



Board Meeting Agenda

May 16, 2022 — 7:00 p.m.



DDSBS Students Engage in Outdoor Learning

Durham District School Board (DDSBS) students and teachers across the District took advantage of the spring weather to engage in learning outside. Many students had the opportunity to go on field trips to the Nonquon Outdoor Education Centre or to take breaks outside, and some teachers moved lessons to their school's outdoor classroom.

Members of the public can participate in the board meeting by watching the live-stream on [YouTube](#).

Durham District School Board
calendar.ddsbs.ca/meetings
Facebook: [DurhamDistrictSchoolBoard](https://www.facebook.com/DurhamDistrictSchoolBoard)
Instagram: [@DDSBSchools](https://www.instagram.com/DDSBSchools)
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YouTube: [DurhamDSB](https://www.youtube.com/DurhamDSB)

Carolyn Morton
Chair of the Board
Townships of Brock,
Scugog & Uxbridge

Christine Thatcher
Vice Chair of the Board
Town of Whitby

Patrice Barnes
Vice Chair, Standing
Committee
Town of Ajax
Wards 1 & 2

Michael Barrett
City of Oshawa

Chris Braney
City of Pickering

Paul Crawford
City of Pickering

Donna Edwards
Chair, Education Finance
Town of Ajax, Ward 3

Darlene Forbes
City of Oshawa

Niki Lundquist
Town of Whitby

Linda Stone
City of Oshawa

Scott Templeton
Town of Whitby

Kayla Malcolm
Student Trustee

James Kay
Student Trustee

De-Mario Knowles
Student Trustee

DURHAM DISTRICT SCHOOL
BOARD MEETING
Monday, May 16, 2022 - 7:00 p.m.

| | PAGE |
|---|--------|
| 1. <u>Call to Order</u> | |
| 2. <u>Moment of Silence/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>O Canada</u> | |
| 4. <u>Declarations of Interest</u> | Verbal |
| 5. <u>Adoption of Agenda</u> | Verbal |
| 6. <u>Minutes</u> | |
| (a) APPROVED Minutes of the Special Board Meeting of March 10, 2022 | 1-3 |
| (b) APPROVED Minutes of the Regular Board Meeting of March 21, 2022 | 4-13 |
| (c) DRAFT Minutes of the Regular Board Meeting of April 19, 2022 | 14-24 |
| 7. <u>Community Presentations</u> | |
| 8. <u>Ministry Memorandums-Information Update</u> (Director Norah Marsh) | Verbal |
| 9. <u>Public Question Period</u> | Verbal |

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|-----|---|---------|
| 10. | <u>DDSB Presentations</u> | |
| | (a) Ignite Durham Learning Foundation (Executive Director, DDSB Ignite Learning Foundation Stacey Lepine-Fisher) | 25-40 |
| 11. | <u>Report from the Committee of the Whole in Camera</u> | Verbal |
| 12. | <u>Good News from the System</u> (Director Norah Marsh) | Verbal |
| 13. | <u>Recommended Actions</u> | |
| | (a) Report: Standing Committee Meeting May 2, 2022 (Trustee Christine Thatcher) | 41-46 |
| | (b) Trustee Matter (Chair Carolyn Morton) | Verbal |
| | (c) Draft Human Rights, Anti-Discrimination and Anti-Racism Policy (Trustee Michael Barrett) | 47-135 |
| | (d) Revised Safe and Respectful Workplace and Harassment Prevention Policy (Trustee Michael Barrett) | 136-156 |
| 14. | <u>Information Items</u> | |
| | (a) Notice of Motion: Revised Emergency Closing of Schools Policy (Trustee Michael Barrett) | 157-162 |
| | (b) Recirculation of Surplus Property Former Cartwright HS, Former HW Knight PS (Associate Director David Wright) | 163-188 |
| | (c) Integrity Commissioner Annual Report (General Counsel Patrick Cotter) | 189-191 |
| | (d) Report: SEAC Meeting, March 10, 2022 (Trustee Donna Edwards) | 192-201 |
| | (e) Governance and Policy Committee, March 24, 2022 (Trustee Michael Barrett) | 202-204 |
| | (f) OPSBA Report (Trustee Patrice Barnes) | Verbal |

15. Correspondence

- | | | |
|------|---------------------------------------|---------|
| i. | Thames Valley District School Board | 205-208 |
| ii. | Upper Grand District School Board | 209-210 |
| iii. | Waterloo Region District School Board | 211 |

16. Other Business

17. Adjournment

Ad Hoc Committees

- (a) Equity and Diversity Ad Hoc Steering Committee

APPROVED

MINUTES

The Special Meeting of the Board

Thursday, March 10, 2022

6:00 p.m.

A Special Meeting of the Durham District School Board was held on this date, virtually.

1. Call to Order:

Roll Call: Trustee Carolyn Morton, Chair of the Board

The Chair called the meeting to order at 6:00 p.m.

Members Present: Trustees Patrice Barnes, Chris Braney, Donna Edwards, Darlene Forbes, Niki Lundquist, Linda Stone, Scott Templeton, Christine Thatcher, Student Trustees De-Mario Knowles, Kayla Malcolm

Regrets: Trustee Michael Barrett, Paul Crawford, Student Trustee James Kay

Officials Present: Director Norah Marsh, Executive System Lead Robert Cerjanec, General Legal Counsel Patrick Cotter

Recording Secretary: Kathy Fitzpatrick

2. Declarations of Interest

There were no declarations of interest at this time.

3. Moment of Silence/Acknowledgement

Chair Carolyn Morton advised that the Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with home to many Indigenous peoples from across Turtle Island (North America). 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.

Special Meeting of the Board Minutes
March 10, 2021

4. Adoption of Agenda

2022:SB06
MOVED by Trustee Donna Edwards
SECONDED by Trustee Patrice Barnes

THAT THE AGENDA BE APPROVED.

CARRIED

5. Recommended Action

(a) Masking

Chair Carolyn Morton provided an overview of the January 20, 2022 motion that was approved by the Board of Trustees on mandatory masking and the announcement that was made by the Government of Ontario on March 9, 2022 to remove the requirement to wear a mask in schools and workplaces. The Chair asked for a motion to move into Committee of the Whole In Camera at 6:10 p.m.

2022:SB07
MOVED by Trustee Donna Edwards
SECONDED by Trustee Patrice Barnes

THAT THE BOARD RISE AND ENTER INTO COMMITTEE OF THE WHOLE IN CAMERA.

CARRIED

The Board returned from Committee of the Whole In Camera at approximately 6:40 p.m. Trustees continued with the discussion on masking and staff answered trustee questions.

2022:SB08
MOVED by Trustee Patrice Barnes
SECONDED by Trustee Chris Braney

THAT THE BOARD OF TRUSTEES RESCIND THE MOTION FOR MANDATORY MASKING FOR CHILDREN FROM JUNIOR KINDERGARTEN TO GRADE 12.

2022:SB09
MOVED by Trustee Niki Lundquist
SECONDED by Trustee Darlene Forbes

That the foregoing motion (2022:SB08) be amended to include:

Special Meeting of the Board Minutes
March 10, 2021

THAT THE BOARD COMMIT TO PROVIDING N95 MASKS FOR STAFF AND THREE-PLY MASKS FOR STUDENTS WHO REQUEST THEM UNTIL THE END OF JUNE 2022.

CARRIED

2022:SB10
MOVED by Trustee Niki Lundquist
SECONDED by Trustee Darlene Forbes

THAT THE BOARD OF TRUSTEES RESCIND THE MOTION FOR MANDATORY MASKING FOR CHILDREN FROM JUNIOR KINDERGARTEN TO GRADE 12.

THAT THE BOARD COMMIT TO PROVIDING N95 MASKS FOR STAFF AND THREE-PLY MASKS FOR STUDENT WHO REQUEST THEM UNTIL THE END OF JUNE 2022.

CARRIED

6. Adjournment

2022:SB11

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

The meeting adjourned at approximately: 7:40 p.m.

Carolyn Morton

Noreah Klaf

Chair

Secretary

APPROVED

MINUTES

**The Regular Meeting of the Board
Monday March 21, 2022**

A Regular Meeting of the Durham District School Board was held on this date, virtually.

1. Call to Order:

Chair Carolyn Morton called the meeting to order at 7:06 p.m.

Members Present: Trustees Patrice Barnes, Michael Barrett, Chris Braney, Paul Crawford, Donna Edwards, Darlene Forbes, Niki Lundquist, Linda Stone, Scott Templeton, Christine Thatcher, Student Trustees James Kay, De-Mario Knowles, Kayla Malcolm

Officials Present: Director Norah Marsh, Associate Director David Wright, Superintendents Gary Crossdale, Erin Elmhurst, Mohamed Hamid, Margaret Lazarus, Andrea McAuley, Heather Mundy, Stephen Nevills, Executive System Lead Robert Cerjanec, General Counsel Patrick Cotter

Recording Secretary: Kathy Fitzpatrick

2. Declarations of Interest

There were no declarations of interest at this time.

3. Moment of Silence/Acknowledgement

Chair Carolyn Morton advised that the Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with home to many Indigenous peoples from across Turtle Island (North America). 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.

4. O Canada

5. Adoption of Agenda

2022:RB25

MOVED by Trustee Niki Lundquist

SECONDED by Trustee Donna Edwards

THAT THE AGENDA BE APPROVED.

CARRIED

6. Minutes

2022:RB26

MOVED by Trustee Darlene Forbes

SECONDED by Trustee Donna Edwards

THAT THE FOLLOWING APPROVED MINUTES BE RECEIVED:

(a) REGULAR BOARD MEETING MINUTES OF JANUARY 17, 2022

THAT THE FOLLOWING DRAFT MINUTES BE APPROVED:

(a) DRAFT MINUTES OF THE REGULAR BOARD MEETING MINUTES OF FEBRUARY 22, 2022.

CARRIED

7. Community Presentations

There were no community presentations at this time.

8. Ministry Memorandums-Information Update

Director Norah Marsh provided trustees with the following update:

The Ministry of Education has shared that the plan for the new Science and Technology curriculum for Grades 1-8 will be released in the spring, for implementation in September of 2022. The last time the curriculum was reviewed was in 2008. The Ministry of Education is also releasing a new inclusive Grade 9 Science curriculum and an addendum to the Grade 10 Mathematics curriculum.

9. Public Question Period

Dylan R., a student of DDSB presented a question virtually with regards to school bell times. Staff responded to the question.

Alicia McAuley Ashfield provided a written question with regards to learning preference for the 2022-2023 school year. Staff responded to the question.

10. DDSB Presentations

There were no DDSB presentations at this time.

11. Report from the Committee of the Whole In Camera

Trustee Christine Thatcher reported on the actions of the Committee of the Whole In Camera meeting and confirmed that the following matters were discussed: litigation affecting the board, the appointment of the external auditor and property matters.

2022:RB27

MOVED by Trustee Christine Thatcher

THAT THE REPORT FROM THE COMMITTEE OF THE WHOLE IN CAMERA BE RECEIVED.

CARRIED

12. Good News from the System

Lilly and Thomas, students from Port Perry High School, shared good news from across the system on behalf of Durham District School Board (DDSB) students.

A huge congratulations goes out to Jayden from Brooklin Village Public School for his first-place finish in the Caribou Math Contest which took place in February 2022. More than 3,000 Canadian Grade 2 students participated in the contest.

The Scugog Sports Hall of Fame will welcome new honourees in April 2022. Among those being inducted are R.H. Cornish Public School teachers in the team category. The honourees include:
Wayne Addison, Dave Brownson, John Hinch, Graham Hewitt, Jim Justynski, Reg Philip, Clive Roane, Ken Smart, Rob Smart, Darla Thomas.

Two-time Olympic medalist and seven-time World Championship medalist for ice hockey, Jennifer Wakefield, was a guest at the French as a Second Language Cultural Experiences Series! Staff and students were ecstatic to have alumni of Frenchman's Bay Public School and Dunbarton High School attend. The event was broadcast to students and families entirely in French.

Students and teachers at Valley Farm Public School were thrilled to host two-time Olympian and Pan American Bronze Medalist, Pickering native, Nikitta Holder. She spoke to students about hard work, resiliency, and the life of an athlete.

DDSB staff and students took the opportunity to celebrate the 2022 Winter Olympics by holding their own Olympic games. Whether in the gym, on the field, or in the classroom, students exemplified the characteristics of teamwork, sportsmanship, and fun!

Students at Elizabeth B. Phin Public School participated in the Phin Olympics. This was an outdoor extravaganza of sport, teamwork, cooperation, and friendly competition.

Events included:

- “snoccer” also known as “snow soccer”;
- an obstacle course;
- noodle tag; and
- hot chocolate stations.

Physical Education teacher Ms. Gellel, together with school staff, created a Phin-omenal event that will live in the memories of students forever.

Sheila Watt-Cloutier, an environmental, cultural, and human rights advocate attended the first Indigenous Education department family night in February. The department also hosted an evening with Dr. Pam Palmater, a Mi'kmaw citizen and member of the Eel River Bar First Nation for their family night in March. The Indigenous Education department will continue to host prominent Indigenous speakers in the spring.

During the month of February, Meadowcrest Public School focused on the Character trait of Kindness. This inspired Lennox, a Senior Kindergarten student, who heard on the radio about a child who didn't have enough to eat at lunch and asked his teacher how they could help. The class decided to host “*For the Love of Lunch Food Drive*”. Lennox and his classmates made posters and shared the initiative with the school. Items were collected and donated to Feed the Need in Durham. We are proud of Lennox for showing empathy and kindness, to students in need in the Durham Region.

DDSB students and teachers across the District wore pink shirts on Wednesday, February 23, 2022 to raise awareness about anti-bullying, homophobia, and transphobia. Classes discussed the need to lift one another up and have greater acceptance, respect, and inclusion for all those around them. Wearing a pink shirt on this day shows victims of bullying that they are not alone, and there is help and support available.

Michaëlle Jean Public School teacher Chantelle Barham organized and led a group of students in Grades 4-8 to celebrate Black History Month. The “Lift Your Voice Virtual Choir” performed a rendition of the popular Black National Anthem, *Lift Every Voice and Sing*. The video can be viewed on the DDSB Facebook page. Congratulations Chantelle and students on a moving performance.

Schools across the District recognized and celebrated Black History Month. Students built interactive displays showcasing Black Canadian excellence, past and present, and created artwork inspired by Black artists. Students also learned about some of our inspirational school namesakes including Viola Desmond, Lincoln Alexander, and Rosemary Brown. DDSB schools will continue to integrate Black history and excellence in learning throughout the year.

Regular Meeting of the Board Minutes
March 21, 2022

G.L. Roberts CVI was very excited to host a “*Taste of Culture*” event. The Black Student Association, and staff Jennifer Post, provided an amazing experience for every student that included music, Jamaican patties, coco bread, and plantain chips. Joining in the festivities and to serve lunch was Director Norah Marsh and Superintendents Jack Nigro and Gary Crossdale.

Dates of Significance:

| | |
|----------|--|
| March 25 | International Day of Remembrance of Victims of Slavery and the Transatlantic Slave Trade |
| March 26 | International Epilepsy Awareness Day |
| March 26 | Purple Day for Epilepsy |
| March 31 | International Transgender Day of Visibility |
| April | Sikh Heritage Month |
| April | World Autism Month |
| April | Genocide Awareness Month |
| April 1 | Atheist Day |
| April 2 | World Autism Day |
| April 3 | Ramadan begins |
| April 4 | Standing Committee |
| April 7 | Rwanda Genocide Memorial Day |
| April 10 | Palm Sunday |
| April 13 | International Day of Pink |
| April 13 | Parent Involvement Committee Meeting |
| April 14 | Vaisakhi |
| April 15 | Good Friday |
| April 18 | Easter Monday |
| April 19 | Vimy Ridge Day |
| April 19 | Board Meeting |
| April 20 | Ridvan |
| April 21 | SEAC Meeting |
| April 22 | International Earth Day |
| April 22 | Holy Friday (Orthodox) |
| April 23 | International Day of Silence |
| April 24 | Armenian Genocide Memorial Day |
| April 24 | Easter (Orthodox) |
| April 27 | Administrative Professionals Day |
| April 28 | Yom HaShoah – Holocaust Memorial Day |
| April 28 | Laylat al-Qadr |

13. Recommended Actions

(a) Report: Standing Committee Meeting Minutes of March 7, 2022

Trustee Christine Thatcher shared with trustees the minutes of the Standing Committee meeting on March 7, 2022.

2022:RB28
MOVED by Trustee Christine Thatcher
SECONDED by Trustee Scott Templeton

THAT THE BOARD RECEIVE THE MINUTES AND APPROVE THE ACTIONS OF THE MARCH 7, 2022 STANDING COMMITTEE.

CARRIED

(b) Authorization Regarding Trustee Attendance at Board Meetings

Chair Carolyn Morton shared with trustees that Trustee Patrice Barnes has requested to miss three consecutive Board meetings and that the Board of Trustees will need to pass a resolution authorizing Trustee Barnes to miss the March, April and May Board meetings.

Trustee questions were answered.

2022:RB29
MOVED by Trustee Paul Crawford
SECONDED by Trustee Linda Stone

THAT THE BOARD OF TRUSTEES APPROVED THE RESOLUTION TO AUTHORIZE TRUSTEE BARNES TO MISS THREE CONSECUTIVE REGULAR BOARD MEETINGS, BEING THE MARCH, APRIL AND MAY MEETINGS.

MOTION IS DEFEATED ON A TIE VOTE

2022:RB30
MOVED by Trustee Niki Lundquist
SECONDED by Trustee Donna Edwards

TRUSTEES TO DEFER THE DECISION UNTIL THE NEXT BOARD MEETING SO THAT TRUSTEE BARNES CAN BE CONTACTED TO INDICATE THE SCOPE OF HER CONTINUED INVOLVEMENT OVER THE COURSE OF THE NEXT THREE MONTHS.

MOTION IS DEFEATED ON A TIE VOTE

(a) Revised Draft Consolidated Bylaws and Code of Conduct

Trustee Michael Barrett provided an overview of the Draft Consolidated Bylaws and Code of Conduct for trustees which came before the Board as a notice of motion on February 22, 2022.

