z 0E2
Point of Contact: Charles Ungerleider, Director of Research & Managing Partner

Telephone Number: 604-600-1040
E-mail: cungerleider@directions-eprg.ca

Wednesday, October 20, 2021

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Executive Summary

The Wilson¹ and Hall² reports painted an unflattering portrait of the Toronto District School Board in 2014 and 2015. They described the culture of the TDSB as dysfunctional, the roles and responsibilities of Trustees poorly understood, impaired trustee and senior staff relationships, and many other facets of poor governance. The Hall report averred that the dysfunctional culture of the TDSB had consequences for the district itself as well as its relationships with the citizens of Toronto.

Hall described "jockeying among the 22 trustees to get a 12-trustee majority" that, once secured, made it difficult for the remaining Trustees to engage in a critical discussion of the item under consideration; treating information as "currency" that was shared among an "in group" and isolated the "out group," leaving the latter feeling marginalized; actions that showed "a clear lack of understanding of the difference between governance and operations"; "partisan politicization" of the position of Trustee where decisions were made "in the best interest of one's political career rather than the best interests of the students of the board; a complicated and "all encompassing" strategic plan with out "clear performance measures,", etc.

Five year later, the present Board appears to have risen above the level of dysfunction Hall and Wilson described. The agreement among Trustees regarding the responsibilities of office, the roles of the Board's officers, the norms established in the Board's code of conduct, their beliefs about education, and the meaning of equity is encouraging. Agreement, especially about the responsibilities of office, the role of the Board, and about the norms in the code of conduct should provide a foundation for productive discussion of the legitimate differences among Trustees. However, it will take significant effort to capitalize on that foundation.

To succeed, Trustees will need to commit themselves to see beyond the horizon of the interests of their immediate constituencies to act in the best interest of the district, to depersonalize their differences, and to treat one another with the respect that every human being deserves. The Board must attend more assiduously to its principal obligations to improve student achievement, reduce inequalities, and improve public confidence in the TDSB.

¹ Wilson, M. (2014) A Review of the Toronto District School Board. http://www.edu.gov.on.ca/eng/new/2015/TDSBReview2015.pdf

² Hall, B., Bismilla, V., Case, P., Glassco, B., Hoy, S., Powers, R. Williams, J. (2015) Toronto District School Board Governance Advisory Panel Report Submitted to the Honourable Liz Sandals, Minister of Education, http://edu.gov.on.ca/eng/new/2015/TDSB2015.html

Toronto District School Board: Results of the Self-Assessment Tool

The Board will benefit from a program of professional learning focusing on the requirements of responsible governance, fiduciary responsibility, duty of care, stewardship, and strategic planning and results monitoring – to name some core issues.

Introduction

The current self-assessment was undertaken by the TDSB Board elected in 2018, some members of which were elected in 2014. The self-assessment was conducted during the 2020/2021 school year amidst the COVID-19 Pandemic, and at a time when the TDSB was conducting a search for a Director of Education.

I sought the role of consultant to the TDSB's Board Self-Assessment because such an assessment is instrumental to effective governance that, in turn, should have a material impact on student achievement and well-being, the elimination of educational inequality, and citizen confidence in public schooling. I conveyed that belief in my proposal to the Board:

Boards of School trustees play a pivotal role in translating the public's views of and aspirations for public education into goals and objectives for the school systems they govern, explaining the educational system to the public, and advocating on behalf of the systems they govern. Their most important tasks are: articulating the goals and objectives of the jurisdiction; expressing the goals in policy; establishing criteria for determining whether those goals and objectives are being achieved through the policies set; assuring that staff collect relevant evidence and appraise that evidence; providing feedback to the public about how well the system is doing; recruiting and selecting their only employee - the Director of Education; and holding that individual to account for the achievement of the goals and objectives expressed in the Board's policies.

I engaged the Board in the process of developing a tool to gather information key to the self-assessment because I view self-assessment as an educational exercise. By involving the Trustees, I hoped to ensure that the appraisal would address areas of importance to the Board; to build commitment to the process; and to stimulate Trustees to think about the issues and topics addressed by the self-assessment tool in advance of its deployment. I sought to fulfill the desire expressed in the Request for Proposals to provide the Board with the opportunity to:

- look internally at the Board itself;
- allow each Board member to reflect on their individual and shared responsibilities;
- identify different perceptions and opinions among Board members;
- determine areas of responsibility that need attention; and
- use the results as a springboard for Board improvement.

Prior to a project initiation meeting held on October 13, 2020, I reviewed Margaret Wilson's Review of the Toronto District School Board; the [Hall] Toronto District School Board

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Governance Advisory Panel Report (including "Positive Change That's Working: Submission of TDSB Trustees to the Governance Advisory Panel"); the 2017 and 2018 reports of the TDSB's Integrity Commissioner; and several board meeting audio recordings. During the project initiation meeting I posed questions to the Board's Self-Assessment Advisory Committee (SASC). Those question engendered a conversation about many dimensions of the performance of the Board of Trustees. Following that meeting I read J. David Hulchanski's Three Cities Within Toronto: Income Polarization Among Toronto's Neighbourhoods, 1970-2005 report, the TDSB's Multi-Year Strategic Plan Action Plans, and the Board's policy documents. This prompted me to conceive of the self-assessment tool in terms of areas addressed in this report.

Equity was a topic that figured predominantly in the discussion, in many of the documents and policies that I reviewed, and in my interaction with the SASC. I proposed building consideration of equity into the tool because each person may have a different conception of equity and how the concept applies in an educational setting. The inclusion of the equity case study in the tool was designed to elicit the meanings that Trustees attach to the term and the practical implications of applying such a term.

An initial draft of the Self-Assessment Tool was presented to the SASC and subsequently to the full Board. I sought answers to three questions:

- Do the items in the tool capture the information that the Board seeks?
- Do you see benefit including the section on equity?
- Are there topics or issues that I have overlooked that should be captured?

Both the SASC and the Board provided helpful feedback that was incorporated in a revision to the survey tool.

Context

Role of School Boards in Ontario

Ontario's <u>Education Act</u> refers to schools boards as partners in the education sector and describes their role as "enhancing student achievement and well-being, closing gaps in student achievement and maintaining confidence in the province's publicly funded education systems" (2009, c. 25, s. 1).

The Toronto District School Board

The Toronto District School Board (TDSB) has been the subject of several reports (Ernst & Young, 2013, Hogarth, 2013, Wilson, 2015, Hall, 2015) critical of its governance and operations.

Hall described "governance dysfunction" arising in part from lack of role clarity, accountability, and leadership that, in turn, were sources of the "erosion of public confidence." Hall noted that the tension in the role of school trustee was a contributing factor to role confusion on the part of Trustees:

... trustees are elected by their local communities and are expected to bring the voice of their communities to the board table, but at the same time they are expected to act as a unified body in the best interests of all students of the board (Hall, 2015)

Confusion and lack of understanding are evident when individuals declare their intention to seek office:

Candidates who have a different and incorrect understanding of the role make unrealistic campaign promises which they cannot keep. This creates expectations about the role of trustees in the community, whose members then make inappropriate demands on trustees, or on the board of trustees as a whole.

When seen in light of prior reports about governance, the data from the current self appraisal provides evidence of increased Board awareness of the policies governing the Board's conduct.

Beliefs of the Board

Beliefs shape behaviour on an individual level as well as the behaviour of corporate bodies. The Self-Assessment Tool (SAT) asked Trustees to indicate whether, and how strongly, they agreed or disagreed with statements of belief expressed in TDSB documents. To calculate an average response for each question, a numerical value was assigned to the response options: For each statement of belief, a weighted average/mean was calculated by multiplying the number of Trustees responding to a response option by the value assigned to that option. A value of 0 was assigned to "don't know," a 1 to "strongly disagree," a 2 to "disagree," a 3 to "agree," and a 4 to "strongly agree." The products of all assigned values were summed and divided by the total number of Trustees who responded to the question. The dispersion or spread of scores from the average (the standard deviation) was also calculated. The dispersion tells how tightly clustered the responses were. Lower values indicate that scores were tightly grouped around the average while higher values indicate more variability among the responses.

In the Table below, the statements of belief are arranged by the magnitude of the mean scores from highest to lowest.

	# Resp			Rating				
Statement of Belief	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	Don't Know (0)	Mean ↓	SD	Total Resp
Being accountable for and finding ways to improve student achievement should be of paramount								
importance to the TDSB.	20	1	0	0	0	3.95	0.22	21
The TDSB should maintain an environment respectful of human rights and free of discrimination and								
harassment for all persons.	20	1	0	0	0	3.95	0.22	21
The TDSB should provide a safe, nurturing, and positive learning and working environment, free of								
harassment and discrimination, where every individual is treated with dignity and respect.	19	2	0	0	0	3.90	0.30	21
Parents and community members should have opportunities to participate in the school system, and the								
Board should provide the support necessary to achieve that goal.	17	4	0	0	0	3.81	0.40	21
Systemic barriers to equitable recruitment, selection, hiring, training and development, career counselling, transfer processes, performance assessment, and promotion in the TDSB should be identified and eliminated.	16	5	0	0	0	3.76	0.44	21
There should be demonstrable evidence that hiring, employment, and promotion practices in the TDSB are								
equitable.	15	6	0	0	0	3.71	0.46	21
There should be demonstrable evidence that the TDSB is committed to Employment Equity.	14	7	0	0	0	3.67	0.48	21
The TDSB's outreach activities and affirmative action strategies (e.g., encouragement, mentoring, training, and staff development) should ensure that there is equitable representation in all occupational groups within the TDSB.	13	8	0	0	0	3.62	0.50	21
Community groups/organizations should have fair and equitable access to Board facilities when they are not	Г							
being used for educational purposes.	11	10	0	0	0	3.52	0.51	21
The TDSB should enable all students to reach high levels of achievement and acquire the knowledge, skills,								
and values they need to become responsible members of a democratic society.	18	2	1	0	0	3.81	0.51	21
Trustee newsletters or similar trustee publications produced and paid for by the Board and intended for								
mass distribution to constituents should not contain criticisms of other trustees or statements that could						1		
cause the Board embarrassment or liability.	17	3	1	0	0	3.76	0.54	21
The TDSB should have a performance management process it uses to develop clear objectives for the Board and the Director of Education and to provide an annual evaluation of the Director's work.	17	3	1	0	0	3.76	0.54	21

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	# Resp					Rat		
Statement of Belief	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	Don't Know (0)	Mean	SD	Total Resp
The Director of Education should not be obligated to follow direction from individual trustees, or committee								
chairs unless such authority has been specifically delegated by the Board as a whole.	9	11	1	0	0	3.38	0.59	21
Environmental literacy for all students should be integral to the TDSB's mission to help prepare our students								
to become responsible members of a democratic society.	9	10	2	0	0	3.33	0.66	21
The performance of the TDSB should be synonymous with the performance of the Director of Education.	6	11	4	0	0	3.10	0.70	21
The TDSB should hold high expectations for all learners.	17	3	0	1	0	3.71	0.72	21
Students should have the right to access programs and schools that best meet their needs, interests, and aptitudes.	12	6	2	1	0	3.38	0.86	21
The Board should abide by its established Communications Protocol and Information Flow Protocol when posing questions to the Director of Education.	8	12	0	0	1	3.24	0.89	21
The Board should not formally or informally evaluate any employee of the Board except for the Director of Education.	12	5	2	1	1	3.24	1.14	21
The Board should never give direction to any employee of the Board who reports directly or indirectly to the	12	5		1	1	3.24	1.14	21
Director of Education.	7	8	2	1	3	2.71	1.38	21

 ${\it Directions} \ {\it Evidence} \ {\it and} \ {\it Policy} \ {\it Research} \ {\it Group, LLP}.$

Every Trustee but one <u>strongly agreed</u> with the first belief in the table: *Being accountable for and finding ways to improve student achievement should be of paramount importance to the TDSB.* The remaining Trustee <u>agreed</u> with the statement. The mean response for this belief was 3.95 and the standard deviation was .22, indicating that the responses were very tightly clustered.

In contrast, the responses to last belief in the table - *The Board should never give direction to any employee of the Board who reports directly or indirectly to the Director of Education* – were more dispersed (SD. = 1.38) around the mean of 2.71. The mean of 2.71 indicates a value about three-quarters of the 'distance' between disagree and agree. The dispersion can be seen in the pattern of the responses: 7 Trustees strongly agreed with the statement, 8 agreed, 2 disagreed, 1 strongly disagreed, and 3 said they did not know.

Trustees may not wish to discuss belief statements about which there is substantial agreement. However, discussion of beliefs about which there is substantial disagreement is strongly recommended. Four Trustees disagreed with the statement "The performance of the TDSB should be synonymous with the performance of the Director of Education." Three Trustees disagreed or strongly disagreed with the statement "the Board should never give direction to any employee of the Board who reports directly or indirectly to the Director of Education" and three Trustees said they did not know. Three Trustees disagreed or strongly disagreed with the statement "the Board should not formally or informally evaluate any employee of the Board except for the Director of Education" and one Trustees said s/he did not know. These responses indicate to me that all Trustees do not understand the relationship between the Board and its Director of Education.

The Director of Education is the Board's only employee and hence the single point of contact between governance (the Board) and administration (the Director of Education). It is for that reason that performance of the district is regarded as synonymous with the performance of the Director of Education, the one person responsible for translating the Board's policies, values, and goals into action. Boards should not give direction to or evaluate any district employees reporting to the Director. The direction that employees receive should come from the Director. All district employees report directly or indirectly to the Director of Education, not to the Board. Hence, good governance and the Board's own policies prohibit the Board from evaluating district employees other than the Director of Education.

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Although there were few clarifying comments about the beliefs, several Trustees made comments related to the primacy of student needs, including the sentiment that their needs should be met within the school in their catchment area. One Trustee wrote a lengthy comment that seemed to reflect the value of giving primacy to students:

I hope we [the Board] become more accountable in making sure that students have the tools that are required for them to become good members of society and attentive to equity and fairness to employees, student, staff, parents, caregivers, and stakeholders to ensure better outcomes.

Equity and its Application

The issue of "equity" was prominent in conversations with the Board and among the members of the Self-Assessment Subcommittee. That is not surprising. Equity is an issue that all school boards must address.

One of the principal challenges that Trustees face is getting clear about what one another means by equity and, most important, forging a common understanding that the Board can apply to the difficult decisions it must make. This section of the SAT included a task to collect information to help Trustees understand equity and its application.

Overview of the Task

Almost everyone can agree <u>in principle</u> with equity. The challenge arises in attempting to <u>apply</u> one's conception of equity. The exercise below describes in broad terms a fictional school board (the Metropolitan School Board), its policy about ensuring equity, and decisions that the (fictional) Director made. In addition to probing the interpretation of equity, the task was designed to reinforce the distinction between the responsibility of the governors of the system (the Board) to set policy and the application of policy by the Director of Education.

Members of the TDSB Board were asked to decide if the Director was or was not in compliance with the Metropolitan School Board's equity policy and to explain their reasoning.

The Metropolitan Board of Education

The Metropolitan Board of Education serves a very diverse citizenry. Its student population is approximately 120,000 and its annual budget is approximately \$1.2B.

There is a 6-member Board of Trustees. Each trustee represents citizens in one of the six regions. Each region serves approximately the same number of pupils but differs in other ways.

Regions 1 (Centre City) and Region 2 (Parkland) encompass part of the city's downtown core and extend out to the suburbs. Centre City's population includes many of the workers who are part of the City's large hospitality industry as well as the clerical and technical staff that work in the City. Parkland's population includes many retirees who have returned to the City's core, younger families, and the residents of a suburban area that has developed in the last 15-20 years because of construction of a major freeway. That suburb is home to many of the service workers and clerical and technical workers who are employed downtown.

