

# Toronto District School Board

Operational Procedure PR598

Title: **PUPIL ACCOMMODATION REVIEW**

Adopted: October 27, 2009

Effectuated: October 27, 2009

Revised: November 18, 2009; March 6, 2012; April 5, 2016; December 12, 2017,  
(new date will be added)

Reviewed: April 5, 2016, (new date will be added)

Authorization: Executive Council

## 1.0 RATIONALE

This procedure supports the implementation of the Accommodation and Program Review Policy (P068) and is intended to adhere to the Ministry of Education's Pupil Accommodation Review Guideline that may be amended from time to time. In the event of a conflict between the procedure and the ministry guideline, the latter prevails.

## 2.0 OBJECTIVE

To provide guidance when undertaking a Pupil Accommodation Review.

## 3.0 DEFINITIONS

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

*Central Accommodation Team* is a cross-functional team of senior staff that makes decisions and/or recommendations to effectively and efficiently manage the exclusive use of space in TDSB facilities in order to create/maintain the strategic placement of academic programming and services to support students and system-wide accommodation needs.

*Exemption to Pupil Accommodation Review* is a circumstance included in the Ministry of Education's Pupil Accommodation Review Guideline where a Pupil Accommodation Review process does not have to be undertaken.

*Local Feasibility Study* is a preliminary analysis of an accommodation or program concept to determine its viability that is conducted by a staff team and the affected Trustee(s). The team, called the Local Feasibility Team, is led by the local super-

intendent(s) of education or designate. The study could lead to other formal public processes such as Boundary Reviews, Program Area Reviews and Pupil Accommodation Reviews that include community engagement.

*Long-Term Program and Accommodation Strategy* is a roadmap for the future that is approved annually by the Board of Trustees and provides an approach to program and accommodation planning with a ten-year timeframe that allows for responsiveness and flexibility in a changing environment by including an annual cycle of review.

*Modified Pupil Accommodation Review Process* is permitted by the Ministry of Education under certain circumstances where potential pupil accommodation options are deemed by the Board to be less complex, when Trustees may decide to undertake a modified Pupil Accommodation Review process.

*Pupil Accommodation Review* is a Ministry-mandated process to determine the future of a group of schools or a single school.

*Pupil Accommodation Review Committee* is a committee established by the Board of Trustees to conduct a community-based review regarding the future of a group of schools or a single school. In accordance with the Ministry of Education's Pupil Accommodation Review Guideline, the committee assumes an advisory role.

*School Information Profile* is an orientation document designed by the Ministry of Education for use by Pupil Accommodation Review Committees. It includes both school board and school data.

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

*Working Meeting* is a meeting of the Pupil Accommodation Review Committee that is not held in public. It may also be referred to as a committee meeting.

## **4.0 RESPONSIBILITY**

The Director holds primary responsibility for this policy. Within the Director's Office, the responsibility for the implementation, coordination, day-to-day management of the policy is assigned to the Associate Director, Business Operations and Service Excellence, and subsequently, the System Planning Officer.

## **5.0 APPLICATION AND SCOPE**

This procedure applies to staff engaged in Pupil Accommodation Reviews.

## PROCEDURES

### 5.1. Scope

This procedure applies to open and active schools offering elementary or secondary regular day school programs but closed schools could be included.

This procedure is intended to adhere to the Ministry of Education's Pupil Accommodation Review Guideline.

### 5.2. Process to Establish a Pupil Accommodation Review Committee

In accordance with the Ministry guideline, school boards are expected to undertake long-term enrolment and capital planning that will provide the context for the Pupil Accommodation Review process. Each year, TDSB staff updates the Long-Term Program and Accommodation Strategy and the Capital Budget and presents them to the Board of Trustees for approval. The Long-Term Program and Accommodation Strategy identifies Local Feasibility Studies that could lead to reviews such as Pupil Accommodation Reviews.