Trustee Michael Barrett reviewed each section of the document with trustees.

The following is an amendment to Section 6 of the Code of Conduct.

2022:RB31

MOVED by Trustee Niki Lundquist

SECONDED by Chair Carolyn Morton

THAT THE FIRST SENTENCE BE AMENDED IN SECTION 6: REPRISALS AND OBSTRUCTION, ITEM 6.47, TO REMOVE SHOULD AND ADD MUST:

TRUSTEES MUST 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.

CARRIED

2022:RB32

MOVED by Trustee Michael Barrett

THAT THE BOARD OF TRUSTEES CONSIDER AND, AS IT MAY DEEM APPROPRIATE, APPROVE THE AMENDED REVISED DRAFT CONSOLIDATED BYLAWS AND CODE OF CONDUCT AS PRESENTED.

Trustee Paul Crawford asked for trustees to consider dividing the motion into two motions. There was no objection from trustees.

2022:RB33

MOVED by Trustee Paul Crawford

SECONDED by Trustee Niki Lundquist

THAT THE BOARD OF TRUSTEES DIVIDE THE AMENDED REVISED DRAFT CONSOLIDATED BYLAWS AND CODE OF CONDUCT INTO TWO MOTIONS.

CARRIED

2022:RB34

MOVED by Trustee Niki Lundquist

SECONDED by Trustee Scott Templeton

THAT THE BOARD OF TRUSTEES APPROVE THE REVISED DRAFT CONSOLIDATED BYLAWS.

CARRIED

2022:RB35

MOVED by Trustee Donna Edwards

SECONDED by Chair Carolyn Morton

THAT THE BOARD OF TRUSTEES APPROVED THE AMENDED REVISED DRAFT CODE OF CONDUCT.

CARRIED

(b) Mileage Reimbursement Rate

Associate Director David Wright shared information with trustees regarding reimbursement rates for employees who are required to use their vehicles while on board business as outlined in the report.

Trustee questions were answered.

2022:RB36

MOVED by Trustee Michael Barrett
SECONDED by Trustee Scott Templeton

IT IS RECOMMENDED THAT THE MILEAGE REIMBURSEMENT RATE BE SET AT \$0.55 PER KM FOR 2022, AND ADJUSTED TO THE LOWER OF THE TWO RATES ESTABLISHED BY CRA AT THE BEGINNING OF EACH CALENDAR YEAR.

CARRIED

(c) Trustee Determination and Distribution 2022

Associate Director David Wright provided trustees with information on the trustee determination and distribution requirements for the October 2022 election, in order to ensure decisions are made in accordance with applicable legislation.

2022:RB37

MOVED by Trustee Donna Edwards
SECONDED by Trustee Michael Barrett

THAT THE AJAX TRUSTEES MOVE FROM GEOGRAPHIC WARDS TO THE ELECTION OF TWO SCHOOL BOARD TRUSTEES FOR THE GEOGRAPHIC AREA OF AJAX.

CARRIED

To remain status quo for the 2022 election, trustees require the following motions:

2022:RB38

MOVED by Trustee Michael Barrett
SECONDED by Trustee Donna Edwards

THAT TRUSTEES OF DDSB ARE NOT DECLARING A LOW POPULATION MUNICIPALITY.

CARRIED

2022:RB39

MOVED by Trustee Christine Thatcher
SECONDED by Trustee Scott Templeton

THAT TRUSTEES OF DDSB ARE NOT REQUESTING A CHANGE TO THE
CURRENT DISTRIBUTION.

CARRIED

14. Information Items

(a) Quarterly Construction and Major Projects Progress Report

Associate Director David Wright introduced Head of Facilities Services Lisa Bianca who provided trustees with an update on the status of construction and major projects as of December 31, 2021. Updates to this report will be provided to trustees on a quarterly basis (September, January, March, and June), and will be posted on the Board's website.

(b) Bell Time Review

Durham Student Transportation Services (DSTS) Chief Administrative Officer Kelly Mechoulan provided trustees with an overview on the bell times and the public consultation process.

Trustee questions were answered.

(c) Report: SEAC Meeting of January 20, 2022

Trustee Donna Edwards presented the SEAC meeting minutes of January 20, 2022.

OPSBA Report

Trustee Donna Edwards provided an update on the February 25 and 26, 2022 OPSBA meetings.

15. Correspondence

There was no correspondence at this time.

16. Other Business

There was no other business at this time.

17. Adjournment

2022:RB40

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

The meeting adjourned at approximately 9:49 p.m.

Carolyn Morton

Chair

Noreh Marshall

Secretary

DRAFT

MINUTES

The Regular Meeting of the Board

Tuesday, April 19, 2022

A hybrid Regular Meeting of the Durham District School Board was held on this date.

1. Call to Order:

Chair Carolyn Morton called the meeting to order at 7:00 p.m.

Members Present: Trustees Michael Barrett, Chris Braney, Paul Crawford, Donna Edwards, Darlene Forbes, Niki Lundquist, Linda Stone, Scott Templeton, Christine Thatcher, Student Trustees De-Mario Knowles, Kayla Malcolm

Regrets: Trustee Patrice Barnes, Student Trustee James Kay

Officials Present: Director Norah Marsh, Associate Director David Wright, Superintendents Gary Crossdale, Erin Elmhurst, Mohamed Hamid, Margaret Lazarus, Andrea McAuley, Heather Mundy, Stephen Nevills, Executive System Lead Robert Cerjanec, General Counsel Patrick Cotter

Recording Secretary: Kathy Fitzpatrick

2. Declarations of Interest

There were no declarations of interest at this time.

3. Moment of Silence/Acknowledgement

Chair Carolyn Morton advised that the Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with home to many Indigenous peoples from across Turtle Island (North America). 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.

4. O Canada

5. Adoption of Agenda

That the agenda be amended to add 14.(e) Process of Acceptable Literacy Within School Libraries.

2022:RB41
MOVED by Trustee Michael Barrett
SECONDED by Trustee Donna Edwards

CARRIED

2022:RB42
MOVED by Trustee Michael Barrett
SECONDED by Trustee Linda Stone

THAT THE AGENDA BE AMENDED AS APPROVED.

CARRIED

6. Minutes

2022:RB43
MOVED by Trustee Christine Thatcher
SECONDED by Trustee Donna Edwards

THAT THE FOLLOWING APPROVED MINUTES BE RECEIVED:

- (a) REGULAR BOARD MEETING MINUTES OF FEBRUARY 22, 2022

THAT THE FOLLOWING DRAFT MINUTES BE APPROVED:

- (a) DRAFT MINUTES OF THE SPECIAL BOARD MEETING MINUTES OF MARCH 10, 2022.
- (b) DRAFT MINUTES OF THE REGULAR BOARD MEETING MINUTES OF MARCH 21, 2022.

CARRIED

7. Community Presentations

There were no community presentations at this time.

8. Ministry Memorandums-Information Update

Director Norah Marsh provided an update on the Book Review Process for trustees:

The DDSB Indigenous Education Policy and Indigenous Education Procedure on Classroom Practices: Teaching and Learning is different from the Resource Selection Policy and in this instance, it was the Indigenous Education Policy and Procedure were applied. It identifies that the District will uphold the purpose and the intent of the United Nations Declaration on the Rights of Indigenous Peoples

(UNDRIP) and the Truth and Reconciliation Commission's (TRC) Calls to Action to collectively support reconciliation.

This means making decisions that are grounded in the distinct rights of Indigenous peoples and centre Indigenous voices, self-governance, self-determination and free prior informed consent. Staff value Indigenous authorship and literature. Staff became aware of a concern from DDSB Indigenous families about a book. The families were asking staff to be accountable to the policy in terms of ensuring that it doesn't impact their children negatively and cause harm. Therefore, staff are conducting a review based on the complaint received. No definitive decision has been made at this time. The purpose of the review is to engage with Indigenous students, employees and communities to seek their direction.

Associate Director Jim Markovski provided the following update for trustees:

Associate Director Markovski shared that the DDSB has a high number of self-identified Indigenous students who represent a diversity of Indigenous nations and whose rights must be upheld.

The review process will include engaging the original rights holders, Indigenous students and families, Indigenous Advisory Circle, which include individuals who represent the DDSB's Treaty Partners and Indigenous Employee Network.

This is a thorough consultation process as outlined in the DDSB's Indigenous Education Policy to make sure all system resources are properly vetted to prevent harm.

The decision to review the resource was part of our broader efforts to challenge the way things have been done and live up to the guidance set out in our recently developed Indigenous Education Policy and Procedure, which includes being accountable to Indigenous students and families and to address systemic anti-Indigenous racism in all DDSB learning and working environments.

Superintendent Erin Elmhurst provided the following update for trustees:

Over the past five years the Indigenous Education Department has spent time with and in community building trusting relationships with Indigenous students, families, employees and community members.

Staff are fortunate to have built relationships that guide and support the work of the DDSB, as staff work together to interrupt colonial structures and barriers and promote and protect the rights of Indigenous students, families and staff to ensure the maintenance of a respectful, safe and positive school climate and the actions that support Giikendaaswin, and to service Indigenous student achievement and well-being.

Indigenous students and families have graciously trusted us and shared their experiences and the ongoing impacts of colonialism they are facing within the education system. Relationships have been fostered during Family Engagement

Nights, Indigenous Student Circles, Indigenous Leadership camps and through ongoing communication.

Staff are committed to bringing Indigenous voices forward as they work to dismantle systemic racism and engage in anti-colonial teaching and learning practices and processes and protect the self-determination of families.

With the growing trust that Indigenous students and families have felt with the Indigenous Department, families have recently connected to share concerns about resources being used in some schools and classrooms.

When these concerns are brought forward, action will be taken in protection of Indigenous students and families, which may include a review of some resources to ensure they align with the Indigenous Education Policy and Procedure.

We are strongly committed to fulfilling our duty to consult, and a process will follow to ensure the voices of the original rights holders, Indigenous Education Advisory Council (IEAC), Indigenous Employee Network, and Indigenous families guide this process.

Director Norah Marsh shared that a decision has not been determined and that the next steps are to consult with members of the Indigenous Advisory Circle and the Indigenous Educators Network to help inform how we move forward in a positive way as staff want what is best for all Indigenous students, staff, families and all students in the District and to close gaps around systemic discrimination that occur within education in Durham and across the country.

Trustee Niki Lundquist suggested that agenda item 14.(e) Process of Acceptable Literacy Within School Libraries be moved to this section of the agenda as it is related to the Director's update on the Book Review Process. The Chair and Trustee Michael Barrett were in agreement with this decision.

A trustee discussion took place, and trustee questions were responded to by staff.

2022:RB44

MOVED by Trustee Linda Stone

SECONDED by Trustee Paul Crawford

THAT TRUSTEES REQUEST THAT THE DDSB STAFF BRING FORWARD BY THE END OF MAY A REPORT TO THE TRUSTEES AROUND THE REMOVAL OF BOOKS, THE POLICY EXPLAINING THE CRITERIA FOR DOING SO AND THAT THE REPORT INCLUDE ALL BOOKS THAT HAVE BEEN REMOVED IN THE LAST TWO YEARS INCLUDING THOSE BOOKS THAT ARE NOW IN REVIEW.

2022:RB45

MOVED by Trustee Donna Edwards

SECONDED by Trustee Paul Crawford

That the above foregoing motion (2022: RB44) be amended to add:

THAT TRUSTEES REQUEST THAT THE DDSB STAFF BRING FORWARD BY THE END OF MAY A REPORT TO THE TRUSTEES AROUND THE REMOVAL OF BOOKS, INCLUDING THE POLICY EXPLAINING THE CRITERIA FOR DOING SO AND THE NUMBER OF BOOKS REMOVED OR UNREVIEWED BY THEME OR COMPLAINT

2022:RB46

MOVED by Trustee Niki Lundquist

SECONDED by Trustee Christine Thatcher

That the above foregoing motion (2022: RB45) be amended to strike the following sentence and add:

~~TRUSTEES REQUEST THAT THE DDSB STAFF BRING FORWARD BY THE END OF MAY A REPORT TO THE TRUSTEES AROUND THE REMOVAL OF BOOKS, INCLUDING THE POLICY EXPLAINING THE CRITERIA FOR DOING SO, AND THE NUMBER OF BOOKS REMOVED OR UNREVIEWED BY THEME OR COMPLAINT~~ AND INCLUDE A CHART THAT SPEAK TO THE THEME TRIGGERING A BOOK REVIEW AND THAT A REPORT BE PRESENTED TO THE GOVERNANCE COMMITTEE NO LATER THEN JUNE 1, 2022.

CARRIED

2022:RB47

MOVED by Trustee Linda Stone

SECONDED by Trustee Donna Edwards

TRUSTEES REQUEST THAT DDSB STAFF BRING FORWARD A REPORT TO TRUSTEES AROUND THE REMOVAL OF BOOKS, INCLUDING THE POLICY EXPLAINING THE CRITERIA FOR DOING SO, AND THE REPORT INCLUDE A CHART WITH THE THEMES THAT TRIGGER A BOOK REVIEW AND THAT THE REPORT BE PRESENTED TO THE GOVERNANCE COMMITTEE NO LATER THAN JUNE 1, 2022.

CARRIED

Director Norah Marsh provided a COVID-19 update for trustees:

Director Marsh shared that there has been a rise in the number of staff absences due to illness, as well as other reasons. There has been some stabilization in the last two weeks in terms of staff illness. It was reported at the last meeting that staff vacancy fill rates were at 83%. Staff are reporting that the board is currently at 90% in terms of replacing staff that are away.

Student absenteeism increased the week before March Break. The week of March 7-11, 2022, 15% of the student population were away from school. There was a small decrease in student absenteeism the week following March Break and during the week of April 11-14, 2022, on average 17% of the student population is away daily, which may be due to illness or other reasons.

Durham Regional Health Department is strongly recommending the use of masks when indoors.

9. Public Question Period

Dylan R., a student of DDSB presented a question virtually with regards to school bell times. Staff responded to the question.

Nicola McVeigh presented a question with regards to the Donald A Wilson SS Boundary Review. Staff responded to the question.

Dilveen Narzinjy presented a question with regards to the Donald A Wilson SS Boundary Review. Staff responded to the question.

Michael Labine provided a written question with regards to the Donald A Wilson SS Boundary Review.

Executive Lead Robert Cerjanec read the written questions that were submitted with regards to the book by David A. Robertson. Staff responded to the questions.

10. DDSB Presentations

There were no DDSB presentations at this time.

11. Report from the Committee of the Whole In Camera

Trustee Christine Thatcher reported on the actions of the Committee of the Whole In Camera meeting and confirmed that the following matters were discussed: 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.

2022:RB48

MOVED by Trustee Christine Thatcher

THAT THE REPORT FROM THE COMMITTEE OF THE WHOLE IN CAMERA BE RECEIVED.

CARRIED

12. Good News from the System

Misba and Void, students from G.L. Roberts C.V.I., shared good news from across the system on behalf of Durham District School Board (DDSB) students.

A huge congratulations goes out to Jadyn S., a Grade 8 student at Sunderland Public School, who has been named a Merit Award Winner in the Lions Club International Peace Poster Contest for her original design, which depicted a tree growing out of planet Earth with national flags as leaves to illustrate this year's contest theme: "We are all connected."

Wali, a student from Rosemary Brown Public School was chosen as the 3rd place winner for the Junior Kindergarten to Grade Three category for the Spark Art Show hosted by Ajax Public Library, in association with Pine Ridge Arts Council.

Kate Beirness, a Port Perry High School graduate who is now a sports broadcaster with TSN, will be among the inductees added to the Scugog Sports Hall of Fame on April 21, 2022.

Maryanne Oketch, a Sinclair Secondary School Alumna, is a cast member on the newest season of Survivor. Maryanne is most proud of writing an article for her university newspaper that led to being invited to consult with her university's Equity and Inclusion Officer on creating a better framework and support for Black students at McMaster University.

DDSB has its first Graduation Coach for Black students. Trecia Browne is the new Graduation Coach at Pine Ridge SS, and shared that "The aim is to build trusting relationships with our students, parents, guardians and also the school staff," "We try to help build the self-confidence of these students through relationship building."

Students from across the District join one another in the celebration of Ramadan. The Muslim Educators Network of Durham (MEND) and student ambassadors have created baskets which include dates, treats, and information on Ramadan. They have delivered them to secondary Principals during the first week of Ramadan.

On March 31st, 2022, DDSB students and teachers across the District raised awareness about Transgender Day of Visibility. Classes celebrated the accomplishments of transgender and gender nonconforming people while raising awareness of the work that still needs to be done to achieve justice for transgender people.

Students and staff across the District celebrated International Women's Day. Staff and students recognized the importance of supporting each other and working together on International Women's Day, and every day.

Three teachers from Eastdale CVI were nominated by students as #EastdaleExcellence for the positive impact they've had on their students' lives. The teachers nominated this month are: Mr. Jack, Mr. Nott, Ms. Coronado.

It is always fun to learn in our Care for Newcomer Children (CNC)! A Pajama Party and reading are just a few of the fun activities' children engaged in over the last few weeks. Thank you to our staff who create authentic learning opportunities for our youngest Durham Continuing Education learners.

Secondary students from the DDSB were invited to create artworks in a variety of media formats for display at a showcase hosted by the Robert McLaughlin Gallery in Oshawa. The re-launch of this popular program co-hosted by the DDSB and the Robert McLaughlin Gallery featured close to 70 students' artwork which were placed on display at the Gallery in March of 2022. Students demonstrated a depth of skill

Tuesday, April 19, 2022

and artistic talent that was met with great anticipation and appreciation by the gallery visitors.

Students at GL Roberts CVI from Mr. Lewis' class have been learning how to rebuild V6 & V8 car engines. The students have been tearing down and putting the car engines back together. This has provided an excellent opportunity for students to demonstrate their learning.

Mr. Bennett's Grade 9 Women In Trades students at Eastdale CVI have been busy constructing walls and learning how to install electrical circuits.

The Dates of Significance listed below take us up to the end of May.

