



DURHAM DISTRICT SCHOOL BOARD

NOTICE OF MEETING

STANDING COMMITTEE PUBLIC SESSION

Monday, February 7, 2022

Chairperson: Christine Thatcher

Vice-Chairperson: Patrice Barnes

Director of Education: Norah Marsh

Recording Secretary: Kathy Fitzpatrick

DATE: Monday, February 7, 2022

TIME: 7:00 p.m.

LOCATION: Virtual

ATTACHMENTS: Agenda

Copies to:

All Trustees

Director of Education

All Superintendents

STANDING COMMITTEE MEETING OF THE DURHAM DISTRICT SCHOOL BOARD
Monday, February 7, 2022
7:00 p.m.

	PAGE
1. <u>Call to Order</u>	
2. <u>Land Acknowledgement</u>	Verbal
<p>The Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which our school board and schools are located. Today, this area is home to many Indigenous peoples from across Turtle Island. We acknowledge that the Durham Region forms a part of the traditional and treaty territory of the Mississaugas of Scugog Island First Nation, the Mississauga Peoples and the treaty territory of the Chippewas of Georgina Island First Nation. It is on these ancestral and treaty lands that we teach, learn and live.</p>	
3. <u>Declarations of Interest</u>	Verbal
4. <u>Motion to Approve Agenda</u>	Verbal
5. <u>Community Presentations</u>	
6. <u>DDSB Presentations</u>	
<p>Student Presentation, Grade 11 Entrepreneurship Course, J. Clarke Richardson Collegiate (Superintendent Mohamed Hamid, Margaret Lazarus, Principal Jeff Maharaj, Vice Principal Susanna Neblett)</p>	1-3
7. <u>Director's Update</u> (Director Norah Marsh)	Verbal
8. <u>Recommended Actions</u>	
(a) Draft Amended Consolidated Bylaws (Trustee Michael Barrett)	4-150
(b) Draft Timelines for Approval of the Draft Human Rights, Anti-Discrimination and Anti-Racism Policy (Director of Education Norah Marsh)	151

9. Information Items

- | | | |
|-----|-----------------------------------------------------------------------------------------------------|---------|
| (a) | Student Trustee Report
(Student Trustees James Kay, De-Mario Knowles, Kayla Malcolm) | Verbal |
| (b) | Redesignation of Growth Update Report
(Associate Director David Wright) | 152-158 |
| (c) | Mental Health and Well-Being Update
(Superintendent Andrea McAuley) | 159-175 |
| (d) | Supporting Employee Well-Being
(Director of Education Norah Marsh, Superintendent Heather Mundy) | 176-184 |
| (e) | OPSBA Report
(Trustee Patrice Barnes) | Verbal |

10. Committee Reports

- | | | |
|-----|---------------------------------------------------------------------------------------------------------|---------|
| (a) | Equity and Diversity Ad Hoc Steering Committee, November 11, 2021
(Trustee Patrice Barnes) | 185-186 |
| (b) | Governance and Policy Committee, November 9 and 23, 2021, January 24, 2022
(Trustee Michael Barrett) | 187-196 |

11. Correspondence

- | | | |
|------|------------------------------------------------|---------|
| (a) | | |
| i. | Greater Essex County District School Board | 197-198 |
| ii. | Lakehead District School Board | 199 |
| iii. | Thames Valley District School Board | 200-201 |
| iv. | Upper Canada District School Board (2 Letters) | 202-205 |
| v. | York Region District School Board | 206-207 |

12. Other Business

13. Adjournment

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Durham District School Board

DATE: February 7, 2022

SUBJECT: Grade 11 Entrepreneurship Course,
J. Clarke Richardson Collegiate

PAGE: 1 of 3

ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
Margaret Lazarus, Superintendent of Education
Mohamed Hamid, Superintendent of Education

1.0 Purpose

The purpose of this report is to provide the Board of Trustees with information on the Entrepreneurship course that was designed in partnership with Tech Spark Canada.

2.0 Ignite Learning Strategic Priority/Operational Goals

Success – *Set high expectations and provide support to ensure all staff and students reach their potential every year.*

- Students will be empowered to thrive at school and in life.

Well-being – *Produce safe, welcoming, inclusive learning spaces to promote well-being for all students and staff.*

- Provide safe, inclusive, and respectful learning environments which support positive academic, mental, and physical growth.

Leadership – *Identify future leaders, actively develop new leaders and responsively support current leaders.*

- Engage students in authentic learning experiences to grow and develop their leadership skills.

Equity – *Promote a sense of belonging and increase equitable outcomes for all by identifying and addressing barriers to success and engagement.*

- Schools, curriculum content, learning materials, assessment and evaluation practices, teaching styles, and classroom practices will reflect multiple social realities and perspectives to identify and eliminate barriers to learning.
- Ensure equitable access and practices are reflected in our Policies and programs to create an inclusive environment where all stakeholders have a sense of belonging and feel that they matter.

3.0 Background

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

The Durham District School Board is committed to learning and working environments that centre human rights and equity and are safe, welcoming, respectful, equitable, accessible, inclusive and free from discrimination.

In 2020-2021 and 2021-2022, J. Clarke Richardson Collegiate had the opportunity to partner with Tech Spark Canada in developing the Grade 11 Entrepreneurship Course.

Tech Spark is Canada's first technology and design school committed to empowering children of colour, girls, women and teachers through innovative education. They specialize in creating, revising and teaching inquiry-based, student-centred Kindergarten-Grade 12 curriculum through the lens of technology, entrepreneurship and equity. Their educators and technical mentors are industry experts who reflect the students and communities they serve. They design and develop curriculum to be culturally relevant and responsive and teach with a mentorship focused approach in order to build the social and emotional skills of students.

This course focuses on how today's entrepreneurs use innovation to create successful digital businesses. Students will develop revenue-generating ideas that utilize digital mediums, such as websites and mobile apps to solve real consumer problems. Students will develop the skills to launch a business and learn how to test their ideas, to adapt, adjust and thrive in today's digital world.

4.0 Analysis

Course Composition

The course reflects the demographic characteristics of J. Clarke Richardson Collegiate and is inclusive of students from the Black diaspora. Students have reported high levels of engagement as they find the content relevant and practical. Feedback from school leadership indicates that the partnership with Tech Spark Canada has been collaborative and a positive learning experience for students and staff.

5.0 Financial Implications

There are no financial implications. Tech Spark Canada has received grant funding to support this project through the Ontario Trillium Foundation and the Ministry of Canadian Heritage and Multiculturalism.

6.0 Evidence of impact

The Number of Sections Offered:

2020-2021 School Year - 1 Section

2021-2022 School Year - 3 Sections

Course Completion Data:

2020-2021 School Year - 94% pass rate, 83% of students at or above provincial standard.

2021-2022 School Year - 100% pass rate, 84% of students at or above provincial standard.

7.0 Conclusion

This report is provided to the Board of Trustees for information.

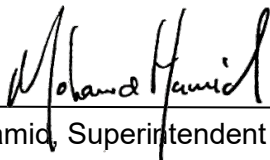
Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



Margaret Lazarus, Superintendent of Education



Mohamed Hamid, Superintendent of Education

Proposed Draft Consolidated Bylaws with Code of Conduct as Appendix A

1.0 Purpose and Application

- 1.1 These Bylaws are enacted by the Board of Trustees (the “Board” or the “Board of Trustees”) of the Durham District School Board (the “DDSB”) to govern the Board and Committees of the Board and to advance good governance practices at the Board in accordance with the governance structure for school boards established under the *Education Act*. These Bylaws advance democratic decision making with rules that facilitate fair and respectful debate.
- 1.2 Committees of the Board are Committees with only trustees as voting members. Advisory Committees are not Committees of the Board and they are not governed by these Bylaws (except that certain Advisory Committees are established by the Bylaws and except that the Board is bound by these Bylaws in establishing or dissolving any such committee).
- 1.3 Subject to any applicable legislation or regulation, any procedural rule(s) in these Bylaws may be suspended by a two-thirds majority vote of the members present and voting.
- 1.4 The rules contained in the latest edition of Robert’s Rules of Order (“RONR” or “Robert’s Rules of Order”), shall govern all matters of procedure provided they are not inconsistent with these Bylaws or any special rules of order that the Board may adopt, or with any applicable statutes or regulations.
- 1.5 Subject to any applicable legislation or regulations, these Bylaws may be amended, by a two-thirds majority vote of the members present and voting, provided that the matter is listed on the agenda prior to the commencement of a Board meeting and provided that written notice of any proposed amendment(s), and any supporting materials, shall have been delivered at the previous meeting of the Board.

SECTION 2: ROLES AND RESPONSIBILITIES

2.1 Board of Trustees

- 2.1.1 The Board of Trustees is the governing body of the DDSB. Decision-making authority for matters before the Board of Trustees rests with the Board, as a whole, and not with individual trustees.
- 2.1.2 The Board of Trustees is required to carry out its mandate as stipulated in the *Education Act*, and in particular, as set out in Section 169.1(1).
- 2.1.3 Board members shall each comply with the provisions of section 218.1 of the *Education Act* and the DDSB's Member Code of Conduct.
- 2.1.4 The DDSB's Member Code of Conduct is attached to these Bylaws as Appendix "A".

2.2 Chair/Vice-Chair

- 2.2.1 The Chair of the Board of Trustees, as an individual member, has no greater rights or powers than any other member of the Board but does have a unique role as expressly set out in the *Education Act*.
- 2.2.2 Consistent with the terms of s.218.4 of the *Education Act*, the role of the Chair of the Board of Trustees (or Vice-Chair in the Chair's absences) is as set out in the *Education Act* and is to:
 - (a) Preside over meetings of the Board in an impartial and fair manner;
 - (b) Conduct meetings in accordance with these Bylaws;
 - (c) Establish draft agendas for Board meetings in consultation with the Director;
 - (d) Ensure the members of the Board have the information needed for informed discussion of the agenda items;
 - (e) Act as spokesperson to the public on behalf of the Board, unless otherwise determined by the Board;
 - (f) Convey the decisions of the Board to the Director;
 - (g) Provide leadership to the Board in maintaining the Board's focus on the Multi-Year Strategic Plan and the Board's mission and vision; and
 - (h) Assume such other responsibilities as may be assigned by the Board of Trustees.

2.3 Committee Chair or Vice-Chair

- 2.3.1 The role of the Committee Chair (or Vice-Chair in the Chair's absence) is to:
 - (a) Preside over meetings of Committee in an impartial and fair manner;
 - (b) Establish agendas for Committee meetings, in consultation with the Director;

- (c) Conduct meetings in accordance to these Bylaws;
- (d) Ensure that members of the Committee have the information need for informed discussion of the agenda items;
- (e) Liaise with the Director to bring forward Committee recommendations to the Board, or to the Committee of the Whole – Standing, through a staff report delivered on behalf of the Committee.

2.4 Student Trustees

2.4.1 Student Trustees are not elected members of the Board but play an important role in representing the interests of secondary school students through their participation in meetings of Student Senate, the Board and its Committees. As outlined in section 55 of the *Education Act* and the regulations thereunder, including Ontario Regulation 7/07, Student Trustees:

- (a) May attend Board and Committee meetings but are not considered members of the Board and may not exercise a binding vote on a matter;
- (b) May request that a matter before the Board be put to a recorded vote;
- (c) Must disclose any conflict of interest to the Board or Committee. During the discussion of the matter that gives rise to conflict, the Student Trustee cannot participate in the discussion, attempt to influence the vote of Board members, cannot suggest a motion or exercise a non-binding recorded vote;
- (d) May not move or second motions but are entitled to suggest a motion to be moved by a member;
- (e) May attend closed session of a committee unless the matters under consideration include the disclosure of intimate, personal or financial information with respect to a member of the Board or Committee, an employee or prospective employee of the DDSB, a pupil or their parent or guardian; and
- (f) Must not disclose to any member of the public, confidential information acquired by virtue of their office or during closed session.

2.4.2 The Durham District School Board shall have three Student Trustees on the Board. If the Board determines that a vacancy be filled, it shall be filled by a by-election, according to the process outlined in these By-Law.

2.4.3 A person is qualified to act as a Student Trustee if he or she is a full-time pupil of the DDSB in the senior division. In addition, the Student Trustee must be a Canadian citizen and a resident in the jurisdiction of the Durham District School Board.

2.4.4 A Student Trustee shall be disqualified from serving if the student is suspended or expelled or is otherwise not a student in good standing according to his or her principal from the date of his or her nomination until the last day of his or her term. A Student Trustee who, in the opinion of the Director of Education and the Chair, has engaged in

any conduct, either at school, in Board meeting or otherwise, including on social media, which is incompatible with the responsibilities of the position shall be disqualified from serving as a Student Trustee on the Board.

- 2.4.5 A Student Trustee who ceases to be a student in the DDSB shall be disqualified from serving as a Student Trustee on the Board.
- 2.4.6 A Student Trustee who is absent from three consecutive regular meetings of the Board shall be disqualified from serving as a Student Trustee on the DDSB, unless the absence is authorized by resolution of the Board entered in the minutes.
- 2.4.7 Student Trustees shall be reimbursed for their routine expenses reasonably incurred in connection with carrying out the responsibilities of Student Trustees. Such reimbursement of expenses shall be according to the same rules that govern the reimbursement of Board

members' expenses. All other expenses are to be pre-approved by the Chair of the Board and the Director. Examples of other expenses that may be approved would be conference fees, accommodation and travel expenses.

- 2.4.8 The Director shall hold a meeting with the Student Trustees by the end of the first month of their term to outline and clarify all matters and questions relating to these Bylaws, reimbursement of expenses and budget for Student Trustees and for Student Senate. The Durham District School Board shall appoint a mentor/advisor to the Student Trustees.
- 2.4.9 A Student Trustee may apply to the co-operative education teacher at his/her school before the beginning of his/her term to use the experience of Student Trustees to fulfill the requirements of a co-operative education credit(s).
- 2.4.10 Student Trustees shall be expected to:
 - (a) attend regular Board meetings;
 - (b) notify the Secretary of the Board when unable to attend a meeting;
 - (c) participate in the Student Senate and report student matters to the Board;
 - (d) provide a Student Trustee report a meetings of the Committee of the Whole – Standing;
 - (e) with approval of the Chair and the Director of Education, Student Trustees may become a member of the Ontario Student Trustees' Association - l'Association des élèves conseillers et conseillères de l'Ontario (OSTA - AECO) and attend OSTA-AECO conferences, including the FGM and the AMG, to further develop their skills as a Student Trustee and to be kept informed of issues across the province.
 - (f) Ensure that a Student Senate is organized for their term, with each sharing duties as Chair.
 - (g) Model the conduct expected of Board members as set out in the Trustee Code of Conduct.
- 2.4.11 The amount of the honorarium for Student Trustees as referenced to in subsection 5.5 (8) of the Act is:

- (a) \$2,500, if the Student Trustee holds office for a complete term of office;
- (b) \$2,500 prorated according to the proportion of a term for which the Student Trustee holds office, if the Student Trustee holds office for less than a complete term of office.

2.4.12 The term of office of a Student Trustee starts on August 1 of the year in which he or she is elected, and ends on July 31 of the following year.

SECTION 3: ORGANIZATIONAL MEETING

3.1 Purpose of Organizational Meeting

- 3.1.1. An inaugural meeting of the Board shall take place at the first meeting of the Board in December of each year (the “Organizational Meeting”) during which the Board shall:
- (a) Elect the Chair and Vice-Chair of the Board;
 - (b) Establish and review Committees of the Board;
 - (c) Appoint members to Committee of the Board;
 - (d) Elect the Chair and Vice-Chair of the Committee of Whole – Standing;;
 - (e) Appoint members to represent the Board on external organizations; and
 - (f) Adopt an annual schedule of meetings (including meeting times) for Board and Committee of Whole - Standing meetings.

3.2 Scheduling of Organizational Meeting

- 3.2.1. The Board will hold the Organizational Meeting at the first meeting in December.
- 3.2.2. In an election year, the Organizational Meeting will be held immediately following the Municipal Election and no later than seven (7) days after the start of the term of the Board.

3.3 Presiding Officer

- 3.3.1. At the Organizational Meeting, the Chief Executive Officer shall preside until the election of the Chair or, in the absence of the Chief Executive Officer, the members present shall designate the person to preside until the election of the Chair and if a member of the Board is so designated, they may vote on the election of the Chair.

3.4 Election of Chair and Vice-Chair

- 3.4.1 Written or oral nominations, including and self-nominations, shall be received by the presiding officer. When two or more members are nominated and have agreed to stand, voting shall be by secret ballot.
- 3.4.2 Nominees for the position of Chair and Vice-Chair shall be present at the Organizational Meeting or, if absent, shall have declared in writing to the Secretary of the Board their intention to stand as candidates for the position(s).
- 3.4.3 The presiding officer or designate and other scrutineers so designated by the presiding officer shall count the ballots.

- 3.4.4 The member receiving a majority vote of the members present and voting shall be declared the Chair.
- 3.4.5 Should no member receive such a majority, the name of the member receiving the smallest number of votes shall be dropped and the members shall proceed to vote anew and so continue until the Chair is elected.
- 3.4.6 In the event of an equality of votes, there shall be another ballot and, should there be another equality of votes, the candidates shall draw lots to fill the position.
- 3.4.7 The presiding officer shall announce the result by declaring the name of the member who has been elected chair.
- 3.4.8 Once elected, the chair shall then assume the role of chair/presiding officer.
- 3.4.9 This same procedure in this (section 3.4) shall apply to the election of the Vice-Chair of the Board.
- 3.4.10 The Chair and Vice-Chair serve in these roles until the next Organizational Meeting but may resign from that role upon one week's written notice delivered to the Secretary of the Board. The Chair and/or Vice-Chair may be removed from the role on a two-thirds majority vote of the members present and voting.
- 3.4.11 If the Chair of the Board resigns the office or is removed from office, the Vice-Chair of the Board shall assume the role of Chair until the next regularly scheduled Board meeting. At that meeting, the election of a new Chair shall be held and, if the Vice-Chair is elected as the Chair, the election of a new Vice-Chairperson shall also be held.
- 3.4.12 If Chair and Vice-Chair of any Committees have not been elected at the Organizational Meeting, the Committee will elect a Chair and Vice-Chair from amongst themselves.
- 3.4.13 The term of office of a Committee Chair and Vice-Chair shall be one year, or until the next Organizational Meeting, whichever comes first.
- 3.4.14 A Committee Chair and Vice-Chair may be re-elected to a subsequent term(s) of office by the Committee, subject to any appointments made at Organizational Meeting each year.

SECTION 4: COMMITTEE STRUCTURE AND COMPOSITION

4.1 Approval of Committees

- 4.1.1 The Board shall consider and approve the Board's Committee structure and composition on an annual basis at the Organizational Meeting and as otherwise may be deemed appropriate by the Board.

4.2 Committee of the Whole and Committee of the Whole - Standing

- 4.2.1 The Committee of the Whole will be composed of all Trustees with full participation and voting privileges.
- 4.2.2 The term of the Committee of the Whole will coincide with the term of the Board.
- 4.2.3 During a Board meeting, the Board may convene into Committee of the Whole by majority vote of members present and voting to consider matters in closed session, as permitted under section 207 of the *Education Act*, or for any other reason the Board may deem appropriate. In any such case, the presiding officer for the Committee of the Whole will be the Vice-Chair of the Board.
- 4.2.4 The Committee of the Whole shall also meet regularly on the first (1st) Monday of the month (which shall be referred as "The Committee of Whole – Standing"). Should the date of such a meeting fall on a statutory, civic, or school holiday, the meeting will be held on the Tuesday of the same week or the Monday of the following week.
- 4.2.5 A Chair and Vice-Chair of the Committee of Whole – Standing shall be elected at the Organizational Meeting of the Board. The presiding officer for any closed session of the Committee of the Whole - Standing shall be the Vice-Chair of the Committee.
- 4.2.6 There will be a quorum for Committee of the Whole – Standing. A Trustee who cannot attend a meeting should so notify the Trustees' Office Administrative Assistant as early as possible.
- 4.2.7 It is the function of the Committee of Whole – Standing to consider and debate matters in a more informal way than may available at Board meetings and provide to the Board, in concise form, relevant information and recommendations. Except for matters considered in closed sessions, any and all resolutions of the Committee of Whole – Standing shall be set out in a numbered list as an appendix to the minutes and shall be referenced by the Board when it moves to adopt any such resolution.
- 4.2.8 Public presentations to the Committee of Whole - Standing are welcomed. The individual or group seeking to make a presentation shall follow the process and rules set out in these Bylaws.

4.2.9 The terms of reference of the Committee of the Whole – Standing are as follows:

- (a) Evaluate and promote the educational programs of the Board and make recommendations to the Board with respect to the operation, amendment, addition or deletion of, or to, the same.
- (b) Conduct, from time to time, studies of existing or proposed educational programs of this or other Boards and report to the Board.
- (c) Receive and seek representations and opinions from staff, area residents, and others, with respect to Board policy, including proposed new policy or a proposed amendment to an existing policy.
- (d) Receive reports regarding curriculum development, implementation, and assessment projects.
- (e) Receive and consider communications regarding curriculum issues from agencies, councils, commissions, associations, and societies.
- (f) Consider other matters involving the Board, including, but not limited to, curriculum, facilities and Employee Relations, and make recommendations to the Board as required.

4.3 Statutory Committees

4.3.1. The Board shall establish Statutory Committees as called for in the *Education Act* and the Regulations made thereunder including:

- (a) Audit Committee;
- (b) Parent Involvement Committee;
- (c) Special Education Advisory Committee;
- (d) Supervised Alternative Learning Committee(s);
- (e) Accommodation Review Committees.

4.3.2. The mandate, membership composition and terms of reference for Statutory Committees shall be governed by applicable legislation and regulations.

4.3.3. The term of appointment of Trustees on the Audit Committee shall be for a two-year term, effective December 2022.

4.4 Additional Standing Committees

4.4.1 There shall be an Education Finance Standing Committee, a Governance and Policy Standing Committee, and a Director's Performance Review Standing Committee, the membership and terms of reference of which are as follows:

Education Finance Standing Committee:

- (a) Develop and maintain the procedures by which the Board establishes budget objectives and audits the budget expenditures;
- (b) When deemed necessary by the Board, study and recommend to the Board desirable changes in the Board's financial system;

- (c) Recommend to the Board expenditures other than those within the Budget;
- (d) Consider and recommends to the Board the annual Budget;
- (e) Review the annual financial statement and all expenditures, revenues, trust, capital account reserves, and investment reports;
- (f) Consider the annual transportation budget;
- (g) All trustees are eligible to sit on the committee; the Chairperson and Vice- Chairperson shall be elected annually at the Organizational Meeting.

Governance and Policy Standing Committee:

- i. To ensure all of the Board's policies are up-to-date, accurate and consistent with the current legislation and government requirements;
- ii. To ensure that the Board of Trustees review policies at least once every five years or when required by a new legislative act or regulation, new government policy, resolution of the Board or as recommended by staff;
- iii. To develop policies that are developed with evidence-based data, equitable and reflect the board's vision, values and strategic plan;
- iv. Monitor the effectiveness of board policies through consultation and evidence based data;
- v. Monitor the effectiveness of Board policies in addressing human rights and equity in consultation with the Human Rights and Equity Advisor, through the Director of Education;
- vi. Report and make recommendations to the Board of Trustees on governance and board policies;
- vii. Review Bylaw/Policies for ad-hoc committees and develop/review/document procedures (document mandate, clearly identify quorum, membership);
- viii. The committee shall meet at least twice annually;
- ix. All trustees are eligible to sit on the committee. The Chairperson and Vice- Chairperson shall be elected annually at the Organizational Meeting.

Director's Performance Review Standing Committee:

- (a) As set out in the Director's Performance Review Policy

4.5 Advisory Committees

- 4.5.1 There shall be an Equity and Diversity Advisory Committee and an Indigenous Advisory Committee (which shall be referred to as the Indigenous Advisory Circle).
- 4.5.2 The purpose of these Advisory Committees is to consider any matter within the jurisdiction of the Board that the committee may deem appropriate and to make policy recommendations to the Board. The membership and composition of these committees, as well as the election of a chair, shall be left to the committee but members shall include at least one Trustee and/or staff member, at the discretion of the Advisory Committee.

4.6 Additional Committees

- 4.6.1 In addition to any committees established under these Bylaws, the Board may by resolution, establish any Standing Committee, Ad Hoc Committee or Advisory Committee as it may deem appropriate at any time, subject to these Bylaws and any applicable legislation. The Board shall stipulate, by resolution, the terms of reference for any such Standing Committee or Ad Hoc Committee stipulating the mandate and membership of the Committee. The Board may, by resolution, seek the recommendation from a Standing Committee or Ad Hoc Committee on the appropriate terms of reference for the committee.

4.7 Committee Structure

- 4.7.1 The members of standing committees and ad hoc committees shall be Trustees. The members of a statutory committee are as stipulated by legislation or regulation.
- 4.7.2 The members of an advisory committee may include Trustees, Student Trustees, staff members and members of the community, but shall include at least one trustee or staff member.
- 4.7.3 The chair of an ad hoc committee or standing committee may be determined by the Chair of the Board, the Board or, failing which, by the committee. The chair of an advisory committee shall be determined by the committee.
- 4.7.4 The Director shall assign one (non-member/non-voting) senior staff person to every ad hoc and standing committee and any other (non-member/non-voting) staff person(s) that the Director, in consultations with the Chair of committee, may deem appropriate.
- 4.7.5 If there is no staff person on an advisory committee, the Director shall assign one (non-member/non-voting) senior staff person and any other (non-member/non-voting) staff person(s) that the Director, in consultation with the Chair of the committee, may deem appropriate.
- 4.7.6 Except for any committee established under these Bylaws or Board Policy, the Board may dissolve any standing or ad hoc Committee at the Organizational Meeting or by resolution at any time as the Board may deem necessary or appropriate, subject to applicable legislation. Committees constituted under these Bylaws or Board Policy may only be dissolved by an amendment or revocation of the applicable provisions in these Bylaws or Board Policy, as the case may be. The terms of reference of any standing committee or ad hoc committee not established in these Bylaws or in a Board policy may be amended by ordinary resolution.
- 4.7.7 Committees are not decision-making bodies and may only make recommendations. Ad Hoc committees report to the Committee of Whole - Standing. Standing committees report to the Board of Trustees.
- 4.7.8 A Trustee who is not a member of a Statutory Committee, Standing Committee or Ad hoc committee cannot move a motion, vote or be counted towards quorum, but may attend any such committee meeting.

- 4.7.9 Once an ad hoc committee has satisfied the terms of reference, it shall report to the Committee of Whole – Standing confirming that it has satisfied the terms of reference at which point it shall be automatically dissolved.

SECTION 5: BOARD AND COMMITTEE MEETINGS - RULES AND PROCEDURES

5.1 Purpose

- 5.1.1 The purpose of these rules and procedures, as supplemented by RONG, is to facilitate meaningful, respectful, and orderly debate to advance the interest of the Board. All trustees will endeavor to comply with these rules and procedures, but it is recognized that, in many circumstances, good judgment, co-operation and good faith will do more to advance the interests of the Board than strict adherence to procedural technicalities.

5.2 Quorum

- 5.2.1 Quorum of the Board shall consist of a majority of the Board members elected or appointed to the Board under the statutes of Ontario.
- 5.2.2 Quorum of a Board committee shall consist of a majority of the member of the committee.
- 5.2.3 Should there be no quorum present at a meeting within fifteen minutes after the time appointed for the commencement of the meeting, the names of those present shall be recorded and the meeting shall stand adjourned until the next regular or special meeting unless the unanimous consent of those present to delay adjournment for an additional fifteen minutes, in which event, unless a quorum then be present, the meeting shall be so adjourned.

5.3 Public Sessions

- 5.3.1 Except as permitted under section 207 of *the Education Act*, and the regulations thereunder, all meetings of the Board and Committees of the Board shall be open to the public.
- 5.3.2 No member of the public or staff will engage in conduct that is negative, critical, or derogatory towards any other person, or engage in any behaviour that is disruptive to the meeting. Any such conduct may result in exclusion from a meeting.

5.4 Closed Sessions

- 5.4.1 Resolutions passed in closed session of a Committee are of no force or effect unless and until approved at a meeting of the Board. Any such approval will be done by adopting the resolution(s) of the Committee in a manner that maintains the confidentiality of the matter unless the Committee has pre-authorized making the resolution public.
- 5.4.2 Minutes of all Committee closed sessions shall be provided to the Committee of Whole – Standing for consideration, except for Committee of the Whole – Standing whose minutes shall be provided to the Board for consideration,

and shall remain confidential, unless the Committee has pre-authorized the release of all or part of the information.

- 5.4.3 A staff recording secretary should be present for all closed session Committee meetings. In the absence of the recording secretary during a closed session, the presiding officer shall appoint any member or other staff person to act as secretary for that meeting.
- 5.4.4 Committee sessions closed to the public may have staff in attendance as may be determined appropriate by the Chair of the committee in consultation with the Director. The Chair of a Committee may require that the Director not attend all or part of a closed session when the Director's performance, employment contract or any related matter is under consideration by the Committee.
- 5.4.5 Matters discussed in closed session of a Committee must not be communicated to any person not present at the closed session, unless: the person is a Trustee; or the disclosure is pre-approved by the Committee; or the disclosure is to the Integrity Commissioner in relation to the Code of Conduct.
- 5.4.6 Trustees are expected to maintain strict confidentiality of any matter dealt with in closed session and are bound by the confidentiality and protection of privacy provisions under the *Education Act*, the DDSB's Member Code of Conduct and the Municipal Freedom of Information and Protection of Privacy Act.

5.5 Scheduling and Agendas

- 5.5.1 Regular Meetings of the Board will be held on the third (3rd) Monday in each month, commencing at 7:00 p.m. or, in any case where that Monday is a statutory holiday or other school holiday, the meeting will be held on the Tuesday of the same week or the Monday of the following week. As may be deemed appropriate by the Chair in consultation with the Director, the Board will convene into Committee of Whole, closed session, prior to the commencement of the public Board meeting, typically commencing at 6:00 p.m. and again, if necessary, following public session, in which case the meeting shall not extend past 11:00 p.m.
- 5.5.2 The Board may vary the schedule for regular Board meetings at any time during the year on resolution of a two-thirds majority of the members present and voting.
- 5.5.3 Subject to the procedures described below, draft agendas for Board meetings shall be determined by the Chair in consultation with the Director. Agendas for Committee meetings shall be determined by the Committee Chair in consultation with the Director.
- 5.5.4 The Chair and the Vice-Chair of the Board and the Chair and Vice-Chair of the Committee of Whole – Standing together with the Director of Education and such other staff as the Director may engage from time to time, shall hold at least one session per month (either in-person or electronically) to consider and

discuss the agendas for upcoming Board and Committee of the Whole – Standing meetings. An additional Trustee shall be entitled to attend at each meeting. Attendance shall be scheduled annually following the Organizational Meeting with Trustees being scheduled in reverse alphabetical order.

- 5.5.5 All Trustees shall be provided with advance notice of the date of the meeting referenced in the preceding paragraph and may email the Chair and Vice-Chair of the Board and/or the Chair and Vice-Chair of the Committee of the Whole-Standing to request that an item of business be added to the draft agenda for an upcoming meeting. The email shall disclose the rationale for the proposed addition to the agenda and any factors as to the appropriate timing for the matter to be addressed. If the matter is not added to the draft agenda, the Chair of the Board or the Chair of Committee of the Whole – Standing, as the case may be, shall advise by email of the reason it was not added to the draft agenda and shall copy all trustees.
- 5.5.6 The Director or designate shall deliver an e-mail notice of each regular Board meeting and Committee of the Whole – Standing accompanied by the agenda and any supporting materials for the meeting, to each Trustee no later than 3 days prior to the meeting (not counting the day of the meeting but counting the day of delivery). At the discretion of the Chair of the Board or Chair of the Committee of the Whole-Standing, as the case may be, supporting materials may be delivered within the 3-day notice period based on urgency or exceptional circumstances.
- 5.5.7 A matter not on the agenda or directly related to matters on the agenda cannot be introduced at a Board or Committee meeting unless approved by the presiding officer prior to the start of the meeting based on urgency or exceptional circumstances or if a majority of the Committee or Board amends the agenda prior to approval. If a member seeks to introduce a matter not on the agenda or directly related to matters on the agenda during the meeting following the approval of the agenda, it may only be introduced by a 2/3 majority of the members present and voting. Notice of any change to a draft agenda made prior to the meeting shall be provided to Trustees as soon as possible.
- 5.5.8 The introduction of a new Board policy or an amendment to an existing Board policy shall not be considered unless written notice is provided to Trustees no later than 5 days prior to the meeting (not counting the day of the meeting but counting the day of delivery) together with any supporting materials and provided that notice of the intention to introduce the new board policy or amendment, as the case may be, was given at the prior meeting of the Board. The initial notice to the Board of an intention to bring forward a new Policy or proposed amendment is only proper if the matter, together with any supporting material, was first brought to the Committee of Whole – Standing.
- 5.5.9 In addition to regularly scheduled meetings, a special meeting of the Board may be called by the Chair or by a majority of the members. In either case, email notice of the call for a special meeting shall be sent to the Secretary of the Board or designate. Reasonable efforts should be made to schedule any such meeting to avoid a scheduling conflict with other scheduled Committee

meetings. A special meeting is not a “regular meeting” under the *Education Act* or the regulations thereunder.

- 5.5.10 The Director or designate shall deliver an e-mail notice of a special meeting to the members, accompanied by the agenda and any supporting materials for the meeting no later than 24 hours prior to the meeting. At the discretion of the Chair, the 24-hour notice period may be waived based on urgency or exceptional circumstances but notice, the agenda and any supporting materials should be delivered as early as possible prior to the commencement of the meeting.
- 5.5.11 A matter that is not on the agenda for a special meeting cannot be considered at the special meeting, unless all members are present and consent to amend the agenda to consider the matter.

5.6 Record of Decisions

- 5.6.1 At all Board and Committee meetings, the Director or designate (typically the recording secretary) shall maintain the minutes of the meeting to make a record of resolutions passed by the Board or Committee, as the case may be, including any recorded votes and any declarations of a conflict of interest.
- 5.6.2 At each regular Board meeting, draft minutes from the prior regular Board meeting, together with any special Board meeting that may have occurred since the prior Board meeting, shall be presented to the Board for approval.

5.7 Attendance at Meetings

- 5.7.1 Trustee attendance at regular Board meetings is governed by the *Education Act* and the regulations thereunder.
- 5.7.2 A Trustee who cannot attend a Board Meeting should notify the Secretary of the Board or designate as early as possible. If it appears that there will be no quorum for a meeting, the Secretary shall notify the Chair and, at the Chair’s discretion, the meeting may be postponed or cancelled and notice thereof shall be delivered to the Trustees as soon as possible.
- 5.7.3 In accordance with section 228(1) of the *Education Act*, a Trustee vacates their seat if they are absent (electronically or physically), as recorded in the minutes, from three (3) consecutive regular Board meetings, unless authorized by resolution of the Board or if one of the exemptions in the *Education Act* is engaged.
- 5.7.4 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, and subject to any accommodation as to attendance provided under the Board’s Attendance Accommodation Policy, Trustees must be physically present for at least three (3) regular Board meeting annually.
- 5.7.5 When a seat becomes vacant, the provisions of the *Education Act*, and any relevant provision(s) of these Bylaws, shall govern the filling of the vacancy.

- 5.7.6 At the Organization Meeting each year, the Chair will deliver to the Board an annual report of Trustee attendance at meetings of the Board and Committee of the Whole - Standing since the last Organizational Meeting.

5.8 Electronic Participation

- 5.8.1 Members attending a meeting electronically must advise the Chair when they join the meeting to be deemed present at the meeting.
- 5.8.2 Members who leave the meeting before adjournment, whether temporary or permanent, shall advise the Chair.
- 5.8.3 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, at every Board or Committee of the Whole meeting, the following persons must be physically present:
 - (a) The Board Chair or designate;
 - (b) At least one additional member of the Board; and
 - (c) The Director of Education or designate.
- 5.8.4 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, at every Committee meeting, the following persons must be physically present:
 - (a) The Committee Chair or designate; and
 - (b) The Director of Education or designate.
- 5.8.5 Notwithstanding the foregoing, the Chair is able to preside over a meeting electronically when:
 - (a) Weather conditions do not allow the Chair to travel to the meeting location safely; or
 - (b) The Chair cannot be physically present at the meeting for health reasons.
- 5.8.6 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, no more than half of Board or Committee meetings in a twelve (12) month period can be chaired electronically in accordance with Ontario Regulation 463/97.
- 5.8.7 All members participating via audio or video conference who are not speaking must use the mute function on their device. Members will make every effort to avoid disrupting a meeting by turning personal and electronic devices to a non-audible function, reducing all background noise (including audible sounds transmitted from placing a call on hold), and refraining from private conversations.

5.9 Presiding Officer

- 5.9.1 Unless specified otherwise in these Bylaws, the Chair of the Board (or Vice-Chair in the Chair's absence) and the Chair of a Committee (or Vice-Chair in the Chair's absence) will be the presiding officer for meetings of the respective Board or Committee. If a meeting of a Committee moves into closed session, the Vice-Chair will be the presiding officer.
- 5.9.2 If the Chair does not attend within five minutes after the time appointed for the meeting, the Vice-Chair shall preside during the meeting or until the arrival of the Chair. In the absence of both, the members shall come to order and a presiding officer shall be chosen by a majority of the members present and voting who shall preside during the meeting or until the arrival of the Chair or the Vice-Chair.
- 5.9.3 No member of the Board or Committee will preside at a meeting during the consideration of a motion when that member has declared a conflict of interest.
- 5.9.4 In the absence of the Director of Education, the presiding officer shall appoint a person to act as a secretary of the meeting.

5.10 Quorum

- 5.10.1 A quorum is the minimum number of members necessary to conduct a meeting which represents a majority of the members.
- 5.10.2 Where a member is participating electronically, their attendance will be included for quorum as long as they remain electronically connected to the meeting.
- 5.10.3 If a quorum is present, a meeting shall commence within fifteen (15) minutes of the meeting start time as shown in the agenda.
- 5.10.4 If a quorum is not present within fifteen (15) minutes after the scheduled start time shown in the meeting agenda, the names of the members present will be recorded and the meeting will be cancelled.
- 5.10.5 At a Board meeting, if a quorum is lost during the course of the meeting, the Board will stand in recess. If quorum cannot be re-established within fifteen (15) minutes of the Board recessing due to a loss of quorum, the Board will stand adjourned.
- 5.10.6 At a Committee meeting, if a quorum is lost during the course of the meeting, and the remaining members of the Committee determine that quorum cannot be re-established, the Committee will stand adjourned.

5.11 Acknowledgement of Traditional Lands

- 5.11.1 All Board and Committee meetings will include an acknowledgement of the Traditional Territories/Ancstral Lands of Aboriginal peoples recited by presiding officer or as the presiding officer may suggest.

5.12 Debate/Voting

- 5.12.1 Members and participants in a meeting will address their comments through the Chair of the meeting.
- 5.12.2 Members shall not interrupt another member who has the floor, except as permitted hereunder or under Robert's Rules of Order (for example, to raise a point of order or question of personal privilege).
- 5.12.3 Members shall confine their comments to the merits of the motion being considered.
- 5.12.4 The Chair is entitled to move or second a motion, but only once they have passed the role of presiding officer to another member for the duration of the matter under consideration. The Chair will resume the role of presiding officer once the motion has been dealt with.
- 5.12.5 The mover of a motion shall be given first opportunity to speak. A member who has not spoken in debate has preference in recognition to speak over a member who has already spoken. At Board meetings, each member may speak twice, up to four minutes on the first occasion, two minutes on the second occasion, on each debatable motion. The Board may consider extending or limiting the time for debate at the commencement of the Board meeting or on any given motion, in accordance with the provisions of Robert's Rules of Order.
- 5.12.6 At a Board meeting, a member who has not spoken to a motion may move that debate on the motion be closed and that the pending motion be put to a vote. Such a motion is not debatable. Before putting a motion to end debate to a vote, the Chair shall provide any member who has not spoken to the main motion with an opportunity to do so.
- 5.12.7 A motion to end debate at a Board meeting will only pass on two-thirds (2/3) majority of the members present and voting. If the motion to end debate carries, no further debate can take place on the main motion and the Chair shall put the pending motion to a vote.
- 5.12.8 Trustees who are not members of a Committee may attend any Committee meetings but are not entitled to debate or vote. Only Committee members may debate and vote at Committee meetings.
- 5.12.9 A member, who is present and fails to vote on a motion, will be deemed to

have abstained from voting.

- 5.12.10 It is for members to declare their own conflict of interest and no other member may declare a conflict of another member. A member who declares a conflict of interest must abstain from voting and will be recorded as abstaining due to a conflict of interest. When a member abstains due to a conflict of interest, their vote will be recorded neither for nor against the motion, and the number of members required to pass a vote will be reduced by the number of members with a declared conflict because the results of a motion are determined on the basis of the members present and voting.
- 5.12.11 Before a motion is voted on, a member may request that a motion containing divisible parts be voted on separately.
- 5.12.12 At any time before a motion is put to a vote, the Chair shall read the motion aloud.
- 5.12.13 When a motion is put to a vote, the Chair will first call votes in favour and then votes against. The Chair is entitled to vote on any motion, but it is expected that the Chair will typically abstain and only vote on a motion once all other votes have been counted and only if the Chair's vote would be determinative of the result of the motion. This is particularly applicable for the Board Chair and the Chair of the Committee of the Whole – Standing. It is expected that other Committee Chairs may choose to exercise their voting rights more often given the informal nature of committees.
- 5.12.14 After a vote is taken, the Chair shall declare whether the motion was carried or defeated.
- 5.12.15 A tie vote means the motion is defeated.
- 5.12.16 Votes taken at Board and Committee meetings may be recorded.
- 5.12.17 A student trustee is not a member of the Board and is not entitled to exercise a binding vote on any matter before the Board or any of its Committees.
- 5.12.18 A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the Board or of one of its Committees on which the student trustee sits, and if no member of the Board or Committee, as the case may be, moves the suggested motion, the record shall show the suggested motion.
- 5.12.19 A student trustee is entitled to require that a matter before the Board or one of its Committees on which the student trustee sits be put to a recorded vote, and in that case, there shall be a recorded non-binding vote that includes the student trustee's vote and a recorded binding vote that does not include the student trustee's vote.