TDSB staff will meet with staff from the City of Toronto, coterminous school boards and community organizations identified before the review process. This interaction will help promote effective communication throughout the year and will help staff update the Long-Term Program and Accommodation Strategy and the Capital Budget.

Once approved by the Board of Trustees, the Long-Term Program and Accommodation Strategy will enable the Central Accommodation Team to move forward with Local Feasibility Studies. Led by a superintendent of education or designate, a Local Feasibility Study ensures due diligence before a Pupil Accommodation Review is considered. The Local Feasibility Team involves the principals of the schools, local trustee(s), and where applicable, staff from other departments. After reviewing the results of the Local Feasibility Study, the Central Accommodation Team will determine if a Pupil Accommodation Review is required.

The establishment of a Pupil Accommodation Review Committee will be approved by the Board of Trustees.

### 5.3. Initial Staff Report

Prior to establishing a Pupil Accommodation Review, an initial staff report will be presented to the Board of Trustees for approval. It must contain a recommended scenario and at least two alternative scenarios, which could include the status quo, to address the accommodation issue(s).

The recommended and alternative accommodation scenarios included in the initial staff report must address the following four impacts:

- Impact on student programming;
- Impact on student well-being;
- Impact on school board resources; and
- Impact on the local community.

All school boards must use the ministry-approved template to write their initial staff reports.

The initial staff report must also include information on actions taken by school board staff prior to establishing a pupil accommodation review process and supporting rationale as to any actions taken or not taken.

Each accommodation scenario included in the initial staff report must include the following:

- Summary of accommodation issue(s) for the school(s) under review;
- Where students will be accommodated;
- Whether proposed changes to existing facility or facilities are required as a result of the Pupil Accommodation Review;
- Any program changes as a result of the recommended and alternative scenarios;
- The impact on student transportation if changes take place;
- How the school board intends to fund new capital investment if it is required as a result of the pupil accommodation review as well as a proposal on how students will be accommodated if funding does not become available; and
- Any relevant information obtained from municipalities and other community partners prior to the commencement of the Pupil Accommodation Review including any confirmed interest in using the underutilized space.

Each recommended and alternative scenario must also include a timeline for implementation.

The initial staff report and School Information Profiles will be made available to the public on the school board's website.

Following Board of Trustee approval to begin a review, staff will provide written notice of the Board of Trustee decision within five (5) business days to the City of Toronto and identified community organizations. The written notice will include an invitation to meet to discuss the recommendations in staff's initial report and to provide an opportunity for a written response prior to the first public meeting.

#### 5.4. Chair of Pupil Accommodation Review Committee

The superintendent of education or designate will oversee the selection of committee members and will chair the committee. If two or more superintendents of education are involved in a review, one of them may serve as chair.

In addition to other duties, the chair will:

- Clarify the advisory role the committee performs;
- Maintain a focus on the best interests of students;
- Review and adopt norms for meetings;
- Maintain integrity of meetings;
- Set all committee meeting and public meeting dates and ensure that details are effectively communicated;
- Clearly present staff's initial recommendation;
- Ensure the Board's Accommodation and Program Review policy and the Ministry of Education's Pupil Accommodation Review Guideline are provided to all committee members and are followed;
- Ensure all required and relevant information including the initial staff report, the committee's mandate, Terms of Reference, School Information Profiles and any program, planning, financial, and policy constraints that will inform committee members and guide them in the de-

velopment of any additional accommodation scenarios are provided to them;

- Advise about the availability of funding if the option requires capital investment and explain how students would be accommodated if funding does not become available;
- Provide the committee and the community with opportunities to generate and give comments about options;
- Coordinate staff engagement;
- Develop a process for public consultation and engagement including providing an opportunity for delegations from the public; and
- Develop a communications plan with the Communications department to ensure accurate and timely reporting of information to the community.