Regions 3 (Metro Ville) and 4 (City Island), like Regions 1 and 2, are each located in the city. Metro Ville includes a large population of apartment dwellers roughly divided between renters and residents of the City's social housing. Located in City Island are the light industries that remain in the community (plumbing and electrical supply and repair companies, a server-farm, a manufacturer of chains and fasteners, etc.) and the homes of those who work in those industries — residents living in semi-detached row houses. About half of City Island's families live in apartments that have been built where the warehouse district was once located.

Region 5 (University Hills), as its name implies, is the site of a major research university. The population of the region is, compared to the other regions, quite affluent. The population includes many of the non-academic staff at the University and its affiliated hospital and most of its professional staff.

Region 6 (Middleton) is a region primarily populated by middle-income families and individuals. Some reside in single-family homes and others in older apartments and newer condominiums. Many of the school-age children in in Middleton come from two-income families.

The MBE Equity Policy

The Metropolitan Board of Education (MBE) has two priorities. Improving outcomes for students and reducing or eliminating educational inequalities.

One of the Board's policies states "The Metropolitan Board of Education (MBE) believes that public education is an important force for overcoming social and educational inequalities. Therefore, The MBE expects that the Director of Education (Director) will work to ensure equity among students and in the treatment of students, parents, staff, and community." The Director of Education proposed, and the Board accepted, the interpretation of equity to mean "the impartial assignment of opportunities, rewards, and punishments in light of the careful consideration of the needs and circumstances of students, schools, and school communities."

TDSB Trustees were asked to decide whether the MBE Director of Education had followed the policy of the MBE Board and to consider the MBE Director's justification for the decisions made.

Overall Results

There was remarkable agreement among TDSB Trustees regarding whether the MBE Director of Education complied with MBE Board's equity policy. Although there was no unanimity, agreement among TDSB Trustees exceeded 80% in ten of the 12 scenarios. In the remaining two, there was about a 60%/40% split.

		NOT		
Scenario	Following	following		
Alternative programs	19	1		
Breakfast program	19	2		
Chemistry teacher	2	19		
International Baccalaureate	2	19		
Music programs	2	19		
Parent volunteer and pay	2	18		
Full-day K cancellation	2	17		
Materials costs	3	18		
Mom & Tots	17	4		
Culinary arts	4	17		
Cross-catchment	7	13		
Tax fundraising and reallocate	12	8		

Scenarios

Alternative Programs

The Metropolitan Board of Education offers a suite of alternative programs, several of which are designed to retain students who, in the absence of those programs, might leave prior to graduation. The class sizes at these alternative schools are set below the contractual limits in the teachers' collective agreement to allow the teachers more time to meet the needs of the students.

19 of the 20 TDSB Trustees responding to this scenario said the MBE Director of Education followed the Board's equity policy by setting the class size at the alternate schools below the contractual limits in the teachers' collective agreement to allow the teachers more time to meet the needs of the students enrolled in those programs. Trustees said that the Director had considered "the needs and circumstances of students, schools, and school communities" in

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arriving at the decision. One Trustee summed up most of the comments with the following observation:

Vulnerable students tend to be those facing challenges (special education needs, poverty, family situations, mental health, racism). They require differential supports to succeed. Directing additional resources to those classes is a way to address equity in education.

Other Trustees wrote, "class sizes set to below limits could provide the conditions necessary for students to thrive" and "there needs to be system flexibility to support students to achieve their personal best, this is the essence of equity work." The comment that we classified as dissenting (not in compliance) believed that setting a class size below that set in the collective agreement might be in violation of that agreement.

Breakfast Program

The Director has approved a breakfast program for all elementary school students in the four regions of the Metropolitan Board of Education that are in the centre of the City because the Director believes provision of a breakfast program will benefit elementary school students whose families experience food insecurity. The program will require \$20M/year. Although costly, the Director believes strongly that such a program will produce better school attendance and more positive educational outcomes.

19 of the 21 Trustees said the Director had followed MBE's equity policy. However, when considering the responses of those saying the Director was not following the MBE policy, it appeared that the dissenters were agreeing with those assenting. The reasons supporting the Director's decision referred to the sections of the policy that state "the Metropolitan Board of Education (MBE) believes that public education is an important force for overcoming social and educational inequalities" and that consideration had been given to the "needs and circumstances of students, schools, and school communities."

Most Trustees agreed or strongly agree that it was justified to make food program accessible to underserved regions of the city:

Provision of a breakfast program in those areas of the city where families are most in need is a way that public education can be a force for overcoming social inequalities like food security issues and will help achieve better achievement outcomes for those students.

Trustees made the point that the policy could go further to serve families in need, not families in a particular region.

In theory, yes this is equitable. I do worry there could be some families in other [more affluent] regions who need this help too. A true [equity] policy would try to search out those families and ensure they too are helped.

Another wrote:

The model of delivery [in this scenario] seems overly simplified. Need should be assessed based on regions but should also have a mechanism to serve high needs individuals who fall outside the designated regions. All school administrators should have the ability to access supports for individual students whose need is greater than the general population of the school.

The dissenters made similar points, arguing that the Director was not following the policy because s/he was not considering students outside of these regions who have the same needs.

Chemistry Teacher

When Clara Rose, a chemistry teacher, received the Governor General's Award for Excellence in teaching, the publicity it attracted (television, Facebook, podcasts, Twitter, newspapers) prompted a flood of requests from parents to allow their offspring to enroll in her Chemistry 11 classes. To manage the flood of requests, the school proposed, and the Director approved, the following criteria (in priority order) for determining eligibility to enroll.

- a) Grade attained in Science 10
- b) Recommendation of the guidance counsellor that the nominee had a good chance of having honour roll status in grade 11 and 12
- c) Participation in extra-curricular activities

17 of the 19 Trustees who said that the Director had not followed MBE Board's equity policy wrote comments. The two who said the MBE Director was following the policy made no comment. Almost half of the Trustees responding said that the requirements will privilege students who have more social and economic advantages.

Based on a students social, economic, and cultural circumstance, he or she may not meet some or all the criteria outlined by the Director. It is important that all students, based on equity, have an opportunity to apply to Chemistry class.

Another wrote:

I do not see how "careful consideration of the needs and circumstances of students, schools, and school communities" is being applied here. Given the

demographics of the Regions, there is need for a much closer look at the data beyond the parameters presented here. I doubt that this approach will lead to overcoming many of the social and educational inequalities that the MBE has. This [decision] is more likely to lead to a specialized program that creates its own prestige and set of high standards that will not be accessible to ALL STUDENTS.

Another commented:

If we are only looking at marks attained and involvement in extracurriculars, we are selecting those who likely have opportunities based on socio-economic background. Those kids likely have more opportunities outside school, such as tutoring and enrichment programs, or families who have the time and experience to search out those things to give their children a leg up. Better to look for potential. Give kids chances they might not have. Maybe kids have an outside job to help support their family instead of time and money to play sports. The director should be creating criteria that allows kids a chance to develop, not looking for kids who already have those things in spades.

Another Trustee wrote:

None of the listed criteria considers the challenges faced by equity seeking groups, rather they [the criteria] favor students who have the means and ability to attain good grades and participate in extra pursuits. The criteria do not consider needs (learning supports, poverty) or even balance acceptance from different areas of the city.

Still another wrote:

Ugh. This is such a perfect example of how privilege works in practice. To answer simply - the reason this is against the policy is that it provides "partial" (not impartial) assignment of opportunities. The bulleted list causes me to reflect on the matter of time-poverty, which is a very real issue for families who lack resources and need to work longer to feed and house their family, providing them with less time to help with homework/afford tutors, call a guidance counsellor to gain favour, actively support or participate in child's extra-curricular activities.

Other Trustees said that all students should have access to programming if they want, regardless of achievement and extra-curricular activities. The criteria are barriers to access.

Others said that the decision was not impartial assignment or consideration of "the needs and circumstances of students, schools, and school communities."

By prioritizing the eligibility criteria, the Director has not followed "the impartial assignment of opportunities, rewards, and punishments in light of the careful consideration of the needs and circumstances of students, schools, and school communities." In essence the Director is saying only students who achieve should have accessibility to great teachers and that flies in the face of equity.

Another wrote:

Students with the highest academic achievement do not have any more right to a good teacher than other students and in fact, struggling students may have more need of a teacher identified as excellent to put them on even footing with those who already thriving in school.

International Baccalaureate

Over the years, the Metropolitan Board of Education has seen attrition of high-performing high school students whose parents have enrolled them in private schools that offer the International Baccalaureate Program. The principal of University Hills High School has proposed, and the Director approved, that University Hills Secondary School can offer the International Baccalaureate program. The Director argues that, although the MBE will have to license the right to offer the program, the retention of market share will be worth the additional expense that she feels confident can be raised by the parents' committee.

Two of the 21 Trustees responding to this situation said the Director said the approval of the IB program was consonant with the Board's equity policy. Only one of the two Trustees offered justification for that viewpoint:

The financial [advantages] of a student's parents should not be used to discriminate against the needs of certain student groups. If the Board intends to provide students with the educational support that they require, then this group of students should not be excluded. However, the Board should also transfer the third-party costs [for the IB program] to the parents of these students to support students from families that are challenged financially.

This scenario elicited responses from almost all the Trustees who said the Director had not complied with Board policy. The Trustee above sought to redefine the scenario by instituting a tax on advantaged parents that would be used to fund less advantaged students. Another Trustee took an opposing position:

There should be the implementation of an IB program at this school. However, the parents should not be responsible for funding the program, despite how attractive that option might be.

This Trustee's comment was one of several comments made under the theme that "parents should not have to pay for board programming." That the parent' committee would have to supplement the cost of the IB program is not consistent with the MBE equity policy. "Board programming should not be financially dependent on parent committee raised funds." Another wrote "Parents should not be required to fundraise for programming."

The responses reflected the tensions that Trustees perceived:

It should not be up to the parents' committee to raise those funds. If that is the case, the Board is stacking the deck in favour of students from well-heeled families in contrast to having the program open to all and starting off from a place of inequity. The Board can offer the program by having a sliding tuition scale and funding those students whose families face financial challenges or can make the program fee-free and use the Board's budget to pay the programming fees.

Several Trustees said that having parents pay creates a two-tier system of education. "Putting the cost on the parents is essentially a form of privatization of public education, saying that students whose parents can afford programs will have access to them."

Another Trustee wrote:

Offering specialized programs can enhance the educational experience but programs need to be offered in an equitable manner. There are pressures on Boards to compete with public and private sector schools/school boards for "bums in seats," but this should not be the defining consideration in developing programs.

Do students from all economic backgrounds want such a program or just students from one neighbourhood and economic background? If students from diverse economic backgrounds want the program, it should be developed with access to students from across the system.

Another Trustee expressed disagreement with fee-based programs that may cater to those with existing privileges, writing:

The 'game' of trying to retain affluent students in the public system by giving them a private school-like experience through programs like IB is a very slippery slope. The biggest losers are the underprivileged students who have resources sucked away towards serving the privileged. It is also an unwinnable battle. Private school parents operate with a consumer mindset and will keep "shopping" for the best product/school in any event, no matter what a public board should do.

With resources always scarce, it does not take much at all to tilt an entire system towards serving privilege at the expense of those who really need the resources. The MBE School Boards' energy would be better spent on advocating for the funding needed to deliver high quality education for ALL and making operational decisions that are truly equitable.

Another Trustee pointed out that a program's location is itself a barrier to access. Not all students are able to pursue programs outside of the immediate communities.

Two Trustees felt that the MBE Board should not be paying for a program that does not follow public curriculum. The first commented:

The MBE should not be spending funds to retain students who wish a private program that does not follow the public curriculum and requires teachers with additional certification from an outside body. "Retention of market share" is a horrible phrase that should not be used in public education and does not make sense as a justification for the additional expense.

The second Trustee wrote:

High performing students will continue to have high performance and good outcomes whether they are in private school or at the MBE. Providing them with challenging courses that meet their needs is an equitable approach.

Offering the IB program in the secondary school in the highest socio-economic region does not in itself mean that equity is not being created, but it is less likely that students who are not seen as "high-performing" may have much access to such a program. I am not certain that "market share" should ever be a condition for a board to make a program decision about student education... and yet it often is.

One Trustee said the decision should have been brought to the MBE Board for approval. However, bringing such decisions to the Board confuses an operational decision of the Director (application of Board policy) with a governance decision of the Board (its equity policy). The

Board's role is to set policies reflecting its goals and leave the interpretation of those policies to the Director. If the Director's decision is inconsistent with the interpretation of the Board's equity policy (in this case, "the impartial assignment of opportunities, rewards, and punishments in light of the careful consideration of the needs and circumstances of students, schools, and school communities"), the Board may make its displeasure known in its annual appraisal of the Director. If the Director fails to implement the Board's policies, the Board can fire the Director

Music Program

The Metropolitan Board of Education has excellent music programs, and the students in these programs have won accolades. Enrollments have increased steadily over the years. The district's stock of instruments is aging, but the MBE does not have the resources to refresh them. It plans to announce that, beginning in two years' time, students who wish to enroll in the music programs will need to supply their own instruments.

Issues of equity can arise in programming decisions as well in the decisions to equip students with the tools they need for the programs offered. Two TDSB Trustees believed that the plan was consistent with MBE's equity policy. Of the two, only one Trustee provided justification, arguing: "I hate to say this, but I think if you read the policy to the letter the fact that the program is open to all students means that the director is following the equity policy." But that Trustee thought the decision was "very bad," saying the MBE "should find a way to pay for the instruments or cancel the program." This Trustee recognized that policies such as the equity policy must be applied in a manner that considers scarce resources.

While many Trustees said that providing one's own instrument was a barrier to access and that the MBE should provide ways to help students in need to obtain instruments, they largely ignored the implications of making decisions in an atmosphere of scarce resources:

To make students provide their own instruments would be in violation of the spirit of equity passed by this board, as it states: "the impartial assignment of opportunities, rewards, and punishments in light of the careful consideration of the needs and circumstances of students, schools, and school communities." In this case, the Director and Board are not considering the circumstances of students and that purchasing an instrument would be a barrier to participation for some families, and so, in essence, not equitable.

Another Trustee wrote:

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The director seems to have assumed that all parents can afford the instruments. By making that assumption the Director is not following its equity policy.

Like the Trustees above, another Trustee said that the School Board should provide the materials and equipment for the programs offered by the Board. One Trustee suggested that the MBE should give each school a budget to "purchase and replenish educational tools including musical instruments," allowing each school to determine the programs they will offer in relation to "local demand."

Outdoor-adventure School

The Director has approved the establishment of an outdoor-adventure school experience for middle school students. But, to provide sufficient supervision, parents must volunteer and pay for their own food and accommodation.

Two Trustees said the Director had followed the Board's equity policy and 18 said the Director had not. Of the two, one said that the Director had followed MBE policy if "support programs for low-income families" had been established. But most Trustees said that the director's approach had created barriers to equitable access, pointing out that many parents need to work and could not afford the time required. One Trustee expressed the views of many:

This is not equitable because it requires volunteers who can afford to pay their own way. As a consequence, the program would likely be offered in communities where families can take time off of work and afford to pay for this added expense.

Another Trustee wrote:

Again, the director seems to have assumed all parents in all middle schools can pay for food and accommodation and take time to attend. The Director's decision does not take into account the "careful consideration of the needs and circumstances of students, schools and school communities"

Several Trustees proposed that the Director eliminate the need for parent volunteers by deploying staff to assist with the supervision and/or providing an equity fund that could pay the expense. These Trustees did not indicate where the resources for the supervisors or equity fund would come from.

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Full Day Kindergarten

For many years, the Metropolitan Board of Education has offered full-day kindergarten for students in schools located in communities faced by economic challenges. A disproportionate number of the children in these schools come to school without knowledge of their colours, shapes, numbers, and letters. These communities are also ones in which newcomers to Canada initially settle. Many of the children of these newcomers do not speak English. A significant proportion of the children in these schools are Indigenous.