Dates of Significance:

| | |
|----------------|---|
| April 19 | Vimy Ridge Day |
| April 19 | Board Meeting |
| April 20 | Ridvan |
| April 21 | SEAC Meeting |
| April 22 | International Earth Day |
| April 22 | Holy Friday (Orthodox) |
| April 23 | International Day of Silence |
| April 24 | Armenian Genocide Memorial Day |
| April 24 | Easter (Orthodox) |
| April 27 | Administrative Professionals Day |
| April 28 | Yom HaShoah – Holocaust Memorial Day |
| April 28 | Laylat al-Qadr |
| May 1 | National Principals Day |
| May 2-6 | Education Week |
| May 3 | Eid Ul Fitr (Islam) |
| May 5 | Cinco de Mayo |
| May 8 | Mother's Day |
| May 8 | Support Staff Appreciation Day |
| May 13 | Ascension (Christianity) |
| May 15 | International Day of Families |
| May 16 | Vesak (Buddhist) |
| May 17 | Int. Day Against Homophobia, Transphobia and Biphobia |
| May 12 - 18 | Tamil Genocide Education Week |
| May 23 | Victoria Day |
| May 28 | Ascension of Bahá'u'lláh (Bahá'í) |
| May 30 - Jun 5 | National Accessibility week |

13. Recommended Actions

(a) Report: Standing Committee Meeting Minutes of April 4, 2022

Trustee Christine Thatcher shared with trustees the minutes of the Standing Committee meeting on April 4, 2022.

2022:RB49

MOVED by Trustee Christine Thatcher

SECONDED by Trustee Donna Edwards

THAT THE BOARD RECEIVE THE MINUTES AND APPROVE THE ACTIONS OF THE APRIL 4, 2022 STANDING COMMITTEE MEETING.

CARRIED

(b) Donald A Wilson-Boundary Review

Associate Director David Wright introduced Head of Facilities Services Lisa Bianca and Manager of Property and Planning Carey Trombino who provided trustees with an overview of the revised Donald A Wilson Secondary School's Regular program boundary and the French Immersion program boundary due to accommodation pressures and the inability to accommodate the 2022-2023 projected enrolment at the Donald A Wilson SS site.

Trustee questions were answered.

2022:RB50

MOVED by Trustee Scott Templeton

SECONDED by Trustee Christine Thatcher

IT IS RECOMMENDED THAT, AS OF THE 2022-2023 SCHOOL YEAR, THE BOARD OF TRUSTEES APPROVE STAFF OPTION 1.

THIS RECOMMENDATION WOULD, OVER A 6-YEAR PROJECTION PERIOD, RESULT IN AN AVERAGE OF APPROXIMATELY 37% OF THE FRENCH IMMERSION PROGRAM AT DONALD A WILSON SS BEING RELOCATED TO ANDERSON CVI THROUGH THE REDIRECTION OF.

- THE 2021-2022 GRADE 8 STUDENTS HOLDING AT JULIE PAYETTE PS AND JOHN DRYDEN PS, FI FEEDER SCHOOLS TO ANDERSON CVI FOR GRADE 9 IN THE FI PROGRAM; AND
- THE 2021-2022 GRADE 9 CLASS OF STUDENTS THAT RESIDE WITHIN THE JULIE PAYETTE PS AND JOHN DRYDEN PS, FI FEEDER SCHOOL BOUNDARIES TO ANDERSON CVI.

OVER THE SAME PROJECTION PERIOD, AN AVERAGE OF APPROXIMATELY 20% OF THE REGULAR PROGRAM AT DONALD A WILSON SS WOULD BE RELOCATED TO SINCLAIR SS THROUGH THE REDIRECTION OF:

- THE 2021-2022 GRADE 8 STUDENTS THAT RESIDE WITHIN THE ROBERT MUNSCH PS AND HOLDING STUDENTS FROM ORMISTON PS FEEDER SCHOOLS TO SINCLAIR SS FOR GRADE 9 IN THE REGULAR PROGRAM; AND
- THE 2021-2022 GRADE 9 CLASS OF STUDENTS THAT RESIDE WITHIN THE ROBERT MUNSCH PS AND THE HOLDING AREA ATTENDING ORMISTON PS FEEDER SCHOOL BOUNDARIES TO SINCLAIR SS.

CARRIED

(a) Bell Time Review

Durham Student Transportations Services (DSTS) Chief Administrative Officer Kelly Mechoulan provided trustees with an update on bell times, the completion of the public consultation process, the outcome of the additional survey to some secondary schools and to seek the Board's approval of the recommended bell time changes for the 2022-2023 school year.

Trustee questions were answered.

2022:RB51

MOVED by Trustee Michael Barrett

SECONDED by Trustee Donna Edwards

THAT THE BOARD OF TRUSTEES OF THE DURHAM DISTRICT SCHOOL BOARD APPROVE THE RECOMMENDATION OF THE DSTS GOVERNANCE COMMITTEE AND THE BELL TIME ADJUSTMENTS FOR DDSB ELEMENTARY AND SECONDARY SCHOOLS AS OUTLINED IN APPENDIX A - DSTS REGIONAL BELL TIME REVIEW.

CARRIED

14. Information Items

(a) Notice of Motion: Draft Human Rights, Anti-Discrimination and Anti-Racism Policy

Trustee Michael Barrett provided trustees with the Draft Human Rights, Anti-Discrimination and Anti-Racism Policy ("Human Rights Policy") for Notice of Motion and to move the policy forward for approval by the Board of Trustees at the May 16, 2022 Board meeting.

Trustee questions were answered.

(b) Notice of Motion: Revised Safe and Respectful Workplace and Harassment Prevention Policy

Trustee Michael Barrett provided trustees with the Draft Revised Safe and Respectful Workplace and Harassment Prevention Policy for Notice of Motion and to move the

policy forward for approval by the Board of Trustees at the May 16, 2022 Board meeting.

Trustee questions were answered.

(c) Report: SEAC Meeting of February 17, 2022

Trustee Donna Edwards presented the SEAC meeting minutes of February 17, 2022.

OPSBA Report

Trustee Donna Edwards provided an information update on the upcoming OPSBA workshop for trustees.

15. Correspondence

There was no correspondence at this time.

16. Other Business

There was no other business at this time.

17. Adjournment

2022:RB52

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

The meeting adjourned at approximately 9:49 p.m.

Chair

Secretary



IGNITE DURHAM LEARNING FOUNDATION

REPORT TO: Durham District School Board **DATE:** May 16, 2022

SUBJECT: Ignite Durham Learning Foundation **PAGE:** 1 of 3

ORIGIN: David Wright, Associate Director, Corporate Services
Stacey Lepine-Fisher, Executive Director, Foundation

1.0 Purpose

The purpose of this report is to provide provide the Durham District School Board (DDSB) Trustees with an update on the Ignite Durham Learning Foundation.

2.0 Ignite Durham Learning Mission Statement and Vision

We are a charitable organization that serves to remove financial barriers to create equitable opportunities that empower Durham District School Board students to achieve academic and personal success.

Values in Action

- We put children and youth first;
- We are driven by *ethics* and act with *integrity*;
- We *empower* our children and youth to give their best and develop potential;
- We value *equality* and commit to the importance of *respecting* and *honouring* the uniqueness of every individual;
- We are *empathetic* and continuously strive to understand diverse perspectives and situations;
- We are committed to addressing barriers and ensuring *equitable* access to supports and resources;
- We believe that we all have a *social responsibility* to sustain and support our students and families that face economic barriers;
- We believe in the value of *collaboration*; by working together with our communities and stakeholders we are able to respond to the greatest needs and opportunities for students and families.



3.0 **Background**

- 3.1 The Ignite Durham Learning Foundation was incorporated by the Ministry of Government and Consumer Services, Ontario, in accordance with the *Corporations Act* in 2018 with a revised supplementary letters patent issued on May 11, 2021. The Ignite Durham Learning Foundation mandate is:
- (a) To relieve poverty by providing eligible low-income children and youth in the Durham District School Board with basic necessities such as food, clothing, school supplies, application fees, transportation and health resources;
 - (b) To relieve poverty by providing children and students in need with access to out-of-school programs;
 - (c) To undertake activities ancillary and incidental to the attainment of the above-mentioned charitable purposes; and
 - (d) To receive and maintain a fund or funds and to apply all or part of the principle and income, from time to time, to charitable organizations that are registered charities under the Income Tax Act (Canada).
- 3.2 A Board of Directors was established, the inaugural Board meeting was held in February 2019. The Board is comprised of:
- Five (5) community members from the broader community that serve as Directors and/or Officers
 - Three (3) Ex-Officio members that serve as Directors and/or Officers
 - One (1) shall be a Director or Associate Director of Education for the Durham District School Board
 - One (1) shall be a Supervisory Officer or System Lead for the Durham District School Board
 - One (1) shall be an elected Trustee of the Durham District School Board
- 3.3 The Ignite Durham Learning Foundation received official Charitable Status with the Canada Revenue Agency in May 2021.
- 3.4 The Foundation is governed by a Mission, Vision and disburses funds based on four funding pillars (Appendix A).

4.0 **Analysis**

This year the Foundation has organized a series of successful fundraising opportunities to support students as well as leveraging successful partnerships. The various campaigns can be viewed within the appendix B. In addition, we benefitted from our partnerships with Amazon, Fieldgate Developments, Giant Tiger, Loblaws. We have also introduced payroll deductions for the first time and are grateful to the staff who engage. Together, we make a difference to so many lives.



5.0 Financial Implications

The Foundation operates on a minimal budget, with staffing provided for 1 FTE. All donations received support DDSB students in need.

6.0 Evidence of Impact

The Foundation released the first Annual Report, at the fourth meeting on May 10, 2022 (Appendix B), which provides an overview of the 2021 operations.

To date, the Ignite Durham Learning Foundation has raised \$ 103,185.19.00

To date, the Ignite Durham Learning Foundation has provided funding to 122 Durham District School Board students.

The funding has been used to purchase items such as, glasses, hearing aids, transportation passes, school supplies, food, clothing and footwear.

7.0 Next Steps

7.1 The Foundation Board of Directors will finalize the Strategic Plan for 2022-2023

7.2 Fundraising is the main area of focus moving forward. The Staff Giving campaign (Appendix C) will take place during the months of April and May.

8.0 Conclusion

This report is provided to Durham District School Board Trustees for information.

9.0 Appendices

Appendix A – Mission, Vision, Four Funding Pillars

Appendix B – 2021 Annual Report

Appendix C – Staff Giving Campaign Folder (hard copy)

Report reviewed and submitted by:

A handwritten signature in black ink, appearing to read "David Wright".

David Wright, Associate Director Corporate Services, DDSB and Treasurer of IDLF

A handwritten signature in blue ink, appearing to read "Stacey Lepine-Fisher".

Stacey Lepine-Fisher, Executive Director, IDLF

Mission and Vision of the Ignite Durham Learning Foundation

The **Ignite Durham Learning Foundation** is a charitable community organization that serves to remove financial barriers to create equitable opportunities that empower Durham District School Board students to achieve academic and personal success.

Tomorrow made BRIGHTER!

STARFISH FUND

The Starfish fund provides resources to assist schools in addressing student needs including but not limited to clothing, school supplies, food, health and transportation.

MAKE A DIFFERENCE FUND

The Make a Difference fund offers financial subsidies to students experiencing poverty so that they may participate with their peers in field trips, school extra-curricular activities and school events.

THINK OUTSIDE THE BELL FUND

The Think Outside the Bell fund provides financial support to students in need who would significantly benefit from participating in specialized programs such as Preschool Success and After School Recreation and Arts Programs.

FUTURE FUND

The future fund provides students with financial support to assist post secondary pathways.

CONTACT
ignite.foundation@ddsb.ca
905-666-6000



IGNITE DURHAM LEARNING FOUNDATION



MISSION AND VISION

The **Ignite Durham Learning Foundation** is a charitable organization that serves to remove financial barriers to create equitable opportunities that empower Durham District School Board students to achieve academic & personal success.

Tomorrow's made
BRIGHTER!



MESSAGE FROM THE CHAIR OF THE BOARD

It is an honour and a privilege to serve as the Chair of the Board for the Ignite Durham Learning Foundation. I never imagined the amazing people I'd meet and the incredible things that we would do collectively as a Board at IDLF when I first joined as a board member three years ago.

2021 has been a year like no other, just when we thought our lives were going to rebound from the pandemic, we were faced with new variants that exasperated the needs of so many children, youth and families in Durham.

Imagine a parent struggling to make ends meet for his family. Each morning he must choose who is able to go to school that day because there is only enough food for two out of his four children. Imagine a child returning back to the classroom after learning remotely for several months and straining to see the white board in the class because having corrective eye wear is considered a luxury. These are real stories from our Durham District School Board community – poverty exists here at home.

We were so pleased to receive charitable status this year, after close to 18 months working through the process. This enabled us to call on our community to support the on-going and increased needs of DDSB students.

Thanks to an incredible group of colleagues on the Board of Directors and a skilled staff team, we successfully activated supports where they were most needed. Our mission statement calls on us to serve the needs of DDSB students and this Annual Report is indicative that our first year of operations, thanks to our donors, is advancing exactly as we set out to.

We are still in our infancy as a newly formed charity. We know there is much work to be done. We are excited to embark on a strategic plan that will carry us forward and guide our work over the next two years.

In closing, **THANK YOU** to each and every one of you for the time, talents and treasures you invest in helping us remove barriers and provide opportunities for students to reach their full potential.



Neil Joshi



OUR BOARD MEMBERS



CHAIR
Neil Joshi



VICE CHAIR
Mohammed Karatella



TREASURER
David Wright



DIRECTOR
Dexter John



DIRECTOR
Frank Auddino



DIRECTOR
Mary Galvan



DIRECTOR
Carolyn Morton



DIRECTOR
Norah Marsh

OUR STAFF TEAM



**FUND DEVELOPMENT
COORDINATOR**
Shauna Reay



EXECUTIVE DIRECTOR
Stacey Lepine-Fisher



**ADMINISTRATIVE
ASSISTANT/SECRETARY**
Jade Boodram

OUR FUNDING PILLARS

Sometimes poverty is hidden! Durham District School Board staff build relationships with children and families and together we ensure the needs of students are not over-looked. Since receiving charitable status in May we have supported:



STARFISH FUND

Provides resources to assist schools in addressing student needs including, but not limited to: clothing, school supplies, food, health and transportation.

\$6,250

Support for
25 students



MAKE A DIFFERENCE FUND

Offers financial subsidies to students experiencing poverty so that they may participate with their peers in field trips, extracurricular activities, and school events.

\$1,750

Support for
7 students



THINK OUTSIDE THE BELL FUND

Provides financial support to students in need who would significantly benefit from participating in specialized programs such as Preschool Success and After School Recreation and Arts Programs.

\$0

Support for
0 students



FUTURE FUND

Provides students with financial support to assist post secondary pathways.

\$0

Support for
0 students

IMPACT STORIES



“As a result of the funding we received from the Ignite Durham Learning Foundation, we were able to support our goal of removing barriers for one of our students. Having gained the trust and confidence of the family, we have successfully worked together and are now able to provide the necessary items/supportive environments for him to thrive in his learning and achievement. Thank you to the Ignite Durham Learning Foundation for all that you do in helping students to reach their full potential.”

Michael Loscavo

Vice Principal, Willows Walk Public School



“The Foundation’s generosity has allowed the student and family to survive a very difficult financial and personal situation with reduced stress. The mother is also using this opportunity to share with her children how accepting the help of others doesn’t make you weak.”

Andrea Peel

Principal, Nottingham Public School



“A huge thank you to the Ignite Durham Learning Foundation for helping to support our students and their families in need. We reached out for help in areas of transportation, clothing and food and were so thankful for the response and generous support. The positive impact on our students and families has been tremendous and has really made a huge difference in their lives. Thank you!”

Tracey Running

Principal, O’Neill Collegiate & Vocational Institute

IMPACT STORIES



"Schools are very often the point of contact for many families in need who may not know where else to turn for support. Being able to access funds for specific students through the Ignite Durham Learning Foundation has helped us to ensure that, in addition to the non-perishable items available through the pantry, our students' families have been able to access fresh groceries when they are in need."

Amanda Chapman

Principal, Waverly Public School



"As a school community, being able to access IDLF support for new families to Durham region was a critical part of a successful transition. The generous funding provided direct support for students and their families to their specific needs and resources as they began a new chapter in their lives as newcomers to Canada."

Cristina Cox

Principal, Seneca Trail Public School



HOW ARE WE MAKING TOMORROW BRIGHTER?

CAMPAIGN PROCEEDS



HOLIDAY GIFT GUIDE
\$5,866



**TEACHER -
GIVE THE GIFT**
\$1,730



GIVING TUESDAY
\$11,281

Matching gift donation from:



**FACILITIES SERVICES
HOLIDAY RAFFLE**
\$5,785

THIRD PARTY EVENTS



**FACEBOOK BIRTHDAY
DONATIONS**
\$985

2021 DONORS

Our work would not be possible without the generous support of our donors and corporate partners. Thank you so much to the following individuals and businesses for making tomorrow brighter for DDSB students in need.



Firecracker
\$10,000+

- Frank and Kim Auddino
- Fieldgate Developments
- Mayors Community Development Fund – Town of Whitby



Illuminator
\$5,000 - \$9,999

- Mr. Mike Forman
- Walker: Head Barristers & Solicitors
- Norah Marsh
- Careswell c/o Mohamed Karatella
- Benevity c/o Neil Joshi
- Schoolhouse Playcare Centres c/o Lisa Rankin



Sparkler
\$1,000 - \$4,999

- | | |
|--|--|
| <ul style="list-style-type: none"> • Morosons Construction Limited • Moffet & Duncan Architects, Inc. • Mrs. Stacey Lepine-Fisher | <ul style="list-style-type: none"> • Tim Pritchard • James Groff • Jack Eisenberger • Laurel Armstrong • ABB Inc. |
|--|--|



Igniter
\$500 - \$999

THANK YOU!

LOOKING AHEAD: OUR STRATEGY FOR 2022-2024

OUR MISSION

The Ignite Durham Learning Foundation is a charitable organization that serves to remove financial barriers to create equitable opportunities that empower Durham District School Board students to achieve academic and personal success.