#### 5.5. Membership of a Pupil Accommodation Review Committee

Membership will include:

- Superintendent(s) of education for the schools named in the review or designate(s);
- Up to four parents from each school named in the review (appointed by the School Council in collaboration with the principal; cannot be TDSB staff or related to staff);
  - In order to ensure consistency and fairness, there will be agreement among all named schools to ensure each school has the same number of parent/community representatives. For example, if one school has parent representation of three, then all schools within the review will be limited to three parents.
  - If the number of interested parent representatives exceeds four or if the maximum number as determined by the school with the fewest number of members is exceeded, the parent representatives for each school will be chosen by a lottery coordinated by the superintendent of education or designate.

- Two secondary school students for a review involving elementary schools; two secondary school students from each school in a review for a review involving one or more secondary schools;
- Principal from each school named in the review; and
- Principal from outside the review area (appointed by the Toronto School Administrators' Association).

As per the Ministry guideline, the local trustee(s) will be an ad hoc member (ad hoc members) of the Pupil Accommodation Review Committee.

As required, others who participate as part of a support pool to the committee but are not members include central TDSB staff to provide information, analysis and resource support and any other support deemed necessary by the chair.

As per the Board of Trustee decision on September 7, 2010, the French as a Second Language Advisory Committee (FSLAC) will be invited to submit comments on any Pupil Accommodation Review that could potentially impact French Immersion and Extended French programs.

#### 5.6. Mandate and Work of the Pupil Accommodation Review Committee

The mandate of the committee is to act as an information conduit between the school board and the community. As per the Ministry of Education's guideline, school boards must present a recommended scenario and at least two alternative scenarios, which could include the status quo, that address the accommodation issue(s). The committee may choose to develop an alternative scenario with supporting rationale that is consistent with the Terms of Reference. It may also provide insights to help the Board of Trustees make its decision.

The committee may conduct as many working meetings as required but must have at least one working meeting before the first public meeting occurs.

At this meeting, the following must occur:

- Clarification of the advisory role of the committee;
- Setting dates of all meetings (including a minimum of three public meetings).

- Provision of relevant documents including a copy of the initial staff report approved by the Board of Trustees, Terms of Reference that describe the committee's mandate and School Information Profiles that include data to help committee members understand detailed information about the schools in the review.

The work of the Pupil Accommodation Review Committee will be done during committee's working meetings. Working meetings will include committee members only. The public will have an opportunity to participate during public meetings.

Members are expected to attend all committee and public meetings. Substitutes cannot be sent to meetings to represent absent members. If parents or students resign from the committee, replacements may be sought using the same selection criteria.

Any PARC member may bring forward an option to be considered by the PARC. Where possible, the PARC will decide by consensus whether to bring the option forward for consideration or analysis by staff. Where consensus cannot be reached, the PARC will measure its level of support for the option by a majority vote. Staff will facilitate the discussion by supplying information that both supports and does not support the option under consideration.

If the Pupil Accommodation Review Committee is unable or unwilling to fulfill its role for any reason, TDSB administration will have the discretion to extend the timeline or terminate the work of the committee. If the work of the committee has been terminated, the review will be completed by central TDSB staff.

#### 5.7. Community Participation and Communication

Effective engagement with those affected by decisions during the review process is intended to ensure that the decisions of the Board of Trustees are fully informed and carefully considered.

In addition to broad engagement, efforts will be made to ensure that engagement includes students and families who are part of our most marginalized populations as indicated by measures such as achievement, well-being or census data.



As per the Ministry of Education's guideline, there must be a minimum of three public meetings to allow for active engagement of the community. These meetings must be facilitated but may be structured differently to meet local needs.

After the Board of Trustees has approved the initiation of the Pupil Accommodation Review, there must be no less than forty (40) business days (excluding holiday periods defined in the Ministry guideline) prior to the first public meeting.

There must be no fewer than sixty (60) business days between the first and final public meeting.

The community will be informed about the dates of public meetings in advance of the meetings. The meeting dates will be posted on the TDSB's website. If a meeting must be added, deleted or changed, the superintendent of education or designate will ensure that the change is communicated. If possible, public meetings will be held at different schools involved in the review to encourage community participation.