The MBE research department has been following the educational trajectories of these students. It has found that the initial gains made by the students in the full-day kindergarten schools fade by the beginning of grade three and they [the full-day kindergarten students] graduate from school in the same proportion as their peers who have only had the benefit of half-day kindergarten, the norm in most of the schools in the MBE. Having learned of these results, the director decides that the MBE will no longer support a full-day kindergarten program. The Director decided to use the savings from cancelling the full-day kindergarten program to mount a professional learning program for all primary teachers intended to build their capacity for developing early literacy and numeracy.

Two Trustees said that the Director was following the Board equity policy. The Director had considered the data that showed the full-day kindergarten program 'gains' had faded by grade three and those students had the same long-term outcome as the half-day kindergarten students. Having learned that, the director tried something new.

Several Trustees misconstrued the results of the research presented in the scenario, believing erroneously that they showed the full day program was successful. Several Trustees argued wrongly that the equity policy supported the continuation of the full day program because "it gives kids who need it the leg up to work to the level others achieve," but the facts of the scenario said otherwise. One Trustee said that s/he was confused by the scenario but said if the gains for full-day kindergarten students were not better that the gains made by the students in half day kindergarten, the decision was equitable.

Some Trustees ignored the evidence presented in the scenario and questioned the research. Some argued that because the full day kindergarten kids had graduated at the same rate as students in the half day program, it "proved that the full day program worked." But that overlooks the fact that any gains that the full-day kindergarten children made during the initial years of schooling faded by grade three and the full-day kindergarten students graduated at the same rate as the half-day students.

Some Trustees speculated that discontinuing the program might lead to a recurrence of the gaps the program was designed to overcome. Although the program was designed to address a readiness gap (children in these schools come to school without knowledge of their colours, shapes, numbers, and letters), one Trustee made a comment about the impact of discontinuing the program on dual-income families and women. While discontinuing the full-day program might have had the impact that the Trustee speculated about, enabling employment of dual-income families was not its objective.

Materials Cost

There are several courses offered throughout the Metropolitan Board of Education that are materials intensive (photography, furniture design, culinary arts, film production). The Director has decided that students enrolled in those courses must pay a materials fee equivalent to the wholesale cost of the consumable materials required.

Three of the 21 Trustees said that the Director was following the policy, the others said that the Director was not compliant. Those who believed the Director complied with the policy believed "costs for programs that are above the requirements of the curriculum should be transferred to the students' parents." One qualified his/her judgment by saying that provision should be made "to help those students in financially challenged families."

Most of the Trustees who said the Director's decision was not in compliance with the policy said that its application might exclude some students from enrolling in the courses. Others said that "students should not be required to pay fees to attend school or enroll in any coursework provided by the MBE." Another Trustee in the no-camp noted that students may be embarrassed by having to seek financial assistance ("they have to out themselves").

One Trustee spoke to the implication of providing courses for which the Board might absorb the cost:

We cannot offer everything to everyone without something having to give. In theory, no one should have to pay for any part of education, but, in reality, field trips and other similar experiences cannot be offered without some families pitching in, and the enrichment that those experiences offer may be worth having some families contribute who can. It is a slippery slope, but we must be realistic, too.

Moms & Tots

The Director has authorized the establishment of a Mom & Tots program in Region 3 (Metro Ville) that has the largest population of newcomers who speak languages other than English. The Director believes that having such a program will smooth the transition to kindergarten for

students that often struggle in their initial entry to school, hastening their language development and the language development of their mothers so the toddler's language English language skills are reinforced by an adult in the home.

Most (17) Trustees said that the Director was following the Board's equity policy; four said he was not. Those in the former category said that the program addressed barriers, was needsbased, and addressed inequities. One Trustee's comment seemed to sum up a broadly shared sentiment:

The Director can stand by the section of the policy that states "the Metropolitan Board of Education (MBE) believes that public education is an important force for overcoming social and educational inequalities." Provision of a language program for pre-kindergarten newcomer families in the city where families are most in need is a way that public education can be a force for overcoming social inequalities and help achieve better achievement outcomes for these early learners and their newcomer families. The director should also authorize it as a pilot and discuss the possibility of expansion if it proves effective.

Some among those affirming the Director's decision said that parents from all regions of the city should have access to the program and the program's impact should be assessed.

The program needs to be able to respond to students from similar backgrounds in other areas of the city as well. There may be a greater need in Region 3 but limiting the program to one region does not quite meet the equity goals for students who may have similar needs. The Director is following the MBE's policy, but flexibility is needed in how and where the program is offered.

Those saying that the Director's decision did not conform with the policy said that access to the program needed to be broader than just women/mothers:

The application of the equity policy is not equitable because it makes provision only for women/mothers eligible. A <u>caregiver and tot</u> program would be better and more equitable. Maybe mom is working or caring for an elderly relative and cannot leave home; maybe dad is home while mom is working. The theory behind the program is based on an equity approach, but the way it is structured may pose barriers to inclusion.

Another Trustee questioned the Director's conduct of her/his work:

I believe the Directors should have conducted a survey to all the regions of the board to determine parental interest in the program and locate the program in the region where interest is greatest. A survey will give the Director a sense of where the programs need to be located and not cause any inequities.

Culinary Arts Program

The hospitality industry in the City is booming and there are employment opportunities for qualified high school students to begin a career in culinary arts. There is only one high school, located in the far eastern part of the city, that is equipped with a commercial kitchen for providing such a program. The Director approved the location of the program in that school. The program accommodates 140 students per year. Students in the school will be given priority access and the places will be open to any student in any region of the school district, but every applicant must provide her or his own transportation.

Four of 21 Trustees said the Director had followed the Board's equity policy; 17 said that the Director had not followed the policy. At least two of those saying the Director <u>had</u> complied with the policy should be in the no camp because of the assumptions or qualification they made. Some of them made assumptions about access to transportation, wanted priority given to students with special needs, or the program expanded to other locations - points made by those who said the Director was not in compliance with the MBE's equity policy. One Trustee on the yes aide summarized the sentiments expressed by some of the other Trustee's in the nocamp:

I believe the Director is following the policy. But I do not think it is equitable. If accommodation is being made for students requiring transportation to the region and a process for ensuring that particular groups of students - for example those classified as students with special needs - are given a priority in this program, then that would be a better approach. The Board should look into other possible locations with professional kitchens - including partnerships with the city, other boards etc.

Another wrote:

It is the only school that can physically offer the program. If students at the school are given priority access, it is because it is their home school and, one would have to assume, they attended knowing that there is an emphasis on culinary arts. There is no equity issue with providing one's own transportation because transportation is not an equity of access issue UNLESS the students cannot afford the subway/bus pass to attend, and one would have to assume that the MBE has some type of equity policy in place for students who need

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assistance with subway/bus fare (as most boards in big cities do). The fact that it is open to any student in the board, means it follows the equity policy.

There were Trustees who said that students already enrolled in the school should not be given priority access, that access should be universal, and conducted by lottery.

Catchment Areas

For a variety of reasons there are schools in the Metropolitan Board of Education that are sought by parents of students from outside their catchment areas. Provision is made for cross-catchment enrollment on a space-available basis. The Director authorizes a plan to allow schools to prioritize applications on a first-come first-served basis after accommodating parents of children whose siblings attended the same school (legacy registration).

There was a wider division of opinion among Trustees about the Director's decision. Seven Trustees said the Director was following the MBE's equity policy, but 13 said the Director was not.

Trustees' that said the Director was following policy made a variety to comments. Although supporting the decision of the Director, one Trustee observed:

This 'optional attendance' scheme follows the equity policy. BUT, it inadvertently contributes to the 'good school/bad school' reputations that rip tight-knit communities apart...especially in high-density areas. Such policies contribute to the decline of communities because families take all their energy and community assets and invest them OUTSIDE of the community in which they live in because they believe the education will be superior at another school. A better policy is to give a Principals/Superintendents combined discretion to allow students from outside catchment areas to enroll based on exceptional circumstances.

Those who said the Director is not following the Board's equity policy pointed out that 'first-come, first-served' privileges those with resources and is not equitable. A lottery was regarded by some Trustees as more equitable.

First-come, first-served often means those with the most resources (English as first language, social and school system connections, ability to drop off forms during the workday, devices/internet to receive information and forms) get easier access to programs.

Another wrote:

Directions Evidence and Policy Research Group, LLP.

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[The Director's decision] creates a system of 'have schools' and 'have not schools' ... causing flight from low income and racialized neighbourhoods to schools perceived to be better...

As in many of the scenarios, Trustees appeared to want to become involved in issues that are the purview of the Director:

All students within the region should be prioritized over out of region applicants. The Director should also develop a transparent and consistent central protocol for application (not school based) that looks at equity, unmet needs being, and transportation. External applicants should only be accepted if the program is under-enrolled by local students. However, consistent local under-enrollment should trigger a review of the program and whether it is serving the needs of students in that region.

Tax Fundraising and Reallocate:

Parent fund-raising occurs in most of the schools in the Metropolitan Board of Education. A few schools raise quite large sums of money each year. The majority raise moderate amounts, and a few very little. In keeping with the Board's equity policy, the Director of Education has announced that, beginning in the next school year, all schools in the MBE will be taxed 25% of the funds raised by parents. Those funds will be re-allocated to schools to create greater equity among schools.

This scenario prompted great divergence of opinion among Trustees. 12 Trustees said the Director was following the Board's policy and eight disagreed, saying that the Director was not following the MBE's equity policy. Among those agreeing with the Director's decision were some who wished more information about how the director would determine how the funds would be re-distributed.

Trustees who said the Director was not following the MBE policy wanted to require community and parental consultation and Board decision, taking the decision out of the hands of the Director

This is a tricky situation that requires community consultation and parent involvement in making a final decision on how funds should be collectively allocated/used. If parents are the ones raising this money, the Director alone should never be the one to decide on how to equitably re-distribute the funds. This would require a Board decision.

Another Trustee write:

Taxation on local fundraising is a bad idea that will discourage parents from donating to schools. If the board wants to create a pool, then it should create a dedicated donation path for community members to contribute directly to those schools that are in need.

In a similar vein:

This is a poor idea that would not consistently serve need and will create resentment and distrust. A better approach would be to ensure that Board resources and programs are consistently directed towards school communities in need. Addressing need should be built into policy and procedure that relies on the board's own resources. The Director could choose to create donor or sponsorship programs that encourage the schools that can raise more substantial funds to donate but this is secondary to the overall role of the director and the Board.

Top up funding provided by the MBE to schools that were less successful in raising funds was proposed by another Trustee.

Observations:

The responses to the scenarios prompt several observations:

Inequality, scarcity, and policy

In most of the scenarios, the condition that the MBE Director faced was resource scarcity. While it may be convenient to ignore resource scarcity in the context of these fictional scenarios, it is something that cannot be ignored when confronted by hard choices.

The need for policy arises because of scarcity. If resources were plentiful, a policy for their allocation would be unnecessary. Well-developed policy provides guidance for the allocation of scarce resources, especially when coupled with a clear statement of priorities.

Most of the comments of Trustees indicated that they found it difficult to confront the underlying problem of resource scarcity. This occurred in many scenarios (see for example the music program and outdoor adventure scenarios). Some Trustees said that there should be funding for the musical instruments or to pay the expenses of parent volunteers. While that might be an attractive 'solution,' it does not confront the fundamental problem that, if funds are provided for these, the funds must come from elsewhere. The resources for class size reductions in the alternative program scenario would also need to be found elsewhere.

Some Trustees recognized scarcity and the challenge it poses ("We cannot offer everything to everyone without something having to give" and "With resources always scarce..."), but not often. Scarcity makes decision-making difficult and the establishment of policy important.

With exceptions that are insignificant, school boards are unable to raise revenue for things they would like to support but for which they do not have the resources. For that reason, boards must have clear priorities so that the Director has a reference point for the difficult decisions s/he needs to make. A board's strategic plan – if it is well developed – provides a framework that can provide such guidance. In the absence of surplus revenue or the ability to generate revenue, a decision to fund a new program or service inevitably comes at the expense of an exiting program or service. Making decisions for which the Board does not have the resources is a breach in the board's obligation to be a steward of its scarce resources.

Equity

There are several different types of equity. It is not surprising that Trustees wrote about equity of access/opportunity, but, in most instances, ignored that equity often requires a redistribution of resources. The scenario in which the Director proposed to impose a tax on fundraising and redistribute some of the funds to schools with less fund-raising capacity was an example of [re]distributional equity.

Equity of student results and outcomes is even more important than equity of opportunity because the latter is simply a means to the former. As will be seen later in this report, TDSB Trustees do not seem as concerned about student results or outcomes as they might be given that improvement of student results and outcomes is the prime obligation of school boards.

Board intrusion into operational matters

A consistent pattern in the responses indicates that Trustees believe that the Board can tell the Director how to do the job for which the Director was hired. For example, asserting that the Director has made unwarranted assumptions, or saying the Director should have: designated the mom and tot program for caregiver and tots, created a fund to support students who cannot afford an experience, employed a survey to gather information, located a program in another region of the MBE, assured access to transportation, or wanted priority given to students with special needs are among the many instances of telling the Director how the work of the Board should be carried out or 'second guessing' the Director's decision.

The Board sets policy and goals and monitors the results achieved, the Director is responsible for implementing the policy and designing the means of achieving the goals. If results indicate that the policy has not been implemented or has been contravened or the goals not achieved,

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those observations should be included in the annual evaluation of the Director. If after considering such matters the Board remains dissatisfied with the Directors' performance, it should dismiss the Director.

Interpreting facts to support a preferred position

There was also a tendency among Trustees to interpret the facts of a case in a manner that would support a preferred position or outcome. This was most evident in the full-day kindergarten scenario. Many Trustees avoided confronting the evidence that the FDK program benefits had faded by the beginning of grade three and that the Indigenous students and newcomers in the full day kindergarten programs graduated from high school in the same proportion as their peers who had the benefit of only a half-day kindergarten program. In that and other scenarios, Trustees appeared to be trying to shift the discourse or specify other conditions to avoid confronting the difficult judgments that the scenarios called for.

Disambiguating policy

The application of policy is challenging in the face of ambiguity. One way to reduce ambiguity is to do as the MBE Board and Director did. The Board articulated its equity policy. The Director brought to the Board an interpretation of the policy which the Board subsequently approved.

This practice does not eliminate tension between boards and director, but it does reduce ambiguity and potential misunderstanding. The Director is still obligated to give the Board an account of her/his reasons for the decisions made. If the Board is dissatisfied with the Director's reasons, it can reprimand or dismiss the Director.

Equity principles derived from comments:

I derived some 'equity principles' from my reading of the comments TDSB Trustees made about the scenarios that I feel deserve further discussion:

- Board programming should not be financially dependent on parental fund raising.
- Students should not be deprived of a program or support because their families do not have financial resources.
- The universal implementation of any program or service should make provision for the financial circumstances of the families whose students may be enrolled/involved.
- Specialized programs serving students whose families are financially challenged, racialized, newcomers to Canada, and Indigenous should be prioritized over programs intended to serve students whose families are not.

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- Programs conceived for the benefit of a specific sub-population of students (students from families challenged financially or Indigenous students) should make provision for the fact that, although sometimes clustered in a particular region, such students are often distributed throughout the district, albeit in smaller numbers.
- Criteria used for determining which students may enrol in programs or access supports should not exclude students without good reason.

These equity principles ,and perhaps others, deserve further discussion among TDSB Trustees using concrete examples from the district.

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Board of Trustees

Board of Trustees - Part 1

How well a Board can achieve its goals is determined by its bylaws, policies, and procedures. This section of the Self-Assessment Tool addressed many of the responsibilities of the TDSB Board. This section sought the appraisal of individual trustees of how well the Board carries out its many responsibilities. The data in the table below are ordered by the magnitude of the means. The scale values range from "not at all" which was assigned a value of 1 to "consistently well" which was assigned a value of 5 ["don't know" was assigned no numerical value]. Boards naturally strive to carry out their responsibilities "consistently well." Thus, higher scores signify better Board performance.