- 5.12.20 Subject to the notice requirements as to a new Policy or an amendment to an existing Policy or to these Bylaws, any member present at a Board meeting, or at a Committee meeting on which the member sits, may move or second a motion related to an item on the Agenda, unless disqualified from participating due to a conflict of interest.
- 5.12.21 A motion that has been moved and seconded is considered to be on the floor and will be decided by a vote, unless withdrawn. A motion need not be seconded during a committee meeting, except during meetings of Committee of the Whole and Committee of the Whole – Standing.
- 5.12.22 A member who moved a motion may only withdraw it from consideration before the vote is taken on the motion if no other member present objects to the withdrawal.

Motions - Order of Precedence

- 5.12.23 When a motion is being considered, no other motion will be considered except a motion of precedence, as set out in RONR.
- 5.12.24 A motion of precedence may be introduced and will take precedence over any current motion under consideration. A chart outlining the precedence of common motions as stipulated in RONR is attached as Appendix “B”. The chart is included for convenience and in the event of any conflict between the chart and the terms of RONR, the terms of RONR will govern.
- 5.12.25 If a motion of precedence is defeated, another motion of precedence to the same effect cannot be made until some other business has been taken up and decided.

Chair Ruling on Motion

- 5.12.26 The Chair may rule a motion out of order, including if it is not within the jurisdiction of the Board, is contrary to the *Education Act* or regulations thereunder, is contrary to these Bylaws, is dilatory, frivolous, vexatious or contains no rational proposition.
- 5.12.27 If a Chair rules a motion out of order, the Chair shall state the rationale for the ruling.
- 5.12.28 A ruling by the Chair that a motion is out of order is subject to appeal and will be reversed on a majority vote of the members present and voting.

Amendments to a Motion

- 5.12.29 A motion on the floor may be amended, except those motions that are not

debatable or motions that are not amendable. Motions that are not amendable include:

- (a) Appeal the ruling of Chair or presiding officer;
- (b) End debate;
- (c) Postpone consideration of a motion indefinitely;
- (d) Reconsider a previous decision of the Board;
- (e) Temporarily suspend a provision of the Bylaws;
- (f) Lay a motion on the table;
- (g) Take a motion from the table; or
- (h) Withdraw a motion.

5.12.30 To be in order, an amendment must:

- (a) Directly relate to the motion it proposes to amend;
- (b) Propose some change in the substance or form of the motion; and,
- (c) Not be contrary to the main concept of the motion it proposes to amend.

5.12.31 The vote on the motion, an amendment and any amendment(s) to the amendment(s) will be taken separately and in the reverse order of that in which they were moved.

Motion to Refer

5.12.32 A matter may be referred to:

- (a) The Board;
- (b) Any Committee of the Board; or
- (c) The Chair of the Board; or
- (d) The Director of Education or designate.

Extending Meeting Time

5.12.33 Unless provided for otherwise in these Bylaws, no Board or Committee meeting will continue in session beyond 10 p.m., unless upon the consent of the majority of members present and voting, the meeting is extended for a defined period of time to finish debate on matters currently on the floor or to address any matter on the agenda that may be of an urgent or time sensitive nature. Additional motions to further extend the meeting time are in order. In no case, will the meeting extend beyond 11 p.m.

Motion to Reconsider

5.12.34 Subject to the limits prescribed in RONR:

- (a) a decision of the Board made earlier in an ongoing (current) meeting may be reconsidered on a motion without notice. A reconsideration motion may only be brought by a member who voted on the prevailing side of the previous motion.
- (b) a previous decision of the Board cannot be reconsidered for at least twelve (12) months after the decision was made unless by resolution approved by a two-thirds (2/3) majority of the members present and voting and provided notice of the proposed reconsideration shall have been provided at the prior Board meeting.

Point of Order

5.12.35 A member may advise the Chair when they believe that a departure from the Bylaws, as supplemented by RONR, has taken place by raising a point of order.

5.12.36 Subject to certain exceptions as stipulated in RONR, a point of order must be raised promptly at the time of the alleged breach. A member may interrupt another member to raise a point of order.

5.12.37 The point of order in question must be clearly stated by the member.

5.12.38 The Chair shall decide on the point of order without debate.

5.12.39 The Chair may consult with the General Counsel and may declare a recess in order to consider the point of order.

5.12.40 A member may interrupt the meeting to introduce a motion to appeal the ruling of a Chair. A majority of members present and voting will overturn a ruling of the Chair.

5.12.41 If the appeal from the decision of the Chair results in a tie vote, the Chair's decision on the point of order will be upheld.

Questions of Privilege

5.12.42 Any member may raise a question of privilege, either a question of privilege affecting the Board, or a question of personal privilege.

5.12.43 Questions of privilege affecting Board include matters such as noise, comfort or safety. Questions of personal privilege affecting a member include the reputation or treatment of the member or staff, as well as any member of the public and the member's ability to exercise rights and privileges.

- 5.12.44 A question of privilege must be stated clearly and should include the remedy or resolution requested by the member.
- 5.12.45 A question of privilege will not be in order if the remedy or resolution requested exceeds the power or ability of the Chair, Committee or Board.
- 5.12.46 The Chair will decide on the question of privilege without debate.
- 5.12.47 The Chair may consult with the General Counsel and may declare a recess in order to consider a question of privilege in order to make a decision.
- 5.12.48 A member may appeal the ruling of a Chair on a point of privilege. A majority vote of members present and voting will overturn a decision of the Chair.
- 5.12.49 If the appeal from the Chair's decision results in a tie vote, the Chair's decision on the question of privilege will be upheld.

Parliamentary Inquiry

- 5.12.50 A member may ask a question about the rules of procedure relevant to any matter or issue before the Board. The Chair will answer the question if it would assist the member to make an appropriate motion, raise a proper point of order or understand the effect of a motion or ruling. The Chair is not obliged to answer hypotheticals. The Chair may consult with the General Counsel in providing an answer.
- 5.12.51 The answer provided by the Chair is an opinion and is not subject to appeal. The member may act contrary to opinion and may then appeal any adverse ruling by the Chair.

Point of Information

- 5.12.52 A member may ask a question directed to the Chair, or through the Chair to another member, for information relevant to the matter at hand but unrelated to parliamentary procedure.

5.13 Public Participation in Meetings

- 5.13.1 In keeping with the Board's Policy on Public Consultation, the Board welcomes presentations by individuals and groups. Presentations shall be made in the first instance to the Committee of Whole – Standing.
- 5.13.2 In Order to obtain permission to make a presentation to the Committee of Whole – Standing, person shall email the Director at least eight working days before the next scheduled meeting of the Committee of Whole – Standing. A presenter to the Committee of Whole – Standing may also be invited to present at a Board

Meeting, at the discretion of the Chair of the Board.

- 5.13.3 Any application submitted to the Director shall be forwarded to the Chair of the Committee of Whole - Standing.
- 5.13.4 An email requesting permission to present to the Committee of Whole - Standing shall:
 - (a) State the matter to be discussed;
 - (b) Include materials intended to be distributed to trustees;
 - (c) Provide the name of any organization or interested party to be represented;
 - (d) Confirm the authority of the spokesperson.
- 5.13.5 Any application to present at the Committee of Whole - Standing Committee may be approved at the discretion of the Chair of the Committee of Whole – Standing who shall:
 - (a) determine if an opportunity for presentation is available through any other public consultation process, which shall be utilized prior to approval being given;
 - (b) determine the date on which any approved presentation shall take place;
 - (c) limit the number of presentations at any meeting to allow the Committee of Whole - Standing sufficient time to conduct its business.
- 5.13.6 The Chair may waive the eight working days' notice period.
- 5.13.7 Presenters should use the appropriate format and protocol for presentations, available from the Director's Office.
- 5.13.8 Anyone wishing to make a presentation shall be informed if the issue to be addressed will be discussed at any meeting of the Board or Committee of Whole - Standing prior to her or his opportunity to present.
- 5.13.9 Presenters shall be limited to speaking not more than 15 minutes including time for questions. At the discretion of the Chair of the Committee of Whole – Standing, this may be extended for a specific amount of time or deferred to a later point in the meeting.
- 5.13.10 Presenters shall be restricted to topics outlined in the application.
- 5.13.11 One or more presentations on a topic do not necessarily lead to a Committee of Whole - Standing or Board decision. The topic of a presentation should not be debated by Trustees unless and until it is on an agenda.
- 5.13.12 Members of the public may also pose questions of a general nature or regarding Board processes to the Board at any regular Boardmeeting.
- 5.13.13 The Board encourages questions on a wide variety of topics, while making sure

that adequate time is available for regular business. The Chair shall establish time limitations as necessary to achieve these objectives and may group together questions of a similar nature.

5.13.14 Subject to the discretion of the Chair, questions will not be entertained if they relate to a matter which is under consideration by the Board and for which another public input and questioning process is available (e.g. school boundaries, accommodation reviews, school naming).

5.13.15 The following procedure applies to public question period:

- (a) Each person shall be allowed to ask one question and one supplementary question.
- (b) Before the beginning of the Board meeting, the Questioner shall submit the question in writing to
- (c) The Executive Officer of Communications;
- (d) The Questioner shall be called to the podium;
- (e) The Questioner or, if the Questioner prefers, the Chair, shall read the question;
- (f) The question shall be addressed by the Chair who may direct staff to answer;
- (g) The Questioner may ask a supplementary question for clarification;
- (h) Questions to individual trustees will not be addressed at public question period;
- (i) Individual Trustees will not respond or comment on questions posed.

SECTION 6: FILLING TRUSTEE VACANCIES

6.1 The Education Act

6.1.1 Section 221 of the *Education Act* provides for the Board to fill a trustee vacancy by either:

- i. Requiring the municipality to hold a by-election, or
- ii. appointing a qualified person (as defined in the *Education Act*) to the position, within 90 days of the office becoming vacant. The method of appointment is not specified in the Act.

6.1.2 A by-election may not be held after March 31 in an election year (i.e., within approximately 8 months of a regularly scheduled municipal election). All costs for a by-election are borne by the Board (subsection 7(3) Municipal Elections Act, 1996).

6.2 Vacancy Committee

6.2.1 In the event of a vacancy, the Board shall establish a Vacancy Committee to consider and determine the means of filling the vacancy.

6.2.2 All members of the Board are eligible to sit on the Vacancy Committee which shall be made up of at least half of the members of the Board. The Vacancy Committee shall obtain and consider information regarding the implications of holding a by-election, including previous election results and estimated costs.

6.2.3 For the appointment, there are two options:

- i. appoint one of the unsuccessful trustee candidates from the last municipal election in the vacated electoral area providing the candidate remains a qualified person as defined under the *Education Act*; or
- ii. consider a broader range of electors for the appointment in which case, the following actions will occur:

(a) Advertising

The vacancy shall be advertised in all the local papers.

(b) Applications

- Individuals interested in the position shall be required to submit in writing an application for the position, to be received by the Secretary to the Board.
- The Appointment Committee shall establish a deadline for the appointment process.

(c) Information Required

Applicants shall be asked to provide the following information:

- i. confirmation of eligibility;
- ii. why they are interested in the position;
- iii. background, interests, experience, concerns;
- iv. other information they think is pertinent.

Application material shall be copied and distributed to all trustees at least 48 hours prior to an interview date.

(d) Information Provided

Upon written or verbal indication from an individual that she/he intends to apply for the position, a package of information shall be made available for pick-up from the Trustees' Secretary, as follows:

- i. Durham District School Board Facts Folder;
- ii. By-Law #8 - Responsibilities and Code of Conduct;
- iii. Schedule of Board and Committee Meetings;
- iv. Committee Membership List.

(e) Interviews

- i. The Appointment Committee shall establish the interview date and the schedule of interviews.
- ii. Only candidates who have submitted written applications by the deadline date shall be interviewed. Interviews shall be conducted in the Board room. All trustees shall be invited to participate in the interviews. Trustees shall be asked to indicate their intentions about their attendance and participation in the interviews. Each candidate shall be requested to address the Board for up to five minutes, and to respond to questions from the trustees for up to five minutes. Interviews shall be conducted on the Monday of the Board meeting, arranged so that all interviews shall be completed by 4:30 p.m. If an inordinate number of candidates is to be interviewed, a second day for interviews shall be determined by the Chairperson, after consultation with trustees. If a quorum of trustees is present for the interviews, the interviews shall be conducted as part of a special Board meeting. Should a quorum of trustees not be present, those present shall form a Selection Committee which shall make a recommendation to the Board. The chairperson of the Board or designate shall preside over the interviews and be responsible for adhering to the timelines. The interviewing process shall be open to the public. Candidates shall be advised of their right to attend any or all interviews.

(f) Voting

- i. Only trustees present for all interviews are eligible to vote.
 - ii. Voting shall be by secret written ballot.
 - iii. The Director and Superintendent of Education/Business and Finance shall count the ballots.
 - iv. On the first ballot, trustees shall vote for three (3) candidates. (Any ballot without three names shall be considered a spoiled ballot).
 - v. The ten (10) candidates achieving the greatest number of votes shall proceed to the second ballot. Their names shall be posted in the Board Room. Any candidate who does not receive any votes will be dropped from subsequent voting.
 - vi. On the second and subsequent ballots, trustees shall vote for only one (1) candidate.
 - vii. Voting shall continue, and on each subsequent vote the candidate(s) receiving the lowest number of votes shall be dropped from the ballot until one (1) candidate receives at least a simple majority of votes cast., except on the first ballot.
 - viii. Any candidate who does not receive any votes will be dropped from subsequent voting. This shall also apply to all subsequent ballots.
 - ix. In the event of a tie, a second ballot shall be cast. If a tie remains, the decision shall be determined by lot.
 - x. Following the swearing in of the successful candidate, all ballots shall be destroyed.
- (g) A recommendation shall be brought forward the Committee of the Whole (closed session) to approve the appointment. All trustees are eligible to vote on the recommendation. The person shall be advised by telephone of the Board's decision.
- (h) The appointed candidate shall attend the next Board meeting at the beginning of the public session to be sworn in.

SECTION 7: TRUSTEE DETERMINATION AND DISTRIBUTION

- 7.1 The Durham District School Board (“DDSB”) is a statutory corporation under section 58.5 of the *Education Act*, R.S.O. 1990, C. E.2, (the “*Education Act*”). The Board of Trustees is the governing body of the DDSB. The duties and powers of the Board of Trustees are as set out in the *Education Act*. Decision making authority rests with the Board of Trustees as a single body, not with individual trustees.
- 7.2 The number and distribution of elected trustees is determined pursuant to the provisions of the *Education Act* and the regulations thereunder.

SECTION 8: EXECUTION OF DOCUMENTS AND CORPORATE SEAL**8.1 Corporate Seal of the Board**

- 8.1.1 The corporate seal of the Board shall be in the form impressed on the original copy of Bylaws located in the Administrative Offices of the Durham District School Board.

8.2 Signing Authority

- 8.2.1 The Chairperson or the Vice-Chairperson of the Board and the Treasurer shall be authorized to sign cheques and orders for payment of money on behalf of, and in the name of, the Board.
- 8.2.2 Treasurer shall be authorized to endorse bills of exchange, cheques, drafts, and orders for payment of money, for deposit to the credit of the Board, and to receive all paid cheques and vouchers, and any documents the bank may have from time to time, belonging to the Board, and to sign the bank's form of settlement and release.
- 8.2.3 The Treasurer shall be authorized to sign cheques by means of a cheque signing machine and a facsimile of the signatures of the Chairperson of the Board and the Treasurer.
- 8.2.4 The Chairperson of the Board and the Treasurer shall be authorized to sign all necessary bank forms or documents required by the bank to implement the authority granted to them under these Bylaws.
- 8.2.5 The Treasurer shall be authorized to have printed all the necessary forms required for the banking business of the Board.

SECTION 9: Election of Student Trustees

- 9.1.1 Every attempt shall be made to elect a Student Trustee from Ajax- Pickering, Oshawa-Whitby, and Brock-Scugog- Uxbridge. The election of Student Trustees shall be a two-stage process in municipalities which have more than one secondary school.
- 9.1.2 A notice shall be sent to each secondary school principal before February 1, advising of the election process. Notice will also be sent to teachers in Civics classes, with a request to discuss the election process in class.

Stage 1: Municipal Election of Candidates

- 9.1.3 The municipal elections shall apply in a municipality which has more than one secondary school.
- 9.1.4 Each secondary school student council or parliament shall be invited to elect one Student Trustee nominee who shall be the candidate for the municipality. The notice shall also invite each secondary school student council or parliament to elect ten (10) Student Trustee electors for the municipal election.
- 9.1.5 The elections for either Student Trustee nominees or electors may be either a direct election from the entire student body or an indirect election from the student council or parliament. The elections for the electors shall take place at the same time or prior to the elections for Student Trustee nominees.
- 9.1.6 The municipal elections shall be moved annually among the secondary schools in the municipality so that all secondary schools have an opportunity to host the election.
- 9.1.7 Voting shall be by secret ballot. Only Student Trustee nominee electors are entitled to vote. In each municipality, the candidate receiving a clear majority shall be declared the municipal Student Trustee nominee for the electoral college. A clear majority is 50 per cent plus one of the total votes cast. Should no candidate receive a clear majority of the votes cast, the name of the candidate with the smallest number of votes shall be dropped from the ballot and a further vote shall be conducted until one candidate has a clear majority.

Stage II: Electoral College Process

- 9.1.8 The Director of Education or designate shall cause three electoral colleges to take place in a secondary school in Ajax-Pickering, Oshawa-Whitby, and Brock- Scugog-Uxbridge. The three electoral colleges will meet before April 30 in each school year. The Board will pay for any transportation or other expenses such as food or the printing of ballots.
- 9.1.9 Each municipality in the electoral college will receive 40 votes for the election. The votes shall be divided equally among the number of schools in an area. If the division of votes is such that a whole number of votes per school is not determined, additional votes shall be apportioned by lottery through the Director's office. The secondary school student council or parliament shall elect the assigned number of electors for the electoral college. Any school which declares that it will not send delegates to the electoral college will have its votes divided among the remaining schools for the

municipality according to this process.

- 9.1.10 The function of each electoral college is to elect one Student Trustee.
- 9.1.11 Each electoral college will have any appropriate number of staff advisors to help conduct the Student Trustee nominees speeches and the balloting.
- 9.1.12 The winning candidate from Stage 1 shall be the municipal candidate for the electoral college.
- 9.1.13 Voting shall be by secret ballot. Only Student Trustee nominee electors are entitled to vote.
- 9.1.14 In each electoral college, the Student Trustee nominee receiving a clear majority shall be declared elected. A clear majority is 50 percent plus one of the total votes cast. Should no Student Trustee nominee receive a clear majority of the votes cast, the name of the student nominee with the smallest number of votes shall be dropped from the ballot and a further vote shall be conducted until one Student Trustee nominee has a clear majority.
- 9.1.15 In the event of an equality of votes, there shall be a final ballot and should there be another equality of votes, the candidates shall draw lots to fill the position of Student Trustee.
- 9.1.16 The location of the electoral college for Student Trustee will be rotated annually among the municipalities to be represented by the Student Trustee (e.g. Oshawa-Whitby). Within a municipality, the school location of the electoral college shall be moved for each election, so that over the course of several years, all secondary schools in the municipality will have an opportunity to host the electoral college.
- 9.1.17 The Student Trustee nominees and Student Trustee electors shall be qualified according to these Bylaws.
- 9.1.18 Any election material of any kind of media brought to the municipal election or to the electoral college must be approved by the Student Trustee nominee's principal or staff designate.
- 9.1.19 If the Board determines that a vacancy be filled, it shall be filled by a by- election, according to the process as outlined above.

SECTION 10: ELECTRONIC MEETINGS

10.1 Introduction

The Board shall provide for the use of electronic means for the holding of meetings of the board and meetings of a committee of the Board, including a committee of the whole Board. The rules in this by-law apply to the extent they are not suspended or modified by Provincial regulation.

10.1.2 Attendance

At every meeting of the Board or committee of the whole Board, the following persons shall be physically present in the meeting room of the Board.

- (a) The Chair of the Board or her or his designate;
- (b) At least one additional member of the Board; and
- (c) The Director of Education of the Board or her or his designate.

10.1.3 At every meeting of the Board or committee of the whole Board, the following persons shall be physically present in the meeting room of the Board.

- (a) The chair of the committee or her or his designate; and
- (b) The Director of Education of the Board or his or her designate.

10.1.4 Subject to 10.1.2 and 10.1.3, at the request of any Board member or student trustee, the board shall provide the member or representative with electronic means of participating in one or more meetings of the board or of a committee of the Board, including a committee of the whole Board.

10.1.5 Trustee or Student Trustee who participates in a meeting through electronic means shall be deemed to be present at the meeting. Subject to any exemptions for physical attendance under relevant legislation or Board policy, a member of the Board shall be physically present in the meeting room of the Board for at least three regular meetings of the Board in each twelve-month period beginning December 1.

10.1.6 Subject to any exemptions for physical attendance under relevant legislation or Board policy, for the period beginning when a member of a Board is elected or appointed to fill a vacancy and ending on the following November 30, the member shall be physically present in the meeting room of the Board for at least one regular meeting of the Board for each period of four full calendar months that occurs during the period beginning with the election or appointment and ending the following November 30.

10.2 Participation of Board Members and Student Trustees

10.2.1 The electronic means shall permit the member or representative to hear and be heard by all other participants in the meeting.

10.2.2 The electronic means shall be provided in such a way that the rules governing conflict of interest of members are complied with.

- 10.2.3 The Board may provide, at one or more locations within its jurisdiction, electronic means to permit participation in meetings by members of the public. Electronic meetings shall be made available for public viewing.
- 10.2.4 The extent and manner of participation shall be determined by the Chair based on the electronic means available.
- 10.2.5 Members of the public participating through electronic means shall not participate in any proceedings that are closed to the public.

*Preserved language is in Blue

By-Law (un-numbered) Bylaws and Procedures - replaced by section 1

1.1 Purpose and Application

1.1 ~~The rules and regulations~~These Bylaws contained within these Bylaws and Procedures are enacted by the Board of Trustees (the "Board" or the "Board of Trustees") of the Durham District School Board (the "DDSB") ~~shall be the rules and regulations for the order and dispatch of business of The Durham District School~~to govern the Board and in the Committees thereof of the Board and to advance good governance practices at the Board in accordance with the governance structure for school boards established under the Education Act. These Bylaws advance democratic decision making with rules that facilitate fair and respectful debate.

1.2 Committees of the Board are Committees with only trustees as voting members. Advisory Committees are not Committees of the Board and they are not governed by these Bylaws (except that certain Advisory Committees are established by the Bylaws and except that the Board is bound by these Bylaws in establishing or dissolving any such committee).

1.3 ~~Any of the rules of procedure contained herein may be~~Subject to any applicable legislation or regulation, any procedural rule(s) in these Bylaws may be suspended by a vote of two-thirds majority vote of the members of the Trustees of the Board present (physically or electronically) and voting.

~~Any reference in the Bylaws to a written request or a written notice shall be understood to include an electronic or a faxed notice or request.~~

1.4 ~~In any case for which provision is not made herein~~Subject to any applicable legislation or regulation, ~~any gap in these Bylaws, the procedure to be followed shall be, as near as may be, shall be addressed that followed according to by reference to the latest edition of Robert's Rules of Order ("RONR")~~ The rules contained in the ~~Latest~~ edition of Order ("RONR" or "Robert's Rules of Order") ~~Robert's Rules of Order Newly Revised ("RONR"), as may be amended from time to time, shall govern all matters of procedure provided they are not inconsistent with these Bylaws or any special rules of order that the Board may adopt, or with any applicable statutes or regulations.~~

1.5 Subject to any applicable legislation or regulations, these ~~B~~Bylaws may be amended, at any time, by a two-thirds majority vote of those the members present and voting, at any meeting of the Board, provided that the matters is listed on the agenda prior to the commencement of a Board meeting and notice of intention to introduce such amendment has been givenprovided that in written notice of any proposed amendment(s), and any supporting materials, shall have been delivered writing at the previous Regular Mmeeting of the Board, ~~and is referred to in the Notice of the Meeting,~~

*Preserved language is in Blue

~~and provided that such proposed amendment is not in conflict with any statutory provision or regulation then in force.~~

*Preserved language is in Blue

By-Law (un-numbered) Definitions - deleted entirely

Director: ~~—————"A board shall not appoint or employ a person as a ————
director of education unless the person is a supervisory officer who
qualified as such as a teacher." (Education Act s. 283(1)).~~

~~"A director of education is the chief education officer and chief executive
officer of the board by which he or she is employed." (Education Act s. 283(2))~~

Trustee: ~~"A member of a board may be referred to as a trustee for any purpose related to
this Act." (Education Act s.1(12)).~~

*Existing By-Law language is in blue

By-Law #1 - Regular Public Meetings [With respect to Bylaws #1 & 2, Organizational meeting s.5 of By-Law #1 revised and moved to section 3; Meeting Procedures from Bylaws #1 & 2 substantially revised and moved to section 5]

SECTION 3: ORGANIZATIONAL MEETING

1.0 Regular Meetings

3.1 Purpose of Organizational Meeting

3.1.1. An inaugural meeting of the Board shall take place at the first meeting of the Board in December of each year (the "Organizational Meeting") during which the Board shall:

- (a) Elect the Chair and Vice-Chair of the Board;
- (b) Establish and review Committees of the Board;
- (c) Appoint members to Committees of the Board;
- (d) Elect the Chair and Vice-Chair of the Committee of Whole -- Standing; ~~of the Board;~~
- (e) Appoint members to represent the Board on external organizations; and
- (f) Adopt an annual schedule of meetings (including meeting times) ~~of the~~ for Board and its Committee of Whole -- Standings meetings.

3.2 Scheduling of Organizational Meeting

3.2.1. In an election year, the Organizational Meeting will be held immediately following the Municipal Election and no later than seven (7) days after the start of the term of the Board. In all other years The Board will hold the Organizational Meeting at the first meeting in December.

3.2.2. In all other years, the Board will hold the Organizational Meeting at the first meeting in December. In an election year, the Organizational Meeting will be held immediately following the Municipal Election and no later than seven (7) days after the start of the term of the Board.

3.3 Presiding Officer

3.3.1. At the Organizational Meeting, the Chief Executive Officer shall preside until the election of the Chair or, in the absence of the Chief Executive Officer, the members present shall designate the person to preside until the election of the Chair and if a member of the Board is so designated, ~~he or she~~ they may vote at on the election of the Chair.

3.45.0—Election of Chairperson and Vice-Chairperson

~~5.1 In accordance with the Education Act, 1998, Section 208, the election of the Board Chairperson shall take place at the first meeting of the Board in December of each year, designated as the Inaugural Meeting.~~

~~5.2 3.4.1. Written or oral nominations, including and self-nominations, shall be received by the Secretary of the Board who is acting as Chairperson~~presiding officer.

~~5.3 When two or more trustees~~members are nominated and have agreed to stand, voting shall ~~then begin~~be by secret ballot.

~~3.4.2. —Nominees for the position of Chair and Vice-Chair shall be present at the Organizational Meeting or, if absent, shall have declared in writing to the Secretary of the Board their intention to stand as candidates for the positions.~~

~~5.35.4 3.4.3 When an election is held, T~~he Secretary of the Board~~presiding officer or designate and other scrutineers so designated by the Secretary of the Board~~the presiding officer shall count the ballots.

~~5.45.5 3.4.4. The member receiving a clear majority (which shall mean at least 50% plus 1 of the total votes cast)~~vote of the members present and voting shall be declared elected~~the Chair.~~

~~5.6 3.4.5. Should no member receive such a clear majority, of the votes cast,~~ the name of the member receiving the smallest number of votes shall be dropped and the members shall proceed to vote a new and so continue until the Chair~~person~~ is elected.

~~5.7 3.4.6.—In the event of an equality of votes, there shall be another ballot and, should there be another equality of votes, the candidates shall draw lots to fill the position.~~

~~3.4.7. 5.8 —The Secretary~~presiding officer shall announce the result ~~of the ballot by declaring the name of the member who has received a clear majority of the votes cast~~been elected chair.

~~3.4.8. —Once elected, the chair shall then assume the role of C~~chair/presiding officer.

~~3.4.95.9 —This same procedure as outlined in subsections 5.1 through 5.7 in this (section 3.4) shall apply to the election of the Board Vice- Chairperson of the Board., except that the Board Chairperson shall preside over the election, in place of the Secretary of the Board.~~

~~5.10 —Nominees for the position of Chairperson and Vice- Chairperson shall be present at the meeting in which the election is held or, if absent, shall have declared in writing to the Secretary of the Board their intention to stand as candidates for the positions.~~

~~5.11 —The Chairperson shall then take the Chair and continue to serve until the next Inaugural~~

~~Meeting. Resignation of the chairperson may take place upon one week's written notice or upon being removed from office on a two-thirds clear majority of the trustees voting at a meeting of the Board.~~

3.4.10 The Chair and Vice-Chair serve in these roles until the next Organizational Meeting but may resign from that role upon one week's written notice delivered to the Secretary of the Board. The Chair and/or Vice-Chair may be removed from the role on a two-thirds majority vote of the members present and voting.

~~5.12—3.4.11. In the event that~~ If the Chairperson of the Board resigns the office or is removed from office, the Board Vice-Chairperson of the Board shall assume the role of chairperson Chair until the next regularly scheduled Board meeting. At that meeting, the election of a new Chairperson shall be held and, if the Vice-Chair is elected as the Chair, if necessary, the election of a new Vice-Chairperson shall also be held.

3.4.12 If Chair and Vice-Chair of any Committees have not been elected at the Organizational Meeting, the Committee will elect a Chair and Vice-Chair from amongst themselves.

3.4.13 The term of office of a Committee Chair and Vice-Chair shall be one year, or until the next Organizational Meeting, whichever comes first.

3.4.14 A Committee Chair and Vice-Chair may be re-elected to a subsequent term(s) of office by the Committee, subject to any appointments made at Organizational Meeting each year.

SECTION 5: BOARD AND COMMITTEE MEETINGS - RULES AND PROCEDURES

1.05.1 Parliamentary Authority Purpose

~~5.1.1 The rules contained in the current edition of~~ The purpose of these rules and procedures, as supplemented by Robert's Rules of Order Newly RevisedRONR, is to facilitate meaningful, respectful, and orderly debate to advance the interest of the Board. shall govern all matters of procedure, statutes, or regulations in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Durham District School Board may adopt or any statutes or regulations. All trustees will endeavor to comply with these rules and procedures, but it is recognized that, in many circumstances, good judgment, co-operation and good faith will do more to advance the interests of the Board than strict adherence to procedural technicalities.

4.05.2 Board Quorum

~~4.15.2.1. A Q~~ quorum of the Board shall consist of a simple majority of the Board members elected or appointed to the Board under the statutes of Ontario.

~~5.2.2. Quorum of a Board committee shall consist of a majority of the member of the committee.~~

~~4.25.2.3.~~ Should there ~~not be~~ no a quorum present at a meeting within fifteen minutes after the time appointed for the commencement of the meeting, the names of those present shall be recorded and the meeting shall stand adjourned until the next regular or special meeting unless ~~the person presiding secures~~ the unanimous consent of those present to delay adjournment for an additional fifteen minutes, in which event, unless a quorum then be present, the meeting shall be so adjourned.

~~4.3~~ — In the event that the Chairperson does not attend within five minutes after the time appointed for ~~the meeting~~, the Vice-Chairperson shall preside during the meeting or until the arrival of the Chairperson. In the absence of both, the members shall come to order and a chairperson of the meeting shall be chosen who shall preside during the meeting or until the arrival of the Chairperson or the Vice-chairperson.

~~4.4~~ — In the absence of the Director of Education, the Chairperson of the meeting shall appoint a person to act as a secretary of the meeting.

2.05.3 **Public Attendance at Board Meetings****Public Sessions**

~~5.3.1.~~ The public is welcome to attend meetings of the Board. Except as permitted under section 207 of *The Education Act*, 1998, outlines the conditions for access to meetings and the regulations thereunder, all meetings of the Board and Committees of the Board shall be opened to the public.

~~5.3.2~~ No person member of the public or staff will engage in conduct that is negative, critical, or derogatory towards any other person, or engage in any behaviour that is disruptive to the meeting. Any such conduct may result in exclusion from a meeting. Excerpts from the Education Act, 1998:

~~a)~~ Section 207 (1):

~~The meetings of a Board and, subject to subsection (2), meetings of a Committee of the Board, including a Committee of the Whole Board, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.~~

~~b)~~ Section 207 (2):

~~A meeting of the Board, including a Committee of the Whole Board, may be closed to the public when the subject matter under consideration involves:~~

- ~~i.~~ the security of the property of the Board;
- ~~ii.~~ 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 parent or guardian;

~~iii. the acquisition or disposal of a school site;~~

~~iv. decisions in respect of negotiations with employees of the Board; or,~~

~~v.i. litigation affecting the Board.~~

5.4 Closed Sessions

5.4.1 Resolutions passed in closed session of a Committee are of no force or effect unless and until approved at a meeting of the Board. Any such approval will be done by adopting the resolution(s) of the Committee in a manner that maintains the confidentiality of the matter unless the Committee has pre-authorized making the resolution public.

5.4.2 Minutes of all eCommittee closed sessions shall be provided to the Committee of Whole – Standing for consideration, except for Committee of the Whole – Standing whose minutes shall be provided to the Board for consideration, and shall remain confidential, unless the eCommittee has pre-authorized the release of all or part of the information.

5.4.3 A staff recording secretary should be present for all closed session Committee meetings. In the absence of the recording secretary during a closed session, the presiding officer shall appoint any member or other staff person to act as secretary for that meeting.

5.4.4 Committee sessions closed to the public may have staff in attendance as may be determined appropriate by the Chair of the committee in consultation with the Director. The Chair of a Committee may require that the Director not attend all or part of a closed session when the Director's performance, employment contract or any related matter is under consideration by the eCommittee.

5.4.5 Matters discussed in closed session of a Committee must not be communicated to any person not present at the closed session, unless: the person is a Trustee; or the disclosure is pre-approved by the Committee; or the disclosure is to the Integrity Commissioner in relation to the Code of Conduct.

5.4.6 Trustees are expected to maintain strict confidentiality of any matter dealt with in closed sessions and are bound by the confidentiality and protection of privacy provisions under the Education Act, the DDSB's Member Code of Conduct and the Municipal Freedom of Information and Protection of Privacy Act.

5.5 Scheduling and Agendas

1.1 — 5.5.1. Unless otherwise ordered by special motion of the Board, Regular Meetings of the Board shall will be held in camera on the third (3rd) Monday in each month, beginning commencing at 7:00 p.m. or, in any case where that Monday is a statutory holiday or other

school holiday, the meeting will be held on ~~Should the date of any meeting of the Board fall on a statutory, civic, or school holiday, the meeting will be held on the Tuesday of the same week or the Monday of the following week. As may be deemed appropriate by the Chair in consultation with the Director, the Board will convene into Committee of Whole, closed session, prior to the commencement of the public Board meeting, typically commencing at 6:00 p.m. and again, if necessary, following public session, in which case the meeting shall not extend past 11:00 p.m.~~ The public session shall commence at 7:00 p.m.

5.5.2 The Board may vary the schedule for regular ~~board~~ Board meetings at any time during the year on resolution of a two-thirds majority of the members present and voting.

5.5.3 Subject to the procedures described below ~~D~~draft Agendas for Board meetings shall be determined by the Chair in consultation with the Director. Agendas for Committee meetings shall be determined by the Committee Chair in consultation with the Director.

5.5.4 The Chair and the Vice-Chair of the Board and the Chair and Vice-Chair of the Committee of Whole – Standing together with the Director of Education and such other staff as the Director may engage from time to time, shall hold at least one session per month (either in-person or electronically) to consider and discuss the agendas for upcoming Board and Committee of the Whole – Standing meetings. An additional Trustee shall be entitled to attend at each meeting. Attendance shall be scheduled annually following the Organizational Meeting with Trustees being scheduled in reverse alphabetical order.

5.5.5 All Trustees shall be provided with advance notice of the date of the meeting referenced in the preceding paragraph and may email the Chair and Vice-Chair of the Board and/or the Chair and Vice-Chair of the Committee of the Whole-Standing to request that an item of business be added to the draft agenda for an upcoming meeting. The email shall disclose the rationale for the proposed addition to the agenda and any factors as to the appropriate timing for the matter to be addressed. If the matter is not added to the draft agenda, the Chair of the Board or the Chair of Committee of the Whole – Standing, as the case may be, shall advise by email of the reason it was not added to the draft agenda and shall copy all trustees.

5.5.6 The Director or designate shall deliver an e-mail notice of each regular Board meeting and Committee of the Whole – Standing accompanied by the agenda and any supporting materials for the meeting, to each Trustee no later than 3 days prior to the meeting (not counting the day of the meeting but counting the day of delivery). At the discretion of the Chair of the Board or Chair of the Committee of the Whole-Standing, as the case may be, supporting materials may be delivered within the 3-day notice period based on urgency or exceptional circumstances.

5.5.7 A matter not on the agenda or directly related to matters on the agenda cannot be introduced at a Board or Committee meeting unless approved by the presiding officer prior to the start of the meeting based on urgency or exceptional circumstances or, if a majority of the Committee or Board amends the agenda prior to approval, if a member seeks to introduce a matter not on the agenda or directly related to matters on the agenda during the meeting following the approval of the agenda, it may only be introduced by a ~~majority vote~~ 2/3 majority

of the members present and voting. Notice of any change to a draft agenda made prior to the meeting shall be provided to Trustees as soon as possible.

5.5.8 The introduction of a new Board Policy or ~~the~~ an amendment to an existing Board policy shall not be considered unless written notice is provided to Trustees no later than 5 days prior to the meeting (not counting the day of the meeting but counting the day of delivery) together with any supporting materials and provided that notice of the intention to introduce the new board policy or amendment, as the case may be, was given at the prior meeting of the Board. The initial notice to the Board of an intention to bring forward a new Policy or proposed amendment is only proper if the matter, together with any supporting material, was first brought to the Committee of Whole – Standing.

5.5.9 In addition to regularly scheduled meetings, a special meeting of the Board may be called by the Chair or by a majority of the members. In either case, email notice of the call for a special meeting shall be sent to the Secretary of the Board or designate. Reasonable efforts should be made to schedule any such meeting to avoid a scheduling conflict with other scheduled Committee meetings. A special meeting is not a “regular meeting” under the Education Act or the regulations thereunder.

5.5.10 The Director or designate shall deliver an e-mail notice of a special meeting to the members, accompanied by the agenda and any supporting materials for the meeting no later than 24 hours prior to the meeting. At the discretion of the Chair, the 24-hour notice period may be waived based on urgency or exceptional circumstances but notice, the agenda and any supporting materials should be delivered as early as possible prior to the commencement of the meeting.

5.5.11 A matter that is not on the agenda for a special meeting cannot be considered at the special meeting, unless all members are present and consent to amend the agenda to consider the matter.

5.6 Record of Decisions

5.6.1 At all Board and Committee meetings, the Director or designate (typically the recording secretary) shall maintain the minutes of the meeting to make a record of ~~the recommendations made to, and~~ resolutions passed by the Board or Committee, as the case may be, including any recorded votes and any declarations of a conflict of interest.

5.6.2 At each regular Board meeting, draft minutes from the prior regular Board meeting, together with any special Board meeting that may have occurred since the prior Board meeting, shall be presented to the Board for approval.

5.7 Attendance at Meetings

5.7.1 Trustee attendance at regular Board meetings is governed by the Education Act and the regulations thereunder.

5.7.21.2 ~~—A t~~Trustee who cannot attend a Board Meeting should ~~so~~notify the Trustees'
Office Secretary of the Board or designate as early as possible. ~~and If it should appear~~s that
there will be no a quorum will be lacking for a meeting, the Secretary shall ~~so~~notify the
Chairperson of the Board Chair, and, at the Chair's discretion, who will instruct the Secretary to
notify the trustees of the meeting may be postponement postponed or cancellation cancelled
of the meeting and notice thereof shall be delivered to the Trustees as soon as possible.

5.7.3 In accordance with section 228 (1) of the Education Act, a Trustee vacates their seat if they are absent (electronically or physically), as recorded in the minutes, from three (3) consecutive regular Board meetings, unless authorized by resolution of the Board or if one of the exemptions in the Education Act is engaged.

5.7.4 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, and subject to any accommodation as to attendance provided under the Board's Attendance Accommodation Policy, Trustees must be physically present for at least three (3) regular Board meeting annually.

5.7.5 When a seat becomes vacant, the provisions of the Education Act, and any relevant provision(s) of these Bylaws, shall govern the filling of the vacancy.

5.7.6 At the Organization Meeting each year, the Chair will deliver to the Board an annual report of Trustee attendance at meetings of the Board and Committee of the Whole - Standing since the last Organizational Meeting.

5.8 Electronic Participation

5.8.1 Members attending a meeting electronically must advise the Chair when they join the meeting to be deemed present at the meeting.

5.8.2 Members who leave the meeting before adjournment, whether temporary or permanent, shall advise the Chair.

5.8.3 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, at every Board or Committee of the Whole meeting, the following persons must be physically present:

- (a) The Board Chair or designate;
- (b) At least one additional member of the Board; and
- (c) The Director of Education or designate.