The superintendent of education or designate will develop a list of local needs to assist with participation at public meetings (e.g. interpretation) and ensure these supports are in place when possible.

Attendance at public meetings will be recorded to track participation during the review process. All participants will complete the attendance sheet when entering the meeting. At a minimum, each participant's name, full address including postal code, relationship to the school (e.g. parent/guardian of student, resident, or community agency representative), and email address will be requested. The collection of this information is for the sole purpose of TDSB and will not be shared with any third party.

Information about the review will be posted on the TDSB's external website and updated regularly throughout the review process. Information will include the names of committee members, the names of the schools involved in the review, dates and times of public meetings, meeting agendas, meeting notes, the School Information Profiles, questions and answers as well as other relevant material where practical.

Other communication methods which may be used include written or electronic notices sent to parents of the schools named in the review and members of the school community.

Questions/comments from the public can be submitted using any of the following methods:

- Submitted by e-mail to the office of the superintendent or designate or the Strategy and Planning department;
- Submitted in writing or stated verbally at a public meeting (the chair will determine the process to receive questions from the public during public meetings); or
- Submitted as a delegation for presentation at a public meeting. Delegations must follow the same process as for the Board's standing committees. Requests to make delegations must be submitted in writing to the chair of the Pupil Accommodation Review by 4:00 p.m., two days before the day of the public meeting or by another deadline determined by the superintendent of education or designate.

Requests must include:

- the topic that will be addressed;
- the name of the speaker;
- address of the speaker;
- contact information for the speaker (phone, fax, e-mail); and
- the name of the organization represented (if applicable).

Each person making a delegation will be given five minutes to speak at designated public meetings.

There will be practical limits within which questions will be addressed. For example, requests for information that are deemed to be irrelevant can be denied with an explanation, and questions that have already been addressed can be referred to previous responses.

All written correspondence from the community will be provided to committee members at the next working meeting. Every meeting will include an agenda item when all written correspondence received since the last meeting is received.

At the end of the review process, TDSB staff will present their final recommendations at a public meeting.

Staff will inform members of the committee and the school community of next steps including the date of the trustee committee meeting and the Board of Trustee meeting at which recommendations by TDSB central staff will be considered, and details concerning how to make delegations to the Board of Trustees.

There must be a minimum of ten (10) business days between the date of the trustee committee at which members of the public can make delegations regarding the review and the date of the Board of Trustee meeting at which a final decision will be made.

A letter will be sent to parents to notify them about the Board of Trustee decision and next steps. A copy of the letter will be posted on the TDSB's website and the school's website.

#### 5.8. School Staff Engagement

The superintendent of education or designate will consult with Employee Services prior to the beginning of the review process to provide support at meetings with staff of the named schools under review.

The superintendent of education or designate will inform staff of schools named in the review as soon as practicable after the Board of Trustees approves the establishment of the Pupil Accommodation Review Committee to explain the reasons for the accommodation review and the ways in which staff will be informed and engaged.

Throughout the process, staff will be provided access to the information that is provided to the public. The superintendent of education or designate will communicate the process for staff to seek information and make comments. School staff may submit comments and/or questions in writing to the superintendent of education or designate.

If staff's initial recommendation changes significantly by the end of the review process, the superintendent of education or designate will contact staff of the schools under review to explain any new recommendations.

All meetings with school staff will occur separately from the public meetings.

Staff of the schools named in the review may attend public meetings to remain informed. Any questions or concerns they may have should be presented to the superintendent of education or designate at their next staff meeting.

Following the completion of the review and a Board of Trustee decision, Employee Services will ensure that affected staff are provided with comprehensive information concerning transfer and placement and with opportunities to ask questions and seek clarification.

#### 5.9. Final Staff Report

School board staff may choose to amend their recommended and alternative accommodation scenarios included in the initial staff report. However, if a new school closure is introduced as part of the final staff report and the closure has not been presented at a public meeting, then an additional public meeting must be held no fewer than twenty (20) business days from the posting of the final staff report.