			# R	Rating					
The Board of Trustees	Consistently Well (5)	Well (4)	Adequately (3)	Poorly (2)	Not at All (1)	Don't Know (0)	Mean (√)	SD	Total Resp
approves budgets within the sustained fiscal limitations of the TDSB.	7	11	1	1	0	0	4.20	0.77	20
appoints an independent auditor to conduct an annual review of the TDSB's									
financial position.	12	5	2	1	0	1	4.19	1.29	21
protects privacy and maintains confidentiality.	8	6	5	1	0	0	4.05	0.94	20
advocates for the TDSB and the students it serves.	6	9	4	2	0	0	3.90	0.94	21
completed a board governance orientation program for the education sector after the most recent election.	5	8	6	2	0	0	3.76	0.94	21
directs the operational organization through and only through the Director of Education.	2	11	6	2	0	0	3.62	0.80	21
maintains relationships with external agencies and superordinate bodies.	3	9	7	2	0	0	3.62	0.86	21
advocates on behalf of the TDSB with outside bodies and senior government.	5	6	5	4	0	0	3.60	1.10	20
is responsible for protecting the interests, image, credibility, and financial viability of the TDSB.	3	7	10	1	0	0	3.57	0.81	21
approves the bargaining mandate for collective bargaining with unionized employees and the agreements reached with them.	4	7	9	0	0	1	3.57	1.12	21
regularly reviews Board policies.	5	5	7	4	0	0	3.52	1.08	21
has written policies defining the Board's work and how it will accomplish its work.	1	9	10	1	0	0	3.48	0.68	21
receives regular reports about student achievement and well-being.	4	6	7	4	0	0	3.48	1.03	21
ensures that all students receive the programs and services to which they have a									
right under provincial legislation.	2	11	5	2	0	1	3.48	1.12	21
acts in the best interest of the TDSB.	4	6	9	1	0	1	3.48	1.17	21

			# R	Rating					
The Board of Trustees	Consistently Well (5)	Well (4)	Adequately (3)	Poorly (2)	Not at All (1)	Don't Know (0)	Mean (↓)	SD	Total Resp
evaluates the performance of the Director of Education.	4	9	0	5	3	0	3.29	1.42	21
has written policies defining the role of the Director of Education.	3	6	8	2	1	1	3.24	1.26	21
gives direction to the Director only by formal, recorded votes.	2	9	6	1	2	1	3.24	1.30	21
has written policies about the matters delegated to the Director of Education.	4	4	7	4	1	1	3.14	1.35	21
maintains a constructive two-way dialogue with students, employees, parents,									
and citizens as a means of engaging them in the work of the TDSB.	1	7	6	7	0	0	3.10	0.94	21
works collectively to instill public confidence in the TDSB.	1	5	9	6	0	0	3.05	0.86	21
puts the interests of the TDSB at the centre of the decision-making process.	1	6	8	5	1	0	3.05	0.97	21
spends more time on strategic planning than on immediate issues and problems.	2	4	9	5	1	0	3.05	1.02	21
informs the citizens of Toronto about the achievement and well-being of students.	3	4	6	7	1	0	3.05	1.16	21
reviews a range of alternatives before authorizing a course of action.	1	5	7	8	0	0	2.95	0.92	21
uses student achievement results to evaluate the performance of the organization.	1	5	5	8	1	0	2.85	1.04	20
has written policies that address the outcomes that TDSB students will achieve.	2	7	2	6	1	3	2.71	1.59	21
has a Board professional development plan.	0	4	6	5	2	4	2.19	1.40	21
evaluates its own performance on a regular basis.	0	2	2	12	4	1	2.00	0.95	21
approves the total compensation packages for all exempt employees of the TDSB.	1	3	4	2	2	8	1.75	1.74	20

Only three responsibilities earned a score between "well" [4] and "consistently well" [5]: approving budgets within the sustained fiscal limitations of the TDSB; appointing an independent auditor to conduct an annual review of the TDSB's financial position; and protecting privacy and maintaining confidentiality. Advocating for the TDSB and the students it serves earns a mean score of 3.9, marginally below "well" with the remaining items descending from there toward "adequately" and below. Beginning with the item reviews a range of alternatives before authorizing a course of action, the mean falls below "adequately."

There are many things one might say about the data, but several stand out:

- Providing oversight of efforts to Improve student achievement is the paramount
 responsibilities of school boards. It is thus surprising that the item" uses student
 achievement results to evaluate the performance of the organization" earned a mean
 response [2.85] below "adequately." Student results are the major indicator of a
 Board's effectiveness and of its accountability to the citizens of the district.
- Of concern and related to the point above is the mean response [2.71] for "has written policies that address the outcomes that TDSB students will achieve." Written policies pertinent to the outcomes that students are intended to achieve informs the public about the Board's goals, provides a focus for Board oversight, and signals to the system what the Board expects.
- It is equally concerning that "reviews a range of alternatives before authorizing a course
 of action" earns a score only marginally near "adequately" [2.95]. Evaluating a range of
 alternative permits the Board to consider how each alternative under consideration
 aligns with its goals as expressed in policy and in its strategic plan. It also allows the
 Board to consider whether it is possible to pursue a less expensive political or financial
 course of action to the same goal.
- The mean [2.19] for the item has a Board professional development plan and the fact
 that there are items to which Trustees said "don't know" suggests that this is another
 responsibility that deserves the Board's attention. The Board is encouraged to focus its
 program of professional development on how to set goals for student achievement and
 what to look for when the Board monitors student achievement.

Many of these observations were reflected in the open-ended comments made by Trustees. The dominant category was labelled *insufficient understanding of governance, poor governance culture, insufficient focus on strategic planning.* Several Trustees observed "inconsistency amongst members of the board about what it means to be a Trustee." Part of the confusion was attributed to "acting as an elected politician who prioritizes 'getting noticed' over the responsibilities of being a Trustee." The "poor governance culture" some Trustees perceived meant that "the interests of students were not at the heart of Board decision making." The

absence of reports that describe the performance of students was explicitly mentioned in relation to Board performance. "Time spent on strategic planning was minimal," coming at the expense of arguments about procedure. The "inconsistent application of rules" was attributed to what one Trustee described as "white privilege."

A second category of comments pertained to the *availability of information*. The primary sentiment expressed by the few Trustees whose comments were grouped under this heading was that information providing background to the issues before the Board was not forthcoming. The implication I drew from the comments was that there is lack of trust between the governors of the system and those charged with the administration and operation of the district.

One Trustee wrote a very *complimentary appraisal of the Board*. The comment called attention to the diversity among board members in terms of background and experience, the success the Board had in addressing budgetary challenges, despite the fact that more than half of the Board members were new Trustees. Another, however, wrote about experiencing greater "racism on the Board" than s/he had elsewhere, and a "lack of respect among Board members".

Distrust impedes effective governance. Distrust in the TDSB is magnified by the fact that Trustees are elected in wards and see themselves as representing the residents of that ward. Trustees consider themselves politicians and have difficulty making the transition from politician to trustee. When Trustees act primarily as politicians who act on behalf of constituencies, rather than as members of a board responsible to all citizens, the 'best interests of the district' become confused with the 'best interests' of their constituents.

Perceived value differences is another, related, source of distrust. Commitment to one's constituents and opposition to the constituents of others is a force for thinking that the values and behaviours of the constituents of other Trustees are different from one's own constituents and are harmful to their interests. Competition for scarce resources exacerbates distrust.

Distrust among Trustees is 'managed' by their defined responsibilities and their code of conduct. The obligation of a Trustee to act in the best interest of the district, and to subordinate the Trustee's self interest and the interest of its constituents to the Board's best interest is an example of one of the mechanisms for managing conflict and distrust. Distrust is magnified when Trustees do not adhere to established procedure for resolving differences. When that happens, new negative norms are established, and dysfunction sets in.

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Board of Trustees part 2

The Board's policies and code of conduct establish the boundaries for the expression of different values while pursuing the best interests of the district. This section sought the appraisal by individual trustees of how well the Board adheres to its code of conduct. The data in the table below are ordered by the magnitude of the means. The scale values range from "infrequently or not at all" which was assigned a value of 1 to "always" which was assigned a value of 4 ["don't know" was assigned no numerical value]. Thus, higher scores signify better Board performance.

	# Resp					Rati	ing	
The Board members	Always (4)	Often (3)	Sometimes (2)	Infrequently or Not at All (1)	Don't Know (0)	Mean	SD	Total Resp
maintain confidentiality and protect privacy.	8	11	0	2	0	3.19	0.87	21
can fulfill their responsibilities under the School Act and still advocate for their wards.	5	11	4	1	0	2.95	0.80	21
can explain to their constituents the Board's obligation to act in the best interest of the TDSB.	4	10	7	0	0	2.86	0.73	21
understand the legislative and regulatory framework within which the Board must operate.	2	13	5	0	0	2.85	0.59	20
resist the temptation to give operational direction.	0	17	4	0	0	2.81	0.40	21
fully understand their role as Board members.	6	5	8	2	0	2.71	1.01	21
possess the confidence to chair Board or its Standing Committee meetings.	3	9	6	2	0	2.65	0.88	20
can explain and defend Board decisions with which they did not agree.	1	11	8	1	0	2.57	0.68	21
refer community members to the appropriate Board officials when they have encountered								
problems rather than trying to solve the problem themselves.	1	12	7	0	1	2.57	0.81	21
support decisions of the Board publicly even if they were not in favor of the decision.	0	13	6	2	0	2.52	0.68	21
arrive at meetings having read and thought about the items on the agenda.	2	8	10	1	0	2.52	0.75	21
understand the rules of procedure governing meetings.	2	8	10	1	0	2.52	0.75	21
can read and understand a school board financial statement.	3	9	6	2	1	2.52	1.03	21
avoid public criticism of one another.	2	9	6	4	0	2.43	0.93	21
employ evidence and logic in defending their perspectives on issues.	0	8	10	1	1	2.25	0.79	20
are comfortable saying publicly that they do not understand an issue.	2	6	9	3	1	2.24	1.00	21
can see issues from perspectives other than their own.	2	4	11	4	0	2.19	0.87	21
can voice their opinions and their perspectives at meetings without fear of being ostracized.	1	5	10	5	0	2.10	0.83	21
can tolerate ambiguity and uncertainty.	2	3	11	5	0	2.10	0.89	21

Toronto District School Board: Results of the Self-Assessment Tool

			# Resp	Rati	Rating			
The Board members	Always (4)	Often (3)	Sometimes (2)	Infrequently or Not at All (1)	Don't Know (0)	Mean	SD	Total Resp
do not allow differences of opinion and perspective to damage their relationships with								
colleagues on the Board.	0	4	11	6	0	1.90	0.70	21

 ${\it Directions} \ {\it Evidence} \ {\it and} \ {\it Policy} \ {\it Research} \ {\it Group, LLP}.$

The means for the items in the table above indicate that the Board complies with its policies less often than it should. Only one item achieves a mean rating above 3 "often": "maintain confidentiality and protect privacy." All the remaining items achieve ratings below "often."

The lowest mean rating [1.9] was for the statement: "the Board members do not allow differences of opinion and perspective to damage their relationships with colleagues on the Board." The ratings for this item are relatively tightly clustered. Most selected "sometimes," only 4 selected "often," and 6 said "infrequently or not at all." The mechanisms for managing distrust among individuals with different perspective described briefly above are not working in the TDSB.

Three other items are closely related: "tolerating ambiguity and uncertainty" [2.1], "seeing issues from perspectives other than their own" [2.19], and "voicing their opinions and their perspectives at meetings without fear of being ostracized" [2.1].

There is much about which one might make observations based on the data contained in the table above, but I will focus on one that stands out for me.

• These results imply a significant level of distrust among trustees. One of the factors that impedes effective governance is distrust. It arises in part because Trustees pursue values that are different from those pursued by their fellow governors. Distrust is magnified by the partisan election process where each Trustee competes with every other Trustee for attention and votes. Attachment to one's own values, and opposition - if not hostility - to the values of others, are conditions that make for distrust among political rivals.

Trustees cross the boundaries that are set to manage distrust when they perceive the benefit to themselves or their interests to outweigh the rewards for the district, such as reputational maintenance, avoidance of public conflict, the possibility of dismissal by the Ministry of Education. Under such circumstances, a trustee will choose to transgress the boundary by failing to "support decisions of the Board publicly even if they were not in favor of the decision" [2.57] and avoiding "public criticism of one another" [2.43] and sometimes attribute sinister motives to those in favour of the decision. Transgressions range from publicizing one's opposition on social media to vilifying one's opponents.

Trustee comments about this section of the Self-Assessment Tool were not entirely negative, though most were. One Trustee referred to an earlier comment in which s/he complimented the Trustees — especially ones that were new to the position - for having addressed well the budget challenges. Another said, notwithstanding the differences among Trustees, the Board "makes decisions in the best interests of the system."

It was difficult to compose a category label for the negative comments that were made because they often included a number of issues. Several Trustees said that not all Trustees are comfortable "admitting they do not understand an issue" because they are unable to "see or understand the perspectives of others" whose "lived experience" may differ from their own. "Privilege" was asserted by several Trustees as the reason why it is difficult for some Trustees to listen to those whose experiences are different. One trustee seemed to sum up the sentiments of several other Trustees:

There is a lack of collegiality. The Board is very divided because there is little respect for differences in opinions. Board members are not able to voice their opinions. Some fear ostracization, a situation that is made worse by racism.

Another Trustee said that s/he perceived marginalization and intimidation to have occurred. Several Trustees used the term "culture of fear." In one instance this seemed to have referred to reluctance to speak about issues that that the Trustees have not "lived." Another said the "culture of fear" resulted in some Trustees feeling pressured to vote in a particular way or to "admit they do not understand an issue, possess the background to understand a complex issue, or cannot read a financial statement." These comments may also reflect the relatively low means score for: "arrive at meetings having read and thought about the items on the agenda" [2.52] "understand the rules of procedure governing meetings" [2.52] and "can read and understand a school board financial statement" [2.52]. These low scores mean that Trustees are breaching their duty of care, their obligation to discharge their responsibilities with the care, diligence, and skill that a reasonably prudent person would use if that person were in a comparable position.

One Trustee attributed the "culture of fear" to the inconsistent application of rules, making it "hard to know what the rules are." Another Trustee said that disagreements about substantive matters are expressed as disrespect for the person with whom one disagrees.

2019-2020 was quite a year for several trustees of the board. There were many who felt a sense of despair and that they did not belong. There were many forms of criticism. Some Trustees were not given a chance to express their thoughts or opinions, and some were treated as second class members of the board.

There were comments that support the results in the table above:

- Board members coming unprepared for discussion because they had not read the material prior to the meeting.
- Inadequate preparation for making well-constructed motions.

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- Failure to abide by the principle that once a decision of the collective Board is made, all
 trustees including those who opposed the decision will support the decision.
- Publicly criticizing a decision and attributing negative and sometimes sinister motives to those in favour of the decision.
- Trustees commenting negatively about the opinions or comments of other trustees and using social media to denigrate them.
- Implying or using race and racism to intimidate other trustees when there are differing opinions or it looks like the decision will not go the way they want.
- Using urgent motions to address matters that are not urgent, some of which seem intended to shame the Board into voting in favour of the motion.
- · Giving operational direction to staff.