5.8.4 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, at every Committee meeting, the following persons must be physically present:

(a) The Committee Chair or designate; and

(b) The Director of Education or designate.

5.8.5 Notwithstanding the foregoing, the Chair is able to preside over a meeting electronically when:

(a) Weather conditions do not allow the Chair to travel to the meeting location safely; or

(b) The Chair cannot be physically present at the meeting for health reasons.

5.8.6 Subject to statutory or regulatory exemptions due to the current pandemic or otherwise, no more than half of Board or Committee meetings in a twelve (12) month period can be chaired electronically in accordance with Ontario Regulation 463/97.

5.8.7 All members participating via audio or video conference who are not speaking must use the mute function on their device. Members will make every effort to avoid disrupting a meeting by turning personal and electronic devices to a non-audible function, reducing all background noise (including audible sounds transmitted from placing a call on hold), and refraining from private conversations.

5.9 Presiding Officer

5.9.1 Unless specified otherwise in these Bylaws, the Chair of the Board (or Vice-Chair in the Chair's absence) and the Chair of a Committee (or Vice-Chair in the Chair's absence) will be the presiding officer for meetings of the respective Board or Committee. If a meeting of a Committee moves into closed session, the Vice-Chair will be the presiding officer.

5.9.2 If the Chair does not attend within five minutes after the time appointed for the meeting, the Vice-Chair shall preside during the meeting or until the arrival of the Chair. In the absence of both, the members shall come to order and a presiding officer shall be chosen by a majority of the members present and voting who shall preside during the meeting or until the arrival of the Chair or the Vice-Chair.

5.9.3 No member of the Board or Committee will preside at a meeting during the consideration of a motion when that member has declared a conflict of interest.

5.9.4 In the absence of the Director of Education, the presiding officer shall appoint a person to act as a secretary of the meeting.

5.10 Quorum

5.10.1 A quorum is the minimum number of members necessary to conduct a meeting which represents a majority of the members.

5.10.2 Where a member is participating electronically, their attendance will be included for quorum as long as they remain electronically connected to the meeting.

5.10.3 If a quorum is present, a meeting shall commence within fifteen (15) minutes of the meeting start time as shown in the agenda.

5.10.4 If a quorum is not present within fifteen (15) minutes after the scheduled start time shown in the meeting agenda, the names of the members present will be recorded and the meeting will be cancelled.

5.10.5 At a Board meeting, if a quorum is lost during the course of the meeting, the Board will stand in recess. If quorum cannot be re-established within fifteen (15) minutes of the Board recessing due to a loss of quorum, the Board will stand adjourned.

5.10.6 At a Committee meeting, if a quorum is lost during the course of the meeting, and the remaining members of the Committee determine that quorum cannot be re-established, the Committee will stand adjourned.

5.11 Acknowledgement of Traditional Lands

5.11.1 All Board and Committee meetings will include an acknowledgement of the Traditional Territories/Ancstral Lands of Aboriginal peoples recited by presiding officer or as the presiding officer may suggest.

~~1.3 — Notice of each regular meeting, accompanied by the agenda for the meeting, shall be delivered to each trustee at least 72 hours prior to the time the meeting is to take place. The Chairperson of the Board will publish an annual report of trustee attendance at Board Meetings and Standing Committee Meetings in December of each year.~~

~~1.4 — Meetings of the Board shall not extend beyond the hour of 10:00 p.m. unless by majority consent of all the members present. If, at that time, there is no quorum, the meeting shall forthwith be adjourned. In the event that the meeting continues past the hour of 10:00 p.m. and no motion to extend has been put, all business conducted after 10:00 p.m. shall be deemed to be regular.~~

~~1.5 — The in-camera portion of meetings of the board shall not extend past 11:00 p.m.~~

5.12 Debate/Voting

5.12.1 Members and participants in a meeting will address their comments through the Chair of the meeting.

5.12.2 Members shall not interrupt another member who has the floor, except as permitted hereunder or under Robert's Rules of Order (for example, to raise a point of order or question of personal privilege).

5.12.3 Members shall confine their comments to the merits of the motion being considered.

5.12.4 The Chair is entitled to move or second a motion, but only once they have passed the role of presiding officer to another member for the duration of the matter under consideration. The Chair will resume the role of presiding officer once the motion has been dealt with.

~~5.12.5 At any time before a motion is put to a vote, a member may request that the motion be read aloud.~~

~~5.12.6~~ 5.12.5 The mover of a motion shall be given first opportunity to speak. A member who has not spoken in debate has preference in recognition to speak over a member who has already spoken. At Board meetings, each member may speak twice, up to four minutes on the first occasion, two minutes on the second occasion, on each debatable motion. The Board may consider extending or limiting the time for debate at the commencement of the Board meeting or on any given motion, in accordance with the provisions of Robert's Rules of Order.

~~5.12.7~~ 5.12.6 At a Board meeting, a member who has not spoken to a motion may move that debate on the motion be closed and that the pending motion be put to a vote. Such a motion is not debatable. Before putting a motion to end debate to a vote, the Chair shall provide any member who has not spoken to the main motion with an opportunity to do so. It is expected that members will limit their comments on a motion to no longer than the predetermined amount of time as set at the time the motion is put forth.

~~5.12.8~~ 5.12.7 If a motion to end debate at a Board meeting will only pass on two-thirds (2/3) majority of the members present and voting is supported by majority. If the motion to end debate carries, no further debate can take place on the main motion and the Chair shall put the pending motion to a vote.

~~5.12.9~~ 5.12.8 Trustees who are not members of a Committee may attend any Committee meetings but are not entitled to debate or vote. Only Committee members may debate and vote at Committee meetings.

~~5.12.10~~ 5.12.9 A member, who is present and fails to vote on a motion, will be deemed to have abstained from voting.

~~5.12.11~~ 5.12.10 It is for members to declare their own conflict of interest and no other member may declare a conflict of another member. A member who declares a conflict of interest must abstain from voting, and will be recorded as abstaining due to a conflict of interest. When a member abstains due to a conflict of interest, their vote will be recorded neither for nor against the motion, and the number of members required to pass a vote will be reduced by the number of members with a declared conflict because the results of a motion are determined on the basis of the members present and voting.

~~5.12.12~~ 5.12.11 Before a motion is voted on, a member may request that a motion

containing divisible parts be voted on separately.

5.12.12 At any time before a motion is put to a vote, the Chair shall read the motion aloud.

5.12.13 When a motion is put to a vote, the Chair will first call votes in favour and then votes against. The Chair is entitled to vote on any motion, but it is expected that ~~typically~~ the Chair will typically abstain and only vote on a motion once all other votes have been counted and only if the Chair's vote would be determinative of the result of the motion. This is particularly applicable for the Board Chair and the Chair of the Committee of the Whole – Standing. It is expected that other Committee Chairs may choose to exercise their voting rights more often given the informal nature of committees.

5.12.14 After a vote is taken, the Chair shall declare whether the motion was carried or defeated.

5.12.15 A tie vote means the motion is defeated.

5.12.16 Votes taken at Board and Committee meetings ~~and at Committee meetings~~ [but not at Committee meetings?] may be recorded.

5.12.17 A student trustee is not a member of the board and is not entitled to exercise a binding vote on any matter before the board or any of its committees.

5.12.18 A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the Board or of one of its committees on which the student trustee sits, and if no member of the board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion.

5.12.19 A student trustee is entitled to require that a matter before the board or one of its committees on which the student trustee sits be put to a recorded vote, and in that case, there shall be a recorded non-binding vote that includes the student trustee's vote and a recorded binding vote that does not include the student trustee's vote.

5.12.20 Subject to the notice requirements as to a new Policy or an amendment to an existing Policy or to these Bylaws, any member present at a Board meeting, or at a Committee meeting on which the member sits, may move or second a motion related to an item on the Agenda, unless disqualified from participating due to a conflict of interest.

5.12.21 A motion that has been moved and seconded is considered to be on the floor and will be decided by a vote, unless withdrawn. A motion need not be seconded during a committee meeting, except during meetings of Committee of the Whole and Committee of the Whole – Standing.

5.12.22 A member who moved a motion may only withdraw it from consideration before the vote is taken on the motion if no other member present objects to the withdrawal.

Motions - Order of Precedence

5.12.23 When a motion is being considered, no other motion will be considered except a motion of precedence, as set out in RONR.

5.12.24 A motion of precedence may be introduced and will take precedence over any current motion under consideration. A chart outlining the precedence of common motions as stipulated in RONR is attached as Appendix "B". The chart is included for convenience and in the event of any conflict between the chart and the terms of RONR, the terms of RONR will govern.

5.12.25 If a motion of precedence is defeated, another motion of precedence to the same effect cannot be made until some other business has been taken up and decided.

Chair Ruling on Motion ~~1.4 Chairs Ruling and Appealing the Decision of the Chair~~

5.12.26 The Chair may rule a motion out of order, including if it is not within the jurisdiction of the Board, is contrary to the Education Act or regulations thereunder, is contrary to these Bylaws, is dilatory, frivolous, vexatious or contains no rational proposition.

5.12.27 If a Chair rules a motion out of order, the Chair shall state the rationale for the ruling. ~~The Chairperson shall decide all questions of order stating the rule on which a decision is based.~~

5.12.28 A ruling by The decision of the Chairperson that a motion is out of order is may be subject to appealed and will be reversed on a majority vote of the members present and voting. ~~A majority or tie vote sustains the decision of the Chair. A motion to appeal the decision of the Chair is debatable unless:~~

~~it relates to decorum or a breach in the rules of debate;~~

~~relates to the priority order of business; or~~

~~is moved when an undebatable motion is immediately pending or is involved in the appeal~~

Amendments to a Motion

5.12.29 A motion on the floor may be amended, except those motions that are not debatable or motions that are not amendable. Motions that are not amendable include:

(a) Appeal the ruling of Chair or presiding officer;

(b) End debate;

- (c) Postpone consideration of a motion indefinitely;
- (d) Reconsider a previous decision of the Board;
- (e) Temporarily suspend a provision of the Bylaws;
- (f) Lay a motion on the table;
- (g) Take a motion from the table; or
- (h) Withdraw a motion.

5.12.30 To be in order, an amendment must:

- (a) Directly relate to the motion it proposes to amend;
- (b) Propose some change in the substance or form of the motion; and,
- (c) Not be contrary to the main concept of the motion it proposes to amend.

5.12.31 The vote on the motion, an amendment and any amendment(s) to the amendment(s) will be taken separately and in the reverse order of that in which they were moved.

Motion to Refer

5.12.32 A matter may be referred to:

- (a) The Board;
- (b) Any Committee of the Board; or
- (c) The Chair of the Board; or
- (d) The Director of Education or designate.

Extending Meeting Time

5.12.33 Unless provided for otherwise in these Bylaws, no Board or Committee meeting will continue in session beyond 10 p.m., unless upon the consent of the majority of members present and voting, the meeting is extended for a defined period of time to finish debate on matters currently on the floor or to address any matter on the agenda that may be of an urgent or time sensitive nature. Additional motions to further extend the meeting time are in order. In

no case, will the meeting extend beyond 11 p.m.

Motion to Reconsider

5.12.34 Subject to the limits prescribed in RONR:

(a) a decision of the Board made earlier in an ongoing (current) meeting may be reconsidered on a motion without notice. A reconsideration motion may only be brought by a member who voted on the prevailing side of the previous motion.

(b) a previous decision of the Board cannot be reconsidered for at least twelve (12) months after the decision was made unless by resolution approved by a two-thirds (2/3) majority of the members present and voting and provided notice of the proposed reconsideration shall have been provided at the prior Board meeting.

Point of Order

5.12.35 A member may advise the Chair when they believe that a departure from the Bylaws, as supplemented by RONR, has taken place by raising a point of order.

5.12.36 Subject to certain exceptions as stipulated in RONR, a point of order must be raised promptly at the time of the alleged breach. A member may interrupt another member to raise a point of order.

5.12.37 The point of order in question must be clearly stated by the member.

5.12.38 The Chair shall decide on the point of order without debate.

5.12.39 The Chair may consult with the General Counsel and may declare a recess in order to consider the point of order.

5.12.40 A member may interrupt the meeting to introduce a motion to appeal the ruling of a Chair. A majority of members present and voting will overturn a ruling of the Chair.

5.12.41 If the appeal from the decision of the Chair results in a tie vote, the Chair's decision on the point of order will be upheld.

Questions of Privilege

5.12.42 Any member may raise a question of privilege, either a question of privilege affecting the Board, or a question of personal privilege.

5.12.43 Questions of privilege affecting Board include matters such as noise, comfort or safety. Questions of personal privilege affecting a member include the reputation or treatment of the

member or staff, as well as any member of the public and the member's ability to exercise rights and privileges.

5.12.44A question of privilege must be stated clearly and should include the remedy or resolution requested by the member.

5.12.45A question of privilege will not be in order if the remedy or resolution requested exceeds the power or ability of the Chair, Committee or Board.

5.12.46The Chair will decide on the question of privilege without debate.

5.12.47The Chair may consult with the General Counsel and may declare a recess in order to consider a question of privilege in order to make a decision.

5.12.48A member may appeal the ruling of a Chair on a point of privilege. A majority vote of members present and voting will overturn a decision of the Chair.

5.12.49If the appeal from the Chair's decision results in a tie vote, the Chair's decision on the question of privilege will be upheld.

Parliamentary Inquiry

5.12.50A member may ask a question about the rules of procedure relevant to any matter or issue before the Board. The Chair will answer the question if it would assist the member to make an appropriate motion, raise a proper point of order or understand the effect of a motion or ruling. The Chair is not obliged to answer hypotheticals. The Chair may consult with the General Counsel in providing an answer.

5.12.51The answer provided by the Chair is an opinion and is not subject to appeal. The member may act contrary to opinion and may then appeal any adverse ruling by the Chair.

Point of Information

5.12.52A member may ask a question directed to the Chair, or through the Chair to another member, for information relevant to the matter at hand but unrelated to parliamentary procedure.

1.3 Rules of Debate

~~Each member may speak twice, up to four minutes on the first occasion, two minutes on the second occasion, on each debatable motion. The maker of the motion shall be given first opportunity to speak. A member who has not spoken in debate has preference in recognition to speak over a member who has already spoken.~~

3.1 — Special Meetings

~~3.2 — Special meetings of the Board shall be at the call of the Chairperson, or on the written request of a simple majority of the Board. When special sessions are being scheduled, every attempt should be made to avoid conflicting with dates of other scheduled meetings of the Board or Committees. Written notice of an intended special meeting, accompanied by a statement of all the business intended to be transacted, must be delivered to the trustees 24 hours before the meeting is to take place. No other business shall be considered unless all members of the Board are present and unanimously agree. The 24-hour notification time limit may be waived by the Board Chairperson in the event of an emergency requiring Board action, and every attempt will be made to notify all trustees prior to the meeting. Special meetings shall not be considered "regular meetings" as described in the Education Act, 1998, Section 229.~~

~~By — Law #2 Rules of Procedure — Board~~**1.2 Notice of Motion**

~~Notice must be provided to bring forward any substantive motion to the Board to amend a Board policy, or to request the establishment of a new policy. Such notice shall be a minimum of five (5) days (including holidays and weekends and the day the notice is sent, excluding the day of the meeting). The notice, along with any supporting materials, shall be included in the agenda package.~~

~~Under extenuating circumstances where Board action is immediately required, notice may be waived, by a two thirds vote, so long as every attempt has been made to notify all trustees prior to its consideration.~~

*Preserved language is in blue

By-Law #3 - Public Presentations to Board and Committee Meetings [no substantial changes -now found in section 5.13]

~~1.0 — Introduction~~ 5.13 Public Participation in Meetings

~~1.1~~ 5.13.1 In keeping with ~~Durham District School Board Policy #1200—the Board's Policy on~~ Public Consultation, the ~~Durham District School Board~~ welcomes presentations by individuals and groups. Presentations shall be made in the first instance to the ~~Committee of Whole with the~~ Standing Committee.

~~1.2 — The following procedure shall apply in all cases:~~

~~2.0 — Approval to Present~~

~~2.1~~ 5.13.2 In Order to obtain permission to make a presentation to the Committee of Whole – Standing, ~~Each a presenter person must apply to present (see 3.1)~~ shall email the Director at least eight working days before the next scheduled meeting of the ~~Committee of Whole – Standing. committee (except as in 2.3 below).~~ A presenter to the Committee of Whole – Standing may also be invited to present at a Board Meeting, at the discretion of the Chair of the Board.

~~2.2~~ 5.13.3 ~~Application may be made to the Office of the Director.~~ Any application submitted to the ~~Office of the Director~~ shall be ~~sent forwarded~~ to the Chairperson of the ~~Committee of Whole - Standing Committee.~~

~~5.13.4~~ **~~3.0 — Submission~~**

~~3.1~~ ~~Any application~~ An email requesting permission to present to the ~~Committee of Whole - Standing Committee~~ shall state in detail:

- ~~(a)~~ State the matter to be discussed;
- ~~(b)~~ Include materials intended to be distributed to trustees;
- ~~(c)~~ Provide the name of any organization or interested party to be represented;
- ~~(d)~~ Confirm the authority of the spokesperson.

~~2.3~~ 5.13.5 Any application to present at the ~~Committee of Whole - Standing Committee~~ shall ~~may~~ be approved at the discretion of the Chairperson of the ~~Committee of Whole - Standing Committee~~ who shall:

~~(e) —~~ (a) determine if ~~the an~~ opportunity for presentation is available through any other public consultation process, which shall be utilized prior to approval being given;

~~(f)~~ process, which shall be utilized prior to approval being given for presentation in

~~the Boardroom;~~

~~(g)(b)~~ determine the date on which any approved ~~the presentation~~ shall take place;
~~Notwithstanding 2.1, the~~

~~(h)~~ Standing Committee Chairperson may waive the notice of eight working days in

~~(i)~~ certain situations;

~~(i)~~ ~~(c)~~ limit the number of presentations at any meeting to allow the
Committee of Whole - Standing Committee sufficient time to conduct its business.

~~(k)~~ time to conduct its business.

~~2.4~~ Approval to present at a Board meeting is at the discretion of the Chairperson of the Board.

5.13.6 The Chair may waive the eight working days' notice period.

~~3.2~~ 5.13.7 Presenters should use the appropriate format and protocol for presentations, available from the Director's Office.

~~3.3~~ The Chairperson of the Board or Standing Committee shall delay the distribution of any materials which may not be acceptable under Freedom of Information legislation or any other legislation.

~~3.4~~ 5.13.8 Anyone wishing to make a presentation shall be informed if the issue to be addressed will be discussed at any meeting of the Board or Committee of Whole - Standing Committee of the Board prior to her or his opportunity to present.

~~4.0~~ Presentations

~~4.1~~ Presentations shall be heard at all Standing Committee meetings commencing at 7:00 p.m. or as soon thereafter as is practicable.

~~4.2~~5.13.9 Presenters shall be limited to speaking not more than 15 minutes including time for questions. At the discretion of the Chair ~~person of the Committee of Whole - Standing~~, this may be extended for a specific amount of time or deferred to a later point in the meeting.

~~4.3~~5.13.10 Presenters shall be restricted to topics outlined in the application.

~~5.0~~ Decisions

~~5.1~~5.13.11 One or more presentations on a topic do not necessarily lead to a Committee of Whole - Standing Committee or Board decision. ~~The Standing Committee Chairperson shall direct presenters to any added sources of information if appropriate. The topic of a presentation should not be debated by Trustees unless and until it is on an agenda.~~

~~5.2 If a presentation raises one or more issues that require decision, the Standing Committee shall deal with the issue(s) at the Board Meeting following the presentation. Any exceptions to this rule shall be at the majority vote of the Standing Committee.~~

~~5.3 When a decision is required on the topic raised by a presentation, presenters shall be notified in writing of the meeting at which the decision is to be made or a staff report is to be considered.~~

~~5.4 If a presentation is approved by the Chairperson of the Board and placed on a Board Meeting agenda, issues raised by the presenters that require decision may be referred to a committee or placed on a future Board agenda.~~

~~5.5 If items are referred by the Board, the Standing Committee shall deal with each item as soon as possible after such referral.~~

6.0 Public Question Period

6.1 5.13.12 In addition to appearing before the Board as a delegation, members Members of the public ~~are invited to~~ may also pose questions of a general nature or regarding Board processes to the Board at ~~all any r~~ Regular Board M meetings.

6.2 5.13.13. The Board encourages questions on a wide variety of topics, while making sure that adequate time is available for regular business. The Chair ~~person~~ shall establish time limitations as necessary to achieve these objectives and may group together questions of a similar nature.

6.3 5.13.14 Subject to the discretion of the Chair, ~~q~~ Questions will ~~shall~~ not be entertained if they relate to a matter which is under consideration by the Board and for which another public input and questioning process is available (e.g. school boundaries, accommodation reviews, school naming).

6.4 5.13.15 The following procedure applies to public question period:

~~(h)~~ (a) Each person shall be allowed to ask one question and one supplementary question.

~~(m)~~ (b) Before the beginning of the Board meeting, the Questioner shall submit the question in writing to

~~(n)~~ (c) ~~†The Manager-Executive Officer~~ of Communications;

~~(e)~~ (d) The Questioner shall be called to the podium;

~~(p)~~ (e) The Questioner or, if the Questioner prefers, the Chair ~~person~~, shall read the question;

~~(q)~~ (f) The question shall be addressed by the Chair ~~person~~ who may direct staff to

answer;

~~(+)(g)~~ The Questioner may ask a supplementary question for clarification;

~~(s)(h)~~ Questions to individual trustees will not be addressed at public question period; -

•(i) Individual Trustees will not respond or comment on questions posed.

*Preserved language is in blue

By- Law #4 - Standing Committee [Substantial changes to Bylaws 4- 7 dealing with Committees – now found in section 4]

SECTION 4: COMMITTEE STRUCTURE AND COMPOSITION

4.1 Approval of Committees

4.1.1 The Board shall consider and approve the Board's Committee structure and composition on an annual basis at the Organizational Meeting and as otherwise may be deemed appropriate by the Board.

4.2 Committee of the Whole and Committee of the Whole - Standing

4.2.1 The Committee of the Whole will be composed of all Trustees with full participation and voting privileges.

4.2.2 The term of the Committee of the Whole will coincide with the term of the Board.

4.2.3 During a Board meeting, the Board may convene into Committee of the Whole by majority vote of members present and voting to consider matters in closed session, as permitted under section 207 of the Education Act, or for any other reason the Board may deem appropriate. In any such case, the presiding officer for the Committee of the Whole will be the Vice-Chair of the Board.

1-04.2.4 The Board shall meet as a Standing Committee of the Whole shall also meet regularly on the first (1st) Monday of the month (which shall be referred as "The Committee of Whole – Standing"). Should the date of such a Standing Committee meeting fall on a statutory, civic, or school holiday, the meeting will be held on the Tuesday of the same week or the Monday of the following week. All Trustees shall sit on the Standing Committee.

1-14.2.5 A Chairperson and Vice-Chairperson of the Standing Committee of Whole - Standing shall be elected at the Inaugural Organizational Meeting of the Board. The presiding officer for any closed session of the Committee of the Whole -Standing shall be the Vice-Chair of the Committee.

1-24.2.6 There will be a quorum for Standing Committee of the Whole – Standing meetings. A trustee who cannot attend a meeting should so notify the Trustees' Office Administrative Assistant as early as possible.

1.3 The Standing Committee shall have access to all board information and the assistance of appropriate staff. The allocation of staff resources is the responsibility of the Director and is monitored by the Director. Where the service required by the Standing Committee necessitates more staff time than can be made available, this situation is to be referred by the Standing Committee Chairperson to the attention of the Board Chairperson for consultation with the Director.

~~1.4 The Standing Committee of the Board shall be dissolved as the Board directs.~~

~~1.5 Tasks assigned to the Standing Committee, if incomplete on the dissolution of the Committee, shall be completed in the succeeding year by the Standing Committee.~~

~~2.0 — Terms of Reference — Standing Committee~~

~~2.14.2.7 It is the function of the Committee of Whole - Standing Committee to consider and debate matters in a more informal way than may available at Board meetings and provide to the Board, in concise form, relevant information and recommendations. Presentations to the Standing Committee are welcomed. The individual or group shall follow the guidelines for "Public Presentation to Board and Standing Committee Meetings" as outlined in By-Law #3. It is necessary that the functions of the Standing Committee to be complementary to the work of the Board and Administration. Except for matters considered in closed sessions, any and all resolutions of the Committee of Whole – Standing shall be set out in a numbered list as an appendix to the minutes and shall be referenced by the Board when it moves to adopt any such resolution.~~

~~4.2.8 Public Presentations to the Committee of Whole - Standing Committee are welcomed. The individual or group seeking to make a presentation shall follow the guidelines for "Public Presentation to Board and Standing Committee Meetings" process and rules set out in as outlined in these Bylaws #3. It is necessary that the functions of the Standing Committee to be complementary to the work of the Board and Administration.~~

~~3.0 — Responsibilities of Standing Committee~~

~~4.2.9 The terms of reference of the Committee of the Whole – Standing are as follows:~~

~~3.1 a) Evaluate and promote the educational programs of the Board and make recommendations to the Board with respect to the operation, amendment, addition or deletion of, or to, the same.~~

~~3.2 b) Conduct, from time to time, studies of existing or proposed educational programs of this or other Boards and report to the Board thereon.~~

~~3.3 c) Receive and seek representations and opinions from staff, area residents, and others, with respect to the educational programs of the Board, both specific and general, to assist in its responsibilities Board policy, including proposed new policy or a proposed amendment to an existing policy.~~

~~3.4 d) Receive reports regarding curriculum development, implementation, and assessment projects.~~

~~3.5 e) Receive and consider communications regarding curriculum issues from agencies, councils, commissions, associations, and societies.~~

3.6 f) Consider other matters involving the Board, including, but not limited to, curriculum, facilities and Employee Relations, and make recommendations to the Board as required.

~~By-Law #54.3~~ ~~–s~~Statutory Committees

~~1.0 — Obligation to Establish and Maintain~~

4.3.1. ~~Statutory Committees are those committees that~~ The Board must shall establish Statutory Committees and maintain in accordance with as called for in the Education Act and the Regulations made thereunder including.: -

(a) Audit Committee;

(b) Parent Involvement Committee;

(c) Special Education Advisory Committee;

(d) Supervised Alternative Learning Committee(s);

~~(d)~~(e) Accommodation Review Committees.

~~2.0 — Special Education Advisory Committee~~

~~The Durham District School Board shall establish and maintain a Special Education Advisory Committee in accordance with Regulation 464/97 — Special Education Advisory Committees.~~

~~3.0 — Supervised Alternative Learning Committee~~

~~The Durham District School Board shall establish and maintain a Supervised Alternative Learning Committee in accordance with Regulation #374/10 — Supervised Alternative Learning.~~

~~4.0 — Accommodation Review Committees~~

~~The Durham District School Board shall establish (when necessary) an Accommodation Review Committee in accordance with the Ministry Pupil Accommodation Review Guidelines.~~

~~5.0 — Parent Involvement Committee~~

~~The Durham District School Board shall establish a Parental Involvement Committee in accordance with Student Achievement and School Board Governance Act, and Regulations.~~

~~6.0 — Audit Committee~~

~~The Durham District School Board shall establish an Audit Committee in accordance with Ontario Regulations.~~

4.3.2. The mandate, membership composition and terms of reference for Statutory Committees shall be governed by applicable legislation and regulations.

4.3.2.4.3.3. The term of appointment of Trustees on the Audit Committee shall be for a two-year term, effective December 2022.

4.4 Additional Standing Committees~~By-Law #6 – Non-Statutory Committees~~

1.0 – Non-Statutory Committees shall be established as necessary by the Board.

~~1.1 – The function, membership tenure, mandate, and reporting relationship of each committee shall be established as appropriate.~~

2.0 – Education Finance

~~2.1 – The Chairperson of the Education Finance Committee shall be elected at the Inaugural Meeting of the Board.~~

~~2.2 – The Chair of the Education Finance Committee will be responsible for communicating with the Superintendent of Education/Business and Treasurer, facilitating the introduction of issues to the Standing Committee as the issues relate to Section 4.0 of this By-Law.~~

- 4.4.1 There shall be an Education Finance Standing Committee, a Governance and Policy Standing Committee, and a Director's Performance Review Standing Committee, the membership and terms of reference of which are as follows:

Education Finance Standing Committee:

~~2.3 a)~~ Develop and maintain the procedures by which the Board establishes budget objectives and audits the budget expenditures; _-

~~2.4 b)~~ When deemed necessary by the Board, study and recommend to the Board desirable changes in the Board's financial system; _-

~~2.5 c)~~ Recommend to the Board expenditures other than those within the Budget; _-

~~2.6 d)~~ Consider~~s~~ and recommend~~s~~ to the Board the annual Budget; _-

~~2.7 e)~~ Review the annual financial statement and all expenditures, revenues, trust, capital account reserves, and investment reports; _-

~~2.8 f)~~ Consider the annual transportation budget; _-

g) All trustees are eligible to sit on the committee; the Chairperson and Vice-Chairperson shall be elected annually at the Organizational Meeting. -

Governance and Policy Standing Committee:

- To ensure all of the Board's policies are up-to-date, accurate and consistent with the current legislation and government requirements;
- To ensure that the Board of Trustees review policies at least once every five years or when required by a new legislative act or regulation, new government policy, resolution of the Board or as recommended by staff;
- To develop policies that are developed with evidence-based data, equitable and reflect the board's vision, values and strategic plan;
- Monitor the effectiveness of board policies through consultation and evidence based data;
- Monitor the effectiveness of Board policies in addressing human rights and equity in consultation with the Human Rights and Equity Advisor, through the Director of Education;
- Report and make recommendations to the Board of Trustees on governance and board policies;
- Review Bylaw/Policies for ad-hoc committees and develop/review/document procedures (document mandate, clearly identify quorum, membership);
- The committee shall meet at least twice annually;
- All trustees are eligible to sit on the committee. The Chairperson and Vice-Chairperson shall be elected annually at the Organizational Meeting.

Director's Performance Review Standing Committee:

a) As set out in the Director's Performance Review Policy

4.5 Advisory Committees

4.5.1 There shall be an Equity and Diversity Advisory Committee and an Indigenous Advisory Committee (which shall be referred to as the Indigenous Advisory Circle).

4.5.2 The purpose of these Advisory Committees is to consider any matter within the jurisdiction of the Board that the committee may deem appropriate and to make policy recommendations to the Board. The membership and composition of these committees, as well as the election of a chair, shall be left to the committee but

members shall include at least one Trustee and/or staff member, at the discretion of the Advisory Committee.

4.6 Additional Committees

4.6.1 In addition to any committees established under these Bylaws, the Board may by resolution, establish any Standing Committee, Ad Hoc eCommittee or Advisory Committee as it may deem appropriate at any time, subject to these Bylaws and any applicable legislation. The Board shall stipulate, by resolution, the terms of reference for any such Standing Committee or Ad Hoc Committee stipulating the mandate and membership of the Committee. The Board may, by resolution, seek the recommendation from a Standing Committee or Ad Hoc Committee on the appropriate terms of reference for the committee.

4.7 Committee Structure

4.7.1 The members of standing committees and ad hoc committees shall be Trustees. The members of a statutory committee are as stipulated by legislation or regulation.

4.7.2 The members of an advisory committee may include Trustees, Student Trustees, staff members and members of the community, but shall include at least one trustee or staff member.

4.7.3 The chair of an ad hoc committee or standing committee may be determined by the Chair of the Board, the Board or, failing which, by the committee. The chair of an advisory committee shall be determined by the committee.

4.7.4 The Director shall assign one (non-member/non-voting) senior staff person to every ad hoc and standing committee and any other (non-member/non-voting) staff person(s) that the Director, in consultations with the Chair of committee, may deem appropriate.

4.7.5 If there is no staff person on an advisory committee, the Director shall assign one (non-member/non-voting) senior staff person and any other (non-member/non-voting) staff person(s) that the Director, in consultation with the Chair of the committee, may deem appropriate.

4.7.6 Except for any committee established under these Bylaws or Board Policy, the Board may dissolve any standing or ad hoc Committee at the Organizational Meeting or by resolution at any time as the Board may deem necessary or appropriate, subject to applicable legislation. Committees constituted under these Bylaws or Board Policy may only be dissolved by an amendment or revocation of the applicable provisions in these Bylaws or Board Policy, as the case may be. The terms of reference of any standing committee or ad hoc committee not established in these Bylaws or in a Board policy may be amended by ordinary resolution.

4.7.7 Committees are not decision-making bodies and may only make recommendations to the Board. Ad Hoc committees report to, which they shall typically do through the Committee of Whole - Standing. Standing committees report to the Board of Trustees.

4.7.8 A Trustee who is not a member of a Statutory Committee, Standing Committee or Ad hoc committee cannot move a motion, vote or be counted towards quorum, but may attend any such committee meeting.

4.7.9 Once an ad hoc committee has satisfied the terms of reference, it shall report to the Committee of Whole – Standing confirming that it has satisfied the terms of reference at which point it shall be automatically dissolved.

~~By Law #7—Ad Hoc Committees~~

~~1.0—Name and Origin~~

- ~~• 1.1—This By-Law is implemented by the Durham District School Board to regularize the structures and practices of the ad hoc committees created by the Board.~~

~~2.0 Chairperson of Committee~~

~~The Chairperson may be designated by the Board or the Chairperson of the Board. If the Chairperson has not been designated by the Board or the Chairperson of the Board, the Chairperson of each ad hoc committee shall be chosen by the members of the ad hoc committee.~~

~~3.0—Membership, Structure, and Tenure~~

~~3.1—Membership~~

~~Members of an ad hoc committee shall be trustees. The Director shall assign a senior staff person to every ad hoc committee and any other staff needed would be seconded by the senior staff person assigned. The ad hoc committee may seek additional input from other resource people.~~

~~3.2—Tenure~~

~~Trustees shall remain members of the ad hoc committee until the specified task is completed. The Committee, by resolution, may add members to the committee as the need arises. At the completion of the specified task, which would normally be the presentation of its final report, the committee would automatically cease to exist.~~

~~4.0 Mandate~~

~~The mandate of any ad hoc committee is to carry out a specified task as charged by the Board through resolution.~~

~~5.0—Reporting on Ad Hoc Committees~~

~~5.1 — Reporting Relationship~~

~~An ad hoc committee reports to the Standing Committee through the chair of the ad hoc committee~~

~~5.2 — Board Agenda~~

~~A list of ad hoc committees currently at work shall be included in the regular Board agenda.~~

*Preserved language is in blue

By-Law #8 - Filling Trustee Vacancies on The Board of Education [no substantial changes – now found in section 6]

SECTION 6: FILLING TRUSTEE VACANCIES

6.1 The Education Act

~~a) Background~~

~~b) 6.1.1 Section 221 of the Education Act, 1998, allows provides for the a Board to fill a trustee vacancy by either of two means:~~

i. requiring the municipality to hold a by-election, or

ii. appointing a qualified person (as defined in the *Education Act*) to the position, within 90 days of the office becoming vacant. The method of appointment is not specified in the Act.

~~c) 6.1.2~~ A by-election may not be held after March 31 in an election year (i.e., within approximately 8 months of a regularly scheduled municipal election). All costs for a by-election are borne by the Board (subsection 7(3) Municipal Elections Act, 1996).

~~d) The method of appointment is not specified in the Act (Section 221(1)(a)).~~

~~e) The Following Steps/Decisions Need to be Considered:~~

~~f) By-Election or Appointment:~~

6.2 Vacancy Committee

6.2.1 In the event of a vacancy, the Board shall establish a Vacancy Committee to consider and determine the means of filling the vacancy.

~~6.2.2. a) If by-election, the matter is virtually out of the hands of the Board and is the responsibility of the municipality. The process for filling a vacancy in this manner takes approximately 2-1/2 months. All members of the Board are eligible to sit on the Vacancy Committee which shall be made up of at least half of the members of the Board. The Vacancy Committee shall obtain and consider information regarding the implications of holding a by-election, including previous election results and estimated costs, will be provided to the Board.~~

~~b) If appointment, the Education Act requires the vacancy to be filled~~

within ninety days after the office becomes vacant. The Board, will by special motion, establish an Appointment Committee with the authority to interview and appoint. The Committee must have quorum of the Board.

g) Qualifications:

a) The Education Act, 1998, Section 219(1) specifies the qualifications necessary to be elected as a member of a Board (and, presumably, to be appointed):

- qualified to vote for members of the Board
- a resident in the area of jurisdiction of the Board
- disqualifications are outlined in the Education Act, 1998 Section 219(4)(5)(7).

h) 6.2.3 For the appointment, there are two options: (i) The Board may choose to appoint one of the unsuccessful trustee candidates from the last municipal election in the vacated electoral area providing the candidate remains a qualified person as defined under the Education Act; or (ii) If the Board chooses to offer the position to a consider a broader range of electors for the appointment in which case, the following actions will occur:

a) Advertising

The vacancy shall be advertised in all the local papers.

b) Applications

- Individuals interested in the position shall be required to submit in writing an application for the position, to be received by the Secretary to the Board.
- The Appointment Committee shall establish a deadline for the appointment process.

c) Information Required

Applicants shall be asked to provide the following information:

- i. confirmation of eligibility ~~as per Section 2.2 (a);~~
- ii. why they are interested in the position;
- iii. background, interests, experience, concerns;

- iv. other information they think is pertinent.

Application material shall be copied and distributed to all trustees at least 48 hours prior to an interview date.

d) Information Provided

Upon written or verbal indication from an individual that she/he intends to apply for the position, a package of information shall be made available for pick-up from the Trustees' Secretary, as follows:

- i. Durham District School Board Facts Folder;
- ii. By-Law #8 - Responsibilities and Code of Conduct;
- iii. Schedule of Board and Committee Meetings;
- iv. Committee Membership List.

e) Interviews

- i. The Appointment Committee shall establish the interview date and the schedule of interviews.
- ii. Only candidates who have submitted written applications by the deadline date shall be interviewed. Interviews shall be conducted in the Board room. All trustees shall be invited to participate in the interviews. Trustees shall be asked to indicate their intentions about their attendance and participation in the interviews. Each candidate shall be requested to address the Board for up to five minutes, and to respond to questions from the trustees for up to five minutes. Interviews shall be conducted on the Monday of the Board meeting, arranged so that all interviews shall be completed by 4:30 p.m. If an inordinate number of candidates is to be interviewed, a second day for interviews shall be determined by the Chairperson, after consultation with trustees. If a quorum of trustees is present for the interviews, the interviews shall be conducted as part of a special Board meeting. Should a quorum of trustees not be present, those present shall form a Selection Committee which shall make a recommendation to the Board. The chairperson of the Board or designate shall preside over the interviews and be responsible for adhering to the timelines. The interviewing process shall be open to the public. Candidates shall be advised of their right to attend any or all interviews.

f) Voting

- i. Only trustees present for all interviews are eligible to vote.
- ii. Voting shall be by secret written ballot.
- iii. The Director and Superintendent of Education/Business and Finance shall count the ballots.
- iv. On the first ballot, trustees shall vote for three (3) candidates. (Any ballot without three names shall be considered a spoiled ballot).
- v. The ten (10) candidates achieving the greatest number of votes shall proceed to the second ballot. Their names shall be posted in the Board Room. Any candidate who does not receive any votes will be dropped from subsequent voting.
- vi. On the second and subsequent ballots, trustees shall vote for only one (1) candidate.
- vii. Voting shall continue, and on each subsequent vote the candidate(s) receiving the lowest number of votes shall be dropped from the ballot until one (1) candidate receives at least a simple majority of votes cast., except on the first ballot.
- viii. Any candidate who does not receive any votes will be dropped from subsequent voting. This shall also apply to all subsequent ballots.
- ix. In the event of a tie, a second ballot shall be cast. If a tie remains, the decision shall be determined by lot.
- x. Following the swearing in of the successful candidate, all ballots shall be destroyed.

g) A recommendation shall be brought forward ~~to the Board in the~~ Committee of the Whole (closed session) to approve the appointed ~~candidate~~. All trustees are eligible to vote on the recommendation. ~~of the selection committee~~. The person shall be advised by telephone of the Board's decision.

h) The appointed candidate shall attend the next Board meeting at the beginning of the public session to be sworn in.

Preserved language is in blue

By-Law #9 - Trustee Determination and Distribution [No substantial changes – now found in section 7]

SECTION 7: TRUSTEE DETERMINATION AND DISTRIBUTION

7.1 The Durham District School Board (“DDSB”) is a statutory corporation under section 58.5 of the Education Act, R.S.O. 1990, C. E.2, (the “Education Act”). The Board of Trustees is the governing body of the DDSB. The duties and powers of the Board of Trustees are as set out in the Education Act. Decision making authority rests with the Board of Trustees as a single body, not with individual trustees.

7.2 The number and distribution of elected trustees is determined pursuant to the provisions of the Education Act and the regulations thereunder.

Preserved language is in blue

By-Law #10 - Durham District School Board Responsibilities [largely deleted – a few key statements on this topic are now in Section 2]

SECTION 2: ROLES AND RESPONSIBILITIES

2.1 Board of Trustees

~~2.1.1 The Education Act provides for the establishment of locally elected school boards responsible for operating publicly funded schools within their jurisdiction and for the delivery and quality of educational programs and services. Legal accountability for board decisions applies~~
The Board of Trustees is the governing body of the DDSB. Decision-making authority for matters before the Board of Trustees rests with to the Bboard, as a corporate entity rather than to whole, and not with individual trustees.