The final staff report must be posted no fewer than ten (10) business days after the final public meeting.

TDSB central staff will present its report to a trustee committee of the Board of Trustees. The report will include a summary of the Pupil Accommodation Review feedback from the school community and students in a Community Consultation section, analysis of any options generated by the Pupil Accommodation Review Committee, as well as responses received from the City of Toronto and other identified community organizations.

Staff's recommendations will include, where required, surplus declarations, disposition parameters, transfer to the Toronto Lands Corporation, boundary changes, school name updates required to reflect new grade configurations, and proposed implementation timelines.

There must be a minimum of ten (10) business days between the date of the trustee committee at which members of the public can make delegations regarding the review and the date of the Board of Trustee meeting at which a final decision will be made.

The Board of Trustees will make final decisions regarding the future of schools.

#### 5.10. Modified Pupil Accommodation Review Process

As per the Ministry's Pupil Accommodation Review Guideline, a modified, shortened review process can be approved by the Board of Trustees in situations that are less complex. The initial staff report must explain the rationale for exempting a school(s) from the standard Pupil Accommodation Review process. The rationale for conducting a modified Pupil Accommodation Review process must be based on one or more of the following factors.

##### 1. Enrolment

- a. Where current and projected enrolment have reached a level where programming is non-viable and programming options for students are limited, such as:
  - i. An elementary school with an enrolment equal to or less than 150 students for the current school year and projected to remain so for the next five years.
  - ii. A secondary school with an enrolment equal to or less than 350 students for the current school year and projected to remain so for the next five years.

##### 2. Utilization Rate

- a. Where a school has a current utilization rate of 65% or lower and is projected to remain so for the next five years. Utilization will be determined by dividing the school's enrolment by the capacity of the school building.

##### 3. Facility Condition

- a. Where a school facility is not physically suitable to serve the school community, such as:
  - i. Where retrofitting or repair may involve major capital investment; or
  - ii. Where the Facility Condition Index deems the school Prohibitive to Repair.

##### 4. Distance

- a. The distance to the nearest available accommodation is within walking distance (as per the TDSB's Transportation of Students policy P020) of the addresses served by the school proposed for closure.

In situations where a modified Pupil Accommodation Review process is approved, a Pupil Accommodation Review Committee will not be established.

The timelines are as follows:

Following the date of the Board of Trustee approval, staff will provide written notice of the Board of Trustee decision within five (5) business days to the City of Toronto and identified community organizations. The written notice will include an invitation to meet to discuss the recommendations in staff's initial report and to provide an opportunity for a written response prior to the first public meeting.

Staff will also notify the Directors of Education of coterminous school boards as well as the Ministry of Education through the office of the Assistant Deputy Minister of the Capital and Business Support Division.

The school board must hold at least one public meeting. Beginning with the date of the Board of Trustee approval to conduct a modified pupil accommodation review, there must be no fewer than forty (40) business days before this public meeting is held. The feedback gathered at the public meeting will be included in a community consultation section of the final staff report.

The final staff report must be publicly posted no fewer than ten (10) business days after the final public meeting.

School board staff may choose to amend their recommended and alternative accommodation scenarios included in the initial staff report. However, if a new school closure is introduced as part of any recommended or alternative scenario in the final staff report, then an additional public meeting must be held no fewer than twenty (20) business days from the posting of the final staff report.

From the posting of the final staff report, there must be no fewer than ten (10) business days before the public delegations.

There must be no fewer than ten (10) business days between public delegations and the final decision of the Board of Trustees.

#### 5.11. Summary of Pupil Accommodation Review Timelines

A staff report will be presented to the Board of Trustee for approval to begin the Pupil Accommodation Review.

Following Board of Trustee approval to initiate the Pupil Accommodation Review, staff will provide written notice of the Board of Trustee decision within five (5) business days to the City of Toronto and identified community organizations. The written notice will include an invitation to meet to discuss the recommendations in staff's initial report and to provide an opportunity for a written response prior to the first public meeting.