OUR VISION: Tomorrows Made Brighter

The Ignite Durham Learning Foundation believes that all students deserve a brighter tomorrow and a broad range of opportunities to be successful.

The following elements are in place:

- We are self sufficient and have enough funds to support all school requests
- Everyone in the District knows about the Foundation and what we do (“the children’s charity of choice”)
- We have measurable impacts in the community; helping 500 children and youth and raising \$225,000 dollars and having an annual impact report delivered to our community
- We have an active network of volunteers to assist with high impact events



LOOKING AHEAD: OUR STRATEGY FOR 2022-2024

THREE PRIORITIES IN 2022-2023 (WITH INITIATIVES)

1. BOARD GOVERNANCE AND STRUCTURE

1.1 (Year 1) : Review of By-Law #1 to identify committee structures and amend as required

1.2: Review needs and devise committee structure to help guide the work

1.3 (Year 1): Board member recruitment and succession planning

2. FUND DEVELOPMENT

2.1: Develop community and corporate connections that align with our mission, vision, values & present mutually beneficial partnership opportunities

2.2 (Year 1): Develop Donor Stewardship Plan

2.3 (Year 1): Develop a campaign road map inclusive of activities, events, financials and milestones

2.4: Annual reporting to all donors

3. AWARENESS AND PROFILE

3.1: Engage ambassadors to reach & raise more funds

3.2 (Year 1): Branding events and activities that reinforce what we do and who we serve

3.3 (Year 1): Introduce the Foundation to community and individuals with means to engage with us

3.4: Communication plans for promotions & events

Scorecard (Key Performance Indicators)

- Committees revised and up and running
- New board members oriented and engaged
- Donor stewardship plan implemented
- Campaign road map completed and actioned
- Revenue increased in year one events by 20%
- Website updated and social media strategy successful



HELP US MAKE **TOMORROW BRIGHTER**

A gift to the Ignite Durham Learning Foundation supports students in a variety of ways. A child or youth in need may receive a healthy snack for school, a winter coat, a pair of shoes, or waterproof gloves. In addition, a gift to IDLF may come in the form of financial assistance to cover application fees for college, or bus fare to support a student's transportation needs.

Every gift makes a difference and provides children and youth the opportunity to reach their full potential.

To share a gift, please visit us at: [IDLF.ca](https://www.idlf.ca)



CONTACT US

Email: ignite.foundation@ddsb.ca

Mailing Address:

400 Taunton Road East
Whitby, Ontario L1R 2K6

Telephone: 905-666-6000

Charitable Registration #: 74018 7919 RR0001

**Report of the Durham District School Board
Standing Committee Public Session
May 2, 2022**

The hybrid regular meeting of the Standing Committee of the Durham District School Board was held on this date.

1. Call to Order:

The Chair, Christine Thatcher called the meeting to order at 7:00 p.m.

Members Present: Trustees Michael Barrett, Chris Braney, Paul Crawford, Donna Edwards, Darlene Forbes, Carolyn Morton, Linda Stone, Niki Lundquist, Scott Templeton, Student Trustees James Kay, De-Mario Knowles, Kayla Malcolm

Regrets: Trustee Patrice Barnes

Officials Present: Director Norah Marsh, Associate Directors Jim Markovski, David Wright, Superintendents Gary Crossdale, Erin Elmhurst, Mohamed Hamid, Margaret Lazarus, Andrea McAuley, Heather Mundy, Stephen Nevills, Jack Nigro, Executive System Lead Robert Cerjanec, General Counsel Patrick Cotter

Recording Secretary: Kathy Fitzpatrick

Trustee Christine Thatcher shared that it is Ontario Education Week and that the theme for this year is “Moving Forward”. Trustee Thatcher acknowledged the important contributions of trustees and staff to Ontario’s public education system, and the important role that parents/guardians play in helping to support students and thanked everyone at the Durham District School Board (DDSB) and all of the partners for what they do to help students achieve their goals and dreams.

This week is also Children’s Mental Health Week. The DDSB is celebrating and acknowledging Children’s Mental Health Week by bringing awareness to mental health through a series of activities and events which include daily themes and classroom activities as well as pre-recorded and live streamed presentations from well-known mental health advocates.

This week brings attention to the on-going commitments to belonging, well-being and mental health in the Durham District School Board. The theme for this week, “Hope in Challenging Times” is fitting as we continue to navigate challenging times and do so with the optimism of hope.

2. Land Acknowledgement

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.

3. Declarations of Interest

There were no declarations of interest at this time.

4. Motion to Approve the Agenda

2022:SC22

MOVED by Trustee Christine Thatcher

THAT THE AGENDA BE APPROVED.

CARRIED

5. Community Presentations

There were no community presentations at this time.

6. DDSB Presentations

(a) Great Beginnings Start at the DDSB Introduction to Kindergarten Program Update

Superintendent Jack Nigro introduced Senior Manager of Early Years Stacey Lepine-Fisher and the Early Years team who provided trustees with an overview and shared a PowerPoint presentation on the new “Great Beginnings Start at the DDSB Introduction to Kindergarten” model (formerly Welcome to Kindergarten).

Trustee questions were answered.

7. Director’s Update

Director Norah Marsh provided trustees with the following update:

COVID-19 Update: there is approximately a 5% decline in staff absenteeism. The decline is most notable on Tuesdays, Wednesdays and Thursdays. Absenteeism is status quo on Mondays and Fridays. The opportunities for occasional teachers

and other staff in schools including Early Childhood Educators is positive within the Durham District School Board (DDSB), at approximately 93%.

Student absenteeism: there has been a decline in the number of student absences. April 11-14 was the highest absences since January with an average of 13,500 a day. Last week the absences were down to an average of 11,600.

Ontario Public School Board's Association (OPSBA): the DDSB is participating in a project with OPSBA with regards to practices that have been initiated to address the shortage of French teachers. This is an issue within the DDSB and across the province. The superintendent for French programming has volunteered to be part of the initiative.

Capital Funding: Trustees had written a letter to the Ministry of Education with concerns that the needs of the Durham community were not being met. The Ministry of Education has confirmed that the DDSB will receive \$46 million for the unnamed Oshawa secondary school and \$19 million for the unnamed Pickering elementary school.

Director Norah Marsh acknowledged Ontario Education Week and Children's Mental Health Week and thanked those involved in organizing the events and informed families and trustees that registration was still open. More information is available on the website and social media to the many events planned.

Trustee questions were answered.

8. Recommended Actions

There were no recommended actions at this time.

9. Information Items

(a) Student Trustee Report

Student Trustee James Kay shared that at the Student Senate meeting, on April 19th, 2022, Manager of Accountability and Assessment Chris Conley and his team spoke about the Student Census survey.

Student Trustee Kayla Malcolm shared that the Student Voice Working Group is working on what student parliament and student government will look like when they return to school in September. The group has been continuing their work on student voice representatives by stressing the importance of having a strong and working student council and grade and homeroom representatives. The Student Voice Working Groups are looking at ways to improve student knowledge and where they can contribute ideas within their schools. For example, knowing who their senators are and having Google forms posted in classrooms for anonymous contributions.

Student Trustee James Kay shared that the Student Success Working Group is continuing to work on the Mental Health Resource: *The IN's and OUT's of Finding*

Standing Committee Meeting Minutes
May 2, 2022

Help. The intention of this document is to contribute to destigmatizing mental health while helping students to better understand what finding help actually is and looks like.

Student Trustees are collaborating with the DDSB Mental Health Leadership team to ensure the information that has been created by students is accurate and representative of the DDSB values while staying true to the vision of the student-driven document. A special thank you to the DDSB Mental Health Leadership team for their continued support. The document will be completed by the end of this school year.

Student Trustee De-Mario Knowles shared that the Equity Working Group is currently working on a two-part initiative and will continue to do so for the rest of the school year. The first part promotes inclusivity in the classroom by means of spreading awareness through short videos about important topics related to equity, such as gender pronouns and gender identity. The second part is about spreading awareness through short videos about days and months of significance, such as Pride Month and Asian Heritage Month.

Student Trustee Kayla Malcolm shared that during the regional breakout groups the West Region Senators voiced their concerns about next year school times. Schools within the region are getting ready for the Relay4Life events.

Student Trustee De-Mario Knowles shared that student participation in school activities has been very high in the past month. Schools have held celebrations for Ramadan and fundraisers to support the humanitarian crisis in Ukraine. Graduation events and prom planning have been going smoothly and many grade twelve students have mentioned that they are looking forward to school commencements.

Student Trustee James Kay shared that the Northern Regional breakout would like to host a regional wide spirit week to celebrate the 2021/2022 school year.

Student Trustee Kayla Malcolm shared that May 2nd, 2022 is the start of the Mental Health Symposium. Student Senators have been working with Steffanie Pelleboer, her team, student trustee advisors, and the project coordinator to plan and create this week-long event. Schools will receive daily mental health and well-being videos, made by the Student Voice Working Group. Schools will receive focused activities for each day of the week. On Wednesday, all registered classes will watch a presentation from guest speaker, Shaun Booth, about hope in challenging times.

Student Trustee James Kay provided an update on the Student Senate Virtual Open House that is in the planning stages. This event is tentatively taking place near the end of May 2022 and serves as an opportunity for students, parents, guardians, caregivers, teachers and community members to attend a virtual meeting and learn more about Student Senate and how to get involved.

Student Trustee Kayla Malcolm provided an update on the Student Trustee elections. The three new incoming student trustees for the upcoming 2022-2023 school year are as follows, Ben Cameron, representing the West Region, Lauren Edwards, representing the North Region, and Gwen Kuyt, representing the East Region.

(b) Indigenous Book Review

Superintendent Erin Elmhurst provided trustees with an update on the temporary removal and review of *The Great Bear* and two other Forest of Reading books from the District's library collection.

Trustee questions were answered

(c) OPSBA Report

Trustee Donna Edwards provided an update on the Labour Relations Symposium for trustees that took place in April 2022.

10. Committee Reports

(a) Equity and Diversity Ad Hoc Steering Committee Report, February 23, 2022

Trustee Christine Thatcher provided trustees with the Equity and Diversity Ad Hoc Steering Committee minutes from the February 23, 2022.

11. Correspondence

- i. Avon Maitland District School Board
- ii. Bluewater District School Board
- iii. York Region District School Board

The above correspondence was shared with trustees for information.

12. Other Business

There was no other business at this time.

13. Adjournment

2022:SC23

MOVED by Chair Carolyn Morton

SECONDED by Trustee Linda Stone

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

The meeting adjourned at approximately 8:00 p.m.

Chair

Secretary

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT**

REPORT TO: Durham District School Board **DATE:** May 16, 2022

SUBJECT: Draft Human Rights, Anti-Discrimination and Anti-Racism Policy **PAGE:** 1 of 2

ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
Patrick Cotter, General Counsel
Devika Mathur, Human Rights and Equity Advisor

1.0 Purpose

The purpose of this report is to provide the Board with the Draft Human Rights, Anti-Discrimination and Anti-Racism Policy (the “Human Rights Policy”) that came before the Board as a Notice of Motion on April 19, 2022.

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

The Governance and Policy Committee undertook a detailed review of, and revisions to, the draft Human Rights Policy on October 25, 2021, November 9, 2021, January 21, 2022, January 28, 2022, March 3, 2022 and March 24, 2022.

At the March 24, 2022 Governance and Policy Committee meeting, the Committee passed a resolution to move the revised draft Human Rights Policy to the April 19, 2022 Board meeting as a Notice of Motion.

At the April 19, 2022 Board meeting, the Board resolved that the draft policy proceed to the May 16, 2022 Board meeting. The draft Human Rights Policy presented to the Board at the April Board meeting is attached as Appendix “A”. Related draft procedures are included at Appendix “B” for information. Subject to minor edits for consistency, spelling, grammar and the like, these procedures are as presented at the April Board meeting.

4.0 Conclusion and/or Recommendations

It is recommended that the Board of Trustees consider and, as it may deem appropriate, approve the Draft Human Rights Policy.

5.0 Appendices

Appendix A - Draft Human Rights, Anti-Discrimination and Anti-Racism Policy **(For Approval)**

Appendix B - Draft procedures to implement the policy **(For Information Only)**:

- Draft Human Rights, Anti-Discrimination and Anti-Racism Procedure
- Draft Human Rights Inclusive Design and Accommodation Procedure
- Draft Student/Family Human Rights Issue, Incident and Complaint Resolution Procedure
- Draft Human Rights Roles, Responsibilities and Accountability Framework

Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



Patrick Cotter, General Counsel

Devika Mathur

Devika Mathur, Human Rights and Equity Advisor



POLICY

STUDENTS, EMPLOYEES AND COMMUNITY

DRAFT Human Rights, Anti-Discrimination and Anti-Racism Policy

1.0 Rationale

- 1.1 The Durham District School Board (“DDSB”) adopts this policy to protect, uphold and promote human rights and to prevent discrimination and discriminatory barriers in all DDSB learning and working environments. Protecting, upholding and promoting human rights are necessary to meet the mandate of the DDSB and to create and foster a culture of care where students and employees can thrive and have a sense of safety, well-being, engagement and belonging.
- 1.2 In this policy and related procedures, “discrimination” means all forms of individual, intersectional and systemic discrimination in respect of any of the Prohibited Grounds (as defined in this policy). There is no hierarchy of rights. The policy applies equally to all Prohibited Grounds and combination of grounds and applies to all forms of discrimination, including (and not limited to) racism, ableism, sexism, homophobia, biphobia, transphobia, faithism and classism.
- 1.3 The DDSB adopts this policy to better fulfill its obligations under the Ontario Human Rights Code (the “Code”) and in so doing recognizes that human rights, anti-discrimination (anti-racist, anti-ableist, anti-sexist, anti-homophobic, anti-biphobic, anti-transphobic, anti-faithist and anti-classist) approaches, actions and initiatives are required to address all forms of discrimination.
- 1.4 In addition, this policy addresses the DDSB’s obligations under the Anti-Racism Act and the Accessibility for Ontarians with Disabilities Act (AODA). This in no way diminishes the Board’s commitment to address all forms of discrimination with equal determination as is reflected in the terms of this Policy below and the detailed procedures implementing this policy.
- 1.5 Key human rights and equity terms used in this policy are defined in Appendix A: Glossary of Terms.
- 1.6 The DDSB’s Indigenous Education Policy acknowledges the distinct rights of Indigenous Peoples. Indigenous Peoples may elect to pursue any right or remedy under this policy and related procedures or under the Indigenous Education Policy and procedures, as they may deem appropriate in any given circumstance.
- 1.7 Systemic discrimination is pervasive and deeply entrenched and operates in society, institutions, structures, policies and standards, including in educational institutions and the DDSB. This stems from the effects of:
 - a) Discriminatory ideologies and systems and the structural dominance of white supremacy, racism, sexism, ableism, heteronormativity, cisnormativity/cisgenderism, cissexism, faithism and classism; and
 - b) Historical and ongoing colonialism, systemic and intersecting discrimination and oppression, including but not limited to the legacies and ongoing intergenerational effects of residential schools, enslavement and unique discriminatory structures, policies and practices against people based on ancestry, race, disability, sex, sexual orientation, gender identity, gender expression, creed, age, socioeconomic status and other Prohibited Grounds and combination of grounds.

- 1.8 These discriminatory ideologies and structures perpetuate dominant perspectives (including white supremacy and racist, ableist, sexist, gendered, heteronormative, cishnormative, cissexist, faithist and classist assumptions, stereotypes and beliefs) that:
- a) Erase or diminish students' and employees' identities, voices, knowledge and experiences because of inaccurate information, biases, attitudes and stereotypes (for example, deficit ideologies and low expectations); and
 - b) Do not consider the histories, accomplishments, strengths, abilities, and identities of Indigenous Peoples, Black peoples, racialized peoples, people with disabilities, people who identify as members of 2SLGBTQI communities, people who are members of religious/faith communities that are subjected to discrimination, and other groups based on Prohibited Grounds.
- 1.9 Discrimination causes harm to students, families, employees and communities and can:
- a) Negatively affect physical, emotional, psychological and spiritual safety, mental health and well-being;
 - b) Create barriers to academic and employment-related achievement and success; and
 - c) Result in inequitable and disproportionate educational, employment/career and social experiences, opportunities and outcomes.
- 1.10 Therefore, in adopting this policy, the DDSB confirms its commitment and responsibility to:
- a) Understand and combat the impacts of historical and ongoing discrimination and discriminatory ideologies, including white supremacy, racism, xenophobia, patriarchy, sexism, ableism, heteronormativity, homophobia, cishnormativity/cisgenderism, cissexism, biphobia, transphobia, faithism, ageism and classism;
 - b) Identify, prevent and address all forms of discrimination in DDSB services and employment; and
 - c) Provide learning and working environments that centre human rights and equity and that are safe, welcoming, respectful, equitable, inclusive, accessible and free from all forms of discrimination, oppression and harm.
- 1.11 The DDSB also recognizes the critical role and responsibilities it, and the education system as a whole, has in creating a climate of understanding and mutual respect for all DDSB community members, and in supporting learning about human rights.

2.0 Policy Objectives

2.1 The key objectives of this policy are to:

- a) Establish a human rights, anti-discrimination, anti-oppression and anti-racism framework and approach to education and employment that centres the work of the DDSB and promotes individual and organizational responsibilities and accountability;
- b) Embed human rights, anti-oppression, anti-discrimination, Universal Design for Learning (UDL), culturally relevant and responsive pedagogy (CRRP), inclusive design and accessibility principles, approaches and actions in all aspects of services, employment and learning and working environments;

- c) Foster and sustain a culture that recognizes and respects the dignity and worth of all DDSB community members and where DDSB community members have equal rights and opportunities, are welcome and included, are treated with dignity and respect and can fully participate in DDSB services and employment, without discrimination;
- d) Intentionally address anti-Indigenous racism, anti-Black racism, anti-Asian racism, anti-Latin American racism, all other forms of racism, Islamophobia/anti-Muslim hate, antisemitism, other forms of religious discrimination, ableism, homophobia, biphobia, transphobia, and all other forms of discrimination and hate in DDSB learning and working environments;
- e) Centre student voices and experiences, particularly students who are most impacted by historical and ongoing systemic discrimination and oppression;
- f) Foster meaningful engagement with diverse student, employee and community groups on initiatives that affect them (“nothing for/about us without us”);
- g) Value, affirm and reflect students’, families’, employees’ and communities’ diverse identities, family structures, lived realities and experiences, perspectives, strengths, abilities, talents, skills, cultures, histories and achievements, and honour and support the expression of their identities;
- h) Provide caring and safe learning and working environments that respect and protect human rights, that promote high expectations and achievement and that remove barriers to success;
- i) Support the duty to accommodate needs related to a Prohibited Ground(s) to the point of undue hardship, in a manner that recognizes and respects individual identities, strengths, abilities and needs and that maximizes inclusion, integration, participation and independence; and
- j) Support accessible, safe, fair and effective human rights issue and complaint resolution processes.