~~The Durham District School Board's major areas of responsibility are:~~

~~1.0 — Accountability for Student Achievement and Well Being in the District~~

~~1.1 — Nurture a culture that supports student academic success and provides an environment that promotes well-being.~~

~~1.2 — Provide a safe environment to promote student learning.~~

~~1.3 — Promote effective educational programming for all students in the district. 1.4~~

~~—— Make decisions that reflect the belief that all students can learn~~

~~1.5 — Use student achievement data to make informed decisions~~

~~1.6 — Foster a professional climate that puts educators in the role of champions of their students.~~

~~2.0 — Accountability to the Provincial Government~~

~~2.1.2 Act in accordance with~~
The Board of Trustees is required to carry out its mandate as stipulated in the Education Act, and in particular, as set out in Section 169.1(1) Regulations, and other statutory requirements to ensure the implementation of provincial and education standards and policies.

~~2.2 — Perform Durham District School Board functions required by provincial legislation and board policy.~~

~~2.3 — Provide advice and input to the Ministry of Education regarding relevant issues.~~

3.0 — Accountability to the Community

- ~~3.1 — Promote community consultation and outreach that seeks and provides communities at large with opportunities for input and the exchange of ideas~~
- ~~3.2 — Recognize the role of individual Trustees as advocates and as liaisons for their communities~~
- ~~3.3 — Annually review the communication plan to ensure that the district is fulfilling its commitment to communicate with the community at large.~~
- ~~3.4 — Provide two-way communications between Durham District School Board, Special Education Advisory Committee (SEAC) and School Community Councils.~~
- ~~3.5 — Support the growth and development of the district Parent Involvement Committee.~~
- ~~3.6 — Provide reports outlining district results in accordance with provincial policy.~~
- ~~3.7 — Develop district processes to hear appeals in accordance with appropriate statutes and district policies.~~
- ~~3.8 — The Audit Committee is accountable to the Board of Trustees.~~

4.0 — Policy Development, Implementation and Review

- ~~4.1 — Develop policies that outline how the district will successfully function.~~
- ~~4.2 — Ensure the processes for policy development, implementation and review comply with the Board Policy on Policy Development and Implementation.~~

5.0 — Director/ Board Relations

- ~~5.1 — Select the Director of Education.~~
- ~~5.2 — Provide the Director with a clear job description and corporate direction.~~
- ~~5.3 — Delegate through policy, administrative authority and responsibility subject to the provisions and restrictions of the Education Act and Regulations.~~
- ~~5.4 — Evaluate the Director in the first year of service and annually thereafter. Use the Director's job description and Durham Directions as the basis for the evaluation.~~
- ~~5.5 — At the Director's request provide the Director with the opportunity to meet alone with the board in closed session.~~
- ~~5.6 — To establish and review the contract of the Director and in consultation with the Director, the senior staff.~~

6.0 — Board Development

~~6.1 — Conduct an annual Board self assessment.~~

~~6.2 — Develop and support an annual development plan for trustees with the ability to utilize professional resources where applicable.~~

7.0 — Strategic Planning

~~7.1 — Establish and/or confirm overall direction for the Durham District School Board by establishing the mission, vision and belief statements. (Durham Directions)~~

~~7.2 — Annually set priorities and develop a process for communicating this with the system.~~

~~7.3 — Annually use the established priorities to drive the budget process.~~

8.0 — Fiscal Responsibility

~~8.1 — Ensure a budget review process is in place to help determine annual resource allocations. (Use the system priorities and other provincial and local directions.)~~

~~8.2 — Annually approve the budget to ensure that the financial resources are allocated to achieve the system priorities and comply with provincial requirements.~~

~~8.3 — Approve as per legislation all capital plans and other planning documents that will drive budget decisions.~~

~~8.4 — To ensure compliance with the provincial regulations.~~

~~8.5 — Ratify applicable Memoranda of Agreements with all bargaining units.~~

~~8.6 — To monitor significant financial expenditures and fiscal variances.~~

9.0 — Political Advocacy

~~9.1 — Articulate the role of Trustees as advocates for public education~~

~~9.2 — Annually develop a plan, including the focus, key messages, mechanisms, and relationships for district advocacy.~~

~~9.3 — Develop and maintain partnerships to strengthen the advocacy role.~~

~~9.4 — Meet on an on going basis with elected municipal, provincial and federal officials.~~

10.0 — Recognition

~~10.1 — Ensure that Durham District School Board recognizes students and student achievements~~

~~10.2—Ensure that the contributions of all staff are recognized and appreciated.~~

~~10.3—Ensure that Durham District School Board recognizes community members and volunteers.~~

~~The board also has the following responsibilities:-~~

~~1.——Approval of school year calendars~~

~~2.——Naming of educational facilities~~

~~3.——Approval of tender selection for major building construction and modernization~~

~~4. Approval of disposition of land and buildings 5.~~

~~——Approval of educational development charges~~

~~6.——Approval for the issuance of debentures~~

~~Page 2 of 3~~

~~7.——Designation of the “lead” for Freedom of Information and Protection of Privacy~~

~~8.——Involvement in Superintendent interviews as per succession plan model.~~

2.1.3 Board members shall each comply with the provisions of section 218.1 of the Education Act and the DDSB’s Member Code of Conduct.

2.1.4 The DDSB’s Member Code of Conduct is attached to these Bylaws as Appendix “A”.

*Preserved language is in blue

By-Law #11 – Trustee Responsibilities [largely deleted – role of chair/vice-chair addressed in sections 2.2. and 2.3; Trustee responsibility is addressed in the Code of Conduct]

2.2 Chair/Vice-Chair

~~1.0~~ Areas of Responsibility

~~Trustee Responsibilities~~

- ~~• Articulate the Board's vision for education~~
- ~~• Establish and monitor Board policy based on vision and provincial policy~~
- ~~• Establish a budget and monitor its implementation~~
- ~~• Provide, equip and maintain schools~~
- ~~• Hold schools accountable for the results achieved by students~~
- ~~• Employ and compensate staff~~
- ~~• Provide equity of program for all students throughout the Board~~
- ~~• Advocate for public education.~~

~~Principles of Policy Governance~~

- ~~• The Board of trustees as a body has the responsibility to serve the general public rather than groups of the population or the professionals whom the Board employs.~~
- ~~• The Board of trustees exists to govern the school system, not manage it.~~
- ~~• The Board of trustees has multiple and varied responsibilities, but involvement in the details of these concerns should never displace students as the central focus of the system.~~

~~1.1~~ Trustees

~~In addition to the responsibilities set down in the Education Act and incorporated in the Bylaws and procedures of the Board, an individual Trustee shall be expected to:~~

- ~~a) Attend regular Board Meetings;~~

- ~~b) — Serve on statutory, regulatory, and ad hoc committees of the Board as required;~~
- ~~c) — Notify the Secretary of the Board when unable to attend a meeting;~~
- ~~d) — Safeguard and keep confidential, materials and information discussed or placed in confidence with trustees in Committee of the Whole in Camera or through other venues;~~
- ~~e) — Be prepared for, and actively participate in, discussion and decision making;~~
- ~~f) — Ensure, when making public statements, that it is clear whether she/he speaks on behalf of the Board or as an individual Trustee;~~
- ~~g) — Exercise her/his power to govern only as a trustee of the corporate body, not as an individual;~~
- ~~h) — Be aware that she/he can be held personally liable if she/he is guilty of bad faith, neglect, or willful or malicious use of power.~~

~~Trustees as full participating members of the Board may be expected to:~~

- ~~i) — Act as a representative of the Board at official functions;~~
- ~~j) — Be involved in provincial Trustee organizations and committees;~~
- ~~k) — Consult and communicate with ratepayers, community and business organizations regarding Board activities.~~
- ~~l) — Attend conferences, workshops, etc., in order to be kept informed of current educational issues;~~
- ~~m) — Reflect community attitudes while also providing leadership in decision making.~~
- ~~n) — Chair community meetings in their representative areas. Trustees~~

~~shall be expected to model ethical practices which include:~~

- ~~o) — Making decisions in a manner which is open, accessible and equitable;~~
- ~~p) — Approaching all Board issues with an open mind, and being prepared to make the best decisions for the organization as a whole;~~
- ~~q) — Respecting different points of view;~~
- ~~r) — Conducting Board business through appropriate channels;~~

- s) ~~Ensuring that public office is not used for personal gain; t)
 ~~Protecting the integrity of the Board.~~~~

1.2 ~~Chairpersons of the Board shall be expected to:~~

- a) ~~Organize the agenda for Board meetings:

 - ~~schedule delegations and presentations~~
 - ~~follow up on Board directions~~
 - ~~speak with press~~
 - ~~chair meetings of the Board in an impartial manner, facilitating deliberation and resolution;~~~~
- b) ~~Consult with individual trustees, chairpersons of committees, and to
 resolve problems. Be well informed and prepared;~~
- c) ~~Sit as a voting member of the hiring committee for Supervisory Officers and
 other staff appointments as required;~~
- d) ~~Represent the Board at school/community events as an advocate for
 public education and communicator of corporate Board Policy;~~
- e) ~~Liaise with local municipalities, organizations, MP's, MPP's, Federations;~~
- f) ~~Will be the primary contact for public speaking engagements, interviews;~~
- g) ~~Sign contracts, respond to mail and phone calls, consult with the Director and
 staff on issues;~~
- h) ~~Organize, in consultation with trustees and staff, the Board committee
 structure and representation on committees;~~
- i) ~~Be involved in workshops for professional development for trustees;~~
- j) ~~Organize the selection of a new Director (as required); k)
 ~~Prepare the evaluation of the Director;~~~~
- l) ~~Attend meetings of Chairpersons with the Minister of Education and
 Training;~~
- m) ~~Perform the responsibilities of a local trustee;~~

n) — Counsel and guide fellow trustees in private and in confidence. —

2.2.1 The Chair of the Board of Trustees, as an individual member, has no greater rights or powers than any other member of the Board but does have a unique role as expressly set out in the *Education Act*.

2.2.2 Consistent with the terms of s.218.4 of the *Education Act*, tThe role of the Chair of the Board of Trustees (or Vice-Chair in the Chair's absences) is as set out in the *Education Act* ad is to:

1.3 — Vice-Chairperson of the Board shall be expected to:

a) — Perform the duties of the Chairperson in her/his absence; —

(a**b**) Preside over Board meetings of the Board in an impartial and fair manner; when the Chairperson is absent or challenged;

e**b**) Assume special duties as requested by the chairperson of the Board Conduct meetings in accordance with these Bylaws;

d) — Chair Committee of the Whole In Camera Meetings; e) —

— Chair Standing Committee Meetings;

f**c**) Organize Establish draft the agendas for Standing Committee Board meetings in consultation with the Director;

(d) Ensure the members of the Board have the information needed for informed discussion of the agenda items;

(e) Act as spokesperson to the public on behalf of the Board, unless otherwise determined by the Board; . -

(f) Convey the decisions of the Board to the Director; and

(g) Provide leadership to the Board in maintaining the Board's focus on the Multi-Year Strategic Plan and the Board's mission and vision; and

(g)**h**) Assume such other responsibilities as may be assigned by the Board of Trustees.

1.42.3 Committee Chairperson of the Standing Committee or Vice-Chair

2.3.1. A The role of the Committee Chairperson (or Vice-Chair in the Chair's absence) shall be expected is to:

(a) Be knowledgeable about Robert's Rules of Order and Parliamentary Procedure Preside over meetings of Committee in an impartial and fair manner;

- ~~(b) Chair public meetings of the Standing Committee, encouraging participation while maintaining control~~ Establish agendas for Committee meetings, in consultation with the Director;
- ~~(c) Consult regularly with appropriate Liaison Trustees, Superintendents and staff members to prepare the agenda for each meeting and to stay informed on relevant issues~~ Conduct meetings in accordance to these Bylaws;
- ~~(d) Approve the minutes of the meeting before they go to Board~~ Ensure that members of the Committee have the information need for informed discussion of the agenda items;
- ~~(e) Represent the Standing Committee at Board Meetings, presenting motions passed by the Standing Committee and answering questions~~ Liaise with the Director to bring forward Committee recommendations to the Board, or to the Committee of the Whole – Standing, through a staff report delivered on behalf of the Committee.;
- f) — Be knowledgeable about Board Policy and Ministry Regulations; —
- g) — Inform all trustees and appropriate staff members of meeting dates, times, and locations; distribute agenda and back-up material;
- h) — Represent the Standing Committee to employee and community groups and at public functions;
- i) — Participate in conferences and workshops related to the Standing Committee's work;
- j) — Follow up on items sent to the Standing Committee from the Board, as well as staff and community requests;
- k) Prepare an Items Pending List;
- l) — Represent the Board at the provincial level if required; —
- m) — Be knowledgeable about topics within the Standing Committee's terms of reference and speak with the press and public when required;
- n) Establish ad hoc committees when appropriate;
- o) — Assume other duties as assigned by the Board or Chairperson of the Board.

~~1.5~~ Vice Chairperson of the Standing Committee

~~A Vice-Chairperson of the Standing Committee shall be expected to:~~

- a) ~~Perform the duties of the Chairperson of the Standing Committee in her/his absence;~~
- b) ~~Preside over the Standing Committee meetings when the chairperson is absent or challenged;~~
- c) ~~Assume special duties as requested by the Chairperson of the Standing Committee;~~
- d) ~~Chair Standing Committee In Camera Meetings.~~

~~1.6 Chairperson of the Education Finance Committee:~~

~~The Chair of the Education Finance Committee shall be expected to: a)~~

~~Chair all Education Finance Committee Meetings;~~

~~b) Be knowledgeable about Education Finance issues;~~

~~c) Liaise with the Superintendent of Education/Business and Treasurer in the creation of agendas and dates for the Education Finance Committee.~~

~~2.0 Code of Conduct~~

~~2.1 Trustees shall exercise their power to govern only as trustees of the corporate body, not as individuals.~~

~~2.2 Trustees shall abide by existing legislation, the Bylaws, policies, regulations and procedures of the Board, and their declarations of office.~~

~~2.3 Trustees shall maintain confidentiality regarding matters discussed at in-camera sessions of meetings and all other confidential information which is entrusted to them.~~

~~3.0 Criminal Reference Check~~

~~3.1 Trustees will complete a Criminal Background Check within two months of being sworn in as a Trustee, in accordance with the requirements of the Durham District School Board. These checks will be collected and administered by the Director of Education for the Durham District School Board.~~

~~3.2 Trustees shall complete a signed Annual Offence Declaration, in accordance with DDSB Regulation #4221 to be collected by the Director of~~

~~Education to the Board. This offense declaration is to be submitted by September 1 each year in which the Trustee serves.~~

*Existing By-Law language is in blue

By-Law #12 – Code of Conduct – See Appendix “A”

By-Law #13 - Execution of Documents and Corporate Seal [no substantial changes]

SECTION 8: EXECUTION OF DOCUMENTS AND CORPORATE SEAL

8.1 Corporate Seal of the Board

~~1.08.1.1~~ The corporate seal of the Board shall be in the form impressed on the original copy of Bylaws located in the Administrative Offices of the Durham District School Board.

~~2.0~~ — ~~Deeds, transfers, assignments, contracts, obligations, and similar and related documents, on behalf of the Board, shall be signed by the following with the corporate seal of the Board to be affixed by the Director of Education:~~

~~a) — The Chairperson of the Board or, in her/his absence, the Vice-Chairperson of the Board;~~

~~b) — The Director of Education or, in her/his absence, the Treasurer of the Board.~~

8.23.0 Signing Authority

~~3.18.2.1~~ The Chairperson or the Vice-Chairperson of the Board and the Treasurer shall be authorized to sign cheques and orders for payment of money on behalf of, and in the name of, the Board.

~~3.28.2.2~~ The Treasurer shall be authorized to endorse bills of exchange, cheques, drafts, and orders for payment of money, for deposit to the credit of the Board, and to receive all paid cheques and vouchers, and any documents the bank may have from time to time, belonging to the Board, and to sign the bank's form of settlement and release.

~~3.38.2.3~~ The Treasurer shall be authorized to sign cheques by means of a cheque signing machine and a facsimile of the signatures of the Chairperson of the Board and the Treasurer.

~~3.48.2.4~~ The Chairperson of the Board and the Treasurer shall be authorized to sign all necessary bank forms or documents required by the bank ~~in respect to parts 3.1, 3.2, and 3.3 of~~ to implement the authority granted to them under these ~~this these~~ resolutionBylaws.

~~3.58.2.5~~ The Treasurer shall be authorized to have printed all the necessary forms required for the banking business of the Board.

*Existing By-Law language is in blue

By-Law #14 - Student Trustees on The Durham District School Board [now found in section 2.4 and section 9]

~~1.02.4~~ Student Trustees

2.4.1 Student Trustees are not elected members of the Board but play an important role in representing the interests of secondary school students through their participation in meetings of Student Senate, the Board and its Committees. As outlined in section 55 of the *Education Act* and the regulations thereunder, including Ontario Regulation 7/07, Student Trustees:

- (a) May attend Board and Committee meetings but are not considered members of the Board and may not exercise a binding vote on a matter;
- (b) May request that a matter before the Board be put to a recorded vote;
- (c) Must disclose any conflict of interest to the Board or Committee. During the discussion of the matter that gives rise to conflict, the Student Trustee cannot participate in the discussion, attempt to influence the vote of Board members, cannot suggest a motion or exercise a non-binding recorded vote;
- (d) May not move or second motions but are entitled to suggest a motion to be moved by a member;
- (e) May attend closed session of a committee unless the matters under consideration include the disclosure of intimate, personal or financial information with respect to a member of the Board or Committee, an employee or prospective employee of the ~~TDSB~~ DDSB, a pupil or their parent or guardian; and
- (f) Must not disclose to any member of the public, confidential information acquired by virtue of their office or during closed session.

~~1.1~~ **2.4.2** The Durham District School Board shall have three Student Trustees on the Board. If the Board determines that a vacancy be filed, it shall be filled by a by-election, according to the process outlined in these By-Law.

~~1.22.4.3~~ **2.4.3** A person is qualified to act as a Student Trustee if he or she is a full-time pupil of the ~~Board~~ DDSB in the senior division. In addition, the Student Trustee must be a Canadian citizen and a resident in the jurisdiction of the Durham District School Board.

~~1.3~~ The Student Trustees shall be elected not later than April 30 of each school year, to take office for the following school year.

~~1.4 — A Student Trustee shall be a student in good standing according to his or her principal from the date of his or her nomination until the last day of his or her term.~~

~~2.0 — Election of Student Trustees~~

~~2.1 — Every attempt shall be made to elect a Student Trustee from Ajax-Pickering, Oshawa-Whitby, and Brock-Scugog-Uxbridge. The election of Student Trustees shall be a two-stage process in municipalities which have more than one secondary school.~~

~~A notice shall be sent to each secondary school principal before February 1, advising of the election process. notice will also be sent to teachers in Civics classes, with a request to discuss the election process in class.~~

~~2.2 — Stage 1: Municipal Election of Candidates~~

~~Section 2.2 shall apply in a municipality which has more than one secondary school.~~

~~Each secondary school student council or parliament shall be invited to elect one Student Trustee nominee who shall be the candidate for the municipality. The notice shall also invite each secondary school student council or parliament to elect ten (10) Student Trustee electors for the municipal election.~~

~~The elections for either Student Trustee nominees or electors may be either a direct election from the entire student body or an indirect election from the student council or parliament. The elections for the electors shall take place at the same time or prior to the elections for Student Trustee nominees.~~

~~The municipal elections shall be moved annually among the secondary schools in the municipality so that all secondary schools have an opportunity to host the election.~~

~~Voting shall be by secret ballot. Only Student Trustee nominee electors are entitled to vote. In each municipality, the candidate receiving a clear majority shall be declared the municipal Student Trustee nominee for the electoral college. A clear majority is 50 per cent plus one of the total votes cast. Should no candidate receive a clear majority of the votes cast, the name of the candidate with the smallest number of votes shall be dropped from the ballot and a further vote shall be conducted until one candidate has a clear majority.~~

~~2.3 — Stage II: Electoral College Process~~

~~The Director of Education or designate shall cause three electoral colleges to take place in a secondary school in Ajax-Pickering, Oshawa-Whitby, and Brock-Scugog-Uxbridge. The three electoral colleges will meet before April 30 in each~~

~~school year. The Board will pay for any transportation or other expenses such as food or the printing of ballots.~~

~~Each municipality in the electoral college will receive 40 votes for the election. The votes shall be divided equally among the number of schools in an area. If the division of votes is such that a whole number of votes per school is not determined, additional votes shall be apportioned by lottery through the Director's office. The secondary school student council or parliament shall elect the assigned number of electors for the electoral college. Any school which declares that it will not send delegates to the electoral college will have its votes divided among the remaining schools for the municipality according to this process.~~

~~The function of each electoral college is to elect one Student Trustee.~~

~~Each electoral college will have any appropriate number of staff advisors to help conduct the Student Trustee nominees speeches and the balloting.~~

~~The winning candidate from Stage 1 (Section 2.2 above) shall be the municipal candidate for the electoral college.~~

~~Voting shall be by secret ballot. Only Student Trustee nominee electors are entitled to vote.~~

~~In each electoral college, the Student Trustee nominee receiving a clear majority shall be declared elected. A clear majority is 50 percent plus one of the total votes cast. Should no Student Trustee nominee receive a clear majority of the votes cast, the name of the student nominee with the smallest number of votes shall be dropped from the ballot and a further vote shall be conducted until one Student Trustee nominee has a clear majority.~~

~~In the event of an equality of votes, there shall be a final ballot and should there be another equality of votes, the candidates shall draw lots to fill the position of Student Trustee.~~

~~The location of the electoral college for Student Trustee will be rotated annually among the municipalities to be represented by the Student Trustee (e.g. Oshawa-Whitby). Within a municipality, the school location of the electoral college shall be moved for each election, so that over the course of several years, all secondary schools in the municipality will have an opportunity to host the electoral college.~~

~~2.4 — The Student Trustee nominees and Student Trustee electors shall be qualified according to this By Law.~~

~~2.5 — Any election material of any kind of media brought to the municipal election or to the electoral college must be approved by the Student Trustee nominee's principal or staff designate.~~

3.0 — Disqualification of a Student Trustee

2.4.4 A Student Trustee shall be disqualified from serving if the student is suspended or expelled or is otherwise not a student in good standing according to his or her principal from the date of his or her nomination until the last day of his or her term. A Student Trustee who, in the opinion of the Director of Education and the Chair, has engaged in any conduct, either at school, in Board meeting or otherwise, including on social media, which is incompatible with the responsibilities of the position shall be disqualified from serving as a Student Trustee on the Board.

3.12.4.5 A Student Trustee who ceases to be a student in the Durham District School BoardDDSB shall be disqualified from serving as a Student Trustee on the Durham District School Board.

3.22.4.6 A Student Trustee who is absent himself or herself without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the Board shall be disqualified from serving as a Student Trustee in on the Durham District School BoardDDSB, unless the absence is authorized by resolution of the Board entered in the minutes.

~~3.3 — A Student Trustee is disqualified if he or she is serving a sentence or imprisonment in a penal or correctional institution or is convicted of an indictable offence.~~

~~3.4 — A Student Trustee who is suspended or expelled may be disqualified from serving as a Student Trustee on the Durham District School Board.~~

~~3.5 — A Student Trustee who, in the opinion of the Director of Education and the Chairperson, behaves in a manner which is deemed to be incompatible with the responsibilities of the position shall be disqualified from serving as a Student Trustee on the Durham District School Board.~~

4.0 — Vacancies

~~4.1 — If the Board determines that a vacancy be filled, it shall be filled by a by-election, according to the process as outlined in section 2.0 above.~~

5.0 — The Type and Extent of Participation of Student Trustees

~~5.1 — A Student Trustee is not a member of the Board and is not entitled to exercise a binding vote on any matter before the Board or any of its committees.~~

~~5.2 — A Student Trustee is entitled to require that a matter before the Board or one of the committees on which the~~

~~Student Trustee sits be put to a recorded vote and the Student Trustee's non-binding vote be recorded.~~

~~5.3 — Student Trustees are eligible to attend in camera meetings of the Board with the exception of matters of personnel, property and students (i.e. individual students).~~

~~5.4 — Subject to Sections 5.1, 5.2, and 5.3, Student Trustees shall have the same opportunities for participation at meetings of the Board and of the committees as all Board members.~~

~~6.0 — Reimbursement of Expenses~~

~~6.12.4.7~~ Student Trustees shall be reimbursed for their routine expenses reasonably incurred in connection with carrying out the responsibilities of Student Trustees. Such reimbursement of expenses shall be according to the same rules that govern the reimbursement of Board members' expenses. All other expenses are to be pre-approved by the Chair of the Board and the Director. Examples of other expenses that may be approved would be conference fees, accommodation and travel expenses.

~~6.22.4.8~~ The Director shall hold a meeting with the ~~three~~ Student Trustees by the end of the first month of their term to outline and clarify all matters and questions relating to these Bylaws, reimbursement of expenses and budget for Student Trustees and for Student Senate. ~~7.1 —~~ The Durham District School Board shall appoint a mentor/advisor to the Student Trustees ~~on the Board~~.

~~6.3 — All other expenses are to be pre-approved by the Chair of the Board, excluding those expenses covered in 6.1. These expenses include conference fees, accommodation and travel expenses.~~

~~7.0 — Mentor/Advisor~~

~~7.1 — The Durham District School Board shall appoint a mentor/advisor to the Student Trustees on the Board.~~

~~8.0 — Co-Operative Education Credit~~

~~8.12.4.9~~ A Student Trustee may apply to the co-operative education teacher at his/her school before the beginning of his/her term to use the experience of Student Trustees to fulfill the requirements of a co-operative education credit(s).

~~9.0 — Roles and Responsibilities~~

~~9.12.4.10~~ Student Trustees shall be expected to:

- ~~a)~~ a Attend regular Board meetings;
- ~~b)~~ n Notify the Secretary of the Board when unable to attend a meeting;
- ~~c) — Be prepared for, and actively participate in decision and decision-making; —~~

d) ~~Ensure, when making public statements, that it is clear whether she/he speaks on behalf of the Board or as an individual Student Trustee;~~

e) ~~To participate in the Student Senate and report student matters to the Board;~~

f) ~~Provide a Student Trustee report for a meetings of the Committee of the Whole – Standing; Committee meetings.~~

9.2 ~~Student Trustees may be expected to:~~

a) ~~Serve on statutory, regulatory and ad-hoc committees of the Board as required;~~

b) ~~Act as a representative of the Board at official functions;~~

c) ~~Be involved in provincial trustee organizations and committees;~~

d) ~~Attend conferences, workshops, etc. in order to be kept informed of current educational issues;~~

e) ~~Reflect community attitudes while also providing leadership in decision-making;~~

f) with approval of the Chair and the Director of Education, Student Trustees may become a member of the Ontario Student Trustees' Association - l'Association des élèves conseillers et conseillers de l'Ontario (OSTA - AECO) and attend OSTA-AECO conferences, including the FGM and the AMG, to further develop their skills as a Student Trustee and to be kept informed of issues across the province.

g) Ensure that a Student Senate is organized for their term, with each sharing duties as Chair.

h) Model the conduct expected of Board members as set out in the Trustee Code of Conduct.

9.3 ~~Student Trustees shall be expected to model ethical practices which include:~~

a) ~~Making decisions in a manner which is open, accessible, and equitable;~~

b) ~~Approaching all Board issues with an open mind, and being prepared to make the best decisions of the organization as a whole;~~

c) ~~Respecting different points of view;~~

d) ~~Conducting Board business through appropriate channels;~~

- e) ~~Protecting the integrity of the Board.~~

~~10.0~~ — ~~Student Senate~~

~~10.1~~ — ~~Student Trustees are required to ensure that a Student Senate is organized for their term.~~

~~10.2~~ — ~~Student Trustees share the Chairpersonship of the Student Senate.~~

~~11.0~~ — ~~Honorarium~~

~~11.12.4.11~~ 2.4.11 The amount of the honorarium for Student Trustees as referred ~~referred~~ referenced ~~to~~ in subsection 5.5 (8) of the Act is:

- a) \$2,500, if the Student Trustee holds office for a complete term of office;
- b) \$2,500 prorated according to the proportion of a term for which the Student Trustee holds office, if the Student Trustee holds office for less than a complete term of office.

~~12.0~~ — ~~Term of Office~~

~~12.12.4.12~~ A Student Trustee's ~~The~~ term of office of a Student Trustee starts on August 1 of the year in which he or she is elected, and ends on July 31 of the following year.

~~2.0~~ SECTION 9: Election of Student Trustees

~~2.19.1.1~~ Every attempt shall be made to elect a Student Trustee from Ajax- Pickering, Oshawa- Whitby, and Brock-Scugog- Uxbridge. The election of Student Trustees shall be a two-stage process in municipalities which have more than one secondary school.

9.1.2 A notice shall be sent to each secondary school principal before February 1, advising of the election process. ~~No~~ notice will also be sent to teachers in Civics classes, with a request to discuss the election process in class.

~~2.2~~ — Stage 1: Municipal Election of Candidates

9.1.3 ~~Section 2.2 13.3~~ The municipal elections shall apply in a municipality which has more than one secondary school.

9.1.4 Each secondary school student council or parliament shall be invited to elect one Student Trustee nominee who shall be the candidate for the municipality. The notice shall also invite each secondary school student council or parliament to elect ten (10) Student Trustee electors for the municipalelection.

9.1.5 The elections for either Student Trustee nominees or electors may be either a direct

election from the entire student body or an indirect election from the student council or parliament. The elections for the electors shall take place at the same time or prior to the elections for Student Trustee nominees.

- 9.1.6 The municipal elections shall be moved annually among the secondary schools in the municipality so that all secondary schools have an opportunity to host the election.
- 9.1.7 Voting shall be by secret ballot. Only Student Trustee nominee electors are entitled to vote. In each municipality, the candidate receiving a clear majority shall be declared the municipal Student Trustee nominee for the electoral college. A clear majority is 50 per cent plus one of the total votes cast. Should no candidate receive a clear majority of the votes cast, the name of the candidate with the smallest number of votes shall be dropped from the ballot and a further vote shall be conducted until one candidate has a clear majority.

~~2.3~~ — Stage II: Electoral College Process

- 9.1.8 The Director of Education or designate shall cause three electoral colleges to take place in a secondary school in Ajax-Pickering, Oshawa-Whitby, and Brock- Scugog-Uxbridge. The three electoral colleges will meet before April 30 in each school year. The Board will pay for any transportation or other expenses such as food or the printing of ballots.
- 9.1.9 Each municipality in the electoral college will receive 40 votes for the election. The votes shall be divided equally among the number of schools in an area. If the division of votes is such that a whole number of votes per school is not determined, additional votes shall be apportioned by lottery through the Director's office. The secondary school student council or parliament shall elect the assigned number of electors for the electoral college. Any school which declares that it will not send delegates to the electoral college will have its votes divided among the remaining schools for the municipality according to this process.
- 9.1.10 The function of each electoral college is to elect one Student Trustee.
- 9.1.11 Each electoral college will have any appropriate number of staff advisors to help conduct the Student Trustee nominees speeches and the balloting.
- 9.1.12 The winning candidate from Stage 1 (~~Section 2.2 13.3 above~~) shall be the municipal candidate for the electoral college.
- 9.1.13 Voting shall be by secret ballot. Only Student Trustee nominee electors are entitled to vote.
- 9.1.14 In each electoral college, the Student Trustee nominee receiving a clear majority shall be declared elected. A clear majority is 50 percent plus one of the total votes cast. Should no Student Trustee nominee receive a clear majority of the votes cast, the name of the student nominee with the smallest number of votes

shall be dropped from the ballot and a further vote shall be conducted until one Student Trustee nominee has a clear majority.

9.1.15 In the event of an equality of votes, there shall be a final ballot and should there be another equality of votes, the candidates shall draw lots to fill the position of Student Trustee.

9.1.16 The location of the electoral college for Student Trustee will be rotated annually among the municipalities to be represented by the Student Trustee (e.g. Oshawa-Whitby). Within a municipality, the school location of the electoral college shall be moved for each election, so that over the course of several years, all secondary schools in the municipality will have an opportunity to host the electoral college.

~~2.4~~ 9.1.17 The Student Trustee nominees and Student Trustee electors shall be qualified according to ~~this~~ these Bylaws.

~~2.5~~ 9.1.18 Any election material of any kind of media brought to the municipal election or to the electoral college must be approved by the Student Trustee nominee's principal or staff designate.

9.1.19 If the Board determines that a vacancy be filled, it shall be filled by a by- election, according to the process as outlined above.

*Preserved language is in blue

By-Law #15 - Electronic Meetings [No substantial changes - now found in Section 10]

SECTION 10: ELECTRONIC MEETINGS

10.1 Introduction

The ~~Durham District School~~ Board shall provide for the use of electronic means for the holding of meetings of the board and meetings of a committee of the Board, including a committee of the whole ~~B~~board. The rules in this by-law apply to the extent they are not suspended or modified by Provincial regulation.

10.1.02 Attendance

~~1.1~~ At every meeting of the Board or committee of the whole Board, the following persons shall be physically present in the meeting room of the Board.

- a) The Chair of the Board or her or his designate; _
- b) At least one additional member of the Board; and
- c) The Director of Education of the Board or her or his designate.

~~1.2~~10.1.3 At every meeting of the Board or committee of the whole Board, the following persons shall be physically present in the meeting room of the Board.

- a) The chair of the committee or her or his designate; and
- b) The Director of Education of the Board or his or her designate.

~~1.3~~10.1.4 Subject to 10.1.2 and 10.1.3, Aa at the request of any Board member or student trustee, the board shall provide the member or representative with electronic means of participating in one or more meetings of the board or of a committee of the Board, including a committee of the whole Board, ~~except where to do so would not comply with sections 1.1 and 1.2.~~

~~1.4~~10.1.5 ~~A member Trustee or Student Trustee of the Board or pupil representative of the Board~~ who participates in a meeting through electronic means shall be deemed to be present at the meeting. Subject to any exemptions for physical attendance under relevant legislation or Board policy, Aa member of the Board shall be physically present in the meeting room of the Board for at least three regular meetings of the Board in each ~~twelve-month~~twelve-month period beginning December 1. ~~(Education Act 1998 s.229(1)).~~

~~1.6~~10.1.6 Subject to any exemptions for physical attendance under relevant legislation or Board policy, Ffor the period beginning when a member of a Board

is elected or appointed to fill a vacancy and ending on the following November 30, the member shall be physically present in the meeting room of the Board for at least one regular meeting of the Board for each period of four full calendar months that occurs during the period beginning with the election or appointment and ending the following November 30. (~~Education Act 1998 s.229(2))~~.

~~2.0~~10.2 Participation of Board Members and ~~Pupil Representatives~~ Student Trustees

~~2.2~~10.2.1 The electronic means shall permit the member or representative to hear and be heard by all other participants in the meeting.

~~2.2~~10.2.2 The electronic means shall be provided in such a way that the rules governing conflict of interest of members are complied with.

~~3.0~~ Public Participation

~~3.1~~ ~~Section 3.0 applies to meetings of the Board or of a committee of the Board, including a committee of the whole Board, that are open to the public.~~

~~3.2~~10.2.3 The Board may provide, at one or more locations within its jurisdiction, electronic means to permit participation in meetings by members of the public. Electronic meetings shall be made available for public viewing.

~~3.3~~10.2.4 ~~Where such locations are provided, members of the public shall participate only in those parts of the Board meeting or committee of the Board meeting where the public would normally participate.~~ The extent and manner of participation shall be determined by the ~~Board Chairperson~~ based on the electronic means available.

~~3.4~~10.2.5 Members of the public participating through electronic means shall not participate in any proceedings that are closed to the public.

By Law

By-Law #12

By-Law: School Board Member (Trustee) Code of Conduct**1.0 Purpose and Application**

- 1.1 The *Education Act* and the regulations thereunder mandate that school boards adopt a code of conduct that applies to Board members.
- 1.2 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.
- 1.3 This Code of Conduct meets the Board's statutory obligations and supports the Board's commitment to meeting high standards of conduct by trustees.
- 1.4 This Code of Conduct applies to all members of the Board of Trustees. It applies to members of the Board of Trustees from the date the Declaration is filed under section 209(1) of the *Education Act* and only while they hold the office. Conduct of a Trustee outside of this timeframe is not subject to sanction under this Code of Conduct.
- 1.5 The *Selection, Appointment and Jurisdiction of the Integrity Commissioner* together with the *Complaints Protocol* are attached at Appendix 1 and 2 respectively.
- 1.6 The *Selection, Appointment and Jurisdiction of the Integrity Commissioner* together with the *Complaints Protocol* are attached at Appendix 1 and 2 respectively.

2.0 Objective

- 2.1 To establish governing principles and standards for accepted behavior by members of the Board of Trustees, including the Chair of the Board.

3.0 Responsibility

- 3.1 The Board of Trustees, the DDSB's Integrity Commissioner and the Director of Education.

4.0 Application and Scope

- 4.1 This Code of Conduct applies to all members of the Board of Trustees.

5.0 Definitions

Board means the Durham District School Board, also referred to as the DDSB, a statutory corporation under section 58.5 of the Education Act.

Discrimination means discriminatory behaviour as defined by the DDSB Workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.

Harassment means harassing behaviour as defined by the DDSB workplace Violence and Harassment Prevention policies and the Occupational *Health and Safety Act, Ontario*.

Integrity Commissioner means the Integrity Commissioner duly appointed by the Board of Trustees.

Members (also referred to as Trustees) are the members of the Board of Trustees of the DDSB.

Official Business means duties and responsibilities of Trustees as set out in the *Education Act* and further delineated in the Board's Consolidated By-Laws and Policies.

Unless specified otherwise, *staff* means any employee of the Durham District School Board.

Trustee's office or *office* means the authority and public duties attached to the position of being a Trustee.

6.0 Code of Conduct

- 6.1 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.
- 6.2 This Board Member Code of Conduct ("Code of Conduct") represents the Board's commitment to meeting high standards of conduct.

Integrity and Dignity of Office - Principles

- 6.3 Trustees shall discharge their duties, as set out in the *Education Act*, loyally, faithfully, impartially and in a manner, that will inspire public confidence in the abilities and integrity of the Board.
- 6.4 Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner at all times, and especially when attending Board events, or while on Board property.
- 6.5 Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to any person, including Board staff or fellow Board members.
- 6.6 No Trustee shall engage in conduct during meetings of the Board or committees of the Board, and at all other times, that would discredit or compromise the integrity of the Trustee, any other Trustee, or the Board;
- 6.7 A Trustee shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board;
- 6.8 Trustees shall serve and be seen to serve in a constructive, respectful, conscientious

and diligent manner;

- 6.9 Trustees shall be committed to performing their functions with integrity and shall avoid the improper use of the influence of their office, and conflicts of interest, both apparent and real;
- 6.10 Trustees are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence;
- 6.11 Trustees 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 By-Laws and policies of the Board;
- 6.12 Trustees agree to the common understanding that individual trustees will not participate in activities that grant, or appear to grant, any special consideration, treatment, or advantage to an individual Trustee which is not available to every other individual. Allowable activities include those activities that are reasonably related to a Trustee's Office, taking into consideration the different interests and the diverse profiles of their wards/communities;
- 6.13 Trustees recognize that their Oath of Office binds them to the provisions of the *Municipal Conflict of Interest Act* (MCIA).

Confidential Information

- 6.14 Confidential Information includes,
 - (a) information in the custody and/or control of the DDSB that is subject to the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) or other legislation, including, but not limited to personal information of staff and students, third party corporate, commercial, scientific, or technical information, solicitor-client or litigation privileged information;
 - (b) information in respect of litigation or potential litigation affecting the Board, and information that is subject to solicitor-client privilege;
 - (c) information discussed during closed sessions of the Board pursuant to section 207 of the *Education Act*;
 - (d) intimate, personal or financial information of a Trustee, staff member or prospective staff member, student, parent or guardian;
 - (e) the acquisition or disposal of the Board's real property, including a school site; and,
 - (f) information in respect of negotiations with staff members.
- 6.15 No Trustee shall disclose or release, to anyone, by any means, 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 Trustee's term of office.
- 6.16 No Trustee shall use confidential information for either personal gain or to the

detriment of the Board.

- 6.17 Trustees 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. It is understood that any staff providing access to any such confidential information may share it with other Trustees, as may be appropriate in the circumstances.
- 6.18 Under the Board's Consolidated By-Laws, a matter that has been discussed by any committee of the Board, including a committee of the whole board, in closed session in accordance with section 207(2) or 207(2.1) of the *Education Act* is confidential. Trustees shall not disclose the content of any such matter, or the substance of deliberations, of the closed session unless and until, and only to the extent that, the Board of Trustees discusses the information at a meeting that is open to the public or releases the information to the public or the Board of Trustees otherwise gives prior authorization for the disclosure.
- 6.19 Members of the Board are only entitled to information in the possession of the DDSB that is relevant to matters before the Board of Trustees or a committee of the Board. Otherwise, members enjoy the same level of access rights to information as any other member of the community.
- 6.20 If there is uncertainty about whether information is confidential, a Trustee may seek guidance from the Board's General Counsel.

Upholding Decisions

- 6.21 All Trustees of the Board shall accept that authority rests with the Board of Trustees, and that a Trustee has no individual authority other than that delegated by the Board of Trustees. Trustees shall be mindful of this in all of their interactions with others and will not commit the Board, any Board committee or staff to any particular course of action.
- 6.22 Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, or the like, if permitted by the Consolidated By-Laws and Robert's Rules of Order, if applicable, may be brought forward by a Trustee.
- 6.23 A Trustee should be able to explain the rationale for a resolution passed by the Board. A Trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution.
- 6.24 Each Trustee shall endeavor in good faith to comply with the Board's Consolidated By-Laws. The Board of Trustees as a whole, and not individual trustees, implements and monitors compliance with Board policies. There are a few instances where policies and procedures apply to individual trustees (e.g., Trustee expense policy and procedure) and Trustees shall comply with all such policies and procedures. Policies and applicable Procedures.
- 6.25 The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair of the Board or the Board of Trustees to do so. When individual Trustees express their opinions in public, through any medium,

including social media, they must make it clear that they are not speaking on behalf of the Board.