Responsibilities of Board and Committee Chairs

This section of the instrument assessed the Board's beliefs about the responsibilities of the Board Chair and Vice Chair, and the responsibilities of the Chairs of the Board's standing committees. It was an appraisal of what **should be**, not what is or has been. The assessment presented each Trustee with a list of normative statements about what the Chair of the Board should do. Each statement was accompanied by a scale that ranged from "strongly disagree" (0) to "strongly agree" (4)

	# Resp					Rati		
The Chair of the Board SHOULD	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	Don't Know (0)	Mean	SD (个)	Total Resp
ensure that there is an annual summative evaluation of the Director of Education.	18	3	0	0	0	3.86	0.36	21
ensure that discussions of the Board are productive, efficient, and orderly.	17	4	0	0	0	3.81	0.40	21
represent the Board as its official spokesperson about Board official business as determined by the Board as a whole.	17	4	0	0	0	3.81	0.40	21
conduct Board meetings to ensure that they are focussed on issues within the Board's purview as set out in Board policy.	15	6	0	0	0	3.71	0.46	21
conduct debriefings and self-assessments with the Board and Director of Education on a timely basis to improve Board deliberations.	14	7	0	0	o	3.67	0.48	21
not exercise authority as an individual.	14	6	1	0	0	3.62	0.59	21
develop proposed agendas for Board meetings in cooperation with the Director of Education.	15	4	2	0	0	3.62	0.67	21
monitor the Board's actions to ensure the actions are consistent with the Board's policies and procedures.	14	6	0	1	0	3.57	0.75	21
execute all documents authorized by the Board, except as prescribed or proscribed by law.	15	5	0	0	1	3.57	0.93	21
not give direction to the Director of Education without Board authorization.	16	3	1	0	1	3.57	0.98	21
monitor the Board's actions to ensure that the actions comply with the Board's obligations to external and superordinate authorities.	10	9	1	0	1	3.29	0.96	21

Board Chair

Trustees were very clear about their expectations for the Board's Chair. There was substantial agreement [3.29] among Trustees that "the Chair of the Board should monitor the Board's actions to ensure that the actions comply with the Board's obligations to external and superordinate authorities." There was very strong agreement among Trustees that the Chair of the Board should: "ensure that there is an annual summative evaluation of the Director of Education" [3.86]; "ensure that discussions of the Board are productive, efficient, and orderly" [3.81]; and "represent the Board as its official spokesperson about Board official business as determined by the Board as a whole" [3.81].

A few Trustees said that the Board needs to respect the role of the Chair. One Trustee said that Trustees could show their respect by following the Board's code of conduct and not depending upon the Chair to maintain order. Another Trustee said, "these statements are within the chair's jurisdiction, but others rely on the Board itself to respect the role of the Chair." Trustees said that the relationship was reciprocal. The Chair needs to respect the Trustees.

The chair needs to be consistent, fair, and open to listening to different perspectives. The Chair should not 'rule by 12.' The Chair needs to reach out and understand different positions. Chair should not show favouritism. Chair should not conspire with the Director or act as the Director's messenger. The role of the Chair is to represent the voices of the Trustees to the Director, not the other way around.

One Trustee observed that the relationship between the Chair and Trustees can be easily compromised when Trustees feel that the Director and the Chair have conspired to ensure that a Committee or the board arrives at their preferred decision. Another suggested that establishing standing rules that place limitations on the speaking time allotted to Trustees as well as limitations on the number of times a Trustee may speak to an issue would be welcome. Such limitations would help to "focus the mind" and limit "rambling."

Two things are worth noting. First, the Board's by-laws address speaking time:

Speaking Time

5.13.10 At Board, a member may speak only once to each motion and for up to five (5) minutes. A member, who moved the main motion, but not amendment, may speak a second time for up to three (3) minutes in order to close debate.

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5.13.11 At Committee, members may speak an unlimited number of times to each motion and for up to five (5) minutes for each motion. A member, who moves the motion, but not amendment, may speak last and for up to three (3) additional minutes to conclude debate.

Second, without the active help of the entire Board it is very difficult for a Board Chair to satisfy Trustee expectations regarding the Chair's conduct.

Board Vice Chair

A set of statements like those about the Board's expectations for the Chair were presented to Trustees about the Vice-Chair position. The same four-point scale was also used.

			# Resp	Rati	ng			
The Vice Chair of the Board SHOULD	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	Don't Know (0)	Mean	SD (个)	Total Resp
not exercise authority as an individual.	18	1	1	0	0	3.85	0.49	20
not give direction to the Director of Education without Board authorization.	16	4	0	0	0	3.80	0.41	20
ensure that discussions of the Board are productive, efficient, and orderly.	13	7	0	0	0	3.65	0.49	20
conduct Board meetings to ensure that they are focussed on issues within the Board's purview as set out in Board policy.	10	9	1	0	0	3.45	0.60	20
conduct debriefings and self-assessments with the Board and Director of Education on a timely basis to improve Board deliberations.	10	9	1	0	0	3.45	0.60	20
monitor the Board's actions to ensure the actions are consistent with the Board's policies and procedures.	10	9	0	1	0	3.40	0.75	20
monitor the Board's actions to ensure that the actions comply with the Board's obligations to external and superordinate authorities.	9	10	0	0	1	3.30	0.92	20
execute all documents authorized by the Board, except as prescribed or proscribed by law.	9	7	1	1	2	3.00	1.30	20

 $\label{eq:Directions} \mbox{ Evidence and Policy Research Group, LLP.}$

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As was the case with expectations for the Chair, there was strong agreement among Trustees regarding expectations for the Vice-Chair. Trustees were less certain about the statement "the Vice Chair of the Board should execute all documents authorized by the Board, except as prescribed or proscribed by law" [3.00] than most of the other statements. The likely reason is that the Vice-Chair does not exercise such actions unless designated by the chair to do so in her/his absence.

Several Trustees made the point that the Vice-Chair's responsibilities derive mainly from the tasks assigned by the Chair. This suggests a close working relationship between the two positions. The area for which the Vice-Chair has significant responsibility is in chairing the private sessions of the Board. In that context the Vice-Chair has the obligation to ensure that Trustee behaviour conforms with its policies and code of conduct. One Trustee suggested that the private sessions of the Board should be recorded if a Trustee wished to raise a code-related or policy-related concern.

Chairs of Standing Committees

A set of statements like those about the Board's expectations for the Chair and Vice-Chair were presented to Trustees about the chairs of Standing Committees. The same four-point scale was also used.

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			# Resp	Rati	ing			
Response ID	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	Don't Know	Mean	SD (个)	Total Resp
ensure that discussions of the Committee are productive, efficient, and orderly.	16	5	0	0	0	3.76	0.44	21
report in a regular and timely manner to the Board.	15	5	0	0	0	3.75	0.44	20
conduct Committee meetings to ensure that they are focused on issues within the								
Committee's purview as set out in Board policy.	15	4	1	0	0	3.70	0.57	20
not exercise authority as individuals.	13	7	0	0	0	3.65	0.49	20
monitor the Committee's actions to ensure the actions are consistent with Board and Committee policies and procedures.	13	6	1	1	0	3.48	0.81	21
conduct debriefings and self-assessments with Committee members on a timely basis to improve Committee deliberations.	11	8	0	0	1	3.40	0.94	20
not give direction to the Director of Education or any Board employee.	11	7	1	0	1	3.35	0.99	20
develop proposed agendas for Committee meetings in cooperation with the Board Chair.	7	7	3	1	3	2.67	1.39	21

 $\label{eq:Directions} \mbox{ Evidence and Policy Research Group, LLP.}$

As was the case with expectations for the Chair and the Vice-Chair, there was strong agreement among Trustees regarding expectations for the Chairs of Standing Committees. Trustees were less certain about the statement "the Chairs of Standing Committees develop proposed agendas for Committee meetings in cooperation with the Board Chair" [2.67], likely because the usual practice in the TDSB is for the Chair of a standing committee to develop the agenda with the Director of Education. On the other hand, it is the Committee Chair in consultation with the Board Chair and the Director who determine when delegations are heard. The difference highlights for me the challenge that the Board Chair faces in coordinating the timing of issues coming to the Board.

Comments about this section of the Self-Assessment Tool were distributed among a range of topics. Concern was expressed about the overall effectiveness of standing committees. It was suggested that effectiveness could be improved if there were established terms of reference for the standing committees. The statement was a bit puzzling because the Board's bylaws set out the following:

4.6.3 The Finance, Budget and Enrolment Committee mandate will be to consider and make recommendations to the Board on finance matters, including procurement and contract awards, referred to it for consideration, review the impact of enrolment and policy change on the Board's budget, including reviewing the impact of enrolment trends, and marketing strategies to bolster enrolment in declining areas of the city; and consider strategies to balance the capital and operating budget over a multi-year period, and to make recommendations to the Board to balance the annual capital and operating budget. The Committee will also consider facility related issues, including leases, plant operations, maintenance, architect selection and sketch plan approvals.

4.6.4 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.

4.6.5 The Program and School Services Committee's mandate will be to consider and make recommendations to the Board on education matters referred to it for consideration, including matters presented by the Board's Community Advisory Committees.

It may have been the case the Trustee making the comment was referring not to a mandate, but to a work plan for each committee.

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There were several comments that referred to "working closely with staff to ensure that questions were promptly answered, or motions acted upon" or to "make sure that staff are executing and implementing decisions that are made by the Board in a timely manner." Although those who made the comments did not provide explanations, I inferred from these comments that some Trustees believed that it was necessary for them to ensure that staff were carrying out their responsibilities. The responsibility for ensuring that staff fulfill their responsibilities falls upon the Director of Education; such oversight is not the responsibility of an individual Trustee nor of the Board.

Board Code of Conduct

Trustees were asked to consider statements drawn from the Board Code of Conduct and appraise the <u>Board's</u> adherence to the statements during the 2019-2020 school year. A scale similar to others used in the SAT was used for appraisal of the adherence of the Board to its code of conduct. The scale scores ranged from 1 (infrequently or not at all" to 4 (always). A value of 0 was assigned to "don't know."

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	# Resp					Rat		
Code Provision	Always (4)	Often (3)	Sometimes (2)	Infrequently or Not at All (1)	Don't Know (0)	Mean	SD (↑)	Total Resp
No member of the Board may obtain personal financial gain from the use or sale of Board-developed								
intellectual property (e.g., inventions, creative writings and drawings), computer programs, technical						l		l .
innovations, or other items capable of being patented, since all such property remains exclusively that of								
the Board.	20	1	0	0	0	3.95	0.22	21
Members of the Board are expected to carry out their duties with impartiality and objectivity. Members								
must decline from accepting a gift, benefit, or hospitality because of the risk that this will compromise								
the objectivity of the member of the Board or lead to an appearance of lack of objectivity, bias, or								
influence on the part of the member.	18	3	0	0	0	3.86	0.36	21
Members of the Board shall serve and be seen to serve their school communities in a constructive,								
respectful, conscientious, and diligent manner.	18	2	1	0	0	3.81	0.51	21
Members of the Board shall recognize the public trust in the expenditure of TDSB funds efficiently and in								
the best interests of students.	16	5	0	0	0	3.76	0.44	21
Members of the Board should be committed to performing their functions with integrity and to avoiding								
the improper use of the influence of their office, and conflicts of interest, both apparent and real.	16	5	0	0	0	3.76	0.44	21
No member of the Board shall use the influence of his or her office for any purpose other than for the								
exercise of his or her official duties.	17	3	1	0	0	3.76	0.54	21
Transparency, accountability, and public confidence are fundamental components for the effective								
governance of school boards as public bodies responsible to their communities and to the provincial								
government. The conduct of the members of the Board of Trustees must be of the highest standard to								
maintain the confidence of the public.	18	1	2	0	0	3.76	0.62	21
No member of the Board shall undertake campaign-related activities on Board property unless permitted								
by Board policy.	18	2	0	0	1	3.71	0.90	21
Members of the Board shall seek to serve the public interest by upholding both the letter and the spirit								
of the laws of the Federal Parliament and Ontario Legislature, and the bylaws and policies adopted by the						l		I
Board.	14	7	0	0	0	3.67	0.48	21

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	# Resp					Rat		
Code Provision	Always (4)	Often (3)	Sometimes (2)	Infrequently or Not at All (1)	Don't Know (0)	Mean	SD (个)	Total Resp
No member of the Board should use, or permit the use of Board staff members, Board events, Board facilities, Board funds, Board information, and Board infrastructure or other resources (e.g., Board-owned materials, websites, and social media platforms) for activities other than the business of the TDSB.	17	3	0	0	1	3.67	0.91	21
No member of the Board shall disclose or release by any means to any member of the public any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by the Board to do so. This is a continuous obligation that extends beyond the member's term of office.	14	6	1	0	0	3.62	0.59	21
Members of the Board are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.	13	7	1	0	0	3.57	0.60	21
No member of the Board shall use the facilities, equipment, supplies, services or other resources of the Board (including newsletters, social media sites and websites linked through the Board's website, contact information including email addresses obtained as a result of the member's performance of his or her duties as a Trustee) for any election campaign or campaign-related activities.	17	2	0	1	1	3.57	1.08	21
No member of the Board shall use the services of persons for election-related purposes during hours in which those persons receive any compensation from the Board.	18	1	0	0	2	3.57	1.21	21
Members of the Board should not access or attempt to gain access to confidential information in the custody of the Board unless it is necessary for the performance of their duties and not prohibited by Board policy.	15	3	1	1	1	3.43	1.12	21

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All responses in the code of conduct section earned ratings between 3 (often) and 4 (always). There were six "don't knows," indicating that knowledge of the code of conduct and/or its application was not uniformly shared among Trustees. Trustees commented that the code of conduct is clear, but not all Trustees understand the code of conduct. One Trustee admitted that s/he had not read the entire document but supported the application of the norms the code was intended to ensure. The application of the norms was not clear to all Trustees. One Trustee wrote "there are grey areas that need to be better defined" (use of social media and data were among those mentioned.

Conduct issues arising among Trustees were said to have arisen from two main causes. One was "deep-rooted trust issues" prompted by "issues of confidentiality." The other was "extreme exhaustion brought on by very long hours, seven days a week, that have gone on for months and months" due to the Pandemic.

Values and Goals of the Board

This section of the assessment is intended to reveal the different priorities that trustees place on the values and goals expressed in Board policy.

Values

Even when they share the same values, people differ in the relative priority they place on the values they hold. The Board's Mission Statement includes eight values. Trustees were asked to rank the values below from 1 (most important to you) to 8 (least important to you). The text [in brackets] was added by the consultant to better render the phrases into value statements.

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				# R	esp				Rai	nk	
		*							Mean		Total
Values: The TDSB	1	2	3	4	5	6	7	8	(个)	SD	Resp
[takes pride in] the commitment and skills of our staff.	0	0	1	2	0	4	7	6	6.60	1.47	20
[fosters] a partnership of students, staff, family, and community.	0	2	0	6	3	6	3	0	5.00	1.49	20
[is or seeks to be] a strong public education system.	8	1	0	0	0	0	0	11	4.90	3.52	20
[provides] learning and working spaces that are inclusive, caring, safe, respectful,	П										
and environmentally sustainable.	2	0	5	5	2	5	1	0	4.20	1.67	20
[fosters] shared leadership that builds trust, supports effective practices, and	1										
enhances high expectations.	3	3	3	0	5	3	2	1	4.15	2.21	20
[is known for] equity, innovation, accountability, and accessibility.	1	5	3	5	2	0	4	0	3.90	1.92	20
[supports] the diversity of our students, staff, and our community.	1	6	5	0	5	1	1	1	3.70	1.92	20
[attempts to meet] each and every student's interests, strengths, passions,											
identities, and needs.	5	3	3	2	3	1	2	1	3.55	2.26	20

Regular Meeting

November 10, 2021

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The dispersion of responses is worthy of mention. For the statement "the TDSB [attempts to meet] each and every student's interests, strengths, passions, identities, and needs" where the mean response was 3.55, approximately 13 of the 20 Trustees responding to this section would be expected to fall within a range indicated by the standard deviation (SD) – that is, from 1.29 to 5.81. In everyday speech, one would say, "Trustees are all over the map [the range from 1 to 8] on most items." Looking closely at the distribution for the item "The TDSB [is or seeks to be] a strong public education system," one can see extreme polarization. Nine trustees assigned a value of one or two to the statement, ranking it high, but 11 of the 20 Trustees responding to the item ranked it at the bottom (8).