2.2 In adopting this policy, the DDSB recognizes and accepts the principle of targeted universalism. That is, although certain initiatives may be designed to support specific groups (i.e., communities who have historically been or are currently discriminated against), these initiatives will improve access and remove discriminatory structures and barriers to everyone’s benefit.

3.0 Policy

Application and Scope

- 3.1 This policy is for the benefit of all DDSB community members in all DDSB learning and working environments. This policy references the following defined terms:
- *DDSB community members* are employees, students, parents/guardians, families, permit holders, vendors, service providers, authorized visitors and any other person authorized to be present within DDSB learning and working environments or spaces.
 - *DDSB learning and working environments* include virtual and in-person meetings, events and activities including those that take place outside of usual learning and working spaces and environments, or outside of usual learning and working hours, when the activity is sufficiently connected to DDSB learning environments or the workplace (for example, conferences, training events, school trips, social media, extracurricular events, etc.).

- *DDSB employees* include permanent, temporary, casual and contract staff, volunteers, university and college students on placement, interns and any other persons included in the definition of “worker” under the Occupational Health and Safety Act (OHSA).

3.2 All DDSB community members have the right to be treated with dignity and respect and to DDSB services, employment and learning and working environments that are free from discrimination.

3.3 All DDSB policies and procedures shall be interpreted and applied in a manner consistent with the terms of this policy in order to prevent discriminatory structures, barriers, experiences and outcomes. To the extent that the terms of any DDSB policy or procedure contradict the terms of this policy, the terms of this policy shall govern.

3.4 All DDSB processes, programs, practices and initiatives shall comply with and shall be consistent with this policy.

A. Human Rights

Prohibited Grounds of Discrimination

3.5 This policy prohibits discrimination and harassment by DDSB community members in the delivery of services, in employment and in DDSB learning and working environments based on the following prohibited grounds (“Prohibited Grounds”):

- Age
- Ancestry (includes Indigenous ancestry)
- Citizenship
- Colour
- Creed (religion, includes Indigenous spiritual practices)
- Disability (includes mental, physical, developmental and learning disabilities and addictions)
- Ethnic origin
- Family status (being in a parent-child or equivalent relationship)
- Gender identity (which may be the same or different from a person’s birth assigned sex)
- Gender expression (how a person publicly presents their gender)
- Marital status (the status of being married, single, widowed, divorced or separated and includes “common-law relationships”)
- Place of origin
- Race
- Record of offenses (in employment only)
- Sex (includes pregnancy)
- Sexual orientation
- Socioeconomic status (for students in DDSB services and learning environments).

3.6 The Prohibited Grounds of discrimination under this policy shall be deemed amended to reflect any changes to the Code or expansion of analogous grounds as determined by a court of competent jurisdiction.

3.7 Language/language-related needs that are connected to a Prohibited Ground(s) may be addressed under this policy.

3.8 This policy also prohibits discrimination and harassment based on:

- a) Association or relationship with a person who identifies based on one or more of the Prohibited Grounds;

- b) The perception that a person identifies based on one or more of the Prohibited Grounds (for example, perceived ancestry, race, creed/religion, disability, sexual orientation, gender identity, etc.); and
- c) Any combination of two or more Prohibited Grounds where systems/structures may impose distinct discriminatory barriers and/or individuals may be affected by distinct forms of discrimination and harassment based on the unique intersection(s) of these grounds (i.e., intersectionality).

Policy Violations

- 3.9 DDSB community members shall not engage in discrimination related to a Prohibited Ground(s) against any DDSB community member in DDSB learning or working environments. In this regard, the following conduct (refer to Appendix A for definitions) is unacceptable and prohibited:
- a) Any form of discrimination;
 - b) Harassment, bullying and cyberbullying;
 - c) Sexual harassment or sexual solicitation;
 - d) Hate activity, including hate incidents, hate speech and hate crimes;
 - e) Creating or contributing to a poisoned learning or working environment;
 - f) Condoning or failing to address or prevent potential discrimination;
 - g) Interfering with an investigation under this policy or related procedures;
 - h) Failing to address the duty to accommodate under the Human Rights Code and the Human Rights Policy to the point of undue hardship;
 - i) Failing to meet their Duty Bearer responsibilities (as set out below);
 - j) Reprisal or threat of reprisal;
 - k) Breaching the confidentiality provisions of this policy; and
 - l) Bad faith complaints.

Discriminatory Effect/Impact

- 3.10 A practice, behaviour, action or inaction will be considered a violation of this policy where the effect or impact, whether intentional or unintentional, is discriminatory.

Raising Issues or Complaints about Policy Violations

- 3.11 Any community member may assert a violation of this Policy. The process for doing so is as follows:
- a) A complaint by a DDSB employee against another DDSB employee alleging a breach of this policy would proceed under the Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention;
 - b) A complaint by a student/family against a DDSB employee alleging a breach of this policy would proceed under the Student/Family Human Rights Issue/Incident and Complaint Resolution Procedure adopted under this policy; and

- c) Issues with respect to other community members failing to comply with the terms of this policy (such as students and parents/guardians) would be addressed with reference to the Code of Conduct and Discipline for Students and in the same manner as any other alleged breach of the Code of Conduct and Discipline for Students.

Consequences for Policy Violations

- 3.12 The Code and this policy are not punitive. It is anticipated that consequences for policy violations will typically engage corrective and remedial measures to prevent recurrences and to support education/learning. While specifics as to consequences are operational and are left to the Director of Education and designates to address in procedures, protocols and practices, responses to policy violations may include a range of remedial, responsive, restorative and corrective measures including discipline up to and including termination of employment (for employees) or expulsion (for students), subject to the principles of progressive discipline.

Potential Competing Rights

- 3.13 In situations where a person or a group's rights may conflict with another's, the Director of Education or designates shall respect the importance of all rights, collaboratively explore options and solutions to address potential conflicting or competing rights and maximize rights for everyone consistent with the Ontario Human Rights Commission's *Policy on Competing Human Rights* framework, human rights and legal principles (for example, that no rights are absolute and that there is no hierarchy of rights) and relevant case law.

Right to Pursue Other Avenues

- 3.14 Nothing in this policy, nor in any related procedure, precludes DDSB community members from asserting their rights, pursuing other resolution options or seeking redress including through other statutory or contractual rights and remedies (for example, a grievance through the applicable collective agreement if they hold grievance rights, filing an application to the Human Rights Tribunal of Ontario, etc.).

Confidentiality

- 3.15 Except as may be permitted or required by law, the confidentiality and privacy of personal information related to human rights issues, incidents, complaints and accommodation requests shall be maintained.

B. Responsibilities and Accountability

- 3.16 All DDSB community members have a responsibility to contribute to and support safe, welcoming, equitable, respectful, accessible and inclusive learning and working environments and to:
- a) Treat other DDSB community members with dignity and respect; and
 - b) Not violate this policy and the Code of Conduct for Students.

Duty Bearer Responsibilities

- 3.17 As an employer and a service provider, the DDSB has (or bears) additional duties and responsibilities to comply with the Code and related legislation and to meet commitments set out in this policy. The DDSB must:
- a) **Promote and protect** human rights and provide DDSB community members with information about their rights and responsibilities;

- b) **Identify, prevent and address** human rights barriers and discriminatory structures in learning and/or working environments, teaching and learning, services, and operational, corporate and employment related policies, procedures, practices, plans, initiatives and decision making;
- c) **Respond to** and address human rights barriers, issues and accommodation requests under the Code and this policy for DDSB community members;
- d) **Learn** about this policy and related procedures to apply human rights, anti-discrimination and anti-racism principles in their jobs/roles, decision-making and interactions with DDSB community members; and
- e) **Correct** and address human rights issues, incidents and complaints.

3.18 The Director of Education shall implement and oversee an accountability framework through appropriate procedures to further outline individual and shared system/organizational roles, responsibilities and requirements to support compliance with this policy and to build an organizational culture of human rights. The Director carrying out these duties as to implementation and support is foundational to each employee meeting their own duties under this policy to:

- a) Create and maintain learning and working environments that welcome, expect, include and value all students, parents/guardians and family structures, employees and community members, and respect, affirm and support the expression of diverse identities based on all Prohibited Grounds and intersections of grounds;
- b) Adopt (and/or strengthen) and apply human rights, anti-oppressive, anti-discriminatory, anti-racist, inclusive and culturally relevant principles and practices to services, service delivery and employment;
- c) Not treat any community member differently because of biases, assumptions, prejudices, stigmatization or stereotypes associated with a Prohibited Ground or combination of grounds; and
- d) Engage in and promote decision making and actions that:
 - Uphold the rights of the child/student and the rights of employees;
 - Are in the best interests of the child/student;
 - Are asset-based;
 - Are not discriminatory;
 - Do not cause or perpetuate harm;
 - Identify, disrupt and address discriminatory structures, policies, practices, rules and ideologies, including white supremacy, racism, ableism, sexism, heteronormativity, cisnormativity/cisgenderism, cissexism, faithism, ageism and classism; and
 - Consider and address systemic, individual and intersectional factors and unique barriers and needs for Indigenous Peoples, Black peoples, racialized peoples, people with disabilities, women/girls, people who identify as members of 2SLGBTQI communities and people who identify as members of groups that are discriminated against based on creed/religion and other all Prohibited Grounds.

- 3.19 Each employee, as appropriate to their individual role and within the scope of their authority and influence, must comply with this policy, the accountability framework and procedures, and must contribute to shared organizational roles, responsibilities and accountabilities for upholding human rights and preventing discrimination.

Board of Trustees

- 3.20 The Board of Trustees, in fulfillment of its policy-making and statutory functions under the Education Act, will:
- a) Apply and uphold the objectives and principles of the Code and this policy in fulfilling Board responsibilities, processes and committee work, including with respect to student achievement and well-being, safe and inclusive school climates, and effective and appropriate education programs for students; and
 - b) Promote and protect students' right to education free from discrimination, address barriers to equitable access and participation, and support equitable opportunities, experiences and outcomes for all students.

C. Policy Directives

- 3.21 The Director of Education and designates shall implement this policy in procedures, protocols and/or practices to:
- a) Focus on intentional anti-discrimination, anti-oppression and anti-racist approaches and actions, including but not limited to reflecting on, analyzing, challenging and disrupting positionality, systems of privilege and power, and discriminatory biases, assumptions, ideologies, structures and barriers that are inconsistent with legislation and this policy's objectives and commitments;
 - b) Build and/or enhance relationships between the District and communities that are discriminated against based on Prohibited Grounds (or combination of grounds) as set out in this policy;
 - c) Engage with appropriate District communities to support the successful and co-operative implementation of this policy, including identifying potentially discriminatory structures, barriers and trends, and differential and disproportionate experiences, opportunities, access and outcomes;
 - d) Apply, integrate and embed human rights, anti-discrimination, anti-oppression, inclusive design, UDL, CRRP and accessibility principles, approaches and actions to:
 - Support decision making that upholds human rights across all system areas/portfolios, services, employment and learning and working environments;
 - Identify, prevent and address discriminatory structures and barriers for (and related needs of) students and employees based on all Prohibited Grounds and intersecting grounds to make services, employment and learning and working environments more inclusive and accessible for everyone; and
 - All recommendations to the Board of Trustees;
 - e) Provide learning opportunities for students and integrate content that enhances understanding, respect and appreciation for multiple social identities, including the diverse identities, voices, stories, cultures, histories, experiences and perspectives of the communities the District serves and of Ontario;

- f) Teach students complete histories and narratives including:
- The impacts of colonialism, oppression and historical and ongoing systemic discrimination; and
 - Examples of resistance to discrimination and stories of agency, excellence and joy; this includes and is not limited to:
 - Promoting historical and contemporary successes and accomplishments of Indigenous Peoples, Black peoples, racialized people, women/girls, people with disabilities, people who identify as members of 2SLGBTQI communities, people who practice various creeds/religions, etc. and people with intersecting identities;
 - Recognizing their valuable contributions throughout the year (and not only during days/months of significance); and
 - Embedding these into practice, without appropriation;
- g) Ensure that learning resources and materials challenge racism, sexism, ableism, homophobia, biphobia, transphobia, faithism, classism and all forms of discrimination and do not contribute to or perpetuate discriminatory biases, assumptions, stereotypes and harm;
- h) Address the unique strengths and needs of, and barriers for, newcomers, international students, undocumented students, English language learners and children and youth in care;
- i) Promote anti-discrimination, anti-racism, anti-ableism, anti-homophobia, anti-biphobia, anti-transphobia, anti-faithism and anti-classism;
- j) Affirm and reflect all identities in DDSB spaces and displays (for example, posters, visual displays, content, etc.);
- k) Have libraries with books and other resources that reflect diverse identities, authors, perspectives and lived experiences;
- l) Foster the use of inclusive pronouns, language and activities;
- m) Improve transparency and accountability in addressing accommodation requests or needs based on Prohibited Grounds to the point of undue hardship;
- n) Provide for dispute resolution processes for human rights issues, incidents and complaints under this policy;
- o) Conduct research and collect quantitative and qualitative data as to the issues addressed by this policy and the impact of this policy, and engage and consult with DDSB communities to analyze the data using anti-discrimination, anti-racism and intersectional principles and approaches; and
- p) Evaluate and publicly report to the Board of Trustees on the effectiveness of this policy in achieving this policy's objectives and on organizational compliance with this policy.

3.22 The Director and/or designates:

- a) Shall put in place appropriate and sustainable organizational structures, resources and expertise to support the successful implementation of this policy and related procedures; and
- b) May create special initiatives to address the effects of historical and ongoing discrimination, create opportunities to alleviate discrimination and disadvantages and support equitable access, opportunities, experiences, processes and outcomes.

D. Communications

3.23 This policy and any related procedures shall be posted on the Board's website together with any supporting resources, guidelines or explanatory aids.

3.24 The Director and/or designates shall implement a communications plan to:

- a) Promote human rights and this policy;
- b) Raise awareness among DDSB community members about their rights and responsibilities under this policy and related procedures;
- c) Invite community consultation and engagement on human rights related initiatives; and
- d) Publicly report on the implementation and effectiveness of this policy and related procedures in achieving the objectives of this policy.

4.0 Evaluation

4.1 This policy may be reviewed and updated as may be deemed necessary or appropriate, but it shall be reviewed at least every five years. The early review and potential update of this policy may be triggered by:

- a) Information, trends, data and analysis contained in the regular reports to be delivered to the Board of Trustees by the Director of Education as to the effectiveness of this policy in meeting its objectives;
- b) Input from and evidence of impact on students, employees and DDSB community members; and
- c) Evolving human rights law, policy and/or practices.

5.0 Reference Documents

5.1 Policies

- [Indigenous Education](#)
- [Consultative Process](#)
- [Equity and Inclusive Education](#)
- Safe and Respectful Workplace and Harassment Prevention <insert link>
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- [Code of Conduct and Discipline for Students](#)

5.2 Other Documents (Legislation, Provincial Regulations, etc.)

- [Universal Declaration of Human Rights](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [United Nations Convention on the Rights of the Child](#)
- [United Nations Convention on the Elimination of All Forms of Racial Discrimination](#)
- [United Nations Convention on the Rights of Persons with Disabilities](#)
- [Yogyakarta Principles](#)
- [Canadian Charter of Rights and Freedoms](#)
- [Ontario Human Rights Code](#)
- [Anti-Racism Act](#)
- [Accessibility for Ontarians with Disabilities Act](#)
- [Occupational Health and Safety Act](#)
- [Education Act](#)
- [Child, Youth and Family Services Act](#) (which incorporates many elements of [Katelynn's Principle](#))
- [Employment Standards Act](#)
- [Ontario Human Rights Commission's](#) policies, guidelines, reports and resources:
 - [A policy primer: Guide to developing human rights policies and procedures](#)
 - [Policy on ableism and discrimination based on disability](#)
 - [Policy on accessible education for students with disabilities](#)
 - [Policy and guidelines on racism and racial discrimination](#)
 - [Policy on preventing discrimination based on creed](#)
 - [Policy on preventing discrimination because of gender identity and gender expression](#)
 - [Policy on discrimination and harassment because of sexual orientation](#)
 - [Teaching Human Rights in Ontario: A Guide for Ontario Schools](#)
- [Anti-Racism Directorate's](#):
 - [Anti-Racism Policy](#)
 - [Anti-Black Racism Strategy](#)
 - [Data Standards for the Identification and Monitoring of Systemic Racism](#)
- Ontario's [Education Equity Action Plan](#), [Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation](#) and [Policy/Program Memorandum No. 119 \(Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools\)](#)

Appendix:

Appendix A: Glossary of Terms

Effective Date:

YYYY-MM-DD

Reviewed and Amended:

YYYY-MM-DD

Reviewed without Amendment:

YYYY-MM-DD

Draft Human Rights, Anti-Discrimination and Anti-Racism Policy

Appendix A: Glossary of Terms

2SLGBTQI: an acronym for Two Spirit, lesbian, gay, bisexual, transgender, queer and intersex (differences in sex development) identities and communities. Note that this acronym is not used by all communities as it does not capture the full spectrum and fluidity of diverse gender identities, gender expressions and sexual orientations or the ways individuals express their gender and sexuality.