Staff will also notify the Directors of Education of coterminous school boards as well as the Ministry of Education through the office of the Assistant Deputy Minister of the Capital and Business Support Division.

There must be no fewer than forty (40) business days between the date of the Board of Trustee approval to initiate the review and the date of the first public meeting.

There must be no fewer than sixty (60) business days between the first and the final public meetings (does not apply to the modified review process).

Staff's final report must be posted no fewer than ten (10) business days after the final public meeting.

From the posting of the final staff report, there must be no fewer than ten (10) business days before the public delegations.

If a new school closure is introduced as part of any recommended or alternative scenario in the final staff report, then an additional public meeting must be held no fewer than twenty (20) business days from the posting of the final staff report.

There must be no fewer than ten (10) business days between public delegations and the final decision of the Board of Trustees.

A graphic showing the Ministry timelines for the standard and modified review process can be found in Appendix A.

#### 5.12. Exemptions

The Ministry's guideline applies to schools offering elementary or secondary programs. However, there are specific circumstances where school boards are not obligated to undertake a pupil accommodation review. As per the guideline, these include:

- When a replacement school is to be built by the school board on the existing site, or built or acquired within the existing school attendance boundary, as identified through the school board's policy;
- When a replacement school is to be built by the school board on the existing site, or built or acquired within the existing school attendance boundary and the school community must be temporarily relocated to ensure the safety of students and staff during the reconstruction, as identified through the school board's policy;
- When a lease for the school is terminated;
- When a school board is planning the relocation (in any school year or over a number of school years) of grades or programs, in which the enrolment constitutes less than 50% of the school's enrolment (this calculation is based on the enrolment at the time of the relocation, or the first phase of a relocation carried over a number of school years);
- When a school board is repairing or renovating a school, and the school community must be temporarily relocated to ensure the safety of students during the renovations;
- Where a facility has been serving as a holding school for a school community whose permanent school is over-capacity and/or is under construction or repair; or
- Where there are no students enrolled at the school at any time throughout the school year.

In the above circumstances, a school board is expected to inform school communities about proposed accommodation plans for students before a



decision is made by the Board of Trustees. There is no requirement to hold a public meeting.

The school board must also provide written notice to each of the affected single and upper-tier municipalities through the Clerks Department (or equivalent), as well as other community partners that expressed an interest prior to the exemption, and their coterminous school boards in the areas of the affected school(s) through the Director of Education, and to the Ministry of Education through the Assistant Deputy Minister of the Capital and Business Support Division no fewer than five business days after the decision to proceed with an exemption.

A transition plan will be put in place following the Board of Trustee decision to close or move a school or students in accordance with this section.

## **6.0 EVALUATION**

This procedure will be reviewed at a minimum every four (4) years after the effective date or sooner if revisions to the guideline associated with the procedure are instituted by the Ministry of Education.