Trustees are not seeing the item "the TDSB [is or seeks to be] a strong public education system" through the same lens. It may be a semantic difference. Some Trustees may have read the item placing emphasis on the word "seeks" while the others may have placed emphasis on "is." The fact that the values — even with the additional words to help understanding — are quite vague is an impediment to understanding and application.

In their comments, Trustees noted that imprecision of the value statements and the apparent overlap among them because they are vague. One Trustee seemed to speak for several others: "we should refine and modernize our values, making them clearer." "Carrying out this exercise makes me realize that we need to re-word our value system, wrote another." The sentiment that seemed most dominant is that the values deserved, at the least, to be re-examined.

Some Trustees noted the connections they saw among the statements and questioned the value in prioritizing values. Most, however, focused on equity, diversity, and inclusion. Several said that equity was among the most important — if not the most important — value. Some asserted that "there are many marginalized and racialized communities in our city that believe with good reason that the TDSB only pays lip service to equity and inclusion." Another said, equity is most important, but without the redistribution of power, equity, accountability, and innovation cannot be achieved." One Trustee saw the public perception of the Board as something different from student success, rather than seeing the two inextricably connected.

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Goals

The Board has several goals, including those set out in the Multi-Year Strategic Plan. Trustees were asked to evaluate how well the Board is working toward the realization of each goal helow.

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			# R		Rat				
Goal: The Board works to		Well (4)	Adequately (3)	Poorly (2)	Not at All (1)	Don't Know (0)	Mean	SD (个)	Total Resp
advocate on behalf of the TDSB and the communities it serves.	5	2	10	3	0	0	3.45	1.05	20
allocate human and financial resources strategically to support student needs.	2	7	6	4	0	0	3.37	0.96	19
create a culture for student and staff well-being.	1	9	6	4	0	0	3.35	0.88	20
transform student learning.	0	12	3	4	0	1	3.25	1.12	20
build strong relationships and partnerships within school communities to									
support student learning and well-being.	1	7	7	5	0	0	3.20	0.89	20
provide equity of access to learning opportunities for all students.	1	3	10	5	1	0	2.90	0.91	20

 $\label{eq:Directions} \mbox{ Evidence and Policy Research Group, LLP.}$

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The overall appraisal of how well the Board works to achieve the goals included in the table above was slightly better than "adequately," except for "providing equity of access to learning opportunities for all students" which fell slightly below "adequately." "Adequately" may be an accurate appraisal of the Boards efforts in each of these areas. However, the vacuity of these statements makes the reader wonder about their meaning.

This section elicited many comments. One group of comments addressed: inequities in the distribution of programming and resources; the failure to reach more vulnerable students; and the failure to transform student learning. Trustees expressed the view that the TDSB served its affluent and organized communities very well, evidenced by "the abundant amount of unique and varied specialty school programs available in those areas." Another wrote, "many learning opportunities are not open to all." "More effort is needed to support communities where disparities and inequities are visible."

I have heard about this so-called transformation of student learning and it is just a statement. I do not know if it has any meaning, substance, or impact beyond someone saying it... I have yet to see how the TDSB is transforming learning.

Trustees had a variety of diagnoses for [in]adequacy of the Boards work. There is: insufficient focus on students; too much effort is devoted to responding to requests rather than addressing needs; disconnection between board decisions and what occurs in schools. "There is a lot of navel-gazing and more focus on policing each other than focusing on student learning," wrote one Trustee.

The deep disparities in our city are reproduced and reflected in our schools. The placement of special programs such as French Immersion is indicative of the disparities. There is a culture of filling a demand as opposed to cultivating a culture of learning to expand demand. Covid-19 has made the digital divide more obvious; with obvious socio-economic differences among those choosing online versus bricks and mortar school. Human and financial resources need to be more strategically allocated. The city is socio-economically diverse and a plan that covers everyone does not count for this--we need a differentiated approach.

Another said that one facet of the problem was the tendency on the part of some to "put the ward before the Board."

Trustees advocate too much for their own communities. They ignore the TDSB in favour of the communities who vote for them. As a trustee you must be

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prepared to make some hard decisions that will benefit the Board as a whole and, sometimes, not your community.

Summary Statement

The TDSB Board appears to have risen above the level of dysfunction described by Hall and Wilson. Despite general agreement among Trustees regarding the responsibilities of office, the roles of the Board's officers, the norms established in the Board's code of conduct, their beliefs about education, and the meaning of equity, there is much work to be done to achieve the cooperation essential to effective governance.

First and foremost, The Board must attend more assiduously to its principal obligations: improving student achievement, reducing inequalities, and improving public confidence in the TDSB. To accomplish this, Trustees will need to see beyond the horizon of the interests of their immediate constituencies to act in the best interest of the district, to depersonalize their differences, and to treat one another with the respect that every human being deserves.



Finance, Budget and Enrolment Committee Report No. 15

FBEC:016A
Tuesday, November 2, 2021
4:30 p.m.
Electronic Meeting

Members Present Trustees Parthi Kandavel, Shelley Laskin, Zakir Patel, Robin

Pilkey, David Smith, Jennifer Story and Manna Wong

Also Present Trustees Michelle Aarts, Alexander Brown, Rachel Chernos Lin,

Stephanie Donaldson, Trixie Doyle, Dan MacLean, Christopher

Mammoliti, Chris Moise, Patrick Nunziata, Yalini

Rajakulasingam, Anu Sriskandarajah and Student Trustee Jyoti

Dadhich

All trustees participated by electronic means in accordance with

amendments to Section 7 of Ontario Regulations 463/97,

Electronic Meetings.

Part A: Committee Recommendations

1. Contract Awards, Operations [4190]

The Committee considered a report from staff (see FBEC:016A, page 1) presenting contract awards.

Moved by: Trustee Pilkey Seconded by: Trustee Laskin

The Finance, Budget and Enrolment Committee RECOMMENDS that the contract award on Appendix C, as presented in the report, be approved.

2. Contract Awards, Facilities [4191]

The Committee considered a report from staff (see FBEC:016A, page 9) presenting contract awards. The Committee received the contracts on Appendix A.

Moved by: Trustee Laskin

Seconded by: Trustee Mammoliti

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the contract awards on appendix C, as presented in the report, be approved.

Carried

3. Hodgson Middle School Relocation to 529 Vaughan Road During Construction of Addition and Renovation [4163]

The Committee considered a report from staff (see FBEC:016A, page 19) presenting information on the rationale for relocating Hodgson Middle School to 529 Vaughan Road while the school building undergoes a large capital project.

Moved by: Trustee Laskin Seconded by: Trustee Wong

The Finance, Budget and Enrolment Committee RECOMMENDS:

- (a) That Hodgson Middle School be relocated to the 529 Vaughan Road building, effective 1 September 2022, until the addition and renovation to the current school building located at 282 Davisville Avenue is constructed and ready for occupancy;
- (b) That the timing of the above recommendation be adjusted, with adequate community notice, in the case of unexpected delays in the design and construction process.

4. Update on Pandemic Funding and Costs [4193]

The Committee considered a report from staff (see FBEC:016A, page 27) presenting an update on pandemic funding received through the Safe Return to Class Fund and associated costs.

Moved by: Trustee Laskin

Seconded by: Trustee Mammoliti

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the report be received.

Carried

5. 2022-23 Ministry of Education Budget Consultation [4194]

The Committee considered a report from staff (see FBEC:016A, page 35) presenting information on the Ministry's 2022-2023 Education Funding Guide to school boards for feedback from the sector.

Moved by: Trustee Pilkey Seconded by: Trustee Wong

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the report be received.

Carried

6. 2022-23 Operating Budget Communications: Overview of Communication Supports [4195]

The Committee considered a report from staff (see FBEC:016A, page 67) presenting information on communications support for the 2022-23 budget process.

Moved by: Trustee Smith Seconded by: Trustee Laskin

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the report be received.

7. 2021-22 Vice-Principal Allocation Update [4165]

The Committee considered a report from staff (see FBEC:016A, page 73 and attached) presenting information on the allocation of secondary and elementary vice-principals.

Moved by: Trustee Smith Seconded by: Trustee Wong

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the report be received.

Carried

8. School Banking Update [4196]

The Committee considered a report from staff (see FBEC:016A, page 81) presenting information on school banking arrangements.

Moved by: Trustee Wong Seconded by: Trustee Pilkey

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the report be received.

Carried

9. Sections 37 and 45 Funding for Schools [4197]

The Committee considered a report from staff (see FBEC:016A, page 91) presenting information on the allocation of funding from the City of Toronto under Sections 37 and 45 of the *Planning Act*, 1990.

Moved by: Trustee Laskin Seconded by: Trustee Smith

The Finance, Budget and Enrolment Committee **RECOMMENDS** that the report be received.

Part B: For Information Only

4. Call to Order and Acknowledgement of Traditional Lands

The meeting was called to order at 4:31 p.m. with Trustee Parthi Kandavel presiding.

5. Approval of the Agenda

On motion of Trustee Laskin, seconded by Trustee Kandavel, the agenda was reordered to consider Item 10, 2021-22 Vice-Principal Allocation Update [4165] after Item 5, Contract Awards. The agenda was approved as reordered.

6. Declarations of Possible Conflict of Interest

No matters to report

7. Delegations

No matters to report

9. Adjournment

On motion of Trustee Laskin, seconded by Trustee Wong, the meeting adjourned at 7:38 p.m.

Part C: Ongoing Matters

No matters to report

Submitted by: Parthi Kandavel, Committee Chair

2021-22 Vice-Principal Allocation Update

Finance, Budget and Enrolment Committee November 2, 2021





Key Topics

- How is the Vice-Principal Allocation determined?
 - → Base Allocation Based on Formula
 - → Impact of Local Decision Making
- Cost Analysis of the Elementary and Secondary Vice-Principal Allocation
- Next Steps



How is the Vice-Principal Allocation Determined?

- The TDSB currently allocates 200.0 FTE Elementary and 161.0 FTE Secondary Vice-Principal allocations
- The Vice-Principal allocation is determined through both a base allocation based on a specific weighted formula and through local decision making
- The elementary allocation consists of three key steps



Elementary VP Allocation

Step 1: Determining Points for Each School

- A points system is used to determine where Vice-Principals will be allocated
- A Base Allocation is created by identifying the key drivers that influence allocation
- Those drivers include the categories reflected in the chart on the next slide



Elementary VP Allocation

Points System

Category	Description	Factor	Points
Head Count	Total projected enrolment of the school		HC # X 1.0
Gr7-8	Projected enrolment of grade 7 and 8 students	0.4	GR7-8 # X 0.4
French	Projected enrolment of French students (French Immersion, Extended & Late Extended French)	0.1	French# X 0.1
Gifted	Number of projected enrolment of gifted students	0.1	Gifted # X 0.1
Non-Gifted Intensive Support Programs	Number of projected enrolment of non-gifted ISP students	1.0	Non-Gifted ISP # X 1.0
Learning Opportunities Index	Each school is given a factor based on the LOI Rank: LOI Rank Factor 0-100 0.2 101-200 0.1 >200 0.0	(i)	Total Headcount x Factor
School Points	Total Points Per School		Total

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Step 2: Determining a Base Allocation from the Points

Tallying the total points for each school based on the formula provided

in step 1

Points	Vice Principal Base Allocation
0-454	0.0
455-559	0.5
560-849	1.0
850-1099	1.5
110-1799	2.0
>=1800	3.0



School	LOI Rank	Total Enrol (HC)	Gr7-8 Stud	French Stud	Gifted Stud	Non Gifted ISP Stud	School Points	VP Allocation
	HX x Factor (0.2/0.1.0)	HC x 1.0	HC x 0.4	HC x 0.1	HC x 0.1	HC x1.0		
А	25	347	0	0	0	39	455	0.5
В	400	455	0	0	0	0	455	0.5
С	250	379	60	50	50	42	455	0.5
D	150	380	0	О	О	37	455	0.5



Step 3: Local Decision Making

- Executive Superintendents in each Learning Centre are provided with an opportunity to address specific local needs and priorities above the allocation that was established through the base allocation
- The Executive Superintendents will be provided with information on the entire allocation for the year including School Office Clerical, School Based Safety Monitors, and other support staff to allow them to better utilize all supports that may be available to a school
- The Executive Superintendent will share with the Learning Network Superintendents, local Trustee and other staff to identify the needs and priorities of the individual school communities and of the Learning Centre overall



Elementary VP Allocation

Impact of Local Decision Making

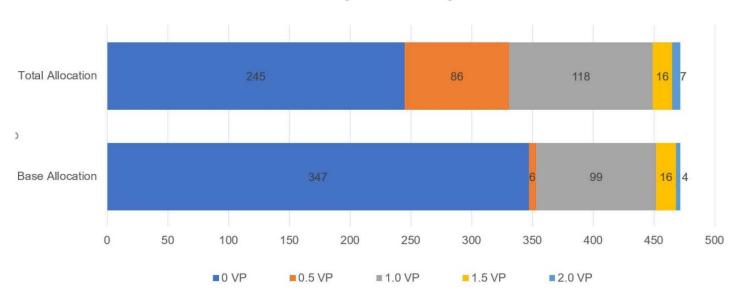
Type of Decision	# of Allocation	# of Schools Receive Allocations
Formula Driven	67% or 134.0 VP	55% or 125 Schools
Local Decision Making • Learning Network Adjustments & Profile	33% or 66.0 V P	45% or 102 schools



Results of Local Decision Making

Base allocation would have resulted in 347 schools with no Vice-Principal. After local decisions were made, another 102 schools received a VP allocation.



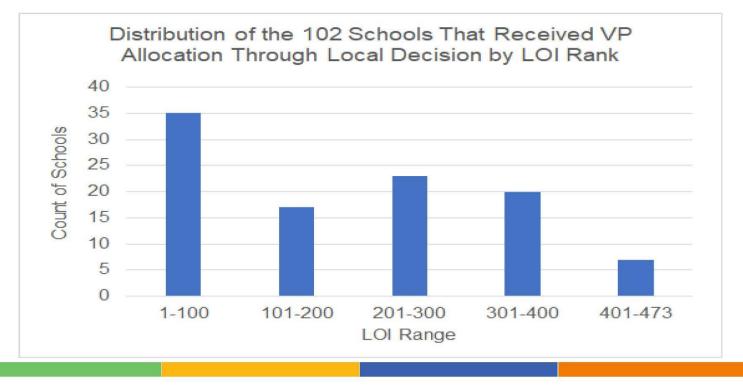


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Results of Local Decision Making

Of the 102 Vice-Principals allocated through the local decision-making process, almost 51% went to schools in the top 200 LOI.



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Secondary VP Allocation

- There are 161.0 Vice-Principals allocated to secondary schools
- Vice-Principal allocation is a combination of formula driven and local decision making
- VP allocation of each school depends primarily on the total teacher allocation of the school.
- Teacher allocation is determined by the following factors:
 - → Course Type (Applied, Academic, College, University Levels)
 - → ESL/ELL student Enrolment
 - → Special Education Enrolment
 - → Overall Student Enrolment



Secondary VP Allocation

Total Teacher Allocation	Vice-Principal Base Allocation
0	0
1-10	1.0
11-42	2.0
43-100	3.0
101-128	4.0



Secondary VP Allocation

Results of Allocation

Base allocation would have resulted in 34 schools with no Vice-Principal. After local decision and profile allocation were made, another two schools received Vice-Principal allocation and base allocation were supplemented.