Ageism: discrimination based on age, and belief systems or stereotypes, attitudes or beliefs about a person based on their age.

Ableism: belief systems and attitudes about persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems or the broader culture of a society. It can limit the opportunities of persons with disabilities and reduce their inclusion in the life of their communities. Ableist attitudes are often based on the view that disability is an “anomaly to normalcy,” rather than an inherent and expected variation in the human condition.

Accessibility: a general term for the degree of ease that something (for example, a device, service, physical environment and information) can be accessed, used and enjoyed by persons with disabilities. The term implies conscious planning, design and/or effort to make sure something is barrier-free to persons with disabilities. Accessibility also benefits the general population, by making things more usable and practical for everyone.

Accommodation: adjusting services, environments, programs and practices or making other arrangements to remove barriers and better respond to or address individual needs based on a Prohibited Ground(s) so that individuals with Prohibited Ground(s) related needs do not experience adverse effects. The **duty to accommodate** (see definition below) refers to DDSB’s legal obligation under the Human Rights Code and requirements under the Human Rights Policy to make these adjustments. Accommodations must respect the individual’s dignity and maximize inclusion, integration, participation and independence.

Adverse effect discrimination: when seemingly neutral rules, requirements, standards, policies or practices treat everyone the same, but in so doing have an adverse effect (or negative effect) on people because of a Prohibited Ground(s), or when the way individuals are treated fails to account for Prohibited Ground(s)-related needs and circumstances.

Anti-Asian racism: prejudice, beliefs, stereotyping and discrimination that is directed at people of Asian descent and rooted in unique experiences of xenophobia.

Anti-Black racism: prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement and its legacy. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices.

Anti-colonial: intentional and critical analysis of structures, processes and decision making to identify, challenge and address or change (and not perpetuate) the legacies and ongoing harmful impacts of colonialism.

Anti-Indigenous racism: discrimination, racism negative stereotyping, and injustice experienced by Indigenous Peoples. It includes ideas and practices that establish, maintain and perpetuate power imbalances, systemic barriers, and inequitable outcomes that stem from the legacy of colonial policies and practices.

Anti-Latin American racism: prejudice, beliefs, stereotyping and discrimination that is directed at people of Latin American descent.

Anti-oppression: an approach that recognizes the power imbalance within society that attributes benefits to some groups and excludes others. This approach seeks to develop strategies to create an environment free from oppression, racism and other forms of discrimination. It acknowledges the intersections of identity and Prohibited Grounds and aims to promote equity between various identities.

Anti-racism: an active and consistent process of change to eliminate individual, institutional and systemic racism as well as the oppression and injustice racism causes. An anti-racism approach is a systematic method of analysis, and a proactive course of action rooted in the recognition of the existence of racism, including systemic racism. Anti-racism actively seeks to identify, remove, prevent, and mitigate racially inequitable outcomes and power imbalances between groups and change the structures that sustain inequities.

Antisemitism: antisemitism is latent or overt hostility, or hatred directed towards, or discrimination against, individual Jewish people or the Jewish people for reasons connected to their religion, ethnicity, and their cultural, historical, intellectual, and religious heritage. Antisemitism can take many forms, including and not limited to acts of discrimination, physical violence, vandalism and hate.

Appropriation: the adoption of an element or elements of one culture or identity, knowingly or unknowingly, by members of another culture or identity without engaging or consulting with the community. This can often result in diminishing or trivializing significant cultural or spiritually meaningful practices/traditions and can be discriminatory and racist.

Bad faith complaint/allegation: submitting a complaint under this policy knowing that there has been no violation of this policy.

Barrier: anything that prevents a person from fully taking part in any aspect of DDSB services, employment or learning and working environments based on a Prohibited Ground(s) and can include policies, procedures and practices, and physical, architectural, information or communications, attitudinal, and technological barriers. Barriers can be overt or subtle, intended or unintended, and systemic or specific to an individual or group. Barriers prevent or limit access to opportunities, benefits, services or advantages that are available to others. See also “**systemic barrier**” below.

Bias: a predisposition, prejudice or generalization about a group of persons based on personal characteristics or stereotypes.

Biphobia: negative attitudes, feelings, or irrational aversion to, fear or hatred of bisexual people and communities, or of behaviours stereotyped as bisexual. Biphobia can lead to discrimination, harassment or violence against bisexual people.

Board: the Board of Trustees for the Durham District School Board.

Cis/cisgender: a person whose gender identity is in alignment with the sex they were assigned at birth.

Cisgenderism: prejudice that denies, ignores, denigrates, or stigmatizes diverse, non-cisgender identities.

Cisnormativity: the common assumption that all people are cisgender and that everyone accepts this as “the norm.” The term cisnormativity is used to describe systemic prejudice against trans people.

Cissexism: a system of oppression that considers cis people to be superior to trans people. It includes harmful beliefs that it is “normal” to be cis and “abnormal” to be trans. Examples include scrutinizing the genders of trans people more than those of cis people or defining beauty based on how cis people look.

Classism: prejudice or discrimination based on socioeconomic status/class. It is institutional, cultural, and individual sets of practices and beliefs that assign differential value to people according to their socioeconomic status and specifically people from lower socioeconomic classes.

Colonialism: a practice of domination, which involves the subjugation of one people to another. Settler colonialism - such as in the case of Canada - is the unique process where the colonizing population does not leave the territory, asserts ongoing sovereignty to the land and actively seeks to assimilate Indigenous populations and extinguish their laws, cultures, traditions and ties to the land.

Competing rights: situations where parties to a dispute claim that the enjoyment of an individual or group's human rights and freedoms, as protected by law, would interfere with another's rights and freedoms.

Condoning: failure of management and people in positions of authority, in keeping with that authority, to respond appropriately and expeditiously to harassment or discrimination (or overlooking or accepting discrimination and harassment).

Disability: is defined very broadly in the Human Rights Code and includes any degree of physical, developmental, mental or learning disability and addictions. The Human Rights Code specifically includes protection for those who may be perceived to have a disability, even if that person does not have one, and someone who has had or believed to have had a disability in the past.

There are many types of disabilities, covering a broad range and degree of conditions. A disability may be temporary, episodic or permanent, apparent or hidden, and present from birth, caused by an accident or developed over time. Another way of looking at disability is not to base it on what a person has. A person with a disability is not necessarily prevented from fully participating in society. If society is designed to be accessible and inclusive, then people with disabilities do not experience barriers taking part. This means a disability is an issue when the environment is not designed to meet their needs. Three models of disability are:

- **Medical Model of disability:** disability as a feature of a person that is caused by a disease, health condition or trauma that can disrupt the functioning of a person in a physiological or cognitive way and that requires medical care or treatment. This model views disability as a condition a person has and focuses on preventing, treating or curing the condition to "correct" it.
- **Functional Model of disability:** disability as an impairment or deficit that is caused by physical, medical or cognitive deficits that limits a person's functioning or the ability to perform functional activities.
- **Social Model of disability:** disabilities as socially created instead of based on impairments or deficits. It focuses on various barriers that people with disabilities face, including physical, architectural, information, communications, attitudinal, and technological barriers and other features of the physical or social environment.

Discrimination: any practice or behaviour, whether intentional or not, which results in a person or group experiencing differential or inequitable treatment (or where they are denied opportunities or benefits) based on one or more of the Prohibited Grounds of discrimination under the Human Rights Code and this policy (except where the conduct is permitted under the Human Rights Code). It is treating someone unfairly because of a Prohibited Ground(s) by imposing a burden or denying a privilege, benefit or opportunity enjoyed by others.

Discrimination may also be due to treatment which though applied equally has an unequal effect on an individual or group protected from discrimination under the Human Rights Code or this policy. This is often based on stereotypes, assumptions or negative attitudes about a group of people based on a Prohibited Ground(s), and from not considering individual needs and circumstances based on a Prohibited Ground(s). An action, inaction, policy, practice or behaviour can intentionally or unintentionally have a discriminatory effect on individuals or groups (see also "adverse effect" and "systemic discrimination").

District: the corporate entity of the DDSB.

Duty bearer responsibilities: within the scope of their role, DDSB employees have responsibilities and obligations and contribute to the District's organizational responsibilities as an employer and a service provider to uphold the Human Rights Code and this policy. Employees' duty bearer responsibilities are outlined in this policy and related procedures and include promoting, protecting and upholding human rights and preventing and addressing discrimination in DDSB services, employment and learning and working environments.

Duty to accommodate: DDSB has a legal obligation under the Human Rights Code and a requirement under this policy to accommodate students' and employees' needs related to a Prohibited Ground(s), to the point of **undue hardship** (see definition below). The duty includes procedural and substantive elements to collaboratively identify accommodation options and solutions, and to provide accommodation that most respects the individual's dignity and needs, and that maximizes integration, independence and participation.

Equity: a process of recognizing differences within and among groups of individuals and using this understanding to achieve substantive equality for individuals or groups. The intent of equity initiatives is not to produce sameness or equality of outcome. It is to create the conditions of fair inclusive and respectful treatment and through which everyone may have equal access to resources and equal opportunity to thrive (for example, by identifying and removing barriers that impact specific groups of people).

Failing to accommodate: not meeting the procedural or substantive duty to accommodate under the Human Rights Code and the Human Rights Policy to the point of undue hardship.

Faithism: negative treatment and discrimination directed towards people based on creed. Faithism includes any ideology that ascribes to people values, beliefs and behaviours, and constructs people as fundamentally different and unequal, or deserving or undeserving of respect and dignity, based on their religion or belief. Faithism creates and reproduces a consistent, distorted, negative and stereotypical view of individuals and groups based on their creed, faith, beliefs or associated characteristics.

Harassment: a course of vexatious comments or actions that are known or ought reasonably to be known to be unwelcome. It can involve words or actions that are known to be offensive, embarrassing, humiliating, demeaning or unwelcome (see also **sexual harassment** and **sexual solicitation** below).

"*Vexatious*" refers to comment or conduct that is inappropriate or unnecessary and that is experienced as offensive, embarrassing, humiliating, distressing or demeaning.

"*Ought reasonably to be known*" includes:

- The perspective of the person saying or doing the harassing behaviour;
- How a reasonable outside party would interpret the comments or behaviour; and
- The perspective of the person experiencing the comments or conduct.

Hate activity: a hate crime or a hate incident.

- **Hate incident:** is non-criminal conduct that is motivated in whole or in part by hatred against an individual or group on the basis of a Prohibited Ground(s). A hate incident can encompass situations in which the conduct is directed against people associated with individuals or groups identified with a Prohibited Ground(s). The conduct can be verbal (hate speech), nonverbal or written, and may manifest itself in the form of slurs, insults, harassment, abusive gestures, taunting, display of offensive materials or hate symbols, or other acts which may intimidate, degrade and/or marginalize the targeted individual or group.
- **Hate crime:** is defined in the Criminal Code of Canada and can include a criminal offence that is committed against a person or property, and which is motivated in whole or in part by hatred or bias based on race, national or ethnic origin, language, colour, creed, religion, sex, age, mental or physical disability, sexual orientation, gender identity, or gender expression.

This includes, but is not limited to, hate-motivated violence, incitement to hate motivated violence, and/or the display of symbols or other representations identified with groups promoting hate and violence. It also includes such crimes committed against a person who is associated, or perceived to be associated, with individuals or groups identified with one of the Human Rights Code protected grounds.

Heteronormativity: the common assumption that all people are heterosexual and that everyone accepts this as “the norm.” The term heteronormativity is used to describe systemic prejudice against people that are not heterosexual, and is widespread or systemic in society, organizations, and institutions.

Heterosexism: the assumption that everyone is heterosexual, and that heterosexuality is the superior and preferable expression of sexuality. This definition is often used when looking at discrimination against gay, lesbian or bisexual people.

Homophobia: negative attitudes, feelings, or irrational aversion to, fear or hatred of gay, lesbian, or bisexual people and communities, or of behaviours stereotyped as “homosexual. Homophobia may be individual actions or behaviours (for example, name calling, exclusion, slurs, etc.) or systemic/institutional bias and oppression.

Inclusive design: taking into account differences among individuals and groups when designing something, to avoid creating barriers. Inclusive design can apply to systems, facilities, programs, policies, services, education, etc.

Inclusion: processes, policies, services, program and practices that are accessible to and useable by as many people as possible, regardless of ancestry, race, ethnic origin, gender, sexual orientation, creed, age, disability, language, etc. An inclusive environment is open, safe, equitable and respectful. Everyone can enjoy a sense of trust, belonging and involvement, and everyone is valued and encouraged to contribute and participate fully.

Indigenous Rights: derive from Indigenous political, economic and social structures and from their laws, cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources.

Interfering with an investigation: interfering with an investigation or related resolution process, including but not limited to intimidating a party to a complaint or a witness or influencing a person to give false or misleading information.

Intersectional discrimination/intersectionality: discrimination based on the overlap between or combination of two or more Prohibited Grounds. Often it is the result of identities that intersect in a socially significant way. It refers to discrimination that occurs based on two or more Prohibited Grounds that produces a unique and distinct form and experience of discrimination, and recognizes that people’s lives involve multiple overlapping identities, and that marginalization, exclusion and discrimination may be further exacerbated because of how these identities interact or “intersect”.

Islamophobia: includes racism, stereotypes, prejudice, fear or acts of hostility directed towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic and societal level.

Katelynn’s Principle: decisions affecting children must centre the child, reflect their voice and respect their rights and identities (for example, ancestry, race, disability, sexual orientation, gender identity, gender expression, creed/religion, etc.).

Learning environment: any space, premise, location or thing at, upon, or in which a DDSB student or community member learns or engages in activities connected to the learning environment (for example, parent engagement/parent council activity, etc.). This includes virtual/online environments. Conduct that has consequences for the learning environment, regardless of where it occurs, may be considered to have occurred in a learning environment (for example, schools and school-related activities, such as extra-curricular activities and excursions).

“Model minority” myth: way to categorize and hold up racialized and other groups as an example or model based on the belief that they have conformed to colonial values and assimilated into society.

Neurodiversity: the concept that neurological differences are not “defects” but are the result of natural variations in the human genome.

Oppression: systemic social inequity reinforced by social institutions that is also embedded within individual consciousness. It results from institutional and systemic discrimination and personal prejudice limiting and restricting opportunities and resources. Oppression works to benefit dominant or privileged groups and disempowers or subordinates others.

Patriarchy: a social system in which power is held by men through cultural norms and customs that favour men and withhold opportunity from women.

Poisoned environment: an environment that is made negative, hostile or unpleasant due to comments or conduct that tend to demean a group identified by one or more Prohibited Grounds under the Human Rights Code and this policy, even if not directed at a specific individual. A poisoned environment may result from a serious single event, remark or action. A poisoned environment can also result from workplace harassment.

Power: access to privileges such as information/knowledge, connections, experience and expertise, resources and decision-making that enhance a person’s chances of getting what they need to live a comfortable, safe, meaningful and fulfilling life.

Prejudice: negative prejudgment or preconceived feelings or notions about another person or group of persons based on perceived characteristics.

Privilege: unearned power, benefits, advantages, access and/or opportunities that exist for members of the dominant group(s) in society. It can also refer to the relative privilege of one group compared to another, and the experience of freedoms, rights, benefits, advantages, access, and/or opportunities based on group membership or social context, which is denied or not extended to members of all groups.

Prohibited grounds of discrimination: the grounds upon which discrimination is prohibited under the Human Rights Policy.

Race: a social construct to categorize people based on geographic, historical, political, economic and social factors. This social construction of race is called “racialization” and the process also contains a value judgement or response to individuals or groups. In addition to physical characteristics such as colour, some characteristics that are commonly racialized include language, accent, name, clothing, beliefs and practices. Racial categories are not based on science or biology but on differences that society has created (i.e., “socially constructed”), with significant consequences for people’s lives. Racial categories may vary over time and place and can overlap with ethnic, cultural or religious groupings.

Racialized: racialized persons and/or groups can have racial meanings attributed to them in ways that negatively impact their social, political, and economic life. This includes but is not necessarily limited to people classified as “visible minorities” under the Canadian Census and may include people impacted by antisemitism and Islamophobia.

Racism: a belief that one group is superior or inferior to others. Racism can be openly displayed in racial “jokes”, slurs or hate crimes. It can also be more deeply rooted in attitudes, values and stereotypical beliefs, and are assumptions that have evolved over time and have become part of systems and institutions. Racism includes ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

Reporter: anyone who makes a complaint under the Student/Family Human Rights Issue, Incident and Complaint Resolution Procedure alleging that discrimination under the Human Rights Policy has occurred.

Reprisal: penalizing or threatening to penalize a person for attempting to enforce their rights under the Human Rights Code and/or the Human Rights Policy or procedures (for example, raising an issue or reporting an incident, filing a complaint, requesting accommodation, raising a concern about an issue, incident, or accommodation process or outcome, raising a complaint to the Human Rights Tribunal of Ontario or to another external body to assert their rights, or supporting someone in any of these activities), or for participating in the resolution of an issue or in an investigation of a complaint (e.g., students or employees who are parties or witnesses to discrimination or harassment).

Reprisal is unacceptable and will not be condoned. Reprisal may be subject to a complaint under this policy and related procedures, and may result in corrective measures, including discipline up to and including termination of employment. Reprisal does not include taking appropriate corrective action to address substantiated violations of the policy.

Respondent: anyone who has a complaint made against them under the Human Rights Policy or procedures.

Sexism: prejudice, stereotyping, and discrimination directed against people on the basis of sex and/or gender identity/expression. Sexism may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

Sexual harassment: a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity and gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. This includes **sexual solicitation** or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Social areas: the areas of life to which the Human Rights Code applies: employment; goods, services and facilities; housing; contracts; and membership in unions, trade and professional associations.

Stereotypes: incorrect assumptions based on ancestry, race, disability, gender identity, gender expression, sexual orientation, creed/religion, socioeconomic status and other Prohibited Grounds. Stereotyping typically involves attributing the same characteristics to all members of a group regardless of their individual differences. It is often based on misconceptions, incomplete information and/or false generalizations.