Gifts, Benefits and Hospitality

- 6.26 Trustees are expected to carry out their duties with impartiality and objectivity. Trustees shall not accept a gift, benefit or hospitality in order to avoid the risk that this will compromise their objectivity or lead to an appearance of lack of objectivity, bias or influence.
- 6.27 For these purposes, a gift, benefit or hospitality provided with the Trustee's knowledge to a Trustee's spouse, child, or parent, or to a Trustee's staff that is connected directly or indirectly to the performance of the Trustee's duties is deemed to be a gift to that Trustee.
- 6.28 There are circumstances in which the acceptance of a gift, benefit or hospitality occurs as part of the social protocol or community events linked to the duties of an elected official and his/her role in representing the Board. The exceptions do not apply in the case of vendors of goods and services, or those expecting to be vendors to the DDSB. The following is a list of recognized exceptions:
- (a) compensation authorized by law;
 - (b) gifts of a nominal value (e.g. gift card, hat, t-shirt, mug, not exceeding approximately \$100.00).
 - (c) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (d) a political contribution otherwise reported by law, in the case of members running for office;
 - (e) services provided without compensation by persons volunteering their time;
 - (f) a suitable memento of a function honouring the member;
 - (g) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity. For the purposes of this exception, "*official capacity*" refers to attendance in a ceremonial, presentational or representational role on behalf of the Board or where the DDSB has authorized the member to attend on behalf of the organization;
 - (h) food and beverages consumed at banquets, receptions or similar events, if:
 - (i) attendance serves a legitimate business purpose;
 - (ii) the person extending the invitation or a representative of the organization is in attendance; and
 - (iii) the value is reasonable and the invitations infrequent;
 - (i) communication to the offices of a member, including newspapers and periodicals; and,
 - (j) no Trustee shall accept a gift from any person or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence

the Trustee when performing his or her duties to the Board. Any gifts received shall be reported to the Chair of the Board.

- 6.29 An invitation to attend a function where the invitation is connected directly with the performance of a Member's duties of office (i.e. for which the Trustees has a ceremonial, presentational or representational official role) is not considered to be a gift. This type of attendance is considered to be fulfillment of official public duties.

Conflict of Interest

- 6.30 A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
- 6.31 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a family member.
- 6.32 Members of the Board shall comply with the *Municipal Conflict of Interest Act* and avoid conflicts of interest as defined by this Code of Conduct, and the Broader Public Sector (BPS) Directive and Code of Ethics.

Use of Board Property, Services and Other Resources

- 6.33 No Trustee should use, or permit the use of Board resources, including but not limited to 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 DDSB. No Trustee 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 innovations, or other items capable of being patented, or from the sale of Board provided mobile phones and all other technological equipment, since all such property remains exclusively that of the Board.

Election Campaign Work

- 6.34 Election activity refers to campaigns for municipal, provincial and federal office or campaigns on a question on a ballot.
- 6.35 No Trustee 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. No Trustee shall undertake campaign-related activities on Board property unless permitted by Board policy. No Trustee shall use the services of persons for election- related purposes during hours in which those persons receive any compensation from the Board.

Improper Use of Influence

- 6.36 No Trustee shall use the influence of his or her office for any purpose other than for the exercise of his or her official duties. This includes using the influence of the office to obtain employment for a family member, or otherwise using one's status as a Trustee to improperly influence the decision of another person to the private advantage of

oneself, or one's parents, children or spouse, staff members, friends, or associates, business or otherwise. Also prohibited is the holding out of the prospect or promise of future advantage through a Trustee's supposed or actual influence within the Board in return for present actions or inaction. It includes refraining from using one's status to improperly influence the decision of another person to improperly prejudice another person or persons.

- 6.37 For the purposes of the above provisions, "private advantage" and "improperly prejudice" does not include discussion of a matter at a Board or committee meeting that:
- (i) that is of general application;
 - (ii) affects a Trustee, his or her parents, children or spouse, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
 - (iii) concerns the remuneration or benefits of a Trustee.

Conduct Regarding Current and Prospective Employment

- 6.38 No Trustee shall allow any current employment or the prospect of his or her future employment by a person or entity to improperly or for personal gain affect the performance of his or her duties to the Board.
- 6.39 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a family member of the Trustee.

Conduct at Board and Committee Meetings

- 6.40 Trustees shall respect procedural rulings at Board and committee meetings and respect the views and opinions expressed by staff members, delegates and other Trustees. Trustees shall conduct themselves with decorum at Board and Committee meetings and in accordance with the provisions of the Consolidated By-Laws.

Conduct Respecting Staff Members

- 6.41 Trustees shall carry out their duties as defined within section 218.1 of the *Education Act*.
- 6.42 Trustees shall respect their role and the distinct role and responsibility of staff in accordance with the provisions of the *Education Act*, the Board's Consolidated By-Laws, and OPSBA's Good Governance guide, as amended from time to time.
- 6.43 In dealing with parent/guardian concerns or community concerns, Trustees shall not provide express or implicit direction or suggested outcomes to school administrators or educators.

Discreditable Conduct

- 6.44 All Trustees have a duty to treat members of the public, one another, and staff members respectfully and free from discrimination and harassment. This applies to all forms of written and oral communications, including via social media.

- 6.45 DDSB Workplace Harassment Prevention and Human Rights policies and the *Ontario Human Rights Code and the Occupational Health and Safety Act*, apply to the conduct of members which occurs in the course of, or is related to, the performance of official business and duties of Trustees, and to that extent are incorporated into and form part of this Code of Conduct. If an employee or a member of the public brings forward a harassment complaint against a Member of the Board to staff, it shall be immediately forwarded to the Integrity Commissioner. If a complaint is filed with the Integrity Commissioner, after an initial assessment, the Integrity Commissioner may determine the appropriate next steps, including treating the matter as a Formal Complaint or referral of the complaint to an independent investigator. Upon receipt of the independent investigator's findings, the Integrity Commissioner shall report to the Board in the same manner as a report following an investigation into a Formal Complaint.

Failure to Adhere to the Board Policies and Procedures

- 6.46 Trustees are required to observe the terms of all policies and procedures established by the Board that apply to members of the Board.

Reprisals and Obstruction

- 6.47 Trustees should respect the integrity of this Code of Conduct and are obliged to cooperate with inquiries conducted in accordance with the Complaints Protocol and any other procedures set by the Board for addressing complaints of a breach of this Code of Conduct. Any reprisal or threat of reprisal against a complainant or anyone else for providing relevant information to the Integrity Commissioner is prohibited. It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out the duties of that office.
- 6.48 Trustees shall be respectful of the role of the office of the Integrity Commissioner.

Acting on Advice of Integrity Commissioner

- 6.49 If a Trustee is uncertain about whether a proposed action or activity by that Trustee is prohibited by the Code of Conduct, the Trustee may directly seek the advice of the Integrity Commissioner prior to engaging in the proposed action or activity. This shall not constitute an inquiry or investigation by the Integrity Commissioner pursuant to the Complaint Protocol. The advice is not binding on the member nor on the Board, but must be considered by the Integrity Commissioner in any subsequent investigation involving the member and the same or related conduct. Any advice by the Integrity Commissioner to a Trustee under this provision shall be in writing or, if oral, confirmed in writing by the Integrity Commissioner. The fact that a member did not seek advice under this section shall not be considered by the Integrity Commissioner or the Board in any subsequent investigation or determination.
- 6.50 Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or Committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to expel or exclude from any meeting any person who has demonstrated improper conduct at the meeting.
- 6.51 The Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.

- 6.52 The Chair of the Board or Presiding Officer shall always attempt to follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures under the Consolidated By-Laws.

7.0 **Sanctions**

- 7.1 If the Integrity Commissioner determines that the Trustee has breached this Code of Conduct, the Integrity Commissioner shall report to the Board of Trustees reciting the findings of the Integrity Commissioner. The Board of Trustees shall consider the report of the Integrity Commissioner and the Board of Trustees shall make its own assessment and determination of whether there has been a breach of the Code of Conduct and, if so, may impose one or more sanctions as provided for in section 218.3 of the *Education Act*, as may be amended from time to time. The Board has no power to declare the Trustee's seat vacant.

8.0 **Evaluation**

- 8.1 This Code of Conduct is to be reviewed and updated as required but at a minimum every four (4) years, on or before May 15 beginning in May, 2019.

Appendix:

1-2

Document Links:

Effective Date

2012-06-18

Legislative References

Approved by

Amended/Reviewed

2015-11-16

2018-11-19

2019-03-14

Appendix 1 – Appointment, Selection and Jurisdiction of the Integrity Commissioner

1.0 Appointment of the Integrity Commissioner

- 1.1 The Board of Trustees shall appoint an Integrity Commissioner by 2/3 vote. The Integrity Commissioner may be an individual or a firm/corporation. In the latter case, an individual in that firm/corporation may be referenced as the Board's Integrity Commissioner, with the consent of the Board and the firm/corporation.
- 1.2 The term of the Integrity Commissioner shall be five (5) years. The term may be extended by the Board of Trustees by 2/3 vote.
- 1.3 The Integrity Commissioner may be terminated by the Board of Trustees by 2/3 vote.

2.0 Selection of the Integrity Commissioner

- 2.1 The Integrity Commissioner shall be selected using the Board's hiring practices, overseen by a selection committee appointed by the Board and chaired by the Chair or designate. The selection committee shall make a recommendation to the Board.

3.0 Role of the Integrity Commissioner

- 3.1 The Integrity Commissioner has the following responsibilities:
 - (a) fulfilling his or her responsibilities as set out in the Code of Conduct;
 - (b) providing general instruction to Trustees about the Code of Conduct and Complaint Protocol;
 - (c) providing general information to Trustees about their duties and obligations under the *Municipal Conflict of Interest Act*;
 - (d) reviewing and making inquiries related to complaints made about Trustees in relation to the Code of Conduct and the Complaint Protocol, pursuant to the Complaint Protocol;
 - (e) providing educational programs to Trustees on issues of ethics and integrity;
 - (f) maintaining custody and control of their complaint and inquiry files and, on completion of their term, transfer any open files related to ongoing matters to the incoming Integrity Commissioner or as the Board may direct; and
 - (g) providing such other duties respecting ethical and conduct matters as assigned by the Board.
- 3.2 The Integrity Commissioner does not have jurisdiction over complaints about Board staff.
- 3.3 The Integrity Commissioner shall act in an independent and objective manner. .
- 3.4 The Integrity Commissioner is accountable to and reports to the Board of Trustees.
- 3.5 The Director of Education, for the sole purpose of an inquiry or investigation undertaken by the Integrity Commissioner pursuant to the Complaint Protocol, provide information to the Integrity Commissioner, and facilitate access to all documents including, but not limited to books, accounts, financial records, electronic records and communications, files, papers, things or property in the possession or control of the DDSB that the Integrity Commissioner believes are necessary for an investigation of a complaint made in accordance with the Complaint Protocol, provided first that the Board's General Counsel

has vetted the proposed access to confirm that same will not breach the Board's legal obligations.

Appendix 2 – Complaints Protocol – Integrity Commissioner**1.0 RATIONALE**

The Board has established a Board Member Code of Conduct (“Code of Conduct or “Code”) to govern the conduct of Trustees and to provide transparency, accountability, and public confidence in its governance. This Protocol supports the implementation of the Code of Conduct, particularly as related to the complaints process, including the reporting, investigation and resolution of complaints.

2.0 OBJECTIVE

To outline the processes for making, investigating, resolving and reporting on the outcomes of complaints made under the Code of Conduct.

3.0 DEFINITIONS

Terms are as defined in the Code of Conduct.

4.0 COMPLAINT PROTOCOL

This Complaint Protocol describes informal and formal ways for members of the public, staff members and members of the Board of Trustees to address complaints concerning the Code of Conduct and members of the Board. The Complaint Protocol provides a number of ways to resolve complaints in addition to the process described in section 218.3(2) of the *Education Act*. Nothing in this Code of Conduct impacts the ability of a member to elect to bring a complaint directly to the Board of Trustees under section 218.3 of the *Education Act*, rather than to the Integrity Commissioner.

The Complaint Protocol is intended to ensure that there is an opportunity to resolve complaints as fairly, expeditiously and meaningfully as possible.

4.1 Informal Complaint Process

Individuals (including staff members of the Board, members of the public, or members of the Board) may elect to pursue an informal process to address conduct prohibited by the Code of Conduct. With the consent of the complainant and the Trustee, the Integrity Commissioner may be a part of any informal process.

Individuals (including staff members of the Board, members of the public, or Trustees) who have identified or witnessed conduct by a Trustee that they believe is in contravention of the Code of Conduct may wish to consider addressing the conduct in an informal way including one or more of the following:

- (a) advise the Trustee that the conduct contravenes the Code of Conduct with an explanation as to why;
- (b) encourage the Trustee to stop the prohibited conduct;
- (c) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information; advise the Integrity Commissioner, about the concerns related to the Trustee and any response of the Trustee;
- (d) if applicable, confirm to the Trustee the satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of the dissatisfaction with the response;
- (e) speak to the Chair of the Board to see if the matter can be resolved;
- (f) if the parties agree, the Integrity Commissioner can participate in resolving or attempting to resolve the issues; and
- (g) consider the need to pursue a formal complaint as described in section 6.2.

Delay in making a formal or informal complaint to the Integrity Commissioner and any prejudice to the Trustee against whom the complaint is made as a result of such delay, shall be considered by the Integrity Commissioner and may, at the discretion of the Integrity Commission, be a sufficient basis for not proceeding with an investigation. In no case, shall a complaint be investigated if it is not made within 1 year of the events at issue.

The informal complaint process is encouraged; however, it is not required prior to beginning the formal complaint process.

Anonymous complaints will not be considered by the Integrity Commissioner, but the Integrity Commissioner has the discretion to hide the identity of a complainant where the safety of the complainant is an issue or where the disclosure could have a material impact on the functioning of the Board and/or professional working relationships within the Board.

If an informal complaint is brought to the attention of the Integrity Commissioner during the pre-election period described in subsection 6.2(e), the Integrity Commissioner shall not participate in the informal process until after a new Board is deemed organized under section 6 of the *Municipal Elections Act*.

4.2

Formal Complaint***Requests for Inquiries***

- (a) A request for an inquiry into a complaint that a Trustee has contravened the Code of Conduct (the “Formal Complaint”) may be made to the Integrity Commissioner and if so, shall be made in writing on the prescribed form.
- (b) All written complaints shall be signed by an identifiable individual.
- (c) The Integrity Commissioner shall know the identity of the complainant, but where the safety of the complainant is an issue, or the identity of the complainant can impact the functioning of the Board and/or professional working relationships, the Integrity Commissioner can maintain the anonymity of the complainant, provided that the Integrity Commissioner is satisfied that the failure to identify the complainant does not and will not have a material impact on the fairness of the process to the member(s) against whom the allegations are made. Further, where the identity of the complainant is not disclosed to the Board of Trustees, the Board of Trustees may consider the fairness of the process to the member(s) against whom the allegations are made in considering the alleged breach and any sanction.
- (d) A Formal Complaint shall set out reasonable and probable grounds for the allegation(s) that a Trustee has contravened the Code of Conduct. The complaint should include the name of the alleged violator, the provision allegedly contravened, the facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during regular business hours.
- (e) Where a complaint is brought forward by way of a Board decision under s. 218.3(a) of the *Education Act*, it may be referred to the Integrity Commissioner and, in that case, the Board shall direct whether the Integrity Commissioner is to treat the matter as a Formal Complaint or pursue informal inquiry and potential resolution. In any such matter where the Board has directed the Integrity Commissioner to pursue an informal inquiry and potential resolution, the Integrity Commissioner shall advise the Board in the event that the Integrity Commissioner has determined that the informal process is not likely to resolve the matter. Upon receipt of such advice, the Board may then direct that the Integrity Commissioner to treat the matter as if it were a Formal Complaint; otherwise, the Board shall make inquiries into the matter and shall, based on the results of the inquiries, determine whether the member has breached this Code of Conduct and, if so, it shall consider whether to sanction the member under section 218.3(3) of the *Education Act*.
- (f) In a municipal election year, a Code of Conduct complaint respecting a Trustee who is seeking re-election will not be

received by the Integrity Commissioner and any open complaint investigation shall be suspended during the period starting on Civic Monday and ending when a new Board is deemed organized under section 6 of the *Municipal Elections Act*.

4.3 Classification of Complaints by the Integrity Commissioner

- (a) An original written Formal Complaint shall be filed with the Integrity Commissioner for initial classification to determine if the matter is a complaint with respect to non-compliance with the Code of Conduct whether it is covered by other legislation or other policies.
- (b) If the complaint is not a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or the complaint is covered by other legislation, the Integrity Commissioner shall advise the complainant in writing as follows:
 - i. if the complaint is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
 - ii. if the complaint is with respect to non-compliance with the *Municipal Conflict of Interest Act*, the complainant shall be advised to review the matter with the complainant's own legal counsel;
 - iii. if the complaint is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be referred to the Board's General Counsel
 - iv. in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to consider, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.
- (c) If the Integrity Commissioner shall undertake a threshold assessment of any Formal Complaint and shall determine whether the complaint is outside the timelines stipulated herein or is frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, in which case the Integrity Commissioner shall not initiate an investigation, or, where that becomes apparent in the course of an investigation the Integrity Commissioner shall terminate the investigation. The complainant and Trustee, as appropriate, shall be advised of the decision with a rationale. Where the complainant breaches the integrity of an investigation by sharing the details on social media, or in the public arena, the Integrity Commissioner may terminate the investigation.

In assessing whether a complaint is frivolous, vexatious, or not made in good faith, the Integrity Commissioner shall consider whether the complainant is advancing a concern, issue or complaint that is consistent with the purpose of the Code of Conduct and also whether the complaint is, in essence, in the nature of a private interest.

4.4 Reports from the Integrity Commissioner: No Jurisdiction or Inquiry

- (a) The Integrity Commissioner may report to the Board of Trustees that a specific complaint is not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify the complainant.
- (b) The Integrity Commissioner shall report annually to the Board of Trustees on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.
- (c) Other than in exceptional circumstances, the Integrity Commissioner will not report to the Board of Trustees on any complaint described in subsection 6.3 except as part of an annual report.

4.5 Formal Complaint Inquiries by the Integrity Commissioner

- (a) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction, the Integrity Commissioner shall proceed with an investigation as follows:
 - i. provide the complaint and supporting material to the Trustee whose conduct is in question with a request that a written response to the allegation be provided within ten days; and
 - ii. Provide a copy of the response to the complainant with a request for a written reply within ten days.
- (b) If necessary, after reviewing the written materials, delivered under subsection 6.5 (a) the Integrity Commissioner may speak to anyone he or she deems relevant to the complaint, access and examine any of the information, documents or electronic materials and may enter any Board work location relevant to the complaint for the purposes of investigation and/or settlement, provided that the Board's General Counsel has pre-approved the release of any information, documents or materials to the Integrity Commission in accord with the Board's legal obligations.
- (c) The inquiry will be conducted in private and will remain confidential, save and except as may be disclosed in any report by the Integrity Commissioner to the Board of Trustees or as necessary for the conduct of the investigation.
- (d) The Formal Inquiry may involve both written and/or oral statements by any witnesses, persons with relevant information to the complaint, the complainant or the Trustee alleged to have breached the Code
- (e) The Statutory Powers Procedure Act does not apply.

- (f) Subject to the provisions of 5.4(g), at any time following receipt and review of a Formal Complaint or at any time during the Formal Inquiry, where the Integrity Commissioner believes there is an opportunity to successfully resolve the matter without a formal investigation, and both the complainant and the Trustee alleged to have breached the Code agree, an informal resolution may be pursued. If this process leads to a result that is satisfactory to the Complainant and the Trustee alleged to have breached the Code, then the complaint shall be deemed withdrawn.
- (g) Section 5.4(f) shall not be engaged unless the parties consent and unless the Integrity Commissioner is of the view that it is unlikely, on a balance of probabilities, that there would be a finding of a breach of the Code of Conduct.
- (h) A Formal Complaint may be withdrawn by the Complainant at any time prior to the Board making a determination on the alleged breach(es) under section 218.3 of the *Education Act*.

4.6 Reports to the Board of Trustees

- (a) The Integrity Commissioner shall report to the complainant and the Trustee generally no later than 90 days after the receipt of the Formal Complaint unless the Integrity Commissioner determines that a longer period of time is required to complete the final report and the reason is explained in the final report. The Board of Trustees and the complainant shall be advised of the need for the extension of time with an expected date of delivery of the report.
- (b) The Integrity Commissioner may make interim reports to the Board of Trustees where necessary and to report on any instances of interference, obstruction or retaliation encountered during the investigation.
- (c) Where Formal Complaint is sustained in whole or in part, the Integrity Commissioner shall report to the Board of Trustees outlining the findings of the investigation. The report shall make recommendations as to sanction with reference to section 218.3 of the *Education Act* together with any relevant decisions of other Boards that the Integrity Commissioner believes may be of assistance to the Board in considering sanction.
- (d) A report following an investigation into of a Formal Complaint will be delivered to the Board of Trustees for consideration in accordance with the provisions of sections 218.3 and 207 of the *Education Act*. Where the Integrity Commissioner's investigation into a Formal Complaint concludes that there has been no breach of the Code of Conduct, the Integrity Commissioner's investigative report shall not be delivered to the Board of Trustees, but a summary of the investigation shall be provided to the Board of Trustees.
- (e) Where the Integrity Commissioner determines that a contravention of Code of Conduct occurred although the Trustee

took all reasonable measures to prevent it, or that a contravention occurred through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report.

- (f) The Integrity Commissioner shall give a copy of the report to the complainant and the Trustee whose conduct is concerned.
- (g) The Integrity Commissioner shall bring the report before the next available meeting of the Board of Trustees.
- (h) The Board of Trustees shall consider and make a decision in response to the Integrity Commissioner's report in a timely manner, and shall comply with the provisions of section 218.3 of the *Education Act* in considering and making a determination as to whether a breach has occurred and, if so, any sanction.
- (i) The Board of Trustees shall consider the report of the Integrity Commissioner and the Board of Trustees shall make its own assessment and determination of whether there has been a breach of the Code of Conduct and, if so, may accept, reject or amend the Integrity Commissioner's recommendation, if any, as to sanction.
- (j) The Integrity Commissioner may attend at the meeting at which the Board of Trustees will be considering the final report to answer questions of members of the Board of Trustees.
- (k) Where a matter is being handled by the Integrity Commissioner, Individual Trustees shall not undertake their own investigation of any matter, including questioning a complainant, the Trustee who is alleged to have breached the Code or any witnesses or persons participating in any investigation.

4.7 Payment of Costs

- (a) Subject to subsection 6.7(e), a member of the Board who is a respondent to a formal complaint under this procedure shall be reimbursed by the Board for actual and reasonable legal and related expenses up to a maximum of \$5,000.
- (b) Subject to subsection 6.7(e), in the case of an application under the *Judicial Review Procedure Act* for judicial review of actions taken on a complaint against a member of the Board by the Integrity Commissioner,
 - i. where a member of the Board made the judicial review application, the member is eligible for reimbursement of legal costs, including additional legal costs in a successful application, that are not recovered by any costs awarded by the court, up to a maximum of \$20,000.

- ii. a member of the Board is entitled to reimbursement of the legal costs of intervention in a judicial review application where the member's interests are at stake, up to a maximum of \$20,000.
- (c) Subject to subsection 6.7(e), the Board of Trustees may consider the reimbursement of costs above the limit in subsections 6.7(b)i. and 6.7(b)ii. on a case-by-case basis.
- (d) The Board may consider an advance payment to a Trustee for legal expenses prior to completion of an investigation for a maximum amount of \$5,000. While the Trustee must return to the Board all unused funds upon completion of an investigation, the Trustee will not be required to reimburse the spent funds if, upon completion of the investigation, either subsection 6.8(e)i or ii, apply. Otherwise, all advanced funds must be returned to the Board immediately upon conclusion of the investigation.
- (e) Costs shall only be reimbursed under this section to the member of the Board:
 - i. if the Integrity Commissioner concludes that there has been no contravention of the Code of Conduct by the member or that the member is not blameworthy, and the Integrity Commissioner's conclusion is not overturned on judicial review; or
 - ii. if the member is successful, in whole or in part, on any judicial review application either as an applicant or intervenor.
- (f) Any request for costs under subsection 6.7 shall be made in writing to the General Counsel who shall report to the Board of Trustees.

4.8 Confidentiality and Formal Complaints

A Formal Complaint will be processed as follows:

- (a) The Integrity Commissioner and every person acting under the Integrity Commissioner's instructions shall preserve confidentiality with respect to all Code of Conduct matters except as required by law or in accordance with the provisions of the Code of Conduct and the *Education Act*. The following persons involved in any aspect of a Code of Conduct complaint, including any investigation, shall preserve confidentiality:
 - i. the complainant;
 - ii. individual Trustees;
 - iii. witnesses;
 - iv. the Integrity Commissioner, and

v. staff.

Except that the Integrity Commissioner may disclose relevant information in a public report but only to the extent that the Integrity Commissioner deems it appropriate to do so and provided same has been pre-approved by the Board's General Counsel as being in accord with Board's legal obligations.

- (b) All reports from the Integrity Commissioner to the Board of Trustees will be made available to the public. The report may be redacted appropriately to reflect the requirements of section 207(2) of the *Education Act*.
- (c) Any references by the Integrity Commissioner in an annual or other periodic report shall not disclose confidential information that could identify the trustee concerned, except where the trustee's name has been disclosed in the public sphere, or the Integrity Commissioner deems it necessary to identify the person concerned.
- (d) The Integrity Commissioner in a report to the Board of Trustees on whether a member of the Board has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are appropriate for the purposes of the report.

5.0 EVALUATION

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

7.0 APPENDICES

Appendix A: Complaint Form

Appendix A

**Durham District School Board
Code of Conduct - Formal Complaint Form**

COMPLAINT OF

I, _____ (full name), of the
(City, Town, etc.) _____ (municipality of
residence) in the Province of Ontario.

STATE THE FOLLOWING:

1. I have personal knowledge of the facts as outlined in this affidavit, because

(insert reasons e.g. I work for . . . I attended a meeting at which . . . etc.)

2. I have reasonable and probable grounds to believe that:

_____ (specify name of Trustee) a member of the
Durham District School Board, has contravened Section (s) _____
_____ (specify section(s) of
the Trustee Code of Conduct. The particulars of which are as follows:

(Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space, please use the attached Schedule A form and check the appropriate box below. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, etc. and attach them to this form.)

*Where a complainant chooses to litigate this matter in the court of public opinion and/or social media platforms, the Integrity Commissioner reserves the right to dismiss this complaint.

Please see the attached Schedule "A"



DATED THIS _____ DAY OF _____, 20____ at the City/Town of _____
In the Province of Ontario.

(Signature of person making the complaint)

Page ____ of ____

(Additional Information)

(If more than one page is required, please photocopy this blank page and mark each additional page as 2 of #, 3 of #, etc. at the top right corner.)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

(Signature of Person Making the Complaint)

By Law

By-Law #12

By-Law: School Board Member (Trustee) Code Of Conduct**1.0 Purpose and Application**

~~1.1 This Board Member Code of Conduct (“Code of Conduct”) supports both legislated requirements and Board established by laws, policies and procedures that set out the governance and accountability framework at the Durham District School Board (DDSB). The *Education Act* gives school boards the authority to adopt codes of conduct that apply to board members. This Code of Conduct supports the Board’s commitment to meeting high standards of conduct by trustees. The *Education Act* and the regulations thereunder mandate that school boards adopt a code of conduct that applies to Board members.~~

~~1.1~~

~~1.2 A Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour. 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.~~

~~1.2~~

~~1.3 A code of conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the community. It deals with acceptable and respectful behaviours. This Code of Conduct meets the Board’s statutory obligations and supports the Board’s commitment to meeting high standards of conduct by trustees.~~

~~1.3~~
~~1.4~~

~~Trustees will support the Vision and Values, and Strategic Priorities of the Durham District School Board. This Code of Conduct applies to all members of the Board of Trustees. It applies to members of the Board of Trustees from the date the Declaration is filed under section 209(1) of the *Education Act* and only while they hold the office. Conduct of a Trustee outside of this timeframe is not subject to sanction under this Code of Conduct.~~

~~1.4~~

~~1.5 Trustees responsibilities can be found in By Law #11.~~

~~1.6~~
~~1.5 The Selection, Appointment and Jurisdiction of the Integrity Commissioner and the Complaints Procedure is set out in Appendix 1. The *Selection, Appointment and Jurisdiction of the Integrity Commissioner* together with the *Complaints Protocol* are attached at Appendix 1 and 2 respectively.~~

~~1.71.6 Trustees shall sign the Trustee Code of Conduct Acknowledgement and Undertaking, set out at Appendix 3, at the annual inaugural meeting of the Board. The Selection, Appointment and Jurisdiction of the Integrity Commissioner together with the Complaints Protocol are attached at Appendix 1 and 2 respectively.~~

2.0 **Objective**

2.1 To establish governing principles and standards for accepted behavior by members of the Board of Trustees, including the Chair of the Board.

3.0 **Responsibility**

3.1 The Board of Trustees, the DDSB's Integrity Commissioner and the Director of Education.

4.0 **Application and Scope**

4.1 This Code of Conduct applies to all members of the Board of Trustees.

5.0 **Definitions**

Board means the Durham District School Board, ~~which is~~ also referred to as the DDSB, a statutory corporation under section 58.5 of the Education Act.

Discrimination means discriminatory behaviour as defined by the DDSB Workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.

Harassment means harassing behaviour as defined by the DDSB workplace Violence and Harassment Prevention policies and ~~the Ontario Human Rights Code~~ the Occupational Health and Safety Act, Ontario.

Integrity Commissioner means the Integrity Commissioner duly appointed by the Board of Trustees ~~in accordance with the Durham District School Board Bylaws.~~

Members of the Board (also referred to as Trustees) ~~means the Chair and all members of the Board of Trustees~~ are the members of the Board of Trustees of the DDSB.

Official Business means duties and responsibilities of Trustees ~~as set out in as prescribed by in~~ the *Education Act* and further delineated in the Board's Consolidated By-Laws and Policies, explained in the By-Law #11 Trustee Responsibilities, and directly related to operations of the Durham District School Board.

Unless specified otherwise, staff means any employee of the Durham District School Board. Staff members means employees of the Durham District School Board.

Trustee's office or office means the authority and public duties attached to the position of being a Trustee. Trustees Office means the authority and public duties attached to the position of being elected as a DDSB Trustee.

6.0 Code of Conduct

6.1 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.

6.2 This Board Member Code of Conduct (“Code of Conduct”) represents the Board’s commitment to meeting high standards of conduct.

Integrity and Dignity of Office - Principles

6.3 Trustees ~~of the Board~~ shall discharge their duties, as set out in the *Education Act*, loyally, faithfully, impartially and in a manner, that will inspire public confidence in the abilities and integrity of the Board.

6.4 ~~Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students.~~

6.5 Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner at all times, and especially when attending Board events, or while on Board property.

6.6 Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to any person, including Board staff or fellow Board members.

6.7 No Trustee shall engage in conduct during meetings of the Board or committees of the Board, and at all other times, that would discredit or compromise the integrity of the Trustee, any other Trustee, or the Board;

6.8 A Trustee shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board;

6.9 Trustees shall serve and be seen to serve ~~their school communities~~ in a constructive, respectful, conscientious and diligent manner;

6.10 ~~Trustees shall recognize the public trust in the expenditure of DDSB funds efficiently and in the best interests of students;~~

6.11 Trustees shall be committed to performing their functions with integrity and shall ~~to~~ avoid~~ing~~ the improper use of the influence of their office, and conflicts of interest, both apparent and real;

6.12 Trustees are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence;

6.13 Trustees 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 ~~B~~by-~~L~~aws and policies ~~adopted by of~~ the Board;

6.14 Trustees agree to the common understanding that individual trustees will not participate in activities that grant, or appear to grant, any special consideration, treatment, or advantage to an individual Trustee which is not available to every other individual. Allowable activities include those activities that are reasonably related to a Trustee's Office, taking into consideration the different interests and the diverse profiles of their wards/communities;

6.15 Trustees recognize that their Oath of Office binds them to the provisions of the *Municipal Conflict of Interest Act* (MCIA); ~~and,~~

6.16 ~~The following provincial and federal legislation also applies to Trustees:~~

~~(a) — Criminal Code of Canada.~~

~~(b) — Education Act~~

~~(c) — Municipal Conflict of Interest Act~~

~~(d) — Municipal Elections Act, 1996~~

~~(e) — Municipal Freedom of Information and Protection of Privacy Act~~

~~(f) — Occupational Health and Safety Act~~

~~(g) — Ombudsman Act~~

~~(h) — Ontario Human Rights Code.~~

Confidential Information

6.17 Confidential Information includes,

- (a) information in the custody and/or control of the DDSB that is subject to the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) or other legislation, including, but not limited to personal information of staff and students, third party corporate, commercial, scientific, or technical information, solicitor-client or litigation privileged information;
- (b) information in respect of litigation or potential litigation affecting the Board, and information that is subject to solicitor-client privilege;
- (c) information discussed during closed sessions of the Board pursuant to section 207 of the *Education Act*;
- (d) intimate, personal or financial information of a Trustee, staff member or prospective staff member, student, parent or guardian;
- (e) the acquisition or disposal of the Board's real property, including a school site; and,
- (f) ~~decisions~~ information in respect of negotiations with staff members.

6.18 No Trustee shall disclose or release, to anyone, 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 Trustee's term of office.

- 6.19 No Trustee shall use confidential information for either personal gain or to the detriment of the Board.
- 6.20 Trustees 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. It is understood that any staff providing access to any such confidential information may share it with other Trustees, as may be appropriate in the circumstances.
- 6.21 Under the ~~DDSB Bylaws~~ Board's Consolidated By-Laws, a matter that has been discussed by any committee of the Board, of Trustees including a committee of the whole board, in closed session in accordance with section 207(2) or 207(2.1) of the *Education Act* is confidential. Trustees shall not disclose the content of any such matter, or the substance of deliberations, of the closed session unless and until, and only to the extent that, meeting until the Board of Trustees discusses the information at a meeting that is open to the public or releases the information to the public or the Board of Trustees otherwise gives prior authorization for the disclosure.
- 6.22 ~~Individual members~~ Members of the Board are only entitled to information in the possession of the DDSB that is relevant to matters before the Board of Trustees or a committee of the Board. Otherwise, ~~an individual Trustee members~~ enjoys the same level of access rights to information as any other member of the community.
- 6.23 If there is uncertainty about whether information is confidential, ~~the a Trustee may should check with the appropriate staff member, consult with the Director of Education or seek~~ guidance from the Board's General Counsel. the advice of the Integrity Commissioner.

Upholding Decisions

- 6.24 All Trustees of the Board shall accept that authority rests with the Board of Trustees, and that a Trustee has no individual authority other than that delegated by the Board of Trustees. Trustees shall be mindful of this in all of their interactions with others and will not commit the Board, any Board committee or staff to any particular course of action.
- 6.25 Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, or the like, if permitted by the Consolidated By-Laws Board's Rules of Order, can be brought by a Trustee and Robert's Rules of Order, if applicable, may be brought forward by a Trustee.
- 6.26 A Trustee should be able to explain the rationale for a resolution passed by the Board. A Trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution.
- 6.27 Each Trustee shall endeavor in good faith to comply with ~~Board~~ the Board's Consolidated By-Laws. The Board of Trustees as a whole, and not individual trustees, implements and monitors compliance with Board policies. There are a few instances where policies

and procedures apply to individual trustees (eg. Trustee expense policy and procedure) and Trustees shall comply with all such policies and procedures. , Policies and applicable Procedures. policies, procedures, By-Laws, and Rules of Order.

- 6.28 The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair of the Board or the Board of Trustees to do so. When individual Trustees express their opinions in public, through any medium, including social media, they must make it clear that they are not speaking on behalf of the Board. ~~and must otherwise comply with this Code of Conduct.~~

Gifts, Benefits and Hospitality

- 6.29 Trustees are expected to carry out their duties with impartiality and objectivity. Trustees shall not accept a gift, benefit or hospitality in order to avoid the risk that this will compromise their objectivity or lead to an appearance of lack of objectivity, bias or influence ~~on the part of the Trustee.~~

- 6.30 For these purposes, a gift, benefit or hospitality provided with the Trustee's knowledge to a Trustee's spouse, child, or parent, or to a Trustee's staff that is connected directly or indirectly to the performance of the Trustee's duties is deemed to be a gift to that Trustee. ~~of the Board.~~

- 6.31 There are circumstances in which the acceptance of a gift, benefit or hospitality occurs as part of the social protocol or community events linked to the duties of an elected official and his/her role in representing the Board. The exceptions do not apply in the case of vendors of goods and services, or those expecting to be vendors to the DDSB. The following is a list of recognized exceptions:

- (a) compensation authorized by law;
- (b) gifts of a nominal value (eg. gift card, hat, t-shirt, mug, not exceeding approximately \$100.00).
- (a)(c) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- ~~(b) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;~~
- (e)(d) a political contribution otherwise reported by law, in the case of members running for office;
- (d)(e) services provided without compensation by persons volunteering their time;
- (e)(f) a suitable memento of a function honouring the member;
- (f)(g) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity. For the purposes of this exception, "official capacity" refers to attendance in a ceremonial, presentational or representational role on behalf of the Board or where the DDSB has authorized

the member to attend on behalf of the organization;

~~(e)~~(h) food and beverages consumed at banquets, receptions or similar events, if:

- (i) attendance serves a legitimate business purpose;
- (ii) the person extending the invitation or a representative of the organization is in attendance; and
- (iii) the value is reasonable and the invitations infrequent;

~~(h)~~(i) communication to the offices of a member, including newspapers and periodicals; and,

~~(+)~~(j) no Trustee shall accept a gift from any person or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence the Trustee when performing his or her duties to the Board. Any gifts received shall be reported to the Chair of the Board.

6.32 An invitation to attend a function where the invitation is connected directly with the performance of a Member's duties of office (i.e. for which the Trustees has a ceremonial, presentational or representational official role) is not considered ~~by this Code of Conduct~~, to be a gift. This type of attendance is considered to be fulfillment of official public duties.

Conflict of Interest

6.33 A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.

6.34 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a family member.

6.346.35 Members of the Board shall comply with the *Municipal Conflict of Interest Act* and avoid conflicts of interest as defined by this Code of Conduct, and the Broader Public Sector (BPS) Directive and Code of Ethics.

Use of Board Property, Services and Other Resources

6.356.36 No Trustee should use, or permit the use of Board resources, including but not limited to 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 DDSB. No Trustee 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 innovations, or other items capable of being patented, or from the sale of Board provided mobile phones and all other technological equipment, since all such property remains exclusively that of the Board.

Election Campaign Work

6.366.37 Election activity refers to campaigns for municipal, provincial and federal office or campaigns on a question on a ballot.

6.376.38 No Trustee 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. No Trustee shall undertake campaign-related activities on Board property unless permitted by Board policy. No Trustee shall use the services of persons for election- related purposes during hours in which those persons receive any compensation from the Board.

Improper Use of Influence

6.386.39 No Trustee shall use the influence of his or her office for any purpose other than for the exercise of his or her official duties. This includes using the influence of the office to obtain employment for a family member, or otherwise using one's status as a Trustee to improperly influence the decision of another person to the private advantage of oneself, or one's parents, children or spouse, staff members, friends, or associates, business or otherwise. Also prohibited is the holding out of the prospect or promise of future advantage through a Trustee's supposed or actual influence within the Board in return for present actions or inaction. It includes refraining from using one's status to improperly influence the decision of another person to improperly prejudice another person or persons.

6.396.40 For the purposes of the above this provisions, "private advantage" and "improperly prejudice" does not include discussion of a matter at a Board or committee meeting that:

- (i) that is of general application;
- (ii) ~~that~~ affects a Trustee, his or her parents, children or spouse, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
- (iii) ~~a committee or Board matter that~~ concerns the remuneration or benefits of a Trustee.

Conduct Regarding Current and Prospective Employment

6.406.41 No Trustee shall allow any current employment or the prospect of his or her future employment by a person or entity to improperly or for personal gain affect the performance of his or her duties to the Board.

6.416.42 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a family member of the Trustee.

Conduct ~~a~~At Board ~~a~~And Committee Meetings

6.426.43 Trustees shall respect procedural rulings at Board and committee meetings and respect the views and opinions expressed by staff members, delegates and other Trustees. Trustees shall conduct themselves with decorum at Board and Committee meetings and in accordance with the provisions of the Consolidated By-Laws. ~~Trustees act in the service of the community. They have the opportunity to set an example for future leaders who may look to them for guidance and leadership. They are expected to respect the procedural rulings of the Chair and behave respectfully in respect of the information, views and opinions expressed by staff members, delegates and other Trustees. It is vital that members of the Board conduct themselves with decorum at Board and Committee meetings and in accordance with the provisions of the DDSB's Bylaw concerning meeting procedures.~~

Conduct Respecting Staff Members

6.436.44 Trustees shall carry out their duties as defined within section 218.1 of the *Education Act*. ~~The Board of Trustees as a whole approves budget, policy, Committee processes, and other such matters. Staff members serve the Board of Trustees as a whole.~~

6.446.45 Trustees shall ~~be respectful of the~~ their role and the distinct role and responsibility of staff in accordance with the provisions of the *Education Act*, the Board's Consolidated By-Laws, and OPSBA's Good Governance guide, as amended from time to time. ~~of staff members to provide advice based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board of Trustees.~~

6.45 ~~Trustees will respect the distinct roles of staff in implementing policy in accordance with the provisions of the *Education Act*, the Board's Governance By Law #11, and OPSBA Good Governance.~~

6.46 In dealing with parent/guardian concerns or community concerns, Trustees shall not provide express or implicit direction or suggested outcomes to school administrators or educators.