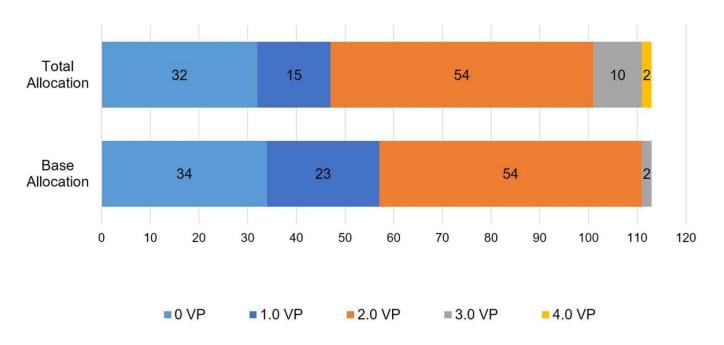
Type of Decision	# of Allocation
Formula Driven	85% or 137.0 VP s
Local Decision Making • Learning Network Adjustments & Profile	15% or 24.0 VPs

November 10, 2021



Secondary VP Allocation

Count of Secondary Schools by VP Allocations



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Cost Analysis of Elementary VP Allocation

Elementary Vice-Principal Allocation is 22.04 FTE over Ministry benchmark. In addition, the salary and benefits cost is \$5,652 over benchmark per FTE.

The total financial impact is \$3.9 million over benchmark funding.

	FTE (A)	Salary & Benefits Per FTE (B)	Financial (AxB)
Ministry Benchmark	177.96	\$126,133	\$22.4M
TDSB Elementary VP Allocation	200.00	\$131,785	\$26.3M
Difference	22.04	\$5,652	\$3.9M



Cost Analysis of Secondary VP Allocation

Secondary Vice-Principal Allocation is 9.65 FTE over Ministry benchmark. In addition, the salary and benefits costs are \$1,884 over benchmark per FTE. The total financial impact is \$1.6 million over benchmark funding.

	FTE (A)	Salary & Benefits Per FTE (B)	Financial (AxB)
Ministry Benchmark	151.35	\$132,612	\$20.1 M
TDSB Elementary VP Allocation	161.00	\$134,496	\$21.7M
Difference	9.65	\$1,884	\$1.6M



Next Steps

- Review Base Allocation formulas with goal of greater equity
- 2. Assess any disparity in allocation that may exist
- 3. Provide an update To Trustees before the staff allocation process in February



Questions?



Planning and Priorities Committee (Special Meeting) Report No. 19

PPC:020A Thursday, October 28, 2021 Electronic Meeting

Members Present Trustees Michelle Aarts, Rachel Chernos Lin, Stephanie

Donaldson, Trixie Doyle, Parthi Kandavel, Shelley Laskin, James Li, Dan MacLean, Christopher Mammoliti, Chris Moise,

Patrick Nunziata, Zakir Patel, Robin Pilkey, Yalini

Rajakulasingam, Anu Sriskandarajah, Jennifer Story, Chris Tonks, Manna Wong and Indigenous Student Trustee Isaiah

Shafqat

Regrets Regrets were received from Trustees Alexander Brown,

Harpreet Gill, Alexandra Lulka and David Smith.

Trustees participated by electronic means in accordance with

amendments to Section 7 of Ontario Regulations 463/97,

Electronic Meetings

PART A: Committee Recommendations

1. United States Travel for Student Excursions, Competitions and Professional Learning [4192]

The Committee considered a report from staff (see PPC:020A, page 1) presenting an update on travel to the United States for student excursions, competitions and professional learing.

Moved by: Trustee Doyle

Seconded by: Trustee Rajakulasingam

The Planning and Priorities Committee **RECOMMENDS** that the report be received.

PART B: Information Only

2. Call to Order and Acknowledgement of Traditional Lands

A special meeting of the Planning and Priorities Committee was convened electronically on Thursday, October 28, 2021 from 7 to 8:12 p.m. with Christopher Mammoliti presiding.

3. Declarations of Possible Conflict of Interest

No matters to report

4. Delegations

No matters to report

5. Implementation of PR734, COVID-19 Vaccination Procedure for Employees, Trustees and Other Individuals: Update

The Committee heard a presentation from staff providing an update on the implementation of PR734, COVID-19 Vaccination Procedure for Employees, Trustees and Other Individuals (see attached).

6. Adjournment

On motion of Trustee Kandavel, seconded by Trustee Laskin, the meeting adjourned at 8:12 p.m.

PART C: Ongoing Matters

No matters to report

Submitted by: Christopher Mammoliti, Chair pro tem

November 10, 2021

TDSB COVID-19 MANDATORY VACCINATION PROCEDURE

Audley Salmon, Interim Executive Superintendent - Employee Services

Planning and Priorities Committee

October 28, 2021



Implementation Update

- Data Collection
 - → Vaccination/Attestation Rates
 - → Employee Group Data
 - → Strategies To Maintain Service Continuity
- Accommodation Process
 - → Medical exemptions
 - → Creed based exemptions
- Next Steps
 - → Key Transitions/Compliance
 - → Communication Plan



	TDSB Staff Vaccin	ation Status	S	
Status	Vaccination Status	Data Source	Count	% of Staff
Active	Full Vaccinated <14 days and Testing	ServiceNow	194	0.5%
	Full Vaccinated +14 days	ServiceNow	35,302	84.2%
	Partially Vaccinated	ServiceNow	746	1.8%
	Approved Creed Exemptions	Employee Services		0.0%
	Approved Medical Exemptions	Employee Services	5	0.0%
	Staff Exempt Working Remotely	Employee Services	235	0.6%
	Subtotal Staff Deemed Comp	liant with Procedure:	36,482	87.0%
Seeking Exemptions	Staff Seeking Creed Exemptions	Employee Services	404	1.0%
Section & Exemplication	Staff Seeking Medical Exemptions	Employee Services	252	0.6%
	Subtotal Staff Reque		656	1.6%
On-Leave	Staff on Leave - Exempt until return	Employee Services	1,651	3.9%
	Subto	1,651	3.9%	
Non-Compliant	Attested Unvaccinated	ServiceNow	1,248	3.0%
	Staff Non-Compliant - Not Attesting	Master Data Extract	1,876	4.5%
	Subtotal Staff Non-Complian	t with Procedure:	3,124	7.5%
		Total staff:	41,913	100.0%
	Compliance Rate Excludi	ng Staff on Leave:	39,606	92.1%

*Effective Oct 28, 2021

Group	#Unvaccinated	#Unattested	Total	Total # of Staff	%
Elementary Teacher	91	101	192	9637	2.0%
Occasional Teacher Elementary	48	200	248	4106	6.0%
Secondary Teacher	23	32	55	4616	1.2%
Occasional Teacher Sec.	9	65	74	2000	3.7%

*Effective Oct 28, 2021

Group	#Unvacinated	#Unattested	Total	Total # of Staff	%
Elementary Principal	1	1	2	455	0.4%
Elementary Vice Principal	3	2	5	200	2.5%
Secondary Principal	0	1	1	105	0.95%
Secondary Vice Principal	0	1	1	161	0.6%
Trustee	0	0	0	22	0%
Senior Team	1	0	1	47	2.1%

*Effective Oct 28, 2021

Group	#Unvaccinated	#Unattested	Total	Total # of Staff	%	Replacement
Caretakers	51	75	126	2365	5.3%	336
Lunchroom Supervisor/ Noon Hour Assistants	61	251	312	2811	11.1 %	882
DECE	20	19	39	1096	3.6%	443
SNA\EA	78	78	156	2170	7.2%	534
Office Clerical/OA	23	19	42	1138	3.7%	370
SBSM	8	3	11	170	6.5%	43
CYW	28	68	96	330	29.1%	190



Strategies To Maintain Service Continuity

New Hires Since May 1, 2021

Teaching Staff

→ Elementary Occasional Teachers
 → Secondary Occasional Teachers
 216

Support Staff

- → LunchRoom Supervisors 182
- → Educational Assistants 36
- → Office Clerical

50

→ SBSM

6

- Wherever possible, extend current hours of work for support staff
- Wherever possible, allow .5 staff to fill other roles
- Staged implementation of vaccination procedure
- Establish a pool of permanent/unassigned teaching and support staff for a period that can be dispatched daily to support schools



Key Pressure Points

Staff Group: Not Vaccinated or Unattested	Actions Taken:
CYW - 29.1 % (96)	Replacements 190
LRS/NHA - 11.1% (312)	Replacement 882 Hired 182
SNA/EA - 7.2% (156)	Replacement 534 Hired 36
SBSM - 6.5% (11)	Replacement 43 Hired 6
Occasional Teachers Elem - 6% (248)	Hired 337
Central Office Staff	Data being collected Senior Staff Review Each Department Needs



Challenges of Implementation

- High volume of exemption requests require time to process
- Time required to hire and train new staff
- Volume and communication challenges



Accommodations

Medical exemptions

- We continue to receive a significant number of requests for medical exemptions which require time to process
- To date, 5 medical exemptions have been granted

Creed/Religion based exemptions

- We continue to to receive a significant number of requests for Creedbased/religion accommodation requests
- Time is required to process
- Submissions to date have required additional information from individuals

Timelines

- Staff who requested religious/creed and/or medical accommodations prior to October 18, 2021 deadline are temporarily exempted from the procedure until a decision is rendered
- Staff who requested an accommodation after October 18, 2021 are required to provide a reason for the late submission which will be reviewed by Employee Services
- Should an accommodation review be denied, staff will be expected to comply with the TDSB's procedure to be fully vaccinated within 45 days or they will be placed on non-disciplinary administrative leave of absences without pay



Next Steps

Key Transitions/Compliance

- → Those who have not completed the attestation by November 1, 2021 will be placed on non-disciplinary administrative leave of absences without pay effective November 2, 2021 as they have failed to comply with the procedure and made themselves unavailable for work
- → Those who have completed the attestation but are not fully vaccinated must continue to engage in rapid antigen testing 3x per week until November 21, 2021
- → After November 21, 2021, all staff without a medical or creed based exemption are expected to be fully vaccinated
- → Staff who received one dose of a vaccine by November 19, 2021 will be granted one month to complete their full course of vaccinations
- → Staff awaiting exemption decisions will be permitted to continue with rapid antigen testing all other staff who are unvaccinated will be placed on non-disciplinary administrative leave without pay effective November 22, 2021



Next Steps

Key Transitions/Compliance

Non-Vaccinated Staff After November 21, 2021

School Based Staff

- Includes staff that may be itinerant but are in schools or offices as part of their regular duties
- After November 21, 2021, staff who remain unvaccinated, will be placed on a non-disciplinary administrative leave without pay effective November 22, 2021

Central Staff (Work Primarily in School(s) or other Offices)

 Those who are required to visit school(s) and/or offices as part of their role who remain unvaccinated on November 21, 2021, will be placed on a nondisciplinary administrative leave of absence without pay effective November 22, 2021 (5 days per week)

November 10, 2021



Next Steps

Key Transitions/Compliance

Non-Vaccinated Staff After November 21, 2021

Central Staff (Work Exclusively in Central Offices)

- Staff whose role is limited to working in one office (no physical interaction with schools or other offices)
- Staff who work exclusively in central offices are working in-person on a limited basis as a result of the pandemic and therefore, implementation of the procedure may impact these employees differently based on their position and schedule.
- After November 21, 2021, staff who remain unvaccinated will be placed on a non-disciplinary administrative leave without pay for those days where they are scheduled to work in-person



Communications

We have communicated with the following groups:

- Staff
- Unions/Federations/Association
- Parents



Questions?





Planning and Priorities Committee Report No. 20

PPC:021A Wednesday, November 3, 2021 4:30 pm Electronic Meeting

Members Present Trustees Alexander Brown (Chair), Michelle Aarts, Rachel

Chernos Lin, Stephanie Donaldson, Trixie Doyle, Harpreet Gill, Parthi Kandavel, Shelley Laskin, James Li, Dan MacLean, Christopher Mammoliti, Chris Moise, Patrick Nunziata, Zakir Patel, Robin Pilkey, Yalini Rajakulasingam, David Smith, Anu Sriskandarajah, Jennifer Story, Chris Tonks, Manna Wong. and

Student Trustees Isaiah Shafqat and Evan Woo

Regrets Trustee Alexandra Lulka

All trustees participated by electronic means in accordance with

amendments to Section 7 of Ontario Regulations 463/97,

Electronic Meetings.

PART A: Committee Recommendations

1. Support for OPSBA Advocacy and a Recovery Plan for Students and Schools

Trustee Chernos Lin, seconded by Trustee Aarts moved the following as Business Arising from Item 5.1, OPSBA Director's Report.

Moved by: Trustee Aarts

Seconded by: Trustee Chernos Lin

The Planning and Priorities Committee **RECOMMENDS**:

Whereas, Toronto District School Board schools continue to align protocols with instructions issued by the Ministry of Education and guidelines provided by Toronto Public Health, including cohorting and modified semester timetables; and

Whereas, student, parent, and staff voice have indicated frustration and challenges of the modified semester system and remote learning; and

Whereas, according to Toronto Public Health, youth vaccination rates in Toronto are at 89% for ages 12-17, greater than 95% for ages 18-24, and mandatory vaccinations are in place for TDSB staff¹; and

Whereas, the Government of Ontario is expecting to begin to lift COVID-19 restrictions in January 2022²; and

Whereas, the Board has made previous requests for pandemic funding and a return to regular semesters last spring and summer; and

Whereas, in order to properly support implementation of student and family feedback, adequate planning time is involved;

Therefore, be it resolved:

- (a) That the Chair write to the Minister of Education:
 - i. To echo the Board's support for the Ontario Public School Boards' Association's letter dated October 28th, 2021 to the Minister of Education, which recognizes that the positive learning and social opportunities for students provided by in-class learning cannot be equaled in a virtual setting for the majority of students; calls for measures to improve the learning experiences of our students, including local decision-making for the elimination of pandemic-related schedules such as the modified-semester schedule for Term 2; and reiterates the request to add the COVID-19 vaccine to the list of designated diseases in Ontario Regulation 261/13 Designated Diseases under the *Immunization of School Pupils Act* (ISPA);
 - ii. To request that the Ministry of Education release pandemic funding grant dollars for the second half of the school year so that the TDSB can plan accordingly knowing it can afford to ensure that risk mitigation measures remain effective and support the Board's pandemic education recovery plan;
- (b) That the Ontario Public School Boards' Association and all chairs of public school boards in Ontario be copied on the correspondence at Part (a).

Carried

¹ https://www.toronto.ca/home/covid-19/covid-19-pandemic-data/covid-19-vaccine-data/

² https://toronto.ctvnews.ca/ontario-reveals-plan-to-lift-all-covid-19-restrictions-by-march-next-year-1.5633938

2. Community Access Agreement: Ossington/Old Orchard Junior Public School, 380 Ossington Avenue

The Committee considered a report from the Toronto Lands Corporation (see PPC:021A, page 1) presenting information on a community access agreement proposal between the City of Toronto and the Toronto District School Board to allow for funding for site improvements at Ossington/Old Orchard Junior Public School under Section 37 of the *Planning Act*.

Moved by: Trustee Pilkey

Seconded by: Trustee Donaldson

The Planning and Priorities Committee RECOMMENDS:

- (a) That funding in the amount of \$205,000 from the City of Toronto to fund costs associated with site improvements at Ossington/Old Orchard Junior Public School, as presented in the report, be accepted;
- (b) That the Toronto Lands Corporation be authorized to execute a community access agreement with the City of Toronto for a term of ten years commencing in 2022 with key business terms and conditions, as presented in the report;
- (c) That the Community Access Agreement be in a form and content satisfactory to TLC legal counsel.

Carried

3. Shared Facilities Agreement: Brookside Public School and Blessed Pier Giorgio Frassati Catholic School Brookside

The Committee considered a report from the Toronto Lands Corporation (see PPC:021A, page 9) presenting information on a proposed shared facilities agreement with the Toronto Catholic District School Board.

Moved by: Trustee Moise

Seconded by: Trustee Donaldson

The Planning and Priorities Committee **RECOMMENDS**:

(a) That the Toronto Lands Corporation, on behalf of the Toronto District School Board, be authorized to enter into a shared facilities agreement with the Toronto Catholic District School Board, on the key terms and conditions as presented in the report, for the jointly-owned property

municipally known as 75 Oasis Boulevard, Brookside Public School and 8 Seasons Drive, Blessed Pier Giorgio Frassati, Catholic School, Toronto:

(b) That the Shared Facilities Agreement be in a form and content satisfactory to TLC legal counsel.