## **8.0 APPENDICES**

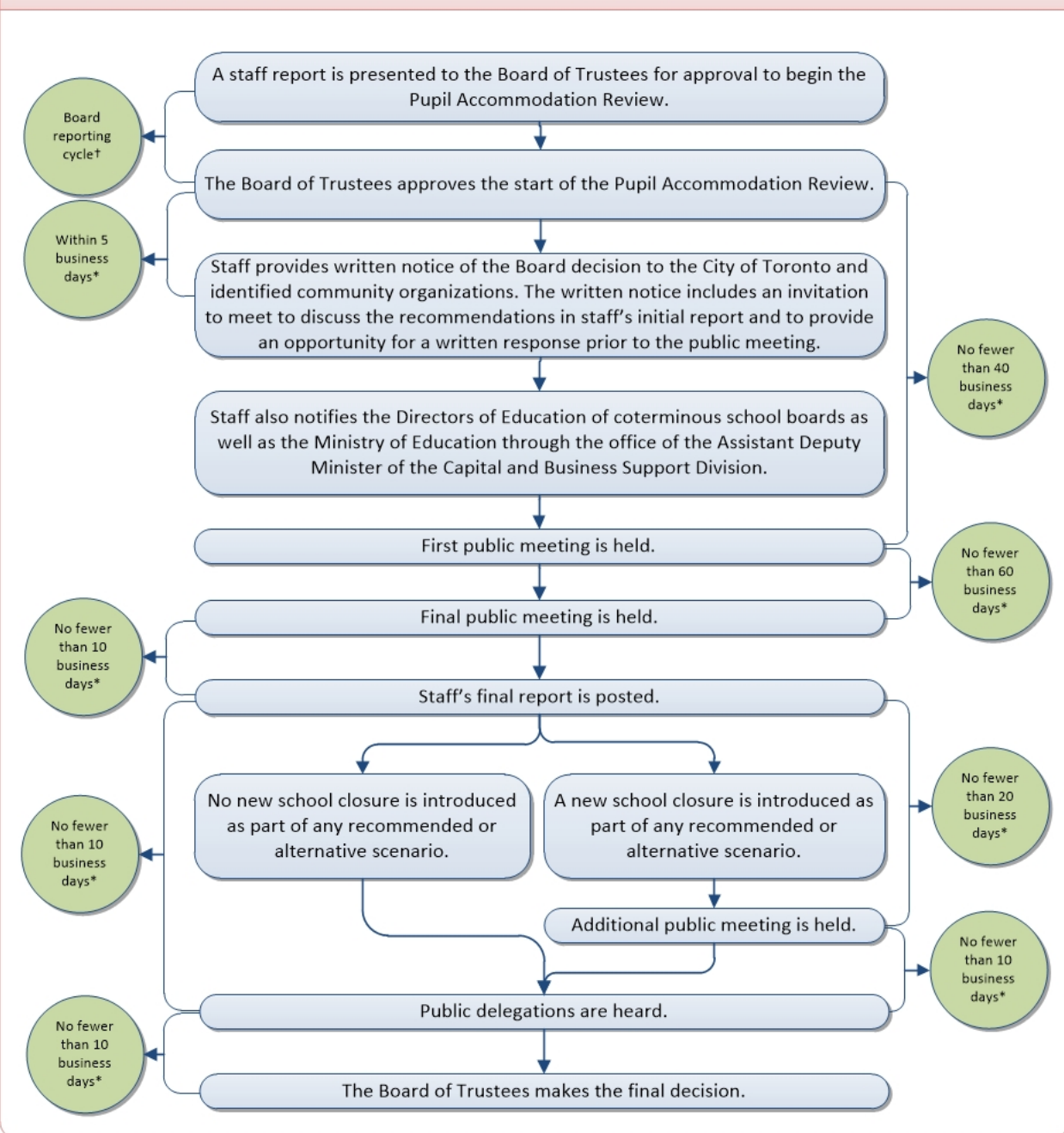
Appendix A: Pupil Accommodation Review Processes with Ministry Timelines

## **9.0 REFERENCE DOCUMENTS**

- Accommodation and Program Review Policy (P068)
- Ministry of Education's Pupil Accommodation Review Guideline