6.466.47 ~~Trustees shall not provide direction to staff. Trustees work with the Chair and Director of Education. The Director of Education is responsible for communicating directives and expectations to staff.~~

6.47 ~~Trustees shall respect the professionalism, reputations, duties and expertise of staff members.~~

6.48 By way of example and for greater certainty, Trustees shall not falsely or maliciously injure the professional or other reputation of staff members; compel staff members to engage in partisan political activities or subject staff to threats or other maltreatment for refusing to engage in such activities; or use or attempt to use their authority or influence to intimidate, threaten, coerce, command or influence staff members or interfere with staff members' duties, including to disclose improper activities.

6.48

Discreditable Conduct

- 6.49 All Trustees have a duty to treat members of the public, one another, and staff members respectfully and ~~without abuse, bullying or intimidation, and to ensure that the work environment at the Board is~~ free from discrimination and harassment. This ~~provision~~ applies to all forms of written and oral communications, including via social media.
- 6.50 ~~Harassing or discriminatory behavior, as indicated in the DDSB Workplace Harassment Prevention and Human Rights policies and the *Ontario Human Rights Code* and the *Occupational Health and Safety Act*, apply to the conduct of members which occurs in the course of, or is related to, the performance of official business and duties of Trustees, and to that extent are incorporated into and form part of this Code of Conduct. is subject to this Code of Conduct.~~ If an employee or a member of the public brings forward a harassment complaint against a Member of the Board to ~~staff, the DDSB Human Rights Office,~~ it shall be immediately forwarded to the Integrity Commissioner. If a complaint is filed with the Integrity Commissioner, after an initial assessment, the Integrity Commissioner may determine the appropriate next steps, including ~~treating the matter as a Formal Complaint or~~ referral of the complaint to an independent investigator. Upon receipt of the independent investigator's findings, the Integrity Commissioner shall ~~report to the Board in the same manner as a report following an investigation into a Formal Complaint. make a final recommendation in respect of compliance with the Code of Conduct.~~

Failure ~~t~~To Adhere ~~t~~To ~~t~~The Board Policies ~~a~~And Procedures

- 6.51 Trustees are required to observe the terms of all policies and procedures established by the Board that apply to members of the Board.
- 6.52 ~~Trustees shall comply with the provisions of the Employee and Trustee Expenses Policy and Regulation #4135 and corresponding procedures, as amended from time to time.~~

Reprisals ~~a~~And Obstruction

- 6.53 Trustees should respect the integrity of this Code of Conduct and are obliged to cooperate with inquiries conducted in accordance with the Complaints Protocol and any other procedures set by the Board for addressing complaints of a breach of this Code of Conduct. Any reprisal or threat of reprisal against a complainant or anyone else for providing relevant information to the Integrity Commissioner is prohibited. It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out ~~of her or his~~ the duties of that office. ~~responsibilities, for example, by destroying documents or erasing electronic communications.~~
- 6.54 Trustees ~~shall be respectful of the role of the office of the Integrity Commissioner. of the Board have a duty to respond to and comply with all requests of the Integrity Commissioner and failure to do so is a violation of this Code of Conduct.~~

Acting ~~on~~ Advice ~~of~~ Integrity Commissioner

6.55 If a Trustee is ~~there is~~ uncertainty about whether a proposed ~~an~~ action or activity by that Trustee refers to conduct is prohibited by the Code of Conduct, the a-Trustee may directly seek the advice of the Integrity Commissioner prior to engaging in the proposed action or activity. This shall not constitute an inquiry or investigation by the Integrity Commissioner pursuant to the Complaint Protocol. The advice is not binding on the member nor on the Board, but must be considered by the Integrity Commissioner in any subsequent investigation involving the member and the same or related conduct. Where a member of the Board has received written Any advice from by the Integrity Commissioner to a Trustee under this provision shall be in writing or, if oral, confirmed in writing by the Integrity Commissioner. ~~The fact that a member did not seek advice under this section shall not be considered by the Integrity Commissioner or the Board in any subsequent investigation or determination. on a particular matter, the advice is binding on the Board in any subsequent consideration of the conduct of the Trustee in the same matter as long as the Trustee disclosed all relevant facts to the Integrity Commissioner before the advice was provided.~~

6.56 Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or Committee of the Board from exercising their power pursuant to s. 207(3) of the Education Act to expel or exclude from any meeting any person who has demonstrated improper conduct at the meeting. ~~The Integrity Commissioner will work with the Chair and Director when providing advice to Trustees.~~

6.57 The Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.

6.56.58 The Chair of the Board or Presiding Officer shall always attempt to follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures under the Consolidated By-Laws.

7.0 — Chair/Presiding Officer

7.1 ~~The Code of Conduct applies equally to the Chair of the Board. In the case of an allegation of a breach of the Code by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice Chair of the Board.~~

7.2 ~~Each year two alternate Trustees shall be chosen by the Board to be used when the circumstance warrant that one or both Trustees are needed in place of the Chair and/or Vice Chair of the Board to carry out any of the duties required under this Code of Conduct. The two alternate Trustees will be selected annually at the inaugural meeting of the Board in December.~~

7.3 ~~Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or Committee of the Board from exercising their power pursuant to s. 207(3) of the Education Act to expel or exclude from any meeting any person who has demonstrated improper conduct at the meeting. For greater certainty, this may be done at the discretion of the Chair or Presiding Officer as the case may be, and without the~~

~~necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting.~~

~~7.4 The Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.~~

~~7.57.0 The Chair of the Board or Presiding Officer shall follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures contained in any Policy or By Law of the Board. A breach of a rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the Enforcement of the Code of Conduct, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.~~

8.0 Sanctions

~~8.1 If the Board Integrity Commissioner determines that the Trustee has breached the Board's this Code of Conduct, the Board Integrity Commissioner shall report to the Board of Trustees reciting the findings of the Integrity Commissioner. The Board of Trustees shall consider the report of the Integrity Commissioner and the Board of Trustees shall make its own assessment and determination of whether there has been a breach of the Code of Conduct and, if so, may impose one or more sanctions as provided for in section 218.3 of the Education Act, as may be amended from time to time. The Board has no power to declare the Trustee's seat vacant. may impose one or more of the following sanctions:~~

~~(a) Censure of the Trustee.~~

~~(b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.~~

~~(c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.~~

~~8.2 The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.~~

~~8.3 A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.~~

~~8.4 The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the Education Act regarding absences from meetings.~~

9.0 Specific Directives

~~9.19.0 The Board of Trustees has authority to issue operational procedures to implement this policy.~~

10.0 Evaluation

10.1 This Code of Conduct is to be reviewed and updated as required but at a minimum every four (4) years, on or before May 15 beginning in May, 2019.

11.0 Appendices

N/A

12.0 Reference Documents

Policies:

- ~~Trustee Expenses Policy & Regulation #4135~~
- ~~Workplace Harassment Policy & Regulation #4245~~

By-laws

- ~~Trustee Responsibilities Principles of Policy Governance By-Law #11)~~
- ~~DDSB Bylaws~~

Procedures:

- ~~Workplace Violence Management Procedure #4146~~

Legislation:

- ~~Criminal Code of Canada~~
- ~~Education Act~~
- ~~Municipal Conflict of Interest Act~~
- ~~Municipal Elections Act, 1996~~
- ~~Municipal Freedom of Information and Protection of Privacy Act~~
- ~~Occupational Health and Safety Act~~
- ~~Ombudsman Act~~
- ~~Ontario Human Rights Code~~

Appendix:

1-~~32~~

Document Links:

Effective Date

2012-06-18

Amended/Reviewed

2015-11-16

2018-11-19

2019-03-14

Legislative References

Approved by

Appendix 1 – Appointment, Selection and Jurisdiction of the Integrity Commissioner

1.0 Appointment of the Integrity Commissioner

- 1.1 The Board of Trustees shall appoint an Integrity Commissioner by 2/3 vote. The Integrity Commissioner may be an individual or a firm/corporation. In the latter case, an individual in that firm/corporation may be referenced as the Board's Integrity Commissioner, with the consent of the Board and the firm/corporation.
- 1.2 The term of the Integrity Commissioner shall be five (5) years. The term may be extended by the Board of Trustees by 2/3 vote.
- 1.3 The Integrity Commissioner may be ~~removed or~~ terminated by the Board of Trustees for cause by 2/3 vote.
- 1.4 ~~The Integrity Commissioner may resign from his or her position with 90 days written notice to the Board of Trustees.~~

2.0 Selection of the Integrity Commissioner

- 2.1 The Integrity Commissioner shall be selected using the Board's hiring practices, overseen by a selection committee appointed by the Board and chaired by the Chair or designate. The selection committee shall make a recommendation to the Board.

3.0 Role of the Integrity Commissioner

- 3.1 The Integrity Commissioner has the following responsibilities:
 - ~~a.~~ providing advice to Trustees about the application of the Code of Conduct, Board policies and procedures, Complaint Protocol fulfilling his or her responsibilities as set out in the Code of Conduct;
 - ~~a.b.~~ providing general instruction to Trustees about the Code of Conduct and Complaint Protocol;
 - ~~b.c.~~ providing general information to Trustees about their duties and obligations under the *Municipal Conflict of Interest Act*;
 - ~~e.d.~~ reviewing and making inquiries related to complaints made about Trustees in relation to the Code of Conduct and the Complaint Protocol, pursuant to the Complaint Protocol;
 - ~~d.e.~~ providing educational programs to Trustees on issues of ethics and integrity;
 - ~~e.f.~~ maintaining custody and control of their complaint and inquiry files and, on completion of their term, transfer any open files related to ongoing matters to the incoming Integrity Commissioner or as the Board may direct; and
 - ~~f.g.~~ providing such other duties respecting ethical and conduct matters as assigned by the Board.
- 3.2 The Integrity Commissioner does not have jurisdiction over complaints about Board staff.
- 3.3 The Integrity Commissioner shall act in an independent and objective manner. ~~shall carry~~

~~out his/her duties independently.~~

3.4 The Integrity Commissioner is accountable to and reports to the Board of Trustees.

3.5 ~~The Integrity Commissioner does not have jurisdiction to investigate or make inquiries in respect of complaints that are related to the Criminal Code, the Municipal Conflict of Interest Act, the Municipal Elections Act, or the Municipal Freedom of Information and Protection of Privacy Act.~~

The Director of Education, for the sole purpose of an inquiry or investigation undertaken by the Integrity Commissioner pursuant to the Complaint Protocol, provide information to the Integrity Commissioner, and facilitate access to all documents including, but not limited to books, accounts, financial records, electronic records and communications, files, papers, things or property in the possession or control of the DDSB that the Integrity Commissioner believes are necessary for an investigation of a complaint ~~or property belonging to or used by the Board of Trustees that the Commissioner believes are necessary for an investigation of a complaint~~ made in accordance with the Complaint Protocol, provided first that the Board's General Counsel has vetted the proposed access to confirm that same will not breach the Board's legal obligations.

3.6 —.

Appendix 2 – Complaints Protocol – Integrity Commissioner

1.0 RATIONALE

The Board has established a Board Member Code of Conduct (“Code of Conduct or “Code””) to govern the conduct of Trustees and to provide transparency, accountability, and public confidence in its governance. This Protocol supports the implementation of the Code of Conduct Board Member Code of Conduct, particularly as related to the complaints process, including the reporting, investigation and resolution of complaints.

2.0 OBJECTIVE

To outline the processes for making, investigating, resolving and reporting on the outcomes of complaints made under the Code of Conduct.

3.0 DEFINITIONS

Terms are as defined in the Code of Conduct.

~~*Board* refers to the Durham District School Board, which is also referred to as the DDSB.~~

~~*Discrimination* means discriminatory behavior as defined by the DDSB Workplace Violence and Harassment Prevention policy and the Ontario Human Rights Code. [NTD add in other policies/procedures at the board addressing this]~~

~~*Harassment* means harassing behavior as indicated by the DDSB Workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.~~

~~*Inquiry* includes an investigation.~~

~~*Integrity Commissioner* means the Integrity Commissioner appointed by the Board of Trustees in accordance with the DDSB Bylaws.~~

~~*Members of the Board* (also referred to as Trustees) means Trustees of the Board of Trustees.~~

~~*Official Business* means duties and responsibilities of trustees as prescribed by the Education Act and By-Law #11, Trustee Responsibilities, and directly related to operations of the Durham District School Board.~~

~~*Staff members* means staff members of the Durham District School Board.~~

~~4.0 RESPONSIBILITY~~

~~The Board of Trustees, the DDSB's Integrity Commissioner, and the Director of Education.~~

~~5.0 APPLICATION AND SCOPE~~

~~This procedure applies to all members of the Board.~~

6.0 COMPLAINT PROTOCOL

This Complaint Protocol describes informal and formal ways for members of the public, staff members and members of the Board of Trustees to address complaints concerning the Code of Conduct and members of the Board. The Complaint Protocol provides a number of ways to resolve complaints in addition to the process described in section 218.3(2) of the *Education Act*, ~~which permits a member to bring an alleged breach directly to the attention of the Board of Trustees~~ Nothing in this Code of Conduct impacts the ability of a member to elect to bring a complaint directly to the Board of Trustees under section 218.3 of the *Education Act*, rather than to the Integrity Commissioner.

~~The Integrity Commissioner may provide advice to members of the Board, information to staff members, and members of the public as well as options for resolving complaints as described in this Complaint Protocol. All of these processes are~~ The Complaint Protocol is intended to ensure that there is an opportunity to resolve complaints as fairly, expeditiously and meaningfully as possible.

6.1 Informal Complaint Process

Individuals (including staff members of the Board, members of the public, or members of the Board) ~~are encouraged may elect to use~~ pursue an informal process means first to address conduct prohibited by the Code of Conduct. With the consent of the complain~~ant~~ing individual and the Trustee, the Integrity Commissioner may be a part of any informal process.

Individuals (including staff members of the Board, members of the public, or Trustees) who have identified or witnessed conduct by a Trustee that they believe is in contravention of the Code of Conduct may ~~address wish to consider addressing the conduct in an informal way including one or more of the following the prohibited conduct as follows:~~

- (a) advise the Trustee that the conduct contravenes the Code of Conduct with an explanation as to why;

- (b) encourage the Trustee to stop the prohibited conduct;
- (c) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information; ~~advise tell someone else (for example, the Integrity Commissioner, a senior staff member or an officer of the organization)~~ about the concerns related to the Trustee and any response of the Trustee;
- ~~(e) if applicable, confirm to the Trustee the satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of the dissatisfaction with the response;~~
- (d) ~~if applicable, confirm to the Trustee the satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of the dissatisfaction with the responsespeak to the Chair of the Board to see if the matter can be resolved;~~
- (e) if the parties agree, the Integrity Commissioner can participate in resolving or attempting to resolve the issues ~~relating to the~~; and
- (f) consider the need to pursue a formal complaint as described in section 6.2.

~~An informal complaint must be made within six (6) months of the alleged violation or no action will be taken on the complaint Delay in making a formal or informal complaint to the Integrity Commissioner and any prejudice to the Trustee against whom the complaint is made as a result of such delay, shall be considered by the Integrity Commissioner and may, at the discretion of the Integrity Commission, be a sufficient basis for not proceeding with an investigation. In no case, shall a complaint be investigated if it is not made within 1 year of the events at issue.~~

The informal complaint process is encouraged; however, it is not required prior to beginning the formal complaint process.

Anonymous complaints will not be considered by the Integrity Commissioner, but the Integrity Commissioner has the discretion to hide the identity of a complainant where the safety of the complainant is an issue or where the disclosure could have a material impact on the functioning of the Board and/or professional working relationships within the Board.

If an informal complaint is brought to the attention of the Integrity Commissioner during the pre-election period described in subsection 6.2(e), the Integrity Commissioner shall not participate in the informal process until after a new Board is deemed organized

under section 6 of the *Municipal Elections Act*.

6.2 Formal Complaint ~~and Request for Inquiry Process~~

Requests for Inquiries

- (a) A request for an inquiry into a complaint that a Trustee has contravened the Code of Conduct (the “Formal eComplaint”) may be made to the Integrity Commissioner and if so, shall be made in writing on the prescribed form (~~sworn affidavit~~).
- (b) All written complaints shall be signed by an identifiable individual.
- ~~(c)~~ A written complaint shall set out reasonable and probable grounds for the allegation that the Trustee has contravened the Code of Conduct. The complaint should include the name of the alleged violator, the provision allegedly contravened, the facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during regular business hours. The Integrity Commissioner shall know the identity of the complainant, but where the safety of the complainant is an issue, or the identity of the complainant can impact the functioning of the Board and/or professional working relationships, the Integrity Commissioner can maintain the anonymity of the complainant, provided that the Integrity Commissioner is satisfied that the failure to identify the complainant does not and will not have a material impact on the fairness of the process to the member(s) against whom the allegations are made. Further, where the identity of the complainant is not disclosed to the Board of Trustees, the Board of Trustees may consider the fairness of the process to the member(s) against whom the allegations are made in considering the alleged breach and any sanction.
- ~~(d)~~ A Formal Complaint shall set out reasonable and probable grounds for the allegation(s) that a Trustee has contravened the Code of Conduct. The complaint should include the name of the alleged violator, the provision allegedly contravened, the facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during regular business hours.
- ~~(d)(e)~~ Where a complaint is brought forward by way of a Board decision under s. 218.3(a) of the *Education Act*, it may be referred to the Integrity Commissioner and, in that case, the Board shall direct whether the Integrity Commissioner is to treat the matter as a Formal Complaint or pursue informal inquiry and potential resolution. In any such matter where the Board has directed the Integrity Commissioner to pursue an informal inquiry and potential resolution, the Integrity Commissioner shall advise the

Board in the event that the Integrity Commissioner has determined that the informal process is not likely to resolve the matter. Upon receipt of such advice, the Board may then direct that the Integrity Commissioner to treat the matter as if it were a Formal Complaint; otherwise, the Board shall make inquiries into the matter and shall, based on the results of the inquiries, determine whether the member has breached this Code of Conduct and, if so, it shall consider whether to sanction the member under section 218.3(3) of the *Education Act*. 6.2(a) will not apply.

~~(e)f)~~ In a municipal election year, a Code of Conduct complaint respecting a Trustee who is seeking re-election will not be received by the Integrity Commissioner and any open complaint investigation shall be suspended during the period starting on Civic Monday and ending when a new Board is deemed organized under section 6 of the *Municipal Elections Act*.

~~(f)g) A formal complaint must be made within six (6) months of the alleged violation or no action will be taken on the complaint.~~

6.3 Classification of Complaints by the Integrity Commissioner

(a) ~~The An~~ original written Formal eComplaint shall be filed with the Integrity Commissioner for initial classification to determine if the matter is a complaint with respect to non-compliance with the Code of Conduct ~~and not whether is it~~ covered by other legislation or other policies.

(b) If the complaint is not a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or ~~a the~~ complaint is covered by other legislation procedure under another Board policy, the Integrity Commissioner shall advise the complainant in writing as follows:

- i. if the complaint is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
- ii. if the complaint is with respect to non-compliance with the *Municipal Conflict of Interest Act*, the complainant shall be advised to review the matter with the complainant's own legal counsel;
- iii. if the complaint is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be referred to the appropriate Board's General Counsel department;

~~iv. if the complaint is with respect to non-compliance with a specific Board policy with a separate complaint procedure, the complainant shall be advised to pursue the complaint under that procedure; and~~

~~iv.~~ in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to consider, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

(c) If the Integrity Commissioner shall undertake a threshold assessment of any is of the opinion that the fFormal eComplaint and shall determine whether the complaint is outside the timelines stipulated herein or request for an inquiry is frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, in which case the Integrity Commissioner shall not initiate an investigation, or, where that becomes apparent in the course of an investigation the Integrity Commissioner shall terminate the investigation. The complainant and Trustee, as appropriate, shall be advised of the decision with a rationale. Where the complainant breaches the integrity of an investigation by sharing the details on social media, or in the public arena, the Integrity Commissioner may terminate the investigation. No report shall be presented to the Board of Trustees except as provided for in section 6.4(a).

~~(e)~~ In assessing whether a complaint is frivolous, vexatious, or not made in good faith, the Integrity Commissioner shall consider whether the complainant is advancing a concern, issue or complaint that is consistent with the purpose of the Code of Conduct and also whether the complaint is, in essence, in the nature of a private interest.

6.4 Reports from the Integrity Commissioner: No Jurisdiction or Inquiry

- (a) The Integrity Commissioner may report to the Board of Trustees that a specific complaint is not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify the complainant.
- (b) The Integrity Commissioner shall report annually to the Board of Trustees on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.
- (c) Other than in exceptional circumstances, the Integrity Commissioner will not report to the Board of Trustees on any complaint described in subsection 6.3 except as part of an annual ~~or other periodic~~ report.

6.5 Formal Complaint Inquiries by the Integrity Commissioner

- (a) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction, the Integrity Commissioner shall proceed with an investigation as follows;
- i. ~~Serve~~ provide the complaint and supporting material ~~upon to~~ the Trustee whose conduct is in question with a request that a written response to the allegation be provided within ten days; and
 - iii. Provide a copy of the response to the complainant with a request for a written reply within ten days.
- ~~(b) Provide a copy of the response provided upon the complainant with a request for a written reply within ten days.~~
- ~~(e)(b)~~ If necessary, after reviewing the written materials, delivered under subsection 6.5 (a) the Integrity Commissioner may speak to anyone he or she deems relevant to the complaint, access and examine any of the information, documents or electronic materials and may enter any Board work location relevant to the complaint for the purposes of investigation and/or settlement, provided that the Board's General Counsel has pre-approved the release of any information, documents or materials to the Integrity Commission in accord with the Board's legal obligations.
- ~~(c)~~ The inquiry will be conducted in private and will remain confidential, save and except as may be disclosed in any report by the Integrity Commissioner to the Board of Trustees or as necessary for the conduct of the investigation.
- ~~(d)~~ The Formal Inquiry may involve both written and/or oral statements by any witnesses, persons with relevant information to the complaint, the complainant or the Trustee alleged to have breached the Code
- ~~(e)~~ The Statutory Powers Procedure Act does not apply.
- ~~(f)~~ Subject to the provisions of 5.4(g), at any time following receipt and review of a Formal Complaint or at any time during the Formal Inquiry, where the Integrity Commissioner believes there is an opportunity to successfully resolve the matter without a formal investigation, and both the complainant and the Trustee alleged to have breached the Code agree, an informal resolution may be pursued. If this process leads to a result that is satisfactory to the Complainant and the Trustee alleged to have breached the Code, then the complaint shall be deemed withdrawn.
- ~~(g)~~ Section 5.4(f) shall not be engaged unless the parties consent and unless the Integrity Commissioner is of the view that it is unlikely, on a balance of probabilities, that there would be a finding of a breach of the Code of Conduct.
- ~~(e)(h)~~ A Formal Complaint may be withdrawn by the Complainant at any time prior to the Board making a determination on the alleged breach(es) under

section 218.3 of the *Education Act*.

6.6 Reports to the Board of Trustees

- (a) The Integrity Commissioner shall report to the complainant and the Trustee generally no later than 90 days after the receipt of the Formal Complaint Form/Affidavit of the complaint unless the Integrity Commissioner determines that a longer period of time is required to complete the final report and the reason is explained in the final report. The Board of Trustees and the complainant shall be advised of the need for the extension of time with an expected date of delivery of the report. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report to the Board and will advise the parties of the anticipated date that the report will be available.
- ~~(b) The Integrity Commissioner shall not issue a final report to the Board in which there is a finding of a violation of the Code of Conduct on the part of any member of the Board unless the member has had reasonable notice of the basis for the proposed finding and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any recommended sanction, that the Integrity Commissioner may take into consideration in the final report submitted to the Board.~~
- ~~(b)~~ (e) The Integrity Commissioner may make interim reports to the Board of Trustees where necessary and to report on as required to address any instances of interference, obstruction or retaliation encountered during the investigation.
- ~~(c)~~ (c) Where ~~the Formal Complaint~~ the Formal Complaint is sustained in whole or in part, the Integrity Commissioner shall ~~also~~ report to the Board of Trustees outlining the findings of the investigation. The report shall make recommendations as to sanction with reference to section 218.3 of the Education Act together with any relevant decisions of other Boards that the Integrity Commissioner believes may be of assistance to the Board in considering sanction, the terms of any settlement, or recommended corrective action or sanction.
- (d) ~~(e)~~ A report following an investigation into of a Formal Complaint will be delivered to the Board of Trustees for consideration in accordance with the provisions of sections 218.3 and 207 of the Education Act. Where the Integrity Commissioner's investigation into a Formal Complaint concludes that there has been no breach of the Code of Conduct, the Integrity Commissioner's investigative report shall not be delivered to the Board of Trustees, but a

summary of the investigation shall be provided to the Board of Trustees. Report of a formal complaint investigation by the Integrity Commissioner will be considered by the Board of Trustees in a public meeting, subject to the following exceptions:

~~In accordance with section 207(2) of the *Education Act*, a report of a formal complaint investigation may be considered in a meeting closed to the public when the subject matter under consideration involves:~~

- ~~○ the security of the property of the board;~~
- ~~○ 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;~~
- ~~○ the acquisition or disposal of a school site;~~
- ~~○ decisions in respect of negotiations with employees of the board; or~~
- ~~○ litigation or any potential litigation affecting the Board.~~

~~(f)(e) Where the complaint is dismissed, the Integrity Commissioner shall not report to the Board of Trustees other than in an annual or periodic report or in exceptional circumstances. Where the Integrity Commissioner determines that a contravention of Code of Conduct occurred although the Trustee took all reasonable measures to prevent it, or that a contravention occurred through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report.~~

~~(g) Any recommended corrective action must be permitted in law, by law or policy and shall be designed to ensure that the inappropriate conduct does not continue.~~

~~(h) Where the Integrity Commissioner determines that a contravention of the Code of Conduct occurred although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.~~

~~(+)(f) The Integrity Commissioner shall give a copy of the report to the complainant and the Trustee whose conduct is concerned.~~

~~(g) The Integrity Commissioner shall bring the report before the next available meeting of the Board of Trustees.~~

(h) The Board of Trustees shall consider and make a decision in response to the Integrity Commissioner's report in a timely

manner, and shall comply with the provisions of section 218.3 of the *Education Act* in considering and making a determination as to whether a breach has occurred and, if so, any sanction.

- (i) The Board of Trustees shall consider the report of the Integrity Commissioner and the Board of Trustees shall make its own assessment and determination of whether there has been a breach of the Code of Conduct and, if so, may accept, reject or amend the Integrity Commissioner's recommendation, if any, as to sanction.
- (j) The Integrity Commissioner may attend at the meeting at which the Board of Trustees will be considering the final report to answer questions of members of the Board of Trustees.
- ~~(k)~~ (k) Where a matter is being handled by the Integrity Commissioner, Individual Trustees shall not undertake their own investigation of any matter, including questioning a complainant, the Trustee who is alleged to have breached the Code or any witnesses or persons participating in any investigation.

6.7 — Duty of the Board of Trustees

- ~~(a) — The Board of Trustees shall consider and make a decision in response to the Integrity Commissioner's report within 60 days after the day the report is considered at a Public Board Meeting.~~
- ~~(b) — In responding to a report from the Integrity Commissioner, the Board of Trustees may accept, reject or amend the Integrity Commissioner's recommendation to impose a sanction or it may refer the recommendation back to the Integrity Commissioner.~~

6.86.7 Payment of Costs

- (a) Subject to subsection 6.78(e), a member of the Board who is a respondent to a formal complaint under this procedure shall be reimbursed by the Board for actual and reasonable legal and related expenses up to a maximum of \$5,000.
- (b) Subject to subsection 6.7(e), in the case of an application under the *Judicial Review Procedure Act* for judicial review of actions taken on a complaint against a member of the Board by the Integrity Commissioner,
 - i. where a member of the Board made the judicial review application, the member is eligible for reimbursement of legal costs, including additional legal costs in a successful application, that are not recovered by any ~~the~~ costs awarded by the court, up to a maximum of \$20,000.

- ii. a member of the Board ~~is entitled to may apply for~~ reimbursement of the legal costs of intervention in a judicial review application where the member's interests are at stake, up to a maximum of \$20,000.
- (c) Subject to subsection 6.7(e), the Board of Trustees may consider ~~The Board may consider~~ the reimbursement of costs above the limit in subsections 6.78(b)i. and 6.78(b)ii. on a case by case basis.
- (d) The Board may consider an advance payment to a Trustee for legal expenses prior to completion of an investigation for a maximum amount of \$5,000. While the Trustee must return to the Board all unused funds upon completion of an investigation, the Trustee will not be required to reimburse the spent funds if, upon completion of the investigation, either subsection 6.8(e)i or ii, apply. Otherwise, all advanced funds must be returned to the Board immediately upon conclusion of the investigation.

~~to completion of an investigation for a maximum amount of \$5,000. While the Trustee must return to the Board all unused funds upon completion of an investigation, the Trustee will not be required to reimburse the spent funds if, upon completion of the investigation, either subsection 6.8(e)i or 6.8(e)ii below applies. Otherwise, all advanced funds must be returned to the Board immediately upon conclusion of the investigation~~
- (e) Costs shall only be reimbursed under this section to the member of the Board:
 - i. if the Integrity Commissioner concludes that there has been no contravention of the Code of Conduct by the member or that the member is not blameworthy, and the Integrity Commissioner's conclusion is not overturned on judicial review; or
 - ii. ~~where the Board of Trustees receives the Integrity Commissioner's report on a violation and determines that it should not take any action if the member is successful,~~ in whole or in part, on any judicial review application either as an applicant or intervenor.
- (f) Any request award for ~~of~~ costs under subsection 6.78(e) shall be contingent made in writing to the General Counsel who shall report to the Board of Trustees. on a report to the Board of Trustees from the General Counsel

6.96.8 Confidentiality and Formal Complaints

A Formal Complaint will be processed as follows:

a) _____ The Integrity Commissioner and every person acting under the Integrity Commissioner's ~~her or his~~ instructions shall preserve confidentiality with respect to all Code of Conduct matters ~~that come to his or her knowledge in the course of any investigation~~ except as required by law ~~in a criminal proceeding~~ or in accordance with the provisions of the Code of Conduct ~~and the Education Act. The following persons involved in any aspect of a Code of Conduct complaint, including any investigation, shall preserve confidentiality: and this related procedure concerning reporting to the Board of Trustees.~~

i. the complainant;

ii. individual Trustees;

iii. witnesses;

iv. the Integrity Commissioner, and

v. staff.

Except that the Integrity Commissioner may disclose relevant information in a public report but only to the extent that the Integrity Commissioner deems it appropriate to do so and provided same has been pre-approved by the Board's General Counsel as being in accord with Board's legal obligations.

~~(a)~~ _____

~~(b)~~ All reports from the Integrity Commissioner to the Board of Trustees will be made available to the public. The report may be redacted appropriately to reflect the requirements of section 207(2) of the Education Act.

(c) Any references by the Integrity Commissioner in an annual or other periodic report shall not disclose confidential information that could identify the trustee concerned, except where the trustee's name has been disclosed in the public sphere, or the Integrity Commissioner deems it necessary to identify the person concerned. ~~to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.~~

(d) The Integrity Commissioner in a report to the Board of Trustees on whether a member of the Board has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary appropriate for the purposes of the report.

7.06.9 EVALUATION

This Code of Conduct ~~procedure~~ is to be reviewed and updated

as required but at a minimum every four (4) years.

80 **7.0 APPENDICES**

Appendix A: Complaint Form (~~Form 708A~~)

~~Legislative Acts and Regulations:~~

- ~~• *Judicial Review Procedure Act*~~
- ~~• *Municipal Elections Act*~~
- ~~• *Ontario Human Rights Code*~~

Appendix A

Durham District School Board
Code of Conduct - Formal Complaint Form

COMPLAINT OF

I, _____ (full name), of
 the _____
 (City, Town, etc.) _____ (municipality of
 residence) in the Province of Ontario.

STATE THE FOLLOWING:

1. I have personal knowledge of the facts as outlined in this affidavit, because

 (insert reasons e.g. I work for . . . I attended a meeting at which . . . etc.)

2. I have reasonable and probable grounds to believe that:

_____ (specify name of Trustee) a member of the
 Durham District School Board, has contravened Section (s) _____
 _____ (specify section(s) of
 the Trustee Code of Conduct. The particulars of which are as follows:

(Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space, please use the attached Schedule A form and check the appropriate box below. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, etc. and attach them to this form.)

*Where a complainant chooses to litigate this matter in the court of public opinion and/or social media platforms, the Integrity Commissioner reserves the right to dismiss this complaint.

Please see the attached Schedule "A"



DATED THIS _____ DAY OF _____, 20____ at the City/Town of _____
 In the Province of Ontario.

 (Signature of person making the complaint)

Page _____ of _____

(Additional Information)

(If more than one page is required, please photocopy this blank page and mark each additional page as 2 of #, 3 of #, etc. at the top right corner.)

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Appendix 3: ACKNOWLEDGEMENT AND UNDERTAKING

I confirm that I have read, understand and agree to abide by the Board's Code of Conduct and that I understand the Complaints Protocol for complaints made to the Integrity Commissioner.

DATE: _____ SIGNATURE: _____

Please Print Name: _____



Draft Timeline for Approval of the Draft Human Rights, Anti-Discrimination and Anti-Racism Policy (Policy)

February 24, 2022 - Governance Meeting

- Committee reviews draft Policy.
- Committee decides to move the draft Policy forward to the March 7, 2022 Standing Committee Meeting.

OR

Committee decides to meet again in March to discuss further.

If Trustees move the draft Policy to the March Standing Committee Meeting:

March 7, 2022 – Standing Committee Meeting

- Draft Policy is presented to the Standing Committee.
- Standing Committee advances draft Policy to a Board Meeting.

Option 1: Standing Committee to determine whether to submit a Notice of Motion at the March 21, 2022 Board Meeting for decision at the April 19, 2022 Board Meeting.

OR

Option 2: Standing Committee indicates that it wishes to provide 5 days' notice (as per the by-laws) and the draft Policy is presented at the March 21, 2022 Board Meeting.

March 21, 2022 – Board Meeting

- Notice of Motion is provided to the Board of Trustees for the draft Policy to be presented at the April 19, 2022 Board Meeting,

OR

Draft Policy is presented to the Board of Trustees for approval.

April 19, 2022 – Board Meeting

- Draft Policy to be presented for final approval if not approved at the March 21, 2022 Board Meeting.

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT****REPORT TO:** Standing Committee**DATE:** February 7, 2022**SUBJECT:** Redesignation of Growth Update Report**PAGE:** 1 of 3**ORIGIN:** Norah Marsh, Director of Education and Secretary to the Board
David Wright, Associate Director of Corporate Services
Lisa Bianca, Head of Facilities Services
Carey Trombino, Manager of Property and Planning**1.0 Purpose**

The purpose of this report is to provide the Board of Trustees with an update on the redesignation of growth from future developments to schools that have capacity to accommodate growth.

2.0 Ignite Learning Strategic Priority/Operational Goals

Success – *Set high expectations and provide support to ensure all staff and students reach their potential every year.*

Well-being – *Create safe, welcoming, inclusive learning spaces to promote well-being for all students and staff.*

3.0 Background

Across the District there are pockets of increasing school enrolments from new development growth. If space is not available to accommodate new development growth in an existing neighbourhood school boundary, Planning staff must determine a strategy to accommodate the growth at holding schools.

Once Planning staff have identified the holding school, the next step is to ensure that Durham Student Transportation Services (DSTS) can accommodate future students. New development is typically not within walking distance to an existing school, unless it is infill development which is a parcel of land within an existing urban area. Family of Schools Superintendents are then provided with an update and asked for their input. These steps would typically take place over a couple of weeks, to a couple of months, pending urgency of school accommodations. Administration of current and new holding schools are then provided with an update. The School Locator is revised to reflect the updated holding school information, to ensure when parents/guardians are registering their children for school they are provided with up-to-date information.

Holding schools are utilized until approval has been granted to build a new school and funding has been approved by the Ministry of Education. School construction can take seven to ten years after the construction of new homes. If a new school is not justified, enrolment growth can be accommodated in an existing neighbourhood school, through a boundary consultation process.

4.0 Analysis

4.1 West Whitby Development

New development in West Whitby, as identified in Appendix 1, designated to EA Fairman PS have been designated to Willows Walk PS. Students, and their siblings, currently attending EA Fairman PS from this area will continue to attend EA Fairman PS.

EA Fairman PS was constructed in 1950 (with later additions) and has limited capacity to accommodate Kindergarten classes and has a smaller gymnasium. Willows Walk PS is a new facility (opened in September 2021), with space to accommodate additional students.

Over the next seven years there is the potential for 300 new students from the new development and they will be accommodated at Willows Walk PS.

Also located in the West Whitby area, as identified in Appendix 2, the development designated to Glen Dhu PS has been designated to CE Broughton PS. Students, and their siblings, currently attending Glen Dhu PS from this area will continue to attend Glen Dhu PS.

Glen Dhu PS has limited capacity to accommodate portables and has growth within its neighbourhood boundary that is best accommodated at the school. CE Broughton PS has space to accommodate additional students through temporary accommodations (portables).

Over the next seven years there is the potential for 250 new students from this new development and accommodated at CE Broughton PS.

4.2 Brock Road Corridor Pickering Development

New development in Pickering's Brock Road Corridor, as identified in Appendix 3, designated to Maple Ridge PS for French Immersion have been designated to Rosemary Brown PS. Students, and their siblings, currently attending Maple Ridge PS from this area will continue to attend Maple Ridge PS.

Maple Ridge PS has been dealing with enrolment pressures for several years. No additional portables can be accommodated on the site, and there is a lack of parking for staff. Rosemary Brown PS is a new single-track French Immersion facility (opened in September 2021), with space to accommodate additional students.

This development is projected to yield approximately 6 new French Immersion students each year, based upon current trends. Maple Ridge PS will require a boundary review in the future. The redesignation of future French Immersion growth will result in easing some of the enrolment pressures on the school.

4.3 North Oshawa Development

New development in North Oshawa, as identified in Appendix 4, currently within the boundary of O'Neill CI has been designated to Eastdale CVI. This is a new development and should therefore not affect any existing students.

O'Neill CI with full in-person learning has enrolment pressures however does not have the space to accommodate any portables. Eastdale CVI has the capacity to accommodate additional students.

This development is projected to yield approximately 80 students over the next seven to ten years.

5.0 Financial Implications

There are no financial implications due to the redesignation of school boundaries.

6.0 Evidence of Impact

Students from the new growth holding areas have transportation to their holding school and will continue to be transported to their newly assigned holding school.

7.0 Communication Plan

Senior staff and affected principals have been advised of the changes to these school boundaries. The school locator reflects the new holding school designations.

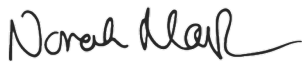
8.0 Conclusion

This report is provided to Trustees for information.