Carried

4. Brockton Stadium: Lease Agreement Alliance of Portuguese Clubs and Associations of Ontario

The Committee considered a report from the Toronto Lands Corporation (see PPC:021A, page 13) presenting information on the lease agreement at Brockton Stadium.

Moved by: Trustee Donaldson **Seconded by:** Trustee Moise

The Planning and Priorities Committee **RECOMMENDS**:

- (a) That, in accordance with subsection 194(3) of the *Education Act*,
 Brockton Stadium, municipally known as 515 Brock Avenue,
 Toronto, be declared as not required for the purposes of the Board;
- (b) That the Toronto Lands Corporation be authorized to circulate a proposal under Regulation 444/98 for a lease having a term of two years, on the terms and conditions, as presented in the report;
- (c) That, if no lease with a public body is entered into resulting from the circulation, the Toronto Lands Corporation be authorized to enter into a lease with the Alliance of Portuguese Clubs and Associations of Toronto, on the terms as described in the proposal, as presented in the report;
- (d) That the Lease Agreement is to be in a form and content satisfactory to Toronto Lands Corporation legal counsel.

Carried

5. Church Street Junior Public School: Parking Lease Agreement Conseil Scolaire Viamonde

The Committee considered a report from the Toronto Lands Corporation (see PPC:021A, page 19) presenting information on a proposed lease renewal for parking access at Conseil Scolaire Viamonde.

Moved by: Trustee Aarts Seconded by: Trustee Moise

The Planning and Priorities Committee **RECOMMENDS**:

- (a) That Toronto Lands Corporation be authorized to enter into a lease agreement, on behalf of the Toronto District School Board, with Conseil Scolaire Viamonde for 25 parking spaces in their facility at 100 Carlton Street for a term of one year, effective September 1, 2021, with an option for an additional one year and further terms and conditions as, as presented in the report;
- (b) That the Lease Agreement be in a form and content satisfactory to Toronto Lands Corporation legal counsel.

Carried

6. Golden Mile: 1920 Eglinton Avenue East, Potential Elementary School

The Committee considered a report from the Toronto Lands Corporation (see PPC:021A, page 23) presenting information on a memorandum of understanding regarding 1920 Eglinton Avenue East.

Moved by: Trustee Laskin

Seconded by: Trustee Sriskandarajah

The Planning and Priorities Committee **RECOMMENDS**:

- (a) That the Toronto Lands Corporation be authorized and directed to enter into negotiations with 1920 Eglinton Avenue Holdings Ltd. to enter into a non-binding memorandum of understanding to secure strata, non-condominium title ownership of the podium and any other necessary and/or complementary elements of a future elementary school situated in Madison's Group new development on the lands municipally known as 1920 Eglinton Avenue East, in a form and content satisfactory to the Toronto Lands Corporation legal counsel;
- (b) That Toronto Lands Corporation report back within one year on the status of negotiations.

Carried

7. French-as-a-Second-Language: Update [4199]

The Committee considered a report from staff (see PPC:021A, page 31) presenting information on the current system context for elementary intensive

French programs, specifically the implementation plans for the transition to the junior kindergarten entry point to Early French Immersion program.

Moved by: Trustee Chernos Lin **Seconded by:** Trustee MacLean

The Planning and Priorities Committee **RECOMMENDS** that the report be received.

Carried

8. Making School Buildings and Sites More Accessible [4173]

The Committee considered a report from staff (see PPC:021A, page 41) presenting information on plans to improve site accessibility throughout the Toronto District School Board.

Moved by: Trustee Laskin

Seconded by: Trustee Chernos Lin

The Planning and Priorities Committee **RECOMMENDS**:

- (a) That the Chair of the Board write to the Minister of Education to advocate for dedicated funding to make existing schools accessible;
- (b) That the Director:
 - i. seek permission from the Ministry of Education to use proceeds of disposition for accessibility improvements to buildings and sites;
 - ii. develop a plan for making improvements to existing designated schools and to increase the network of designated schools across the district;
 - iii. include a request for proceeds of disposition to fund the implementation of the plan in the capital budget presented to the Board in June 2022, subject to Ministry approval.

Carried

9. Service Excellence 2021 Annual Report [4174]

The Committee considered a report from staff (see PPC:021A, page 69) presenting the 2021 annual report for Service Excellence.

Moved by: Trustee Nunziata **Seconded by:** Trustee MacLean

The Planning and Priorities Committee **RECOMMENDS** that the Director establish the following achievement targets for all central business teams participating in the Service Excellence program:

2021-22 (cycle 4): Level 1
2022-23 (cycle 5): Level 2
2023-24 (cycle 6): Level 3

Carried

10. Administrative Space Review: Revised Timelines [4136R]

The Committee considered a report from staff (see PPC:021A, page 89) presenting information on a revised timeline for completing the review of administrative space. The report was deferred by the Planning and Priorities Committee in June 2021 and revised to reflect current timelines.

Moved by: Trustee Chernos Lin Seconded by: Trustee Moise

The Planning and Priorities Committee **RECOMMENDS** that the revised timelines for the administrative space review, as presented in the report, be approved.

Carried

11. Transportation Organizational Review [4198]

The Committee considered a report from staff (see PPC:021A, page 93) presenting information on the reorganization and restructuring of the governance structure of the Toronto Student Transportation Group. Similar information will be presented to the Toronto Catholic District School Board as recommendations from the organizational review are implemented.

Moved by: Trustee Sriskandarajah **Seconded by:** Trustee Doyle

The Planning and Priorities Committee **RECOMMENDS**:

- (a) That the establishment of a separate legal entity framework for the purpose of managing student transportation services for the Toronto Catholic District School Board and the Toronto District School Board, to replace the current transportation consortium, be approved;
- (b) That a detailed implementation plan be presented to the Board by the spring of 2022 for consideration and final approval, including, but not be limited to, the following elements:

- i. Articles of incorporation and Bylaws
- ii. Governance structure and board membership external/internal (including voting structure)
- iii. Staffing composition
- iv. Operating budget development
- v. Implementation timelines

Carried

PART B: Information Only

12. Call to Order and Acknowledgement of Traditional Lands

A meeting of the Planning and Priorities Committee was convened electronically on Wednesday, November 3, 2021 from 4:31 to 8:48 p.m. with Alexander Brown presiding.

13. Approval of the Agenda

On motion of Trustee Moise, seconded by Trustee Laskin, the agenda was approved.

14. Declarations of Possible Conflict of Interest

No matters to report

15. Delegations

No matters to report

16. Report From Trustees Appointed to the Ontario Public School Boards' Association

The Committee received an update on the activities of the Ontario Public School Boards' Association, including the following:

- OPSBA continues to strongly support vaccination efforts throughout Ontario, and wrote an open letter to Premier Doug Ford on August 13 calling on the government to act as quickly as possible in implementing a policy and strategy to make vaccination mandatory in schools;
- OPSBA is also advocating for a return to more normal timetabling and an end to modified semesters;

 OPSBA's Indigenous Trustees' Council has requested an increase and commitment to Indigenous language education and learning of the provincial government;

- OPSBA has submitted their response to the Minister of Education on the Trustee Code of Conduct Consultation;
- The fall regional council meeting will be held virtually on November 6, 2021.

17. Implementation of PR734, COVID-19 Vaccination Procedure for Employees, Trustees and Other Individuals: Update

The Committee heard a presentation from staff providing an update on the mandatory vaccination procedure (see attached).

18. Adjournment

On motion of Trustee Chernos Lin, seconded by Trustee Wong, the meeting adjourned at 8:48 p.m.

PART C: Ongoing Matters

No matters to report

Submitted by: Alexander Brown, Committee Chair

November 10, 2021

TDSB COVID-19 VACCINATION PROCEDURE UPDATE

Audley Salmon, Interim Executive Superintendent - Employee Services

Planning and Priorities Committee

November 3, 2021



Implementation Update

- Data Collection
 - → Vaccination Status Update
 - → Employee Group Data
 - → Strategies To Maintain Service Continuity
- Key Next Steps



	TDSB Staff Vaccinat	ion Status		
Status	Vaccination Status	Data Source	Count	% of Staff
Active	Full Vaccinated <14 days and Testing	ServiceNow	194	0.47%
	Full Vaccinated +14 days	ServiceNow	35,903	86.54%
	Partially Vaccinated	ServiceNow	680	1.64%
	Approved Creed Exemptions	Employee Services	-	0.00%
	Approved Medical Exemptions	Employee Services	5	0.01%
	Staff Exempt Working Remotely	Employee Services	270	0.65%
	Subtotal Staff Deemed Complia	ant with Procedure:	37,052	89.31%
Seeking Exemptions	Staff Seeking Creed Exemptions	Employee Services	499	1.20%
	Staff Seeking Medical Exemptions	Employee Services	413	1.00%
	Subtotal Staff Reques	ting Exemptions:	912	2.20%
On-Leave	Staff on Leave - Exempt until return	Employee Services	1,718	4.14%
	Subtota	1,718	4.14%	
Non-Compliant	Attested Unvaccinated	ServiceNow	1,060	2.56%
	Unattested - Permanent Staff	Master Data Extract	100	0.24%
	Unattested - Occasional Staff	Master Data Extract	643	1.55%
	Subtotal Staff Non-Compliant	with Procedure:	1,803	4.35%
		Total staff:	41,485	100.00%
	Compliance Rate Excludin	g Staff on Leave:	38,855	95.36%

- *Effective Nov 2, 2021
- * exemption request not included

Group	#Unvaccinated	#Unattested	Total	Total # of Staff	%
Elementary Teacher	131	13	144	9637	1.50%
Occasional Teacher Elementary	131	178	309	4106	7.50%
Secondary Teacher	39	3	42	4616	0.90%
Occasional Teacher Sec.	37	69	106	2000	5.30%

- *Effective Nov 2, 2021
- * exemption request not included

Group	#Unvaccinated	#Unattested	Total	Total # of Staff	%
Elementary Principal	0	0	0	455	0.00%
Elementary Vice Principal	0	0	0	200	0.00%
Secondary Principal	1	0	1	105	1.00%
Secondary Vice Principal	0	0	0	161	0.00%
Trustee	0	0	0	22	0.00%
Senior Team	1	0	1	47	2.10%

*Effective Nov 2, 2021

Group	#Unvaccinated	#Unattested	Total	Total # of Staff	%	Replacement
Caretakers	96	11	107	2365	4.50%	336
Lunchroom Supervisor/ Noon Hour Assistants	120	132	252	2811	9.00%	882
DECE	0	0	0	1096	0.00%	443
SNA\EA	86	41	127	2170	5.90%	534
Office Clerical/OA	20	1	21	1138	1.80%	370
SBSM	12	0	12	170	7.10%	43
CYW	56	22	78	330	23.60%	190

^{*} exemption request not included



Staff Who Have Not Completed the Attestation

743 Staff Have Not Completed the Attestation:

- 100 permanent staff
- 643 occasional staff

Occasional Teachers

- For occasional elementary teachers, only 77 of the 195 who have not completed their attestation have worked this school year.
- For occasional secondary teachers, only 28 of the 121 who have not completed their attestation have worked this school year.

Support Staff

 Of the 327 support staff who have not completed the attestation, only 154 have worked this school year.



Strategies To Maintain Service Continuity

- Temporary employees on roster must now work 60 days in the school year (CUPE School-Based Staff)
- Provided dedicated Zoom room to offer assistance to administrators/managers related to Vaccination Procedure
- Allow casual, part-time staff to hold more than one position or have extended hours



Key Next Steps

- continue to recruit and develop a pool of staff to support school and central office staff needs
- increase communication to unvaccinated staff moving towards the November 21 timeline
- Conduct further consultation with groups around impact of the vaccination procedure
- Clear mechanism to ensure staff who comply with procedure are able to return to work within a short time frame

Written Notice of Motion (Trustees Mammoliti and Brown)

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

In accordance with Board Bylaws 5.15.2 and 4.1, the following motion is submitted as notice at this time and for consideration at the Organizational meeting on November 15, 2021.

- 5.15.2 A notice of motion will be introduced by a member who is present as an advance notification of a matter at Board or Committee, and will be considered at a subsequent Committee meeting. A notice of motion will not be debated at the meeting at which it is introduced...
- 4.1.1 The Board will consider and approve the Board's committee structure and composition on an annual basis at the Organizational meeting or as required.

Discharge of Committees: Director Search Committee and Board Self-Assessment Committee

Whereas, the Director Search Committee was established to present a recommendation to the Board on the selection of a candidate for the position of permanent Director of Education, and has completed its work; and

Whereas, the Board Self-Assessment Committee was established to develop a self-assessment tool for trustees that could be applied annually, and has completed its work;

I hereby move:

- (a) That the Director Search Committee be discharged;
- (b) That the Board Self-Assessment Committee be discharged.

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Written Notice of Motion (Trustees Mammoliti and Brown)

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

In accordance with Board Bylaws 5.15.2 and 4.1, the following motion is submitted as notice at this time and for consideration at the Organizational meeting on November 15, 2021.

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

4.1.1 The Board will consider and approve the Board's committee structure and composition on an annual basis at the Organizational meeting or as required;

Bylaws Review Ad Hoc Committee and Integrity Commissioner Selection Committee: Term and Membership

Whereas, on November 16, 2020, the Board established a Bylaws Review Ad Hoc Committee with the following mandate:

To review the Board's bylaws and present recommendations regarding revisions to the Governance and Policy Committee in the spring 2021

and;

Whereas, the Board appointed Trustees Doyle, Laskin, Rajakulasingam and Wong to serve on the Bylaws Review Ad Hoc Committee for a term ending November 14, 2021; and

Whereas, on March 10, 2021, the Board extended the deadline for a report back on the review of the bylaws to November 2021; and

Whereas, the work of the Bylaws Review Ad Hoc Committee is ongoing and may not be completed by the expected deadline; and

Whereas, on August 25, 2021, the Board established an Integrity Commissioner Selection Committee with the following mandate and membership:

Mandate

- To develop and approve, in consultation with staff, parameters for the Request for Proposal (RFP) to be issued for an Integrity Commissioner for the Toronto District School Board;
- ii. To assess submissions from candidates based on evaluation criteria and scoring ratings clearly defined in the procurement documentation;
- iii. Identify a preferred candidate and submit a recommendation to the Board for consideration and approval;

<u>Membership</u>: Trustees Donaldson, Moise, Patel, Smith and Sriskandarajah for a term ending November 14, 2021;

and;

Whereas, the work of the Integrity Commissioner Selection Committee is ongoing;

Therefore, be it resolved:

- (a) That the term of membership on the Bylaws Review Ad Hoc Committee be extended to November 14, 2022;
- (b) That the mandate of the Bylaws Review Ad Hoc Committee be changed to read:

To review the Board's bylaws and present recommendations regarding revisions to the Governance and Policy Committee by February 2022;

- (c) That the term of the current members on the Bylaws Review Ad Hoc Committee, Trustees Doyle, Laskin, Rajakulasingam and Wong be extended to November 14, 2022;
- (d) That the term of membership on the Integrity Commissioner Selection Committee be extended to November 14, 2022;
- (e) That the term of the current members on the Integrity Commissioner Selection Committee, Trustees Donaldson, Moise, Patel, Smith and Sriskandarajah be extended to November 14, 2022;



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.

Acknowledgement of Traditional Lands

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

Reconnaissance des terres traditionnelles

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

Funding Information Requirement

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

[1]Closing of certain committee meetings

- (2) A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves,
- (a) the security of the property of the board;
- (b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
- (c) the acquisition or disposal of a school site;
- (d) decisions in respect of negotiations with employees of the board; or
- (e) litigation affecting the board. R.S.O. 1990, c. E.2, s. 207 (2).
- (2.1) Closing of meetings re certain investigations A meeting of a board or a committee of a board, including a committee of the whole board shall be closed to the public when the subject-matter under considerations involves an ongoing investigation under the Ombudsman Act respecting the board