Systemic barrier: a barrier embedded in the social or administrative structures of an organization, including the physical accessibility of an organization, organizational policies, practices and decision-making processes, or the culture of an organization. These may appear neutral on the surface but exclude members of groups based on a Prohibited Ground(s) or may result in differential treatment.

Systemic discrimination: where systems, rules, policies, patterns of behaviour or practices that are part of the social or administrative structures or cultures of an organization (whether intentionally or unintentionally, and even if they may appear neutral) have a discriminatory impact on particular people or groups based on a Prohibited Ground(s), or that create or perpetuate a position of relative disadvantage for groups based on a Prohibited Ground(s).

Targeted universalism: a principle that recognizes that everyone benefits from the targeted removal of systemic barriers faced by the most disadvantaged communities. Reducing barriers and disparities leads to a better environment for everyone.

Trans: a term that describes people with diverse gender identities and gender expressions that do not conform to society's stereotypical or binary (male/female) views about gender. "Trans" can mean transcending beyond, existing between, or crossing over the gender spectrum. It includes but is not limited to people who identify as transgender, transsexual, non-binary or gender non-conforming (gender variant or genderqueer) and can include people whose gender identity differ from the sex they were assigned at birth, who identify as existing between male and female, or who identify in different ways beyond the male/female binary.

Transphobia: negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans.

Undue hardship: a legal test to describe the extent to which an organization must accommodate under the Human Rights Code. It is a high standard and must be supported by objective, real and direct evidence.

Universal Design for Learning: a teaching approach that focuses on using teaching strategies or pedagogical materials designed to meet individual needs to enhance learning for all students.

White supremacy: a racist ideology based on the belief that white identity is the norm, standard and ideal. "It does not refer to extreme hate groups or far right extremists. It is not about good and bad people. It is about the accumulation of social, cultural and institutional power that has and continues to advantage a group of people" (from *Addressing Anti-Asian Racism: A Resource for Educators*, TDSB and ETFO). It refers to the "pervasiveness, magnitude, and normalcy of white privilege, dominance, and assumed superiority in society" (from *Is Everyone Really Equal? An Introduction to Key Concepts in Social Justice Education*, Ozlem Sensoy, Robin DiAngelo).

Worker: any person included in the definition of "worker" under the Occupational Health and Safety Act, including but not limited to regular, temporary, probationary employees, co-op students, contract employees and volunteers.

Workplace/working environment: under the Occupational Health and Safety Act, any land, premises, location or thing at, upon, in or near which a worker works. It also includes:

- Any place where individuals perform work or work-related duties or functions;
- DDSB offices and facilities, including eating, meeting and employee areas/lounges, and vehicles used for work purposes or on work property;
- Conferences, workshops, training sessions, and staff functions (for example, retirement celebrations), etc.; and
- In some instances, the use of social media where it is connected to the workplace environment or workplace relationships.

Xenophobia: attitudes, prejudices and behavior that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity. It is having or showing a dislike of or prejudice against people from other countries.

Yogyakarta Principles: a set of principles on the application of international human rights law in relation to sexual orientation, gender identity, gender expression and sex characteristics.

Sources:

- [Addressing Anti-Asian Racism: A Resource for Educators](#) [Elementary Teacher’s Federation of Ontario (ETFO) and Toronto District School Board]
- [Anti-Racism Directorate’s Anti-Racism Policy](#) and [Data Standards for the Identification and Monitoring of Systemic Racism](#)
- DDSB’s [Indigenous Education Policy](#)
- [Ontario Human Rights Commission’s Policies and Guidelines](#)
- Ontario’s [Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation](#)
- [The 519’s Glossary of Terms](#)
- Toronto District School Board’s [Human Rights Policy](#) and [Equity Policy](#)



PROCEDURE

EMPLOYEES

DRAFT Human Rights, Anti-Discrimination and Anti-Racism Procedure

Adopted under the Human Rights, Anti-Discrimination and Anti-Racism Policy

1.0 Objective

- 1.1 The objective of this procedure is to implement the Human Rights, Anti-Discrimination and Anti-Racism Policy (the “Human Rights Policy”), with a focus on proactive actions to promote, protect and uphold human rights and to identify, prevent and address all forms of discrimination in the Durham District School Board’s (the “District”) services, employment, and learning and working environments.
- 1.2 As set out in the Human Rights Policy, “discrimination” means all forms of individual, intersectional and system discrimination based on any of the Prohibited Grounds as defined in the Human Rights Policy. Consistent with the Human Rights Policy, there is no hierarchy of rights. This procedure applies equally to all Prohibited Grounds and intersection of grounds and to all forms of discrimination, including (and not limited to) racism, ableism, sexism, homophobia, biphobia, transphobia, faithism and classism.
- 1.3 This procedure outlines human rights, anti-discrimination (anti-racist, anti-ableist, anti-sexist, anti-homophobic, anti-biphobic, anti-transphobic, anti-faithist and anti-classist) approaches and actions, and also considers intersectionality/the intersections of oppression, to effectively identify, prevent and address all forms of discrimination in the District’s learning and working environments.
- 1.4 This procedure also includes approaches and actions to support the District in meeting its obligations under the Anti-Racism Act and the Accessibility for Ontarians with Disabilities Act (AODA).
- 1.5 The procedure shall be read together with the:
 - a) Human Rights Policy;
 - b) Indigenous Education Policy and procedures upholding the distinct rights of Indigenous Peoples;
 - c) Human Rights Roles, Responsibilities and Accountability Framework (the “Accountability Framework”) implementing Duty Bearer responsibilities for all DDSB employees to uphold the objectives and requirements of the Human Rights Policy; and
 - d) Human Rights Inclusive Design and Accommodation Procedure which includes additional considerations to address unique barriers and prevent discrimination based on:
 - Disability, diverse abilities, neurodiversity/neurodivergent traits and ableism;
 - Gender identity, gender expression, cisnormativity and transphobia; and
 - Creed/religion and faithism.

2.0 Definitions

- 2.1 Key human rights and equity terms used in this procedure are defined in Appendix A (Glossary of Terms) of the Human Rights Policy.

3.0 Procedure

- 3.1 This procedure applies to benefit all students, employees and District community members.
- 3.2 All organizational practices and decision making will comply with this procedure and implement the strategic direction of the Human Rights Policy.
- 3.3 The successful implementation of this procedure requires ongoing collaboration and engagement with the District's communities, including internal departments, employee groups/federations and community partners. Student, employee and community voice and engagement is critical to help the District identify, address and prevent discriminatory behaviours, barriers, actions, experiences and outcomes. The District will endeavor to appropriately engage students, employees and communities on initiatives that affect them ("nothing for/about us without us").
- 3.4 It is recognized that students, employees and other community members may be at different stages of awareness and understanding of racism, ableism, sexism, homophobia, biphobia, transphobia, faithism, classism and all other forms of discrimination and its impacts, and that this learning may take time. In addition, some elements of the procedure require system changes that may also require time to develop and implement.
- 3.5 However, the Human Rights Policy recognizes the ongoing impacts and harm caused by discriminatory structures, policies and practices that deeply affect students, employees and communities, and that prompt action is required to address those impacts and to prevent further or ongoing harm.

Implementation Plans

- 3.6 Each school and system department shall consult with their Family of Schools Superintendent or the appropriate Associate Director, as the case may be, to develop an implementation plan to meet the objectives and requirements of the Human Rights Policy, and this procedure. For schools, implementation plans may be integrated within school learning plans. Implementation plans shall be reviewed and updated as appropriate and at least on an annual basis.
- 3.7 Implementation plans shall be based on a critical examination of processes, practices and relevant data (including community voice, where appropriate) to identify, prevent and address discriminatory barriers, experiences, processes, impacts and/or outcomes. Implementation plans shall also outline how the school or system department will apply the requirements of the Human Rights Policy and the related procedures, including the Accountability Framework, to school/system department activities and decisions.
- 3.8 All employees (within the scope of their job duties, role, authority, influence and responsibilities, and where applicable) shall embed human rights, anti-discrimination, anti-racism and accessibility principles into their work and will be informed by, apply and/or implement the requirements of:
- a) The DDSB's Accessibility Plan [insert link];
 - b) Universal Design for Learning (UDL), inclusive design, and differentiated instruction, assessment and evaluation;
 - c) The Equity Continuum: Action for Critical Transformation in Schools and Classrooms [insert link];

- d) Culturally Relevant and Responsive Pedagogy (CRRP) and critically conscious practitioner inquiries (CCPI) [insert links]; and
- e) The Compendium of Action for Black Student Success [insert link].

Anti-Racism Act

- 3.9 Employees shall, within the scope of their responsibilities, design or implement strategies and initiatives to advance racial equity and to identify, prevent and address systemic barriers that contribute to inequitable and disproportionate experiences and outcomes based on race, consistent with the Anti-Racism Act.

Accessibility for Ontarians with Disabilities Act

- 3.10 Employees shall, within the scope of their responsibilities, incorporate and apply accessibility principles to:
- a) Comply with AODA accessibility standards for customer service, employment, transportation, public spaces and information and communications; and
 - b) Address barriers and support accessibility and quality participation for students, employees and community members with disabilities.

Universal Design for Learning (UDL)

- 3.11 Employees shall, within the scope of their responsibilities, apply UDL principles in their work and interactions that involve or affect students. UDL emphasizes equal participation and recognizes that all students have individual identities, abilities, strengths and needs. UDL involves:
- a) Developing flexible ways to learn and providing students with choice;
 - b) Creating an engaging classroom and school environment;
 - c) Maintaining high expectations for all students while allowing multiple ways to meet expectations;
 - d) Empowering educators to think differently about their own teaching;
 - e) Focusing on educational outcomes for all;
 - f) Designing classroom experiences that meet and adjust to the requirements of all students;
 - g) Flexible and multiple forms of assessments and evaluations that recognize individual progress and provide a variety of methodologies for students to demonstrate their learning; and
 - h) Offering multiple means of:
 - Representation to give learners various ways of acquiring information and knowledge;
 - Formative assessments prior to summative evaluations; and
 - Engagement to tap into learner's interests, challenge them appropriately and motivate them to learn.

Inclusive Design

- 3.12 Employees shall, within the scope of their responsibilities, apply inclusive design principles to their work. Inclusive design:
- a) Emphasizes inclusion, accessibility, barrier-free environments and equal participation of individuals and groups with diverse identities and abilities; and
 - b) Requires those who develop or revise programs, procedures, standards, requirements and facilities to proactively:

- Design with everyone in mind to include people and groups with diverse identities and to be aware of differences among individuals and groups;
- Identify and prevent barriers to inclusion to maximize a person's ability to independently access and participate in services and employment without discrimination; this means:
 - Identifying and preventing barriers and adjusting structures and assumptions that may otherwise exclude people based on Prohibited Grounds; and
 - Developing equitable standards or requirements.

The District's Inclusive Design Lens [insert link] provides further guidance on six threads of inclusive design.

Individual Reflection and Action

3.13 All District employees are expected to:

- a) Develop/enhance their understanding of (and commit to ongoing learning and reflection about) human rights and anti-discrimination, including how privilege, positionality, power, oppression and dominant narratives and discriminatory ideologies (including and not limited to white supremacy, racism, ableism, sexism, heteronormativity, cisnormativity, faithism, classism, etc.) can:
 - Shape and inform assumptions and beliefs, and affect structures, policies, practices, decision making and actions;
 - Operate in District services, employment and learning and working environments;
 - Perpetuate discrimination and harm; and
 - Result in barriers and inequitable access, experiences and outcomes for students, employees and communities;
- b) Critically reflect, analyze and challenge their own privilege, positionality and actions and existing structures that are based on colonial, oppressive and discriminatory ideologies that negatively and disproportionately affect students, employees and community members based on Prohibited Grounds and combination of grounds and:
 - Consider how their decisions and actions affect communities/groups that are discriminated against, including and not limited to newcomers, international students, English language learners, undocumented children and children and youth in care;
 - Act to prevent and not perpetuate discrimination and harm; and
 - Apply human rights and anti-discrimination principles to all decisions, interactions and actions; and
- c) Always consider and uphold the rights of the child/student and the best interests of the child/student in decision making and check that they are not relying upon discriminatory biases, stereotypes, assumptions and attitudes/beliefs about the child/student, their family/guardian or community. In doing so, they should, as they deem appropriate:
 - Consult with the child/student and their family/guardian; and
 - Consult with their supervisor, who may engage with District resources and subject matter expertise (for example, Indigenous Education, Equity and Inclusive Education, Inclusive Student Services, Mental Health and Well-Being, Positive School Climates, affinity networks, community members, etc.);
- d) Consider, reflect and respond to students' diverse and intersecting identities, abilities, strengths and needs;
- e) Support learning environments that are intentionally and meaningfully inclusive, responsive and authentic for all learners; and
- f) Execute the implementation plan within the scope of their responsibilities.

Classrooms, Schools and Learning Environments

Pedagogy, Teaching/Instructional Practices and Resources

- 3.14 Educators are to apply the principles of the Human Rights Policy and this procedure in pedagogical and teaching/instructional approaches and practices, educational program delivery, learning materials (including books, videos, etc.), teaching/lesson plans and resources. This means that educators are to:
- a) Work to build appropriate and supportive relationships with students and parents/guardians/families to better understand their identities and perspectives;
 - b) Thoughtfully and respectfully:
 - Centre students in instruction so that all students feel visible, heard, valued, and know that they belong;
 - Reflect, lift up, represent and positively promote students' identities and voices; and
 - Affirm and foster the expression of students' diverse felt, lived and intersecting identities based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed/religion, and all other Prohibited Grounds and intersection of grounds;
 - c) Provide appropriate learning opportunities and integrate content that enhances understanding, respect and appreciation for multiple and intersecting social identities, including the diverse identities, voices, stories, cultures, histories, experiences and perspectives of the communities the District serves and of Ontario;
 - d) Teach complete histories and narratives in accordance with District protocols and relevant procedures, including:
 - The impacts of colonialism, oppression and historical and ongoing systemic discrimination; and
 - Examples of resistance to discrimination and stories of agency, flourishing, excellence and joy; this includes and is not limited to:
 - Promoting historical and contemporary successes, accomplishments and everyday experiences of Indigenous Peoples, Black peoples, racialized peoples, women, people with disabilities, people who identify as members of 2SLGBTQI communities, people who practice various creeds/religions, etc. and people with intersecting identities;
 - Recognizing their valuable contributions throughout the year (and not only during days/months of significance);
 - Embedding these into respectful practice, without appropriation;
 - In consultation with system leads (as required), ensure that there are resources and materials incorporated in the breadth of curriculum areas that challenge racism, sexism, ableism, homophobia, biphobia, transphobia, faithism, classism and all forms of discrimination, and that resources do not contribute to or perpetuate discriminatory biases, assumptions, stereotypes and harm; and
 - e) Promote global competencies, social justice, human rights, anti-discrimination and anti-racism.
- 3.15 Section 3.13 requires educators to:
- a) Identify how and where power, privilege and oppression operate in learning environments and intentionally decentre, counter and explicitly address white supremacy, racism, ableism, sexism, homophobia, biphobia, transphobia, faithism, classism and dominant narratives and ideologies in classrooms and schools;

- b) Not include (and to not permit others to use) harmful, derogatory and discriminatory content or language including but not limited to racist, ableist, xenophobic, sexist, gendered, homophobic, biphobic, transphobic, faithist and classist slurs and epithets; and
- c) Not expect or rely on students who identify as members of communities that are discriminated against to speak to their community's histories and experiences.

Learning Environments, Activities and Events

3.16 Educators shall apply the principles of the Human Rights Policy and this procedure to create and maintain welcoming, accessible, inclusive and equitable learning environments, classrooms, schools and displays that reflect diverse identities, prevent and address barriers, are not discriminatory and do not create or reinforce inequities. This includes and is not limited to:

- a) Promoting anti-racism, anti-ableism, anti-sexism, anti-homophobia, anti-biphobia, anti-transphobia, anti-faithism and anti-classism;
- b) Affirming and reflecting all identities in classroom and school environments and displays (for example, posters, visual displays, content, etc.);
- c) Maintaining libraries with books and other resources that reflect diverse identities, authors, perspectives and lived experiences, in accordance with guidance from system leads;
- d) Using gender neutral and inclusive pronouns, language, and activities;
- e) Considering and addressing discriminatory experiences, barriers, impacts and outcomes:
 - That prevent students from participating in or accessing class/school practices, events and activities [for example, opening exercises, schedules, "spirit" days, fundraising events (for example, pizza days), cafeteria and catering food options and dietary restrictions, spaces to practice faith beliefs, school trips, clubs, affinity groups, extracurricular activities, team/school logos and mascots, graduation ceremonies, etc.];
 - For student leadership opportunities and events; and
 - When granting awards and scholarships;
- f) Being attentive and sensitive to and taking appropriate action to address potential discrimination and harassment against students; and
- g) Supporting student identity-based affinity groups for communities that are discriminated against.

Guidance, Assessment, Placement, Clinical Practices and Evaluation

3.17 Educators and employees, within the scope of their responsibilities and in consultation with school and system resources and supports and diverse communities, where appropriate, shall:

- a) Analyze structural and individual biases in, and apply human rights, anti-discrimination and anti-racism principles to, guidance, assessment, placement and evaluation theories, practices and decisions (including and not limited to learning skills assessments, special education and other placement decisions, clinical practices and access to clinical assessments and services) and appeals processes. These practices and decisions shall:
 - Be asset based and reflect and respond to students' individual identities, strengths, abilities, needs and post-secondary choices;
 - Not be based on biases, assumptions and stereotypes about students based on any Prohibited Ground(s); and
 - Not reflect or be rooted in deficit and discriminatory ideologies (for example, racism, sexism, ableism, homophobia, biphobia, transphobia, faithism and classism);

- Consider unique barriers for newcomers, international students, undocumented students/families, English language learners and children and youth in care;
- b) Implement culturally relevant, appropriate and responsive clinical practices and student mental health and well-being strategies and resources that:
 - Recognize that school-based and other experiences of discrimination affect mental health and well-being, can cause or trigger identity-based and other trauma and harm, and may impact physical and psychological safety, student engagement and achievement; and
 - Reflect and address the needs of diverse communities and support trauma-aware, trauma-informed and healing-centred approaches, in addition to steps to address and prevent discrimination; and
- c) Review and act on the results of student achievement data and other indicators of student engagement and success to address issues, disparities and disproportionate experiences and outcomes.