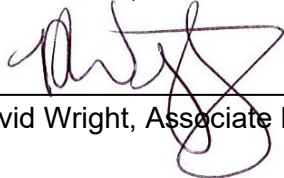
9.0 Appendices

- Appendix 1 - Boundary Map Willows Walk PS (updated with holding)
- Appendix 2 – Boundary Map CE Broughton PS (updated with holding)
- Appendix 3 – Boundary Map Rosemary Brown PS (updated with holding)
- Appendix 4 – Boundary Map Eastdale CVI (updated with holding)

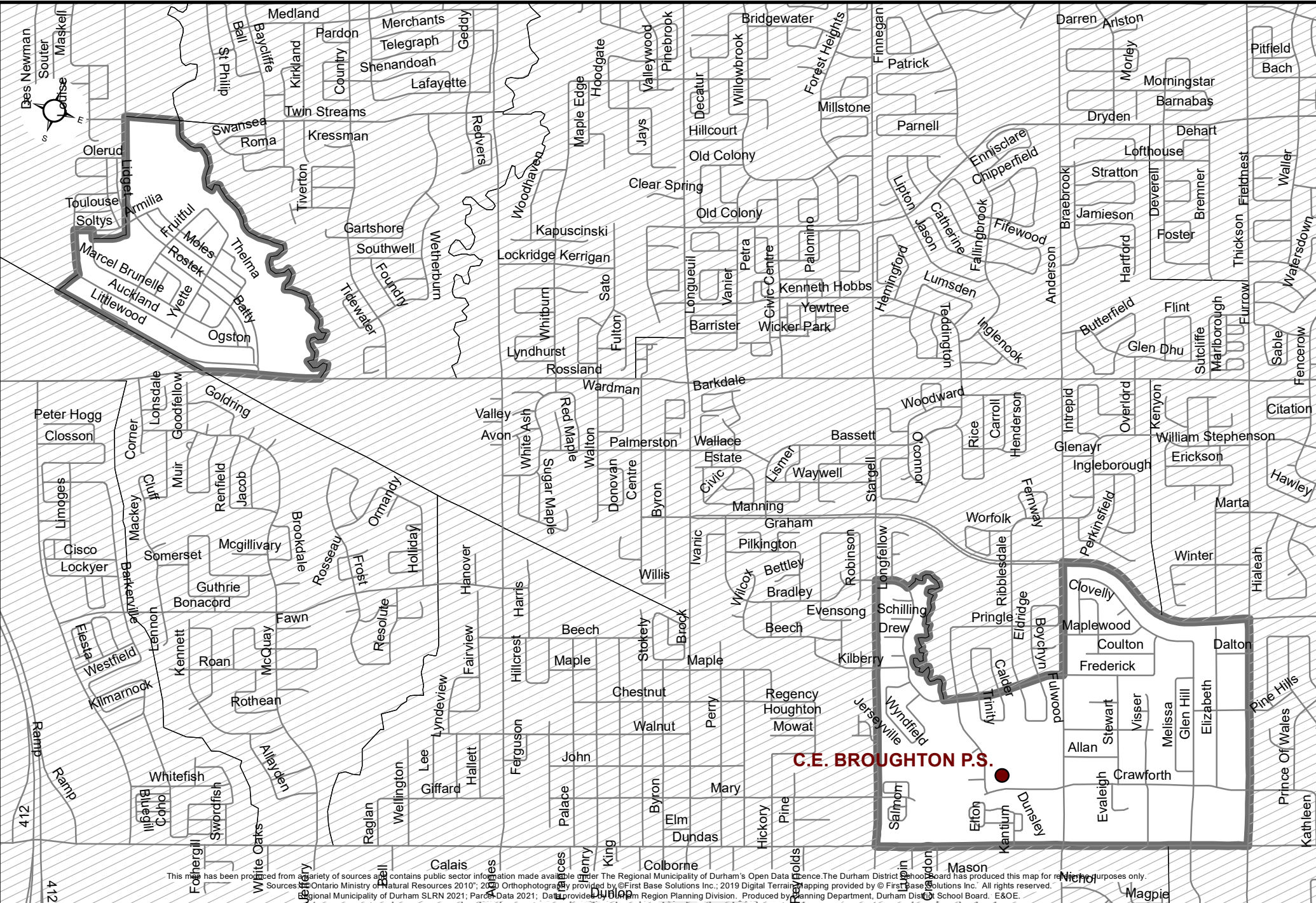
Report reviewed and submitted by:



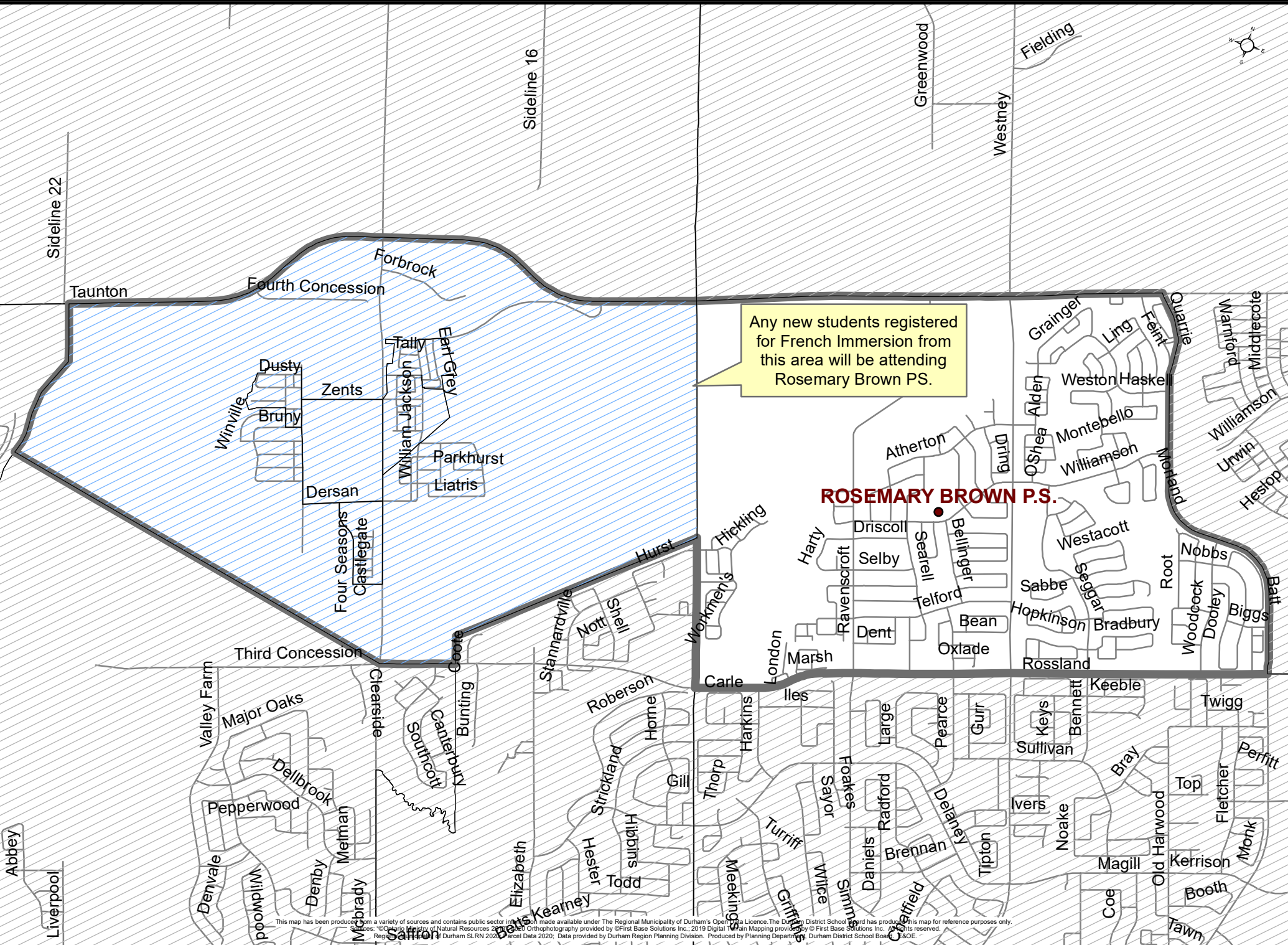
Norah Marsh, Director of Education and Secretary to the Board



David Wright, Associate Director of Corporate Services



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**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT****REPORT TO:** Durham District School Board**DATE:** February 7, 2022**SUBJECT:** Mental Health and Well-Being Update**PAGE:** 1 of 7

ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
Andrea McAuley, Superintendent of Equitable Education
Steffanie Pelleboer, Mental Health Lead
Carolyn Ussher, Senior Manager & Clinical Lead-Social Work & Attendance Services
Sara Schleien, Senior Manager & Clinical Lead-Psychological Services

1.0 Purpose

The purpose of this report is to provide the Board of Trustees information on the implementation of a tiered approach to Mental Health and Well-Being supports for students across the Durham District School Board (DDSB) as implemented by the Mental Health Lead and the teams from Positive School Climates, Psychological Services, and Social Work.

The report also includes information about DDSB community partnerships supporting child & youth mental health and highlights leadership collaborations within the community.

2.0 Ignite Learning Strategic Priority/Operational Goals

Well-being – *Create safe, welcoming, inclusive learning spaces to promote well-being for all students and staff.*

- Creating safe, welcoming, inclusive learning spaces for all students and staff and provision of mental health services to meet individual student needs.
- Enhancing student well-being and mitigating factors related to mental health issues and/or challenges and to remove barriers and support school functioning and academic achievement.
- Promotion of well-being and responsive mental health services are foundational to student readiness for learning, pro-social behaviours, positive social relationships and quality of life. As a District, we are engaged in a number of local partnerships as part of a regional approach to supporting well-being and mental health of children, youth and families in the Durham Region.

Equity – *Promote a sense of belonging and increase equitable outcomes for all by identifying and addressing barriers to success and engagement.*

- In providing direct services to students, Psychological Services and Social Work staff seek to be inclusive and to provide services that operate with an equity lens that is attuned to aspects of the lived experiences of students from racialized, marginalized or neurologically atypical backgrounds.

3.0 **Background**

Schools are an ideal place for mental health promotion, prevention and early intervention. ([School of Mental Health Ontario](#)). Pre-pandemic, the Canadian Mental Health Association stated, approximately 1 in 5 children and youth in Ontario has a mental health challenge. About 70% of mental health challenges have their onset in childhood or youth. That's why early identification and intervention is so critical and can lead to improved achievement in school and better health outcomes in life. [Ontario Child and Youth Mental Health](#)

COVID-19 and related restrictions have increased stressors for children and youth while reducing protective factors. Preliminary research from the Hospital for Sick Children indicates an urgent need to prioritize child and youth mental and physical health during the COVID-19 pandemic and beyond. (www.sickkids.ca).

The Durham District School Board has a commitment to support and enhance student mental health and well-being, as students and families navigate through another challenging school year. This continues to be the foundation for student success during this time. Our goal is to continually promote well-being and to provide mental health services for DDSB students and staff.

3.1 **Mental Health and Well-Being in the DDSB**

The vision of the DDSB Mental Health and Well-Being Action Plan is to create safe, welcoming, inclusive, and respectful learning and working spaces that promote well-being for all students and staff. For students, the implementation of the plan is guided by a tiered approach to meet the mental health needs of students and promote mental health and well-being for every student, and where we can help some students with mental health challenges with targeted skill-building along with referrals for mental health interventions by Social Work and Psychological Services Staff. With the assistance from the mental health professionals, we also can lend support to the students who require more intensive intervention while at school.

4.0 **Analysis**

4.1 **Supports for Students**

Tier One:

Educator Capacity Building: Tier One Strategies

- Focus on connection before curriculum through September, staff Professional Development (PD) supports. Promotion of the Foundations of a Mentally Healthy School: First 20 Days of Caring Connections and Beyond.
- Character Traits Campaign (focused promotional videos and quotes used on social media and digital monitors).
- PD for Education Assistants staff; Calm Within the Storm: Everyday Resiliency (Dr. Robyne Hanley Dafoe), Social Emotional Learning, Understanding Children's Aid Society and Duty to Report, Mentally Healthy Schools.
- Promotion of School Mental Health Ontario (SMHO) Student Mental Health Action Kit.
- Development of education modules with an accompanying educator's guide to build capacity around substance use, problematic substance use, and substance use disorder, strategies for reducing harm, and how to build resilience.
- Feel Well-Teach Well- Educator Well-Being PD offered to Occasional Teachers and New Teacher Induction Program (NTIP) staff.

- Early Years Podcast.
- PD for education staff-promoting student mental health and well-being: Stories from the Field.
- Capacity building of classroom educators through modelling and skills training specific to Social Emotional Learning through program delivery offered by the Well-Being Youth Workers.

Student Focused Capacity Building: Tier One Strategies

- Well-Being Youth Workers; 4 staff, delivering Social Emotional Learning Programming to elementary and secondary schools/campuses across the District.
- Positive School Climate department providing classroom presentations focused on healthy relationships, sexual abuse, dating violence, human trafficking resources, Power of Words, Age of Social Media, identity, substance use prevention, and smoking cessation.

Tier 2 and Tier 3:**Educator Capacity Building: Tier 2 and Tier 3 Strategies**

- Review of training protocols in SafeTALK, Mental Health First Aid (MHFA), and suicide risk prevention and intervention (ASIST), as well as trauma-informed practices.

Student Focused Capacity Building: Tier 2 and Tier 3 Strategies

- Increased staff to provide direct mental health services and supports to students at risk or with mental health challenges: 58.7 staff from Social Work Services and Psychological Services are providing support across the District.
- Three Engagement workers (part time) focused on re-engaging students who have disengaged from school for a variety of reasons, including mental health concerns.
- Focused alignment between Tier 1 mental health promotion and Tier 2/3 service provisions.
- Service pathways and access options for students and families were revised to allow for direct access to Tier 2/3 mental health services provided by Psychological Services and Social Work Services Staff (Connect with Your Mental Health Team)
- Group Services provided through: BEME (identity) and Trails to Wellness (anxiety).
- Review of relevant protocols: Traumatic Response Protocol; Suicide Prevention, Intervention and Postvention Protocol, with inclusion of Indigenous Education. Inclusive Student Services Staff Capacity Building for Tier 2/3 Mental Health Supports:
 - SMHO Suicide Assessment and Risk Management Training
 - ASIST
 - Anti-Sex Trafficking Awareness Training

Teams are seeing an increase in referrals for younger students who present with mental health concerns (examples are high degrees of dysregulation, anxiety, neurodevelopmental challenges and complex needs that are compounded by combinations of these examples). At the secondary level, we are seeing many students whose primary goals involve managing anxiety and low mood; however, as we shift toward focus on identity and are asking different questions, we are having more meaningful conversations about identity with these students. Teams are seeing youth who are struggling with isolation, grief/loss, disengagement, and serious mental health challenges. Staff are reporting that students are facing more intense

challenges that require more intense support, and that increased wait time for community services has also resulted in growing caseloads for school-based staff who are trying to address the gaps. In addition, the psycho-social impacts of home and community related factors (increased rates of domestic violence, increased rates of substance use, food and housing insecurity, etc.) means that some students are experiencing high levels of prolonged, toxic stress.

4.2 Current DDSB Staffing

Mental health, well-being and clinical supports are provided through an integrated service model and across tiers of support. Current DDSB staffing is reflected in Appendix A. Information includes the additional FTE that is being mobilized in response to student service needs.

4.3 DDSB Current Service Referral Data

Current service referral data for DDSB students shows increased mental health support requests and access for students. Concurrent to increasing youth needs, staffing pressures for community partners, including unfilled roles, and increased wait times for community based mental health services, is resulting in lowered community access points for students with Tier 3/3+ needs. As a result, school teams are currently experiencing pressure in trying to meet student needs within the school setting.

A snapshot of referral data (PowerTPM) shared with Family of Schools Operations on Thursday, December 2, 2021 includes:

- 2226 active referrals to Psychological Services.
- 1458 active referrals to Social Work (for comparative, this time last year, Social Work had 1027 active referrals).

September to November had an increase in the demand for mental health supports and access for students was significant in comparison to the annual data trends for new referrals in these months previously. This trend in referrals continues within the current wave of the pandemic.

4.4 Well-Being Youth Workers

The Well-Being Youth Workers (WBYW) are an important element of our efforts to implement a tiered approach to mental health that supports well-being for all students. The Well-Being Youth Workers offer targeted support and skill building specifically around Social Emotional Learning (SEL), for those students requiring additional support and skills while also working with our ISS MH staff, bridge students, in need of more intensive mental health supports. SEL is the process through which all students acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions. The benefits of using evidence-based or evidence-informed SEL programs at the Tier 1 (whole class) level are well documented. SEL has been proven to support student emotional wellness and is the key to helping young people develop resilience skills. Both the current elementary and secondary curricula contain expectations for social-emotional learning.

From September to December, the team of four WBYW were active in 17 schools/campuses and 54 classroom settings (grades 5-12) and provided programming to 1202 students. 83% of students who participated in the program reported that they plan to use the skills to help them manage the challenges in this upcoming school year.

4.5 Mental Health and Safety Support Training

It is crucial that DDSB staff are trained to effectively support all students and particularly those students who may be in crisis, and to respond in a manner that ensures their safety and ongoing mental health needs are met. As a result of the pandemic, there has been an increase in service needs which has resulted in gaps in staff's capacity to meet these needs. The latter has magnified the importance of a tiered approach to student needs, which ranges from mental health literacy training to suicide prevention/intervention training.

The DDSB recently reviewed the District plan for suicide prevention, intervention and postvention which is currently under revision. Training certifications are in place so school staff can provide students with support when intervention, and guidance to further clinical support, is needed. These key training certifications, supported by the system through access to training and/or through District staff with trainer qualifications, are outlined in Appendix B: Mental Health Support Training.

4.6 Engaged Partnerships Supporting Children Youth

Child & Youth Mental Health Services are woven together across partners funded by the Ministry of Health, Ministry of Children, Community and Social Services and the Ministry of Education. The navigation of services is complex for both families and those serving them within partner organizations.

Meaningful change will only come through collaboration at all levels of the system and is necessitated by the increasing needs in both complexity and volume.

Education, Community Partnership Programs (ECPG/Grove)

Where community partnerships include student access to services in or through DDSB schools, agreements have been formalized through Memorandums of Understanding (MOUs) and are noted in the table by asterisk. Partnerships which form Education Community Partnership Programs (ECPG)/Grove are each formalized through individual MOUs; the current list of ECPG/Grove partners and programs is provided in Appendix C.

Programs are provided at no cost to students and family/caregivers. Expenditures covered from within organizational approved budgets or through research and program funding.

Collaborative Community Leadership

The DDSB Mental Health Leadership Team is committed to engaging in innovative, collaborative leadership across organizations in service of children, youth and families in the Durham Region (Appendix D)

DDSB Mental Health Leadership Team is comprised of:

- Steffanie Pelleboer, Mental Health Leader
- Carolyn Ussher, Senior Manager & Clinical Lead – Social Work
- Sara Schleien, Senior Manager & Clinical Lead – Psychological Services
- Andrea McAuley, Superintendent of Equitable Education

The DDSB Mental Health Leadership Team is working in partnership with the Positive School Climate team with regards to programming and supports.

5.0 Financial Implications

5.1 Services for Students

Funding to support mental health and well-being is built into the approved budget for the 2021-2022 school year. Additional funding has been received for Mental Health through COVID-19 related funding. The use of available funds continues to be focused on direct service to students.

5.2 Community Partnerships

Costs associated with established partnerships are embedded within 2021-2022 within the approved Board budget.

In the past year, we have mobilized additional dollars to take a regional approach to supporting child & youth mental health and families. For example, Summer 2021 Mental Health TPA funding was used to cost share with Durham Catholic District School Board (DCDSB) to provide a range of program opportunities through community partners and parent/caregiver virtual sessions.

6.0 Evidence of Impact

Service utilization, service user feedback, and educator feedback are collected to provide evidence of impact.

Collaborative partnerships help build and refine a network of supports for children, youth and families in Durham region. Commitments and shared services have the intention of addressing service gaps, augment services responsive to need, and leverage resources across organizations.

7.0 Communication Plan

Various departments are engaged in providing well-being and mental health District services, as well as providing awareness of community services that are promoted through:

- Team and individual consultations with service specific teams.
- School and community teams, DDSB website resource toolkits and links.
(eg: [Family and Community Mental Health Supports](#))
- Social media promotion campaigns.
- Opportunities such as Bell Let's Talk Day (January 26, 2022) and acknowledgment of Children's Mental Health Week (May 4-8, 2022) provide additional forums of conversation promoting positive mental health and help normalize conversations about mental health supports for staff and students.
- Updates are provided monthly to Special Education Advisory Committee (SEAC), Family of Schools meetings, and other key identified District meetings.
- Relevant professional development opportunities.

8.0 Conclusion and/or Recommendations

DDSB considers well-being and positive mental health fundamental to student achievement. Our mental health and well-being commitments have foundations in supporting mentally healthy classrooms and services which will continue to meet the needs of students requiring individualized mental health supports.

This report is provided to Trustees for information.

9.0 Appendices

Appendix A: DDSB Inclusive Services: Mental Health, Well-Being and Clinical Staffing
January 2022

Appendix B: Mental Health Support Training

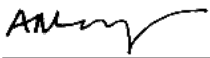
Appendix C: ECPP- Durham DSB & Partnered Agencies Summary

Appendix D: Mental Health Community Partnership Leadership

Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



Andrea McAuley, Superintendent of Equitable Education

Appendix A

DDSB Inclusive Services: Mental Health, Well-Being and Clinical Staffing - January 2022

Table 1 DDSB Inclusive Student Services: Mental Health, Well-Being and Clinical Staffing- January 2022

Role	GSN Funded Positions	GSN/Mental Health Workers in Secondary Schools	Covid Related Funding Positions	Engagement Funding Positions	Additional February-June Positions	Year Total
Mental Health Lead	1.0					1.0
Senior Manager & Clinical Lead Psychological Services	1.0					1.0
Senior Manager & Clinical Lead Social Worker Services	1.0					1.0
Senior Manager & Clinical Lead Speech, Language & Hearing Services	1.0					1.0
Senior Psychologist	1.0					1.0
Psychological Services Team	28.0	1.2	2.0		1.0 (2.0)	32.2
Social Work Team	18.0	4.0		3.0	1.5 (3.0)	26.5
Speech-Language Team	24.0				1.0 (2.0)	25.0
Well-Being Youth Workers (CYWs, Youth Outreach Workers)			5.0		2.0 (4.0)	7.0
Position Total						95.7 FTE

- Roles expressed as Full-Time Equivalents (FTEs).
- February to June positions are noted as FTE with number of staff being hired for second term noted in brackets
- *FTE budget equivalency. Service provision (assessments) through community based purchased service agreements.

Appendix B
Mental Health Support Training

Mental Health Support Training

It is crucial that DDSB staff are trained to effectively support all our students and particularly those students who may be in crisis, and to respond in a manner that ensures their safety and ongoing mental health needs are met.

Table 1 Mental Health Support Training

Training Certification Required	Certifying Organization
Mental Health Literacy	
Mental Health First Aid –Youth: is designed to teach caregivers how to help a youth (age 12-18) who are experiencing emergent or existing mental health or addictions challenges or is in crisis. MHFA Youth primarily is designed for adults who regularly interact with young people.	Mental Health Commission of Canada
Suicide Prevention and Intervention Training	
LivingWorks Start: 90-minute self-directed webinar that teaches trainees to recognize when someone is thinking about suicide and connect them to help and support.	Living Works
safeTALK: teaches caring adults how to prevent suicide by recognizing signs, engaging someone, and connecting them to an intervention resource for further support and is a complement to the skills of suicide intervention.	Living Works
Applied Suicide Intervention Skills Training (ASIST): workshop featuring teaching, discussions, and simulations where participants learn how to prevent suicide by recognizing signs, providing skilled interventions, and developing a safe plan to keep someone alive.	Living Works

Table 1 ECPP- Durham DSB & Partnered Agencies

PARTNER AGENCY OR FACILITY	PROGRAM DESCRIPTION	AGES SERVED	# OF ECPPs
Chimo Youth & Family Services Inc.	Children's Mental Health Agency that works to enhance the adaptive behaviour, skills, attitudes and values of youth in the context of the community, their families or significant care givers residing in Durham North and York Region. Day Treatment programs with a focus on problem identification, intervention goals, indicators and strategies that are a product of a managed agreement. Focus is on youth and their family's potential to respect, care for, protect and promote each others' well-being and growth. Referrals come from several resources in the area as well as York Region including DDSB, Durham Children's Aid Society, Kawartha Lakes, Haliburton, Peterborough, Northumberland and surrounding areas.	6-18 yrs	4
Community Collaborative Connections	The CCC program has been in operation since 2018 as a private operation providing support to individuals (both male and female) referred by Children's Aid Societies and/or Adult Service Support Agencies. Youth reside in homes, while not licensed, that are monitored by the referring Agencies. The Day Treatment program provides attention to the social and developmental concerns of students and school credit completion, life skills support, job skills and personal life management.	17-21 yrs	1
Durham Family Court Clinic	A multiple agency partnership Day Program for anti-social and violent youth that provides a secure and safe environment and interventions (a Cognitive Behavioural approach) including group sessions. Education program enables the youth to take the necessary risks to strive to reach their potential and have a successful learning experience that enhances their life options. Treatment planning is integrated into and supported by the external network of the student's service providers and family. There is a fundamental commitment to collaboratively problem-solve and seek solutions to difficult and complex situations.	14-18 yrs	2
Enterphase Child & Family Services	Community-based Day Treatment/residential clinical support services and programming address a spectrum of needs for latency aged children and adolescents with multiple disorders requiring levels of support beyond those available through traditional resources. Clinical support resources involve a systemic process including access to a Psychiatrist, Psychologists, and Therapists. Referral sources are Children's Aid Societies, group homes, and school boards. Children and youth benefit from therapeutic resourcing with an emphasis on individualized treatment plans involving varied treatment modes, i.e. play therapy, expressive arts, anger management and impulse control techniques. Therapeutic counselling	6-18 yrs	11

Appendix C

Education Community Partnership Programs (ECPP) – Durham DSB & Partnered Agencies

	encompasses a holistic approach for each child through a variety of intervention techniques. All referrals, where possible, are encouraged to attend mainstream schools so classes are community-based providing partial and full integration. School environments aim to be secure and predictable in which children can learn and “grow up” without having to necessarily move from within the program.		
Fostering Family Relations	Fostering Family Relations has been in operation since 2012. The young people referred are placed within private homes that are consistently monitored by the Management and Clinical Team. The program accepts referrals primarily from Children’s Aid Societies throughout the province. The children/youth placed within the homes are between the ages of 6 months and 17 years of age, including both male and female children or youth. They present with multiple diagnosis and often have specific issues pertaining to developmental and social outcomes.	5-17 yrs	2
Frontenac Youth Services	Day Treatment for adolescents who have experienced significant difficulty both at school and within the home and community. Specific therapeutic interventions help adolescents develop effective problem-solving skills that can then be utilized when the adolescent returns to their own school and community. While attending the Day Treatment program, the adolescent and their family are involved in individual, group or family therapy. The adolescent may remain in Day Treatment as short or as long a period of time as may be deemed necessary. If possible, plans are made to gradually reintegrate the adolescent back into their home school or, if recommended, another community school. Referrals are accepted from a variety of sources. Wait listing prioritizes students according to need and crisis status. Two residential programs operate and intake and discharge directly impacts the numbers in classrooms. Spots must be maintained for residential clients.	12-18 yrs	7
Kennedy House Youth Services	Kennedy House Youth Centre is licensed under the Youth Criminal Justice Act for Closed Custody and Residential Treatment programs for youth. It is a place of secure custody and secure temporary detention. The Centre provides secure therapeutic intervention and programming for twelve young persons with a strong view toward rehabilitation. It is designated to provide physical security for youth mandated to both maximum and medium secure custody and secure detention. The centre services the Durham Region, Belleville, Scarborough and the four counties of: Peterborough, Haliburton, Victoria and Northumberland,	12-18 yrs	2
Kinark Child & Family Services	Kinark Day Treatment Services provides a specialized therapeutic milieu for children experiencing significant mental health needs which can no longer be addressed within their designated school programs. These children experience	5-12 yrs	1

Appendix C

Education Community Partnership Programs (ECPP) – Durham DSB & Partnered Agencies

	significant social, emotional, behavioural and educational difficulties which interfere with normal academic and social progress. Reintegration back into the most enabling school program is the primary goal. The Day Treatment program delivers a CBT and behaviour modification (ABA) based approach. The program runs twice per year for 5 months with transitions to the appropriate community school at program end.		
Lake Ridge Community Support Services	The agency uses evidence-based, individualized behaviour therapy services to help children, youth and adults with intellectual disabilities and autism spectrum disorder to maximize their potential in the community. LRCSS employs an interdisciplinary model that includes consultation with other professionals. LRCSS specializes in the provision of behaviour therapy services based on the science of Applied Behaviour Analysis. This involves identification of the functional relationship between behaviour, biological, social and environmental factors. The ABA support team works closely with the Autism Resource Team (ART) and Area Team, community school, and family from the point of referral through a post discharge and follow-up period. All phases of involvement are coordinated through the ABA support team to ensure a consistent line of communication with the educational system as well as with the family. The classroom is a short-term option (1-2 semesters) intended to be part of a continuum of specialized supports within the educational program for students with an official diagnosis (i.e. Autism, Asperger's, PDD-NOS). In order to be eligible for this program the clients would be school age with a diagnosis of autism spectrum disorder and living in the Durham Region.	12-21 yrs	2
Kinark Child & Family Services/Lake Ridge Community Support Services	These agencies provide support through the provision of assessment, treatment and training services for individuals and their families for a developmental disability or Autism Spectrum Disorder. Lake Ridge Community Support Services specializes in the provision of Behaviour Therapy Services based on the science of ABA. In order to be eligible for this program, the client must be school age with a diagnosis of Autism and living in Durham Region.	4-11 yrs	1
Lakeridge Health	The Child and Adolescent Inpatient Program provides a crisis and emergency service for short term assessment and stabilization for children and youth in an acute psychiatric emergency. An interdisciplinary team provides the patient and the family with education regarding diagnosis and management of symptoms and a discharge plan. The Child Youth & Family Program is a scheduled hospital-based service for children and adolescents ages 14-19 who live in Durham Region and are experiencing mental health issues. There are different aspects of care depending on the identified patient's level of	5-19 yrs	2

Appendix C

Education Community Partnership Programs (ECPP) – Durham DSB & Partnered Agencies

	impairment and severity of symptoms. The program facilitates improvement in patient functioning in their home, school, work and social environments.		
Murray McKinnon Foundation	Murray McKinnon Foundation provides community-based programs for young persons who are involved with Youth Justice Services including open detention/open custody for youth coming from Durham Region, Port Hope and Cobourg. Youth are referred by the courts. Both Murray McKinnon House and Harold McNeill House classrooms in Oshawa welcome male youth referred by Probation Services and the Youth Justice Services Division. A Supportive Reintegration Residence supports young men from the ages of 16-20 who reside in Durham Region and are without housing or are living in unsafe or unsustainable housing.	12-20 yrs	4
Ontario Shores Centre for Mental Health Sciences	Adolescent inpatient programs provide schooling as part of inter-professional assessment, which may include psychiatric, medical, behavioural, educational, social and family assessments and individualized treatment plans for each patient. Optimal stabilization, treatment and recovery for adolescents including Eating Disorders and Dual Diagnosis programs. The inpatient population can vary over the course of the year and consist of youth from across the province. Outpatient Day Treatment programs service youth Grades 9-12 residing in Durham Region or communities east of Durham. These programs involve educational remediation and instruction for youth having a need for mental health support services provided by Ontario Shores. All referrals through Durham Region Centralized Intake or Ontario Shores Central Intake.	12-21 yrs	7
Youth Connections	Youth Connections operates a highly structured program that utilizes an eclectic approach in attending to the needs of boys whose emotional health is often tenuous and fragile. Interactions are closely monitored. The boys receive counsel, nurture, and socialization through a multidisciplinary team approach. Admissions are accepted from the Fostering Family Relations program. Youth Connections has residential programs within Port Perry that refer students to the class at Uxbridge SS. Referrals are also accepted from the community.	12-18 yrs	2

Appendix D
Mental Health Community Partnership Leadership

Mental Health Community Partnership Leadership

Table 1 Engaged Partnerships

Partner	Mental Health Service Provision
School Mental Health Ontario (SMHO)	<p>SMHO is a provincial implementation support team that works with school districts to enhance student mental health through the use of evidence-based strategies and services. SMHO works alongside the Ministry of Education, English and French school districts and school authorities, and a number of provincial education and health organizations to develop a systematic and comprehensive approach to school mental health. Opportunities for provincial work through collaboration on various portfolio areas.</p> <p>SMHO link to the DDSB is through the Mental Health Leader, Superintendent responsible for Mental Health and the Board's Mental Health Leadership Team.</p>
<p>Abilities Centre TRIS* Program (Year 2)</p> <p>Interdisciplinary Team Pilot (Design Phase)</p> <p>*MOU (Memorandum of Understanding) in development</p>	<p>TRIS (Therapeutic Recreation in Schools) – Year 2</p> <ul style="list-style-type: none"> Therapeutic Recreation (TR) is a process that uses functional intervention, education and recreation participation to enable persons with physical, cognitive, emotional and/or social limitations to enjoy social and recreation activities, become more independent, develop life skills, and participate in their community. TR activities and learning include sports, physical literacy, arts, music, and social games. This partnership support students accessing programming through placement in secondary Practical Learning Programs (PLP) based on cohort schools. Commitment for the 2021/22 school year includes year-long participation for students in PLP placements through DDSB@Home to promote connection & participation. <p>Interdisciplinary Team Pilot – Supporting Youth Accessing Education Through DDSB Developmental Programs</p> <ul style="list-style-type: none"> DDSB and GrandviewKids (OT, PT, SLP) are integrated in the supports for students accessing educational programs through IPRC placement in Developmental Programs. For example, embedded gross and fine motor goals as key within individualized program (IEP). The Interdisciplinary Team Pilot, currently in design phase, brings together the Abilities Centre TRIS team, GrandviewKids SBRS team and DDSB ISS teams together to expand focus on growing inclusion, physical activity and well-being as infused in Developmental Program outcomes. The first pilot phase with centre with Pine Ridge Secondary School and include Stewart Homes (a key residential service provider for youth who are medically complex and/or have a Developmental Disability).

Appendix D
Mental Health Community Partnership Leadership

CAREA*	<ul style="list-style-type: none"> Community health agency providing mental health, and health promotion supports to students in wellness hubs in targeted secondary schools.
Chimo*	<ul style="list-style-type: none"> Children's Mental Health agency providing services in north Durham. Partnership to provide a school mental health worker to support students with tier 3 mental health needs. Services provided in partnership with existing professional services staff.
Kinark*	<ul style="list-style-type: none"> Children's Mental Health agency providing mental health, tier 2/3 supports to students 12 and under; priority access for students where appropriate and where assessment criteria are met. Services provided in partnership with existing professional services staff.
Frontenac*	<ul style="list-style-type: none"> Children's Mental Health agency providing mental health tier 2/3 supports for youth 12 and over. Services offered through school mental health workers focused on tier 3 interventions in identified schools. Services provided in partnership with existing professional services staff.
Pinewood* Addiction Services Lakeridge Health	<ul style="list-style-type: none"> Special funding to provide youth addictions workers for designated schools. Services provided are in partnership with existing professional staff. Specialized services focus on addictions education, support, intervention, and family/parent support.
Supporting Victims of Trafficking	<ul style="list-style-type: none"> SAS: Support. Advocacy. Sisterhood. is proposed as a collaborative education and healing program for youth survivors of human trafficking. SAS is designed to provide therapy and treatment to support the education and career goals of young survivors within a welcoming, empowering and supportive environment. The focus of SAS is to foster self-identity, help rebuild lives, prevent crime, and promote pro-social relationships through an anti-oppressive, anti-racist, equity and trauma-informed lens. It is the intention to also offer outreach and support to the participants' family/caregivers and informal/traditional support network to create/rebuild a positive link between home, community and school. The program framework remains underdevelopment through a team of community partners. The committee is refining program design towards funding applications.

Appendix D
Mental Health Community Partnership Leadership

Table 2 Collaborative Leadership

Committee/Partnership	Focus
<p>Durham Children & Youth Planning Network (DCYPN)</p> <ul style="list-style-type: none"> Andrea McAuley 	<p>DCYPN is comprised of organizations across the Durham Region providing supports for children, youth and families. The current committed mandates of the committee are: To drive change through cross sectoral community planning, partnership & collaboration, collective voice & advocacy and sustainability.</p> <p>DCYPN has twice yearly participation from Ministry of Health, Ministry of Children, Community and Social Services and the Ministry of Education. These Ministry Summits provide opportunity for DCYPN members to hear updates across Ministries as well as collectively bring forward advocacy and ideas for change.</p>
<p>SBRS GrandviewKids & DSBs</p> <ul style="list-style-type: none"> Kyla McKee Lisa Drake Andrea McAuley 	<p>With a focus on School Based Rehabilitation Services (SBRS) in provision of OT, PT, SLP supports, leads from GrandviewKids and the six DSBs serviced by this health treatment partners meet throughout the year for program and service planning. Although focused on SBRS, continual improvement for service access and experience for families and children/youth accessing services is centred as for many families, this is one of a number of services woven together forming care plans.</p>
<p>Grove Advisory Committee (GAC)</p> <ul style="list-style-type: none"> Sara Schleien Carolyn Ussher Andrea McAuley 	<p>For the purpose of this report Education Community Partnership Programs (ECP)/Grove School are noted as a key support in facilitating day treatment access for children & youth.</p> <p>The Grove Advisory Committee (GAC) is led by Grove School administrators and brings leads for the partner agencies, for example those in positions of Executive Director and/or Clinical Lead together for planning approximately four times per year.</p> <p>Committee Leads: Patrick Belmonte and Joanne Docherty</p>
<p>Transition Advisory Group (TAG)</p> <ul style="list-style-type: none"> Sade Gbalajobi Braden Sherwood System Lead ISS Andrea McAuley 	<p>TAG's origin is grounded in a Ministry mandate to initiate Integrated Transition Planning for youth with Developmental and/or Intellectual Disabilities (PPM XXX)</p> <p>This regional table comprised of community partners such as Community Living, Developmental Services Ontario, Abilities Centre and both DCDSB & DDSB (district and classroom staff representation). The mandate of the group is integrated service planned and acts as a communication vehicle for sharing information between organizations.</p> <p>TAG is cochaired by the DDSB and an annual rotation of community partners.</p>

Appendix D
Mental Health Community Partnership Leadership

	With the formalization of our Transition & Work Education Coordinator roles, DDSB leadership of TAG is transition from Jennifer Barnett (SW) to Sade Gbalajobi.
Infant Mental Health Committee <ul style="list-style-type: none"> • Steffanie Pelleboer • Stacey Lepine-Fisher 	Involves a number of community partners coming together to bring awareness to Infant Mental Health, with a focus on children 0-6 years, and how to provide nurturing environments for young children.
Youth Suicide Prevention Action Group <ul style="list-style-type: none"> • Steffanie Pelleboer 	The Youth Suicide Prevention Action Group (YSP) began in 2014, as a response to Ontario's Comprehensive Mental Health and Addictions Strategy. The Youth Suicide Prevention Action Group was initially formed as a DCYPN initiative and reflects membership from Durham Public Health, Durham Region Social Services, various Children's Mental Health agencies, local School Boards (DDSB, DCDSB, KPRDSB), DRPS, Distress Centre Durham, DCAS, and PCMH. The focus of this committee is gatekeeper capacity building, system resource development, and support for a suicide safe community through a collaborative approach to addressing youth suicide prevention.
Durham Collaborative Walk-In Clinic (DCWIC) Advisory Operations Committee <ul style="list-style-type: none"> • Steffanie Pelleboer 	DCWIC Advisory Committee is made up of local child and youth serving mental health agencies and DDSB and DCDSB. The focus of the committee is to advise the implementation of walk-in therapy services offered through a collaborative of child and youth service mental health agencies. DDSB's representation supports DDSB in the referral and pathways process for students needing or accessing mental health services from community agencies.
Human Trafficking Coalition <ul style="list-style-type: none"> • Carolyn Ussher 	The HTC is comprised of a variety of Durham centred human services agencies, law enforcement and child protection agencies, grass-roots organizations, legal support, and school boards. The coalition is designed to share best practices, coordinate services, build capacity in the Durham region with respect to Human Trafficking to detect and prevent trafficking situations, intervene appropriately, and provide services and supports for victims and families.

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Durham District School Board

DATE: February 7, 2022

SUBJECT: Supporting Employee Well-Being

PAGE: 1 of 5

ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
 David Wright, Associate Director of Corporate Services
 Jim Markovksi, Associate Director of Equitable Education
 Heather Mundy, Superintendent of Equitable Education, People and Culture

1.0 Purpose

The purpose of this report is to provide the Board of Trustees with information on new strategies being considered to support staff well-being and operations during the pandemic. Some strategies will become permanent while others will be as a direct result of pandemic management.

2.0 Ignite Learning Strategic Priority/Operational Goals

Success – *Set high expectations and provide support to ensure all staff and students reach their potential every year.*

Well-being – *Create safe, welcoming, inclusive learning spaces to promote well-being for all students and staff.*

Leadership – *Identify future leaders, actively develop new leaders and responsively support current leaders.*

Equity – *Promote a sense of belonging and increase equitable outcomes for all by identifying and addressing barriers to success and engagement.*

Engagement – *Engage students, parents and community members to improve student outcomes and build public confidence.*

Innovation – *Re-imagine learning and teaching spaces through digital technologies and innovative resources.*

3.0 Background

3.1 The Durham District School Board (DDSB) is committed to ensuring safe, welcoming, inclusive and respectful learning and working environments for students and employees. We recognize that supporting employee well-being is a key factor and a contributor to overall student outcomes. A focus on employee well-being is also an important factor in maintaining a positive and resilient workplace environment.

3.2 The Ontario government passed the *Working for Workers Act* in December 2021 to encourage work-life balance for Ontarians. The Ministry of Education has not yet

communicated to school districts any specific direction in terms of unique implications for school boards as a result of this new legislation. However, key elements identified in the legislation state that employers develop procedures providing the opportunity for employees to disconnect each day. We do have a procedure in place (Appendix A), which we have revised to align with the new legislation.

- 3.3 During the pandemic, lines have further blurred in terms of work time/personal time communications, and work cycles. The Ministry of Education has often released new direction, via media, during school holiday periods and/or on Friday afternoons. These announcements, along with their subsequent implications have increased stressors for both central and school-based staff in managing within the evolving pandemic and have contributed to increased expectations that people are readily accessible during personal time.
- 3.4 The Durham District School Board staff have identified that stress is a major issue they are facing. In the recent employee checkpoint, 67% of staff who responded indicated that they were under extreme stress. We recognize that continued high stress leads to distress, which in turn results in ill-being. Two key stressors identified were work-life balance and labour shortages.
- 3.5 Ontario is experiencing a severe labour shortage including in the education sector. Pandemic management has included several protocols related to required isolation periods intended to reduce the transmission of COVID-19, which impacts the number of individuals available daily to staff the system.

4.0 Analysis

- 4.1 The Durham District School Board has addressed labour shortages with the following strategies:
 - Supported the option of working remotely where possible, including providing access to portable technology;
 - Created a pool of occasional staff (Early Childhood Educators, Educational Assistants and Teachers) who are assigned to full-time work to increase stability of available occasional staff;
 - Hired uncertified teachers for emergency use when all qualified occasional teachers were unavailable;
 - Hired emergency educational assistants to support specific schools based on recommendations from school principals;
 - Hired additional occasional custodians to reduce custodial staff shortages;
 - Posted additional permanent custodial positions to assist with ongoing elementary and secondary custodial needs;
 - Provided school leaders with a tiered approach protocol to consistently manage unfilled positions in terms of shifting responsibilities at the school level and requesting central staff deployment to keep schools open;
 - Paused all professional learning which would have required occasional staff support;

- Deployed available central staff to support keeping schools operating safely;
 - Delayed work within the annual Operational Plan to prioritize schools staying open;
 - Removed preparation periods from teachers when there was a requirement for class coverage;
 - Conducted extensive hiring in various employee groups. Since December 2021, Durham District School Board has hired:
 - 324 Certified Occasional Teachers
 - 137 Occasional Educational Assistants
 - 34 Occasional Early Childhood Educators
 - 335 Uncertified Occasional Teachers
 - 40 Occasional Custodians
- 4.2 Members of Administrative Council have been advocating intervention strategies with the Ministry of Education since September 2021 in order to offset the impact of the labour shortage. Some examples are:
- Delay the Math Proficiency Test (MPT) to avoid impacting the accreditation of teachers who are currently within our classrooms. This test has been an additional stressor for them, as well requiring them , take time off during the school day to write it. test. In last December, the Ministry of Education lost a legal challenge and the court ruled that the MPT violated the Charter and that it was therefore to be removed as an accreditation requirement. The Ministry is currently appealing that decision.
 - Extend the number of days that retired teachers and school administrators can work (current limit is 50 days). This action was taken in January 2022, and they are now able to work 95 days.
 - Make Ministry decisions in a timelier manner to give District staff opportunities to implement new directions prior to media announcements, so that there is appropriate time to plan for implementation prior to the public expecting that announcements are already implemented.
 - Exempt students currently in Grade 11 from writing the Ontario Secondary School Literacy Test (OSSLT) as it required the use of additional occasional teachers to accommodate in-person students who are part of the virtual school.
 - Postpone EQAO testing in grades 3 and 6 for one more year, as technology deployment and test administration is an additional layer of work for staff at a time when there is insufficient staff to support. Postpone Grade 9 math testing for this cohort as they are adapting to high school during a pandemic.