## Pupil Accommodation Review Processes with Ministry Timelines

### Standard review process (6.5 months minimum)

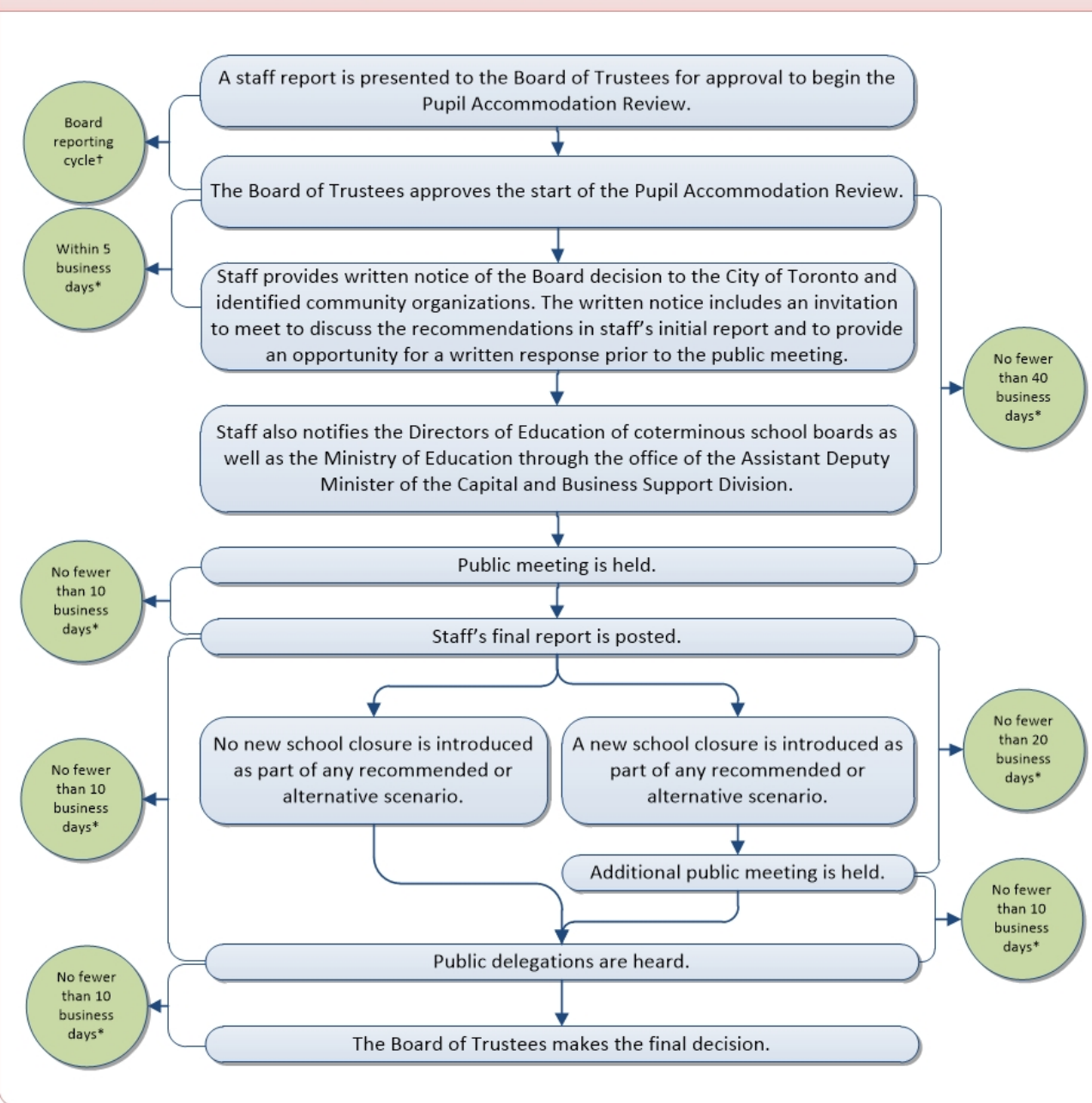


† The Toronto District School Board meeting schedule may be found at <https://www.tdsb.on.ca/Portals/0/docs/BoardMeetingSchedule.pdf>

\* A calendar day that is not a weekend or statutory holiday. It also does not include calendar days that fall within school boards' Christmas, spring, and summer breaks.

## Pupil Accommodation Review Processes with Ministry Timelines

### Modified review process (3.5 months minimum)



† The Toronto District School Board meeting schedule may be found at <https://www.tdsb.on.ca/Portals/0/docs/BoardMeetingSchedule.pdf>

\* A calendar day that is not a weekend or statutory holiday. It also does not include calendar days that fall within school boards' Christmas, spring, and summer breaks.