4.3 Communication Protocol

A communication to all staff will be distributed reinforcing the importance of following the Disconnecting From Work Procedure and not feeling pressured to be checking work devices after hours. Supervisors and all staff will be reminded of how to set a timer on emails so that even if they are working at a time that is convenient to them, they are not sending out emails at times that are not within the workday, as articulated within the procedure.

Parents will receive a communication alerting them that this procedure will be reinforced in the interest of staff wellness, and that it will require patience in terms of response times.

4.4 Labour Shortages

The Durham District School Board is closely monitoring the impact of labour shortages as the pandemic continues. It is likely that these shortages will result in some ad hoc school closures in the morning, before a school opens. January's vacancy fill-rates have been better than December due to the additional hiring that has taken place, and we hope to continue this positive trend.

4.5 Employee Well-Being Plan Next Steps

When addressing employee mental health and well-being it is important to frame efforts within a tiered system of support that recognizes the need for a continuum of supports made available for employees to meet their health, mental health and well-being needs. Tier 1 – Good for All, addresses strategies to support the well-being of all employees and builds an organizational culture of awareness, acceptance, and support as it relates to health, mental health and well-being. Tier 2 – Necessary for Some, addresses strategies for some employees requiring more targeted supports and interventions. Tier 3 – Essential for a Few, addresses strategies for those few employees requiring more intensive health, mental health and well-being supports and interventions.

The mental health and well-being of all employees (Tier 1 - Good for All and Tier 2 - Necessary for Some) can be enhanced and nurtured through positive mental health promotion and prevention that supports the well-being and mental health of all employee through building the skills, attitudes, knowledge and habits that support mental well-being for all employees. To support employee well-being within these tiers, the Well-Being Program must be strategic, professional, easy to access, helpful and useful in everyday life, and the content be reflective of our workforce.

The People and Culture Department working alongside the DDSB Well-Being Department, will review current practices and investigate potential resources that staff can provide to support employee well-being.

5.0 **Financial Implications**

To address the extensive hiring that needed to be conducted to support the safe operations of schools, temporary staff were brought in to manage the hiring and on-boarding process of occasional staff. This cost has been accounted for within the current budget. All costs associated with pandemic management are being tracked and if given the opportunity, will be submitted to the Ministry of Education for reimbursement.

6.0 **Communication Plan**

Messaging to be shared with school administrators, staff and parents/guardians.

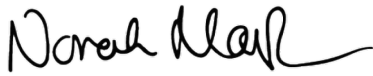
7.0 **Conclusion and/or Recommendations**

This report is provided to the Board of Trustees for information.

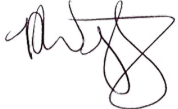
8.0 **Appendices**

Appendix A – Phone and E-Mail Use (After Hours)

Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



David Wright, Associate Director of Corporate Services



Jim Markovski, Associate Director of Equitable Education



Heather Mundy, Superintendent of Equitable Education, People and Culture

Disconnecting From Work

1.0 Objective

- 1.1 This procedure is informed by the *Employment Standards Act 2000*, as amended by the *Working for Workers Act 2021*.
- 1.2 The objective of this procedure is to provide guidelines to eliminate or significantly reduce the practice of work-related communications after hours including emails, telephone calls, video calls or the sending or reviewing of other messages.
- 1.3 This procedure is to be interpreted and applied in accordance with the District's commitment to promoting and upholding Indigenous rights and human rights in all of its learning and working environments. This includes anti-colonial, anti-discriminatory and anti-racist approaches and actions to provide services and employment that are safe, welcoming, respectful, inclusive, equitable, accessible and free from discrimination and harassment consistent with the Indigenous Education Policy, the Workplace Harassment Policy and any DDSB policies on human rights or a safe and respectful workplace.

2.0 Definitions

In this procedure,

- 2.1 "After-Hours" refers to any time between the hours of 6:00 p.m. - 7:00 a.m., Monday to Friday, all day Saturday, Sunday, statutory holidays, and (if applicable) any other Board-designated non-working days.

The above definition may be varied depending on specific agreements with employees, as to employee work hours or requiring an employee to be available for After-Hour emergencies. More information on Emergency Operations can be found in Procedure - Emergency Operations Procedure.

- 2.2 "Disconnect from Work" means not engaging in work-related communications, including emails, telephone calls, video calls, or the sending or reviewing other messages, so as to be free from the performance of work.
- 2.3 "Mass e-mails" refer to electronic mail messages sent to a large number of employees.

3.0 Procedure

- 3.1 Employees are advised to Disconnect from Work After-Hours, unless the matter can reasonably be constituted as an emergency or a significant event that calls for immediate action.

- 3.2 Mass e-mails produced for the purpose of providing information as to current or upcoming matters related to the Durham District School Board, should not be circulated After-Hours. Such e-mails should be delivered during business hours only, to ensure that employees' non-work hours, vacation time, and personal and family life be respected. There may be unique situations where critical information of an urgent nature must be provided through Mass e-mails delivered After-Hours.
- 3.3 This procedure provides employees with the opportunity for proper balance between work and lifestyle which ought to positively impact employee wellness.
- 3.4 A copy of this procedure copy shall be provided to all Durham District School Board employees within 30 days of [insert amendment date]. A copy of this procedure shall also be provided to all new employees within 30 days of the employee joining the Durham District School Board.

4.0 Reference Documents

- 4.1 Policies
<Name of Policy>
<Name of Policy>
- 4.2 Procedures
<Name of Procedure>
<Name of Procedure>
- 4.3 Other Documents
<Name of Other Document>
<Name of Other Document>

Appendix:
None

Effective Date
2018-01-01

Amended
2022-MM-DD

PROCEDURE

PERSONNEL

Phone and E-Mail Use (After Hours) Disconnecting From Work

1.0 Purpose/Objective

- 1.1 This procedure is informed by the Employment Standards Act 2000, as amended by the Working for Workers Act 2021.
- 1.2 The objective of this procedure is ~~To~~ to provide guidelines to eliminate or significantly reduce the practice of work-related ~~electronic and telephonic~~ communications after-hours including emails, telephone calls, video calls or the sending or reviewing of other messages.
- ~~1.1.3~~ 1.3 This procedure is to be interpreted and applied in accordance with the District's commitment to promoting and upholding Indigenous rights and human rights in all of its learning and working environments. This includes anti-colonial, anti-discriminatory and anti-racist approaches and actions to provide services and employment that are safe, welcoming, respectful, inclusive, equitable, accessible and free from discrimination and harassment consistent with ~~the the, Indigenous Education Policy, the Workplace Harassment Policy and any DDSB 's-policies on hHuman rRights or a safe and respectful workplace. Policy, the Indigenous Education Policy, the Workplace Harassment Policy and the Safe and Respectful Workplace Policy.~~

2.0 Definitions

In this procedure,

- 2.1 "After-~~hours~~Hours" refers to any time between the hours of 6:00 p.m. - 7:00 a.m., Monday to Friday, all day Saturday, Sunday, statutory holidays, and (if applicable) any other Board-designated non-working days.

The above definition may be varied, depending on specific ~~employment~~ agreements with ~~employees~~staff members, such as as to employee work hours or requiring an ~~employee~~employee-staff member to be available for after-hour~~After-Hour~~ emergencies. ~~In this case, some after hour work may be required in order to arrange alternative support. More information on Emergency Operations can be found in Procedure - Emergency Operations Procedure.~~

- 2.2 "Disconnect from Work" means not engaging in work-related communications, including emails, telephone calls, video calls, or the sending or reviewing other messages, so as to be free from the performance of work.

- ~~2.2~~ "Electronic" communication refers to e-mails through the use of a cell phone, or a personal computer/laptop device.

- ~~2.3~~ "Telephonic" communication refers to the use of personal or Board-issued cell phone devices.

- ~~2.4~~2.3 "Mass e-mails" refer to electronic mail messages sent to a large number of ~~people~~employees.

3.0 Work/Life Balance Procedure

- 3.1 Employees are advised to ~~refrain from producing or becoming involved in work-related e-mails after-hours~~Disconnect from Work After-Hours, unless the matter can reasonably be constituted as an

emergency or a significant event that calls for immediate action.

3.2 Mass e-mails produced for the ~~purposes to provide~~purpose of providing information ~~pertaining as~~ to current or upcoming matters related to the Durham District School Board, should not be circulated ~~after-hours~~After-Hours. Such e-mails should be ~~circulated~~delivered during business hours only, to ensure that that employees' non-work hours, vacation time, and personal and family life be respected. There may be unique situations where critical information of an urgent nature must be provided through Mass e-mails delivered After-Hours.

3.3 ~~Acting as a support tool to improve and promote employees' work/life balance, this procedure~~This procedure provides employees with the opportunity ~~to practice~~for proper ~~prioritization~~balance between work and lifestyle, which ~~will result in a positive effect enough to positively impact~~ employee wellness, ~~productivity and job performance.~~

3.3.4 ~~A copy of this procedure shall be provided to all Durham District School Board employees within 30 days of [insert amendment date]. A copy of this procedure shall also be provided to all new employees within 30 days of the employee joining the Durham District School Board.~~

4.04.1

Appendix:

None

Effective Date

2018-01-01

Amended/Reviewed

Effective Date:

2018-01-01

Amended:

2022-MM-DD



**Standing Committee
Public Session
February 7, 2022**

Advisory, Ad Hoc Committee Report

Name of Committee: Equity & Diversity Ad Hoc Steering Committee

Meeting Date & Time: Wednesday, November 24, 2021 at 6:00 p.m.

Meeting Chairs: Patrice Barnes (Co-Chair), Donald McLeod (Co-Chair)

Meeting Attendees:

Camille Alli - Staff
 Patrice Barnes - Co-Chair
 Trecia Brown – Staff
 Chrystal Bryan - Staff
 Oliver Forbes - Community Member
 Mohamed Hamid - Staff
 Mary Hindle - Staff
 Margaret Lazarus - Staff
 Norah Marsh - Staff
 Merrill Mathews - Staff
 Devika Mathur - Staff
 Eleanor McIntosh - Staff
 Donald McLeod - Co-Chair
 Michael Menheere - Staff
 Carolyn Morton – Staff
 Jack Nigro – Staff
 Cheryl Rock – Staff
 Alicia Russell - Staff
 Jacqueline Steer - Staff
 Symone T. – Student Representative
 Kenroy Wilson - Community Member

Agenda Highlights:

1. Schools have taken the Equity learning from Dr. Nicole West-Burn's sessions back to their teams.
2. Central staff will be assigned to help each school, work through the process around anti-bias and anti-racism as the District moves towards anti-oppressive pedagogy and the removal of barriers for students.
3. The system needs to center identity and uphold Indigenous and human rights.
4. The Africentric Heritage Program which is led by Michel Jackson-Stewart and Tina Thomas had a successful launch on October 30, 2022.
5. The work of the Africentric Heritage Program is focused on literacy, numeracy and Black identity to ensure that there are opportunities for students to see themselves in their classroom.
6. Trecia Brown is the successful candidate for the new Black Graduation Coach position. Over the last 20 years Trecia has worked with students from kindergarten to Grade 12.
7. A framework for developing a new Human Rights Policy was brought forward last year. A draft policy has been created that includes related procedures.
8. The new Human Rights Policy is informed by legal requirements under the Human Rights Code and other legislation. The new policy aligns with policy and resources from the Human Rights Commission, the Anti-Racism Directorate and the Ministry of Education.
9. The updated Policies and Procedures are in line with our commitment to human rights.
10. At the January 17, 2022 Board meeting, the potential renaming of Julie Payette P.S. and Sir John A. Macdonald P.S. will be presented to the Board of Trustees for their consideration.



Minutes – Special Governance and Policy Committee Meeting

Tuesday, November 9, 2021, 6:30 p.m., Virtual

Trustees: Linda Stone (Chair), Donna Edwards, Carolyn Morton, Paul Crawford, Patrice Barnes, Darlene Forbes, Scott Templeton, Chris Braney

Regrets: Trustees Christine Thatcher, Niki Lundquist and Michael Barrett

Staff present: Director of Education Norah Marsh, Associate Director Jim Markovski, Associate Director David Wright, General Counsel Patrick Cotter, Executive System Lead Robert Cerjanec, Human Rights and Equity Advisor Devika Mathur, Superintendents of Equitable Education Gary Crossdale, Heather Mundy, Andrea McAuley, Policy Analyst Ahmad Khawaja

Recording Secretary: Gillian Venning

1. Call to Order

Trustee Linda Stone, Chair of the Committee, called the meeting to order at 6:32 p.m.

2. Land Acknowledgment

Chair Linda Stone read out the Land Acknowledgement.

3. Declarations of Interest

There were no Declarations of Interest.

4. Approval of Agenda

Moved by: Trustee Donna Edwards

CARRIED

5. Additional Draft Policy and Procedures to Support the Implementation of the Draft Human Rights, Anti-Discrimination and Anti-Racism Policy

- Director Marsh introduced the revised and new policy and procedure package created to support and align with the draft Human Rights Policy.

- It was confirmed that the package will be circulated publicly as part of phase two of consultations related to the draft Human Rights Policy and that executive summaries of each document would be created to assist with understanding of the full versions of the policies and procedures.
- The process through which the revised and new draft policies and procedures were written by staff was explained, including a jurisdictional scan of and best practices across other school boards and organizations that helped to inform the drafts. Senior staff provided input through multiple stages of revision and the drafts will be circulated for extensive public consultation and feedback before being finalized.
- Superintendent Mundy provided further context for the proposed revisions to Appendices A & B, confirming they were made in order to ensure alignment of the policy and procedure with the draft Human Rights Policy and to provide a streamlined process through which staff can bring complaints forward and have them dealt with in a fair, transparent, accessible, confidential and timely process. It was also noted that the proposed revisions focus on the experiences of staff, and now addresses disrespectful conduct, ultimately fostering healthy, respectful and safe workplaces for all staff.
- Human Rights and Equity Advisor Mathur provided further context for the creation of Appendices C & D, confirming that the draft new procedures will support implementation of the draft Human Rights Policy by outlining the processes through which complaints initiated by students and families are addressed and accommodation requests are received, considered and implemented.
- Trustees were provided the opportunity to ask questions, share concerns and make suggestions for consideration related to ongoing revisions of the revised policy. During discussion, the following points arose:
- Concern expressed about the reporting structure related to direct reports relationships, e.g., staff having to report complaints about their own managers directly through that manager. Similarly, concern was also expressed about the process through which complaints involving the Director of Education are reported and investigated. Trustees requested that more than one person be in receipt of any complaint about the Director. Staff agreed to provide a revised draft version of the provisions outlining the complaint process when the issue involves conduct of the Director based on the feedback of the committee.
- Further explanation and discussion of the training and professional learning components of the revised and new draft policies and procedures took place.
- Threshold factors used to determine whether complaint investigations are completed internally or externally were explained.
- Request to include an annual, semi-annual or quarterly reporting component within the draft procedure that would summarize the number and subject matter of complaints reported was put forward. Staff agreed to consider this request.
- It was confirmed that timely responses and implementation of accommodations is essential. Undue hardship thresholds related to accommodation were explained, including financial and safety considerations.
- Privacy and rights of children were discussed
- Trustees agreed that students would benefit greatly from a training or information component to ensure they are aware of their own rights as they relate to these policies and procedures.

6. Date of Next Meeting:

- Regular meeting of the Governance and Policy Committee scheduled for Tuesday, November 23, 6:30 p.m.

7. Adjournment

Meeting adjourned at 8:08 p.m.



Minutes - Governance and Policy Committee Meeting

Tuesday, November 23, 2021, 6:30 p.m., Virtual

Trustees: Linda Stone (Chair), Donna Edwards, Carolyn Morton, Christine Thatcher, Michael Barrett, Paul Crawford, Patrice Barnes, Scott Templeton, Lundquist

Regrets: Trustees Darlene Forbes, Chris Braney

Staff present: Associate Directors Jim Markovski and David Wright, General Counsel Patrick Cotter, Executive System Lead Robert Cerjanec

Recording Secretary: Gillian Venning

1. Call to Order

Trustee Linda Stone, Chair of the Committee, called the meeting to order at 6:31 p.m.

2. Land Acknowledgment

Trustee Stone read out the land acknowledgement.

3. Declarations of Interest

There were no Declarations of Interest.

4. Approval of Agenda

Moved by: Trustee Barnes

CARRIED

5. Approval of Minutes – October 25, 2021

Moved by: Trustee Barnes

NO CHANGES TO MINUTES. APPROVED AS DISTRIBUTED.

CARRIED

6. Approval of Minutes – November 9, 2021

Moved by: Trustee Barnes

NO CHANGES TO MINUTES. APPROVED AS DISTRIBUTED.

CARRIED

7. Review of Revised Draft Bylaws

The Committee reviewed and considered proposed revisions. Staff responded to questions of clarification asked by trustees. Following discussion, it was decided that the revised draft Bylaws will be considered at the next meeting of the Committee so that trustees have an opportunity to review and consider additional amendments proposed at the current meeting before sending the draft Bylaws forward to Standing Committee.

Proposed Changes:

Section 1.4 to be amended to reflect language from current by-laws - *The rules contained in Roberts Rules of Order Newly Revised, as may be amended from time to time, shall govern all matters of procedure in all cases in which they are applicable and in which they are not consistent with these bylaws or any special rules of order, the Durham District School Board may adopt, or any statutes or regulations.*

Section 3.2, Scheduling of Organizational Meeting, order of provisions 3.2.1 and 3.2.2 to be switched.

Section 5.12.10 to be amended to clarify what the possible outcome is of a trustee abstaining from voting due to a declared conflict of interest when the resulting vote is a tie.

Sections 5.12.6 and 5.12.7 to be revised to indicate that a motion to end debate on an item being discussed can only be moved after each trustee has had the opportunity to speak to that item (regardless of whether they take the opportunity or abstain) and the motion to end debate is supported by a minimum 2/3 vote.

8. Review of Revised Draft Code of Conduct

The Committee reviewed and considered proposed revisions. Staff responded to questions of clarification asked by trustees. Following discussion, it was decided that the revised draft Code of Conduct will be considered at the next meeting of the Committee.

Sections 6.26, 6.27 and 6.28 were discussed. It was agreed that staff would present options for revised language of these sections for consideration at the next meeting of the Committee. The revised language will confirm that not all procedures of the DDSB are applicable to trustees in their duties and that while trustees are expected to uphold the procedures of the DDSB, they are not necessarily required to be in compliance with them in the course of their duties.

Staff will refer to specific sections of the Education Act that provide context for the revised language of these provisions.

9. Date of Next Meeting

To be determined via email poll to trustees.

10. Adjournment

Meeting adjourned at 8:21 p.m.



Minutes - Governance and Policy Committee Meeting

Monday, January 24, 2022, 6:00 p.m., Virtual

Trustees: Linda Stone (Chair), Donna Edwards, Carolyn Morton, Christine Thatcher, Michael Barrett, Paul Crawford, Patrice Barnes, Scott Templeton, Darlene Forbes, Chris Braney

Regrets: Trustee Niki Lundquist

Staff present: Director of Education Norah Marsh, Associate Directors Jim Markovski and David Wright, Human Rights and Equity Advisor Devika Mathur, General Counsel Patrick Cotter, Executive System Lead Robert Cerjanec, Superintendents of Equitable Education Stephen Nevills, Jack Nigro, Gary Crossdale, Margaret Lazarus, Georgette Davis, Heather Mundy, Erin Elmhurst, Mohamed Hamid, Andrea McAuley, Policy Analyst Ahmad Khawaja

Recording Secretary: Gillian Venning

1. Call to Order

Director of Education Norah Marsh called the meeting to order at 6:05 p.m.

2. Land Acknowledgment

Director Marsh read out the Land Acknowledgement.

3. Declarations of Interest

There were no Declarations of Interest.

4. Approval of Agenda

CARRIED

5. Approval of Minutes – November 23, 2021

CARRIED

6. Election of Chairperson

Director Marsh opened nominations for the position of Chair of the Governance and Policy Committee.

Trustee Paul Crawford nominated Trustee Linda Stone. Trustee Stone accepted the nomination.

Trustee Scott Templeton self-nominated.

After three calls for additional nominations and seeing none, nominations for Chair were closed and Trustees Stone and Templeton were provided the opportunity to speak to their nomination.

Confidential polling took place. Trustee Stone was elected Chair of the Governance and Policy Committee and took over the remainder of the meeting.

7. Bylaw Review

Counsel Cotter reviewed and summarized revisions included in the updated version of Bylaws as presented in this agenda. The latest changes represent items that were discussed and agreed upon by members at the last Committee meeting.

The Committee reviewed and discussed the following changes:

Section 1.4, reference to *Robert's Rules of Order Newly Revised as may be amended from time to time* to be changed to *Latest Edition of Robert's Rules*

Section 1.5 amended to remove 'at any time'

Section 3.2.1 amended to remove 'In all other years'

Section 5.3.2 amended to include 'No member of the public or staff...'

Section 5.4 5.4.5 amended to read '.... or the disclosure is to the Integrity Commissioner in relation ~~to~~ the Code of Conduct'

Section 5.5.3 to be amended to include 'Subject to the procedures described below....' at the beginning of the provision

Section 5.5.5 to be amended to correct spelling of 'Chair'

Section 5.58 amended to add an "s" on the end of the word Trustee (second line)

Section 5.12.6 amended to include language to the effect that 'it is expected that members will limit their comments on a motion to no longer than the predetermined amount of time as set at the time the motion is put forth'
Suggestion to check TDSB language. Discussion followed, and members agreed that a visible timer, managed by staff, be used in public sessions to ensure speaking time provided to members is transparent, accurate and equal.

Section 5.12.12 amended to insert 'shall' between 'Chair' and 'read'

Following discussion, Chair Stone asked the Committee for a motion to move the Bylaws including amendments as determined at this meeting, to Standing Committee for consideration.

Motion to send Bylaws to Standing Committee put forth by Trustee Barnes.

CARRIED

Trustee Barrett advised the Committee and left the meeting at 6:17 p.m. and rejoined later.

8. Code of Conduct Review

Counsel Cotter reviewed and summarized revisions included in the updated version of the Code of Conduct as presented in this agenda. The latest changes represent items that were discussed and agreed upon by members at the last Committee meeting.

The Committee reviewed and considered additional proposed revisions. Staff responded to questions of clarification asked by trustees.

Proposed changes to be incorporated prior to Standing Committee:

6.7, Integrity and Dignity of Office – Principles, amended to read ‘...., and at all other times, that would discredit or compromise the integrity of the Trustee, **any other Trustee, or the Board**’

6.11, Integrity and Dignity of Office – Principles, amended to include ‘**shall avoid** the improper use...’ instead of ‘to avoiding the improper use’

6.28, Upholding Decisions, amended to read ‘When individual trustees express their opinions in public, **through any medium, including social media**, ...’ And amended to remove ‘....and must otherwise comply with this Code of Conduct’

6.58, Acting on Advice of Integrity Commissioner, amended to correct missing letter ‘t’ from first word of sentence

Following discussion, Chair Stone asked the Committee for a motion to move the Code of Conduct, including amendments as determined at this meeting, to Standing Committee for consideration.

Motion to send Code of Conduct to Standing Committee put forth by Trustee Templeton.

CARRIED

Trustee Barrett advised the Committee and left the meeting at 8:06 p.m.

9. Draft Human Rights Policy and Procedures

Director Marsh introduced the revised draft policy and procedures package, commending staff for their collaborative work conducting additional consultations

and revisions leading to the revised documents package presented today. Appreciation for the feedback provided by stakeholders was also expressed.

Human Rights and Equity Advisor Mathur summarized phase two of the consultation process, which took place following presentation of the draft policy and procedures package in fall 2021. A variety of stakeholders were consulted in phase two, and opportunities to provide feedback were provided through an open house, survey, dedicated telephone line, email address, direct email outreach from schools and social media and website promotion. Phase two consultations were supported by summarized documents and an explainer video to assist with understanding the purpose, scope and application of the policy and procedures. It was pointed out that no significant changes to content have been made following phase two of consultations, but that minor revisions and rearrangement of sections to streamline the documents and reduce overall volume where possible have been made.

Implementation of the procedures was discussed, including the establishment of an Implementation Committee, whose work will focus on ensuring a robust professional learning component, including access to resources and training opportunities is made available to all staff.

Staff reaffirmed that the intent of the policy and procedures is not to promote censorship or fear of reprisal, but to give voice, safe space and strength to members of the community who have historically been marginalized and negatively impacted by the lack of enforceable human rights policies.

Staff responded to questions from trustees.

The Committee agreed to defer further discussion of the draft policy and procedures to the next meeting.

10. Date of Next Meeting

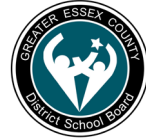
January 31, 2022, 6:00 p.m.

11. Adjournment

Meeting adjourned at 8:42 p.m.

Greater Essex County District School Board

451 Park St. W., P.O. Box 210, Windsor, ON N9A 6K1 · 519-255-3200



VIA EMAIL ONLY

January 21, 2022

Honourable Stephen Lecce
5th Floor, 438 University Ave.
Toronto, ON M5G 2K8
Email: stephen.lecce@pc.ola.org

Dear Minister Lecce:

The return of students to in-person learning has been a relief to many, and certainly a necessity for some. We enthusiastically welcomed the resumption of face-to-face interactions at schools among students and staff, especially now that higher grades of PPE have been provided.

We believe this is the best model of learning for the mental health, well-being and academic success of all students. To protect and preserve the school year from further interruptions, sir, the GECDSB Board of Trustees has some suggestions we implore you to consider, on behalf of our staff, students, and our communities.

We would like to see the resumption of a supported plan for the tracking and public reporting of confirmed COVID-19 cases in schools. To allow students and staff to return to school following COVID-19 illness or exposure, we also recommend a test-to-return strategy, permitting them to return to work and/or school if symptom free with a negative PCR or Rapid Antigen Test result. To this end, Minister, we strongly advise you to ensure ongoing, regular, equitable access to RAT kits for both students and staff throughout the course of the continuing pandemic.

Previously, GECDSB Trustees also advocated for the government to add the COVID-19 vaccination to the list of required vaccinations for students under the Immunization for School Pupils Act, and we would appreciate an update on this request.

The past two years have created many hardships for all Ontarians and we do not wish to see those difficulties compounded by an inadequate supply of school board resources. We urge for the inclusion of funding, within the Grants for Student Needs, to upgrade and improve technological tools and support networks used in remote learning. There have been many unfunded costs incurred by our school board during the pandemic that have impacted our overall operations, and we encourage the government to make a full reimbursement. There is also a tremendous need for the hiring of additional staff to support virtual learning. Our Board has been fiscally prudent, and we know that the needs of our students and staff will not end with COVID-19 costs. Investing in Ontario's exceptional public education system includes setting our Boards up for future success, as well as maintaining health and safety toward the success and achievement of our students today.

Finally, Minister, we believe that you and your government must commit to and engage regularly in open dialogue, allowing for feedback, with Directors of Education, school boards, and education partners prior to the broadcast of plans to the media. Most certainly, confidences can be kept, and implementation will be faster and smoother if transparent, timely communication with the Ministry of Education precedes a public announcement. Leaders in Ontario's school boards like GECDsB have perspectives and expertise that is born of experience, interaction, collaboration, and professionalism. The Ministry only serves to benefit from this shared knowledge. Ontario's families look to their schools and those they interact with daily to bring context, calm, and confidence to the decisions we are making with their best interest at heart. We are trusted community leaders with shared goals and responsibilities. We seek to further enhance our valued partnership for the families and communities of the GECDsB, and those of Ontario.

Sincerely,



Alicia Higgison
Chairperson of the Board

Cc: Honourable Lisa Gretzky, MPP, Windsor West: lgretzky-qp@ndp.on.ca
Honourable Percy Hatfield, MPP, Windsor – Tecumseh: phatfield-qp@ndp.on.ca
Honourable Taras Natyshak, MPP Essex: tnatyshak@ndp.on.ca
Honourable Marit Stiles, MPP, Education Critic (Email: MStiles-QP@ndp.on.ca)
School Board Chairs: TGoertz@opsba.org
Dr. Shanker Nesathurai, Acting Medical Officer of Health, WECHU

January 17, 2022

Via email: stephen.lecce@pc.ola.org; minister.edu@ontario.ca

Honourable Stephen Lecce
Minister of Education
Mowat Block, 900 Bay Street
Toronto, Ontario, M7A 1L2

Honourable Stephen Lecce,

We are aware that there is a shortage of personal support workers (PSWs) in the Province of Ontario. During the COVID- 19 pandemic, employees, who would normally fill the position of Student Support Professionals (SSPs), also known as Educational Assistants (EAs), in Boards, were eligible for higher pay elsewhere. Pandemic pay recognized PSWs as front line workers and made working for other organizations, that were already able to offer more pay, even more attractive. This leaves Boards of Education with daily and long-term shortages.

SSPs and EAs are doing the same work in schools as PSWs are doing in the community; toileting, hygiene, mobility support and feeding to name a few. They are often working with students who are unmasked. The glaring difference is that they are not receiving the same rate of pay, which makes staying in the field of education difficult.

Daily and long term SSP and EA shortages, unfortunately, mean that students with special education needs are unable to be supported to attend school, and their families must find solutions to last minute cancellations. Boards are forced to be as creative as possible to keep this from happening, but it is often impossible to avoid.

We understand that compensation for education workers is a central bargaining item and is out of the control of the local Boards. Without the support of the government to raise the rate of pay, Boards are left with few or no options to encourage staff to continue to work, nor to attract new employees.

We ask that the government consider this to be a pressing issue moving into this next round of discussions centrally. We need to provide high quality care and support for students with special education needs in our schools.

Sincerely,



Suzanne Posthumus
Chair, Special Education Advisory Committee
Lakehead District School Board

cc: Chairs of all Ontario Special Education Advisory Committees

Your Children Our Students The Future
www.lakeheadschoools.ca

2022 January 13

Hon. Stephen Lecce Minister of Education
315 Front Street, 14th Floor
Toronto, ON M7A 0B8

Re: Recommendation To Allow Student Trustees To Present Motions

Dear Minister Lecce:

This is a letter to inform you of a motion approved by Trustees of the Thames Valley District School Board (TVDSB) at its December 14th, 2021, meeting of the board. The motion relates to the recommendation to amend the Education Act to allow Student Trustees the ability to introduce items by way of a motion for discussion. The move, which was brought forward by TVDSB student trustees Harini Satheeskumar, Hanzala Subhani and Niigonii White-Eye is part of an Ontario Student Trustees Association (OSTA) initiative.

Giving students the ability to influence learning is integral to everyone's success. We want our schools to be places where students take ownership of their learning and their school environment.

As you are aware, student trustees across Ontario are not allowed to move or second motions.

Currently, Section 55(4) of the Ontario Education Act states:

A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the board or of one of its committees on which the student trustee sits, and if no member of the board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion.

By allowing our student trustees the ability to move motions for discussion, they will be better able to complete their job fully, respond and meet the requests of the students they represent. Thames Valley District School Board values student voice and believes that if student trustees are able to move motions, this voice becomes stronger in school boards.

The full motion is detailed here:

To request that the Chair send a letter to the Ministry of Education asking for the amendment of the Education Act to give Student Trustees the right to move and second motions.

WHEREAS per section 55(5) of the Ontario Education Act student trustees have the right to partake in certain in-camera sessions closed to the public, demonstrating the high standing and trustworthiness of student trustees, and;

WHEREAS the student voice is most effectively communicated by granting student trustees equal opportunities to participate in Board functions as other Board trustees, and;

WHEREAS per section 55(7) of the Ontario Education Act student trustees receive equal opportunities to Board trustees, including access to professional development, resources and training, and;

WHEREAS student trustees are elected representatives, and are to be held accountable to the student body, and;

WHEREAS the student voice must be articulated fairly and expressively for the benefit of the school board, and;

WHEREAS the student voice must be represented fairly and articulated expressively for the benefit of the school board and to accurately reflect the students' in decision-making, and;

WHEREAS student trustees further desire the right to move and second motions, to incite discussion:

WHEREAS doing so furthers the dynamic and effectiveness of student representation across Ontario, as students can begin the discussions surrounding items that they feel are most pertaining to their constituency without the need to request for support.

BE IT RESOLVED THAT: the Chair of the Board send a letter to the Ministry of Education on behalf of the Thames Valley District School Board with copies to local MPPs and other school boards, requesting the Ministry of Education to push for the recommendation in allowing student trustees the right to independently move and second motions during board meetings.

The Trustees of the Thames Valley District School Board appreciate your attention to review the Education Act as it pertains to the participation of student trustees and motions. We value the importance of student voice at the Board table and look forward to your response.

Sincerely,



Lori-Ann Pizzolato, Chair
Thames Valley District School Board

cc: Trustees
M. Fisher, Director of Education
E. Hardeman, MPP Oxford
J. Yurek, MPP Elgin-Middlesex-London
T. Armstrong, MPP London-Fanshawe
T. Kernaghan, MPP London North Centre
P. Sattler, MPP London West
M. McNaughton, MPP Lambton-Kent-Middlesex



January 14, 2022

Mayor Glen Grant
City of Cornwall
360 Pitt Street, P.O. Box 877
Cornwall, Ontario K6H 5T9

sent via email: ggrant@cornwall.ca

Dear Mayor Grant,

I am writing to you at the request of the Upper Canada District School Board who, at its [regular board meeting of December 15, 2021](#), passed the following [motion](#):

BE IT RESOLVED: that a letter be written on behalf of the Trustees of the Upper Canada District School Board informing all local-upper level municipalities (County Councils) that the enabling legislation to allow the legal and lawful use of stop sign cameras on school buses was passed into law as of June 22nd, 2020. This valuable tool will serve as means of enforcement of Ontario's Traffic Act as it applies to illegal passing of stopped school buses.

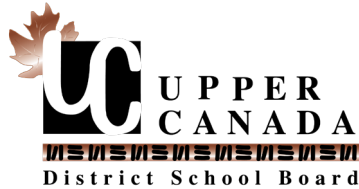
BE IT ALSO RESOLVED: that the Trustees of the Upper Canada District School Board encourage that these systems be initiated and implemented within a timely fashion to enhance the safety of all school children on their journeys to and from school. Copies of this letter and the corresponding motion be copied to all local MPPs, all publicly funded school boards as well as to the Association of Municipalities of Ontario and the Rural Ontario Municipalities Association.

This motion was moved by Trustee William MacPherson, who in addition to his role as a Trustee of Ward 2, is a school bus driver.

Although it is illegal to drive past a school bus while the lights are flashing and the stop sign is out, drivers do not always respect these laws. In rural areas, the likelihood of ignoring these blatant signs that drivers need to stop seems to be higher, as Trustee MacPherson can recall six close-call incidences this school year on his route alone. If asked, we are confident that other drivers would have comparable stories to tell.

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In June of 2020, the province of Ontario vowed to crack down on drivers who fail to stop for school buses when loading or unloading passengers with legislation to increase fines and make it easier to use video evidence in court. This can be found in [Ontario Regulation 424/20 of the Highway Traffic Act](#).

As school board trustees, we are unable to mandate the Highway Traffic Act, however, what we can do is encourage municipalities to take the necessary steps to implement stop sign cameras on all buses in their jurisdictions so that there could be steeper consequences for those that are putting our students at risk.

On behalf of our board Trustees and the families who have lost children due to the senseless acts of drivers, we thank you for your time and effort to enforce this legislation.

Respectfully,

[Original to follow by Canada Post]

John McAllister,
Chair of the Upper Canada District School Board

cc: District MPP's, Publicly Funded School Boards, Association of Municipalities of Ontario and the Rural Ontario Municipalities Association.





January 14, 2022

Hon. Stephen Lecce, MPP, Minister of Education
Ontario Ministry of Education
438 University Avenue, 5th Floor
Toronto, ON M5G 2K8

sent via email: Minister (EDU) minister.edu@ontario.ca;
Stephen Lecce stephen.lecce@pc.ola.org

Dear Minister Lecce:

I am writing to you at the request of the Upper Canada District School Board who, at its [regular board meeting of December 15, 2021](#), passed the following [motion](#) suggested by our 2021-2022 Student Trustees Bradford Ward and Eshal Ali:

BE IT RESOLVED THAT: the Chair of the Board send a letter to the Ministry of Education on behalf of the Upper Canada District School Board, requesting the Ministry of Education to push for the recommendation in allowing student trustees the right to independently move and second motions during board meetings. Doing so furthers the dynamic and effectiveness of student representation across Ontario, as students can begin discussions surrounding items that they feel are most pertaining to their constituency without the need to request for support.

By bringing forward this motion, it's clear that our student trustees desire the right to move and second motions and invoke inciteful discussion. We believe that this opportunity would not only benefit our own student trustees' growth, but the growth of student trustees across the province.

Currently, Section 55(4) of the Ontario Education Act states:

A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the board or of one of its committees on which the student trustee sits, and if no member of the board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion.

We are suggesting a revision to this section to allow student trustees the authority to move and second motions independently. We believe that the opportunity for student trustees to bring forward motions underlines a key area of importance to the Ministry of Education and boards across the province – student voice.

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Student voice must be represented fairly and thoughtfully articulated for the benefit of the school board and its students. Student voice would become stronger in school boards by granting student trustees equal opportunities to participate in board functions as other board trustees.

Additionally, in Section 55(5) of the Ontario Education Act, student trustees have the right to partake in certain meeting sessions that are closed to the public, which demonstrates the high standing and trustworthiness of student trustees. With trustworthy representatives of the student population, we are confident with their ability to contribute to meaningful discussion at the board table that will benefit our students.

Thank you for your time and for consider to further empower our students.

Respectfully,

[Original to follow by Canada Post]

John McAllister,
Chair of the Upper Canada District School Board

cc: UCDSB Board of Trustees;
Chairs, Ontario School Boards;
Local MPPs.

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THE EDUCATION CENTRE - AURORA

60 Wellington Street West, Aurora, Ontario L4G 3H2

Tel: 905.722.3201 905.895.7216 905.727.3141 416.969.8131

Fax: 905.727.1931

Website: www.yrdsb.ca

January 20, 2022

The Honourable Stephen Lecce
 Minister of Education
 Ministry of Education
 5th Floor, 438 University Avenue
 Toronto, Ontario M7A 2A5
minister.edu@ontario.ca

Dear Minister Lecce:

Through the past two years of the COVID-19 pandemic, York Region District School Board's curricular and assessment practises have been instrumental in supporting the well-being and achievement of our students. From Kindergarten to Grade 12, our teachers have consistently ensured that students have received equitable learning and assessment opportunities that ensure fair, valid and accurate evaluation of students attending both in-person and remote learning.

We know that learning this past semester has presented obstacles, particularly the recent move to online learning and the subsequent shift to in-person learning shortly before the end of the semester. Our staff continue to provide educators exemplary guidance on assessment practises that align with the Ministry's Growing Success policy document and current Ministry guidance. This guidance has provided increased support for student well-being and mental health, and increased opportunities for student success while ensuring teachers are afforded the flexibility to exercise their professional judgement.

Since Boards across Ontario communicated their plans to support the January 17, 2022 in-person reopening, YRDSB staff and trustees have received numerous communications from students and families concerned about inconsistent assessment practises across school boards in Ontario. In particular, some Boards have noted language to the effect that *marks will reflect learning up to December 17, 2021 and may not drop lower*. This messaging is similar to messaging provided by the Ministry to support school closures during the 2019-2020 school year and was not provided for the 2020-2021 or 2021-2022 school years.

There is significant concern that inconsistent assessment practises across the province will unfairly disadvantage students in York Region District School Board, in particular Grade 12 students applying for post-secondary institutions. In light of some boards' departure from the Ministry's communicated expectations, as a Board, we **urgently request that the Ministry provide clear and consistent assessment and evaluation guidance to all school boards**. As you can appreciate, response to this matter is pressing as secondary students begin culminating activities on January 26, 2022 with final marks being uploaded between January 28 and February 3, 2022. Moreover,

potential graduates will have their final course marks transmitted to the Ontario Universities' Application Centre (OUAC) and the Ontario College Application Service (OCAS) by February 10, 2022 and February 11, 2022 respectively.

We are committed to our common goal of building confidence in public education, reducing inequities in outcomes for our students, and providing equitable access to opportunities for all students in the province.

Your prompt attention to this matter would be greatly appreciated so that we may support our staff in responding to the needs of our students.

Allan Tam

A handwritten signature in cursive script that reads "Allan Tam".

Chair of the York Region District School Board

cc. YRDSB Trustees and Student Trustees
Ontario Public School Boards' Association,
All York Region Members of Provincial Parliament
Ontario Public School Board Chairs