Classroom Management, Referrals, Reporting and Discipline

- 3.18 When addressing classroom management, referrals, reporting requirements and discipline, educators are to consider and apply fair, equitable, anti-discriminatory and anti-racist principles to formal and informal school and classroom rules, practices, expectations, initiatives, programs and/or decisions related (and not limited) to:
- a) Codes of Conduct, Dress Codes, health and safety standards, attendance and other policies, procedures and practices to address disproportionate experiences and outcomes based on Prohibited Grounds;
 - b) Challenging how behaviour is interpreted based on privilege, power, ideologies, biases, stereotypes and assumptions (for example, depictions and stereotypes based on race, disability, sexual orientation, gender identity, gender expression, creed/religion, language, appearance/dress and classism; for example, the adultification and criminalization of students, the “model minority myth,” etc.);
 - c) Positive school climates, including addressing:
 - Bullying, harassment and other discriminatory behaviours against students based on their identities (or perceived identities);
 - Behaviours that may be in response to bullying, harassment and discrimination or that may stem from unaddressed Prohibited Ground(s)-related barriers and needs; and
 - The over-scrutiny/over-surveillance of students, and unnecessary response escalation, based on ancestry, race, gender, disability and other Prohibited Grounds;
 - d) Referrals to the principal’s office;
 - e) Making assessments as to whether circumstances exist to trigger reporting or referrals to police services, the Children’s Aid Society and other external agencies or organizations;
 - f) Disciplinary decisions and outcomes, including exclusions, suspensions and expulsions; discipline processes must consider:
 - Human rights and other mitigating factors;
 - The disproportionate harm and impacts of exclusion, suspension and expulsion on students based on Prohibited Grounds (for example, racialized students and students with disabilities);
 - Alternatives to exclusion, suspension and expulsion; and
 - Restorative practices; and
 - g) All other school and classroom management practices and decision making that affect students and adjusting practices or decision making to address potentially discriminatory barriers, experiences and outcomes.

School-Community Engagement

- 3.19 All employees, within the scope of their duties and responsibilities, shall apply human rights, anti-racism and anti-discrimination principles to:
- a) Student, parent/guardian and community engagement initiatives and strategies;
 - b) School Community Council activities and events;
 - c) All communications and interactions with students, parents/guardians and community members (for example, office reception, parent/guardian meetings, phone calls, emails and other communications, etc.). This includes using inclusive, non-discriminatory language and approaches and not relying on biases, stereotypes and assumptions about family structures, parenting/child raising styles, etc. based on identities.

Freedom of Expression and Upholding Human Rights

- 3.20 The District values and recognizes the importance of freedom of thought, belief, opinion and expression under the Canadian Charter of Rights and Freedom. The District also recognizes that rights may be limited in some situations where they interfere with the rights and freedoms of others, including where these rights impede the District's responsibility and legal obligation to provide learning and working environments free from discrimination and hate/hate speech under the Human Rights Code. Employees must comply with Board policies and procedures, and all DDSB community members shall comply with the Human Rights Policy and Code of Conduct including by not engaging in any form of discrimination or hate in DDSB learning and working environments.

Community Engagement and Partnerships

- 3.21 The District recognizes the valuable role that community members play in equitable educational services and employment. Engagement strategies will invite and encourage engagement with the District's diverse communities to support the implementation of elements of this procedure and other human rights related procedures and initiatives.
- 3.22 Employees assigned to Board committees by the Director (as a staff resource) will provide guidance and assistance to the committee Chair or co-Chairs to help integrate human rights and anti-discrimination principles into committee practices and activities.
- 3.23 The Director and designates will apply human rights and anti-discrimination principles to its processes for, selection of and formal and informal agreements with community organizations and groups that work with or in DDSB schools, on DDSB premises or in other DDSB learning and working environments, including community and other external service providers.
- 3.24 The DDSB will not enter into partnerships with community groups and organizations that do not support human rights principles or whose mandates/objectives conflict with the District's values and commitments as set out in the Human Rights Policy and this procedure. This includes community fundraising efforts, donations (for example, food, clothing and toy drives), community use of schools permits and other partnerships. Wherever possible, the District will partner with community groups and organizations that actively demonstrate their support for human rights and anti-discrimination.
- 3.25 School Community Councils must comply with the Human Rights Policy and procedures within the scope of their mandate, selection processes, responsibilities and activities.

Supporting Schools and Classrooms: Academic and Professional Services

- 3.26 The Director of Education and designates shall apply and embed human rights, anti-discrimination and anti-racism principles into, and address barriers in, all aspects of academic and professional services and operations to support employees in fulfilling the requirements and responsibilities outlined in this procedure. This includes and is not limited to:
- a) Educational and operational procedures and protocols as to programs, curriculum, learning materials and resources (including providing guidance on resources);
 - b) Protocols for educator assessment and evaluation and related tools and resources;
 - c) Mental health and well-being programs, services, resources and supports for students;
 - d) Clinical and professional assessments, services and supports; and
 - e) Strategies, initiatives and resources to support student success, inclusive student services, outdoor education, English language learners, newcomers, international students, undocumented students/families, children and youth in care, early years, the poverty strategy and positive school climates.
- 3.27 The Director of Education and designates shall also:
- a) Include role specific human rights responsibilities and accountabilities in learning, professional development and leadership opportunities;
 - b) Promote and champion human rights, anti-discrimination, anti-oppression and anti-racism through:
 - Consulting, knowledge building, coaching, mentoring and job embedded learning (for example, through CCPI) to challenge positionality, privilege and discriminatory ideologies; and
 - Collaborating with internal and external resources and subject matter expertise (for example, Indigenous Education, Equity and Inclusive Education, Inclusive Student Services, Positive School Climates, Human Rights and Equity Advisor, affinity groups, community organizations and partners, etc.).

Supporting Schools and Classrooms: Corporate Services

- 3.28 The Director of Education and designates shall apply and embed human rights, anti-discrimination and anti-racism principles into, and will use workforce, recruitment and student census demographic data to inform decision making in, all aspects of the employment cycle and relationship, compensation administration and human resource administration, including:
- a) Recruitment (for example, assessing staffing needs, creating job descriptions, planning and conducting outreach strategies, developing job postings, hiring/selection, onboarding and orientation);
 - b) Employee wellness and retention programs and initiatives (for example, health and safety programs, supports for employees, accommodation and return to work processes and complaints resolution procedures);
 - c) Promotion processes, initiatives and strategies (for example, leadership and professional development opportunities, succession planning, staffing decisions, transfers and promotions);
 - d) Advice on employee issues and employee relations processes and considerations;
 - e) Performance reviews/appraisals, employee learning plans and performance improvement plans;
 - f) Corrective and disciplinary processes;
 - g) Exits and termination of employment;
 - h) Employment related tools, resources and supports for employees;
 - i) Training and professional development for and by human resources staff; and
 - j) All other human resource administration functions.

- 3.29 The Director of Education and designates shall apply and embed human rights, anti-discrimination and anti-racism principles into, and address barriers in, all aspects of corporate services, procedures, practices and protocols, including:
- a) Recommendations to the Board to support the Board of Trustee's decision making on policy and budget;
 - b) Decisions related to resource allocations, including considering equitable resources for:
 - Schools in high priority/low socioeconomic areas to address systemic barriers and imbalances (for example, in school funding formulas, local school fundraising efforts, participation in school activities and events, etc.);
 - Initiatives and professional development that support the objectives of the Human Rights Policy and related procedures (including the Accountability Framework) and other human rights related initiatives; and
 - Financial and business planning, including:
 - Recommendations that include human rights barrier identification, removal and accommodation costs that are appropriately spread as widely as possible throughout the organization; and
 - Ensuring that funding for Indigenous, anti-discrimination, anti-racism and equity initiatives, strategies and resources are appropriately prioritized and applied;
 - c) Business relationships and partnerships, procurement, tendering and vendor selection processes for all business dealings and contracts (for example, service providers, food services, catering, community use of schools permits, etc.); this includes and is not limited to:
 - Applying human rights related commitments and requirements in vendor selection criteria;
 - Where appropriate, supporting local businesses:
 - Owned/operated by members of groups that are discriminated against;
 - Who can support the District in inclusive design, addressing barriers and accommodating diverse student and employee needs; and
 - That demonstrate their commitment to human rights and anti-discrimination;
 - d) Engaging with appropriate District communities on the design and implementation of projects and initiatives (for example, planning, designing and constructing new builds, school naming, boundary reviews, etc.);
 - e) Equitable, accessible and anti-discriminatory services, supports and resources, including but not limited to:
 - The design, construction and renovation of physical spaces [for example, inclusive and universal washrooms, options for private physical education change areas, and spaces and/or design elements to support or facilitate Indigenous cultural and spiritual practices and to accommodate needs related to special education, creed/religion, etc.];
 - Accessible and inclusive student transportation services;
 - Information Technology projects, resources, access, information security, asset management and services (for example, to consider and address barriers for students, employees and community members or that may otherwise impact accommodations and equitable access, including but not limited to chosen names, pronouns and inclusive gender marker options in databases, electronic forms, related reports, etc.);
 - Health and safety planning and programs;
 - Maintenance, building operations, custodial services and supplies and community use of schools;

- Interactions with students, parents/guardians and community members in the course of their duties; and
- All other corporate services functions.

Organizational Culture of Human Rights

- 3.30 To support collaboration, integration and individual and shared organizational roles, responsibilities and accountabilities, the Director of Education and designates will embed and apply human rights, anti-discrimination and anti-racism principles to the design and protocols for implementation of, and to specific initiatives within:
- a) Recommendations to the Board of Trustees about the Board's Multi-Year Strategic Plans;
 - b) Strategic and operational priorities, goals, strategies and initiatives;
 - c) Organizational leadership and system learning and professional development plans;
 - d) System department and school improvement/learning plans;
 - e) All other service/operational and employment practices, procedures and decision-making processes; and
 - f) Employee performance appraisals and learning plans.
- 3.31 The Director of Education and designates shall review and update, as necessary, these initiatives, strategies and plans with a focus on:
- a) Specific actions and measures to address the requirements of the Human Rights Policy and procedures, including the Accountability Framework;
 - b) Promoting human rights, anti-discrimination and anti-racism;
 - c) Supporting inclusive design, UDL, CRRP, CCPI, accessibility, integration, participation and inclusion; and
 - d) Identifying, preventing and addressing barriers and discriminatory impacts, experiences and outcomes.
- 3.32 The Director of Education and designates may implement special initiatives/programs or additional procedures, strategies, plans or actions to address unique and intersecting forms of discrimination against students and employees based on Prohibited Grounds or intersecting grounds. The District will engage and co-create any such programs with communities the District serves and those who are most affected by the program.

Data Collection, Evaluation and Reporting

- 3.33 The Director of Education and designates will develop and implement a human rights evaluation plan that includes:
- a) Administering surveys and/or other research tools to:
 - Collect student and employee identity-based data, including intersectional identity data;
 - Gather information about human rights related experiences;
 - Prioritize the stories and lived experiences of students, employees and communities who are most impacted by discrimination and racism; and
 - Regularly review and act on changing District and school community demographics;
 - b) Conducting research on trends and promising practices in human rights, equity, anti-oppression, anti-discrimination and anti-racism in education and employment;
 - c) Analyzing disaggregated data and using anti-discriminatory and anti-racist approaches to identify issues, themes/trends, barriers, and disproportionate and intersectional impacts in:

- Services and student experiences and outcomes, including (among other things): student census and school climate surveys, academic placements, course enrolments, access to programs, achievement and learning skills, well-being, bullying/safety, attendance, Education Quality and Accountability Office (EQAO) results, credits granted to students, graduation metrics, post-secondary access (i.e., university and college applications and confirmations), accommodations, special education identifications, special education class placements, awards and scholarships, discipline (for example, suspensions and expulsions), extra and co-curricular engagement, and human rights issues, incidents, complaints and resolutions/results;
 - Employment including (among other things): workforce census and employee experience surveys, recruitment, selection, accommodations, workplace conditions and experiences, retention, access to developmental opportunities, volunteer recruitment, promotions, discipline, workforce data, terminations, exits, and human rights issues, complaints and resolutions/results;
- d) Using the data to inform revisions to (or to develop new) strategies, policies, procedures, professional development, training, tools, resources and accountability measures to address disproportionalities, and may include conducting system or organizational culture reviews;
 - e) Considering additional data, research and other approaches that may be required to identify, assess and address potential barriers and differential or disproportionate experiences and outcomes, or to meet the objectives of the Human Rights Policy and this procedure;
 - f) Developing key performance indicators and evaluating and reporting on the implementation and effectiveness of the Human Rights Policy and its related procedures in achieving their objectives; and
 - g) Consulting with community partners on all aspects of data collection and evaluation, including recommendations on analyzing and addressing trends and findings. This includes engaging Indigenous communities on approaches and perspectives on sources and types of data, data collection, analyses and evaluation.

3.34 The evaluation plan will align with data collection and evaluation requirements as set out in the Anti-Racism Directorate's Data Standards for the Identification and Monitoring of Systemic Racism [insert link].

Communications and Information Sharing

- 3.35 The Director and designates will communicate about and publicly post this procedure so that students, families, employees, community members and visitors, etc. can access and are aware of this information. Alternative formats will be made available upon request.
- 3.36 The District will reference this procedure in School Codes of Conduct, School Handbooks, newsletters, reports, school websites and other appropriate communication tools, and will provide this procedure to School Community Councils and volunteers.
- 3.37 All District communications and websites will be accessible and comply with requirements under the Human Rights Code and the AODA. All posted images and graphics will be inclusive and representative of the District's diverse communities.
- 3.38 The Director of Education and designates will develop and implement a communications and engagement plan to help promote human rights and to:
- a) Raise awareness among students, families/guardians, employees and communities about their responsibilities and their rights, including the right to non-discrimination and accommodation, and how to assert these rights;

- b) Raise awareness among employees about their human rights related roles, responsibilities and accountabilities, and that human rights violations have consequences;
- c) Embed human rights, anti-discrimination and equity principles into all communications;
- d) Identify and address communication barriers, and enhance accessible communications and engagement opportunities for all community members;
- e) Invite consultation and engagement on key initiatives and strategies, including ongoing updates to this procedure and related policy; and
- f) Provide regular public progress reports on initiatives to address systemic issues and the outcomes of those initiatives.

Review Process

3.39 The Director of Education and designates will review and update this procedure as necessary and appropriate, but it shall be reviewed at least every five years. To support the review process, the review will include:

- a) Information, trends and data (for example, school climate and well-being survey data, student census/identity survey, workforce census data, complaints data, accommodations data, etc.);
- b) Input from and evidence of impact on students, parents/guardians and employees; and
- c) Evolving human rights law, policy and/or practices.

4.0 Reference Documents

4.1 Policies

- [Indigenous Education](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- [Policy Formulation and Review](#)
- [Equity and Inclusive Education](#)
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- Safe and Respectful Workplace and Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.2 Procedures

- [Indigenous Education Procedure on Classroom Practices: Teaching and Learning](#)
- Human Rights Roles, Responsibilities and Accountability Framework <insert link>
- Human Rights Inclusive Design and Accommodation <insert link>
- Student/Family Human Rights Issue, Incident and Complaint Resolution <insert link>
- [Consultative Process](#)
- [Equity and Inclusive Education](#)
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.3 Other Documents

- [Universal Declaration of Human Rights](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [United Nations Convention on the Rights of the Child](#), [Rights of Persons with Disabilities](#), [Yogyakarta Principles](#) and other United Nations documents and instruments
- [Canadian Charter of Rights and Freedoms](#)

- [Ontario Human Rights Code](#)
- [Anti-Racism Act](#)
- [Accessibility for Ontarians with Disabilities Act](#)
- [Occupational Health and Safety Act](#)
- [Education Act](#)
- [Ontario Human Rights Commission's Policies and Guidelines](#), reports and resources
- [Anti-Racism Directorate's Anti-Racism Policy](#), [Anti-Black Racism Strategy](#) and [Data Standards for the Identification and Monitoring of Systemic Racism](#)
- [The Equity Continuum: Action for Critical Transformation in Schools and Classrooms \(Murray and West-Burns, 2011\)](#)
- [Building Capacity: A Focus on Culturally Responsive and Relevant Pedagogy Through a Critically Conscious Practitioner Inquiry \(West-Burns, 2018\)](#)
- [DDSB Hiring Guidelines](#)

Appendix:

None

Effective Date

YYYY-MM-DD

Amended

YYYY-MM-DD



PROCEDURE

STUDENTS, EMPLOYEES AND COMMUNITY

DRAFT Human Rights Inclusive Design and Accommodation Procedure

Adopted under the Human Rights, Anti-Discrimination and Anti-Racism Policy

1.0 Objective

- 1.1 This procedure is adopted under the Human Rights, Anti-Discrimination and Anti-Racism Policy (“Human Rights Policy”) to implement the duty to accommodate under the Ontario Human Rights Code (the “Code”) and the Human Rights Policy, and to support inclusive design.
- 1.2 As set out in the Human Rights Policy, “discrimination” means all forms of individual, intersectional and system discrimination based on any of the Prohibited Grounds as defined in the Human Rights Policy. Consistent with the Human Rights Policy, there is no hierarchy of rights. This procedure applies equally to all Prohibited Grounds and intersection of grounds and to all forms of discrimination, including (and not limited to) racism, ableism, sexism, homophobia, biphobia, transphobia, faithism and classism.
- 1.3 This procedure shall be read together with the:
 - a) Human Rights Policy;
 - b) Indigenous Education Policy and procedures upholding the rights of Indigenous Peoples;
 - c) Human Rights Roles, Responsibilities and Accountability Framework (the “Accountability Framework”) implementing Duty Bearer responsibilities for all DDSB employees in upholding the objectives and requirements of the Human Rights Policy and to promote, protect and uphold human rights; and
 - d) Human Rights, Anti-Discrimination and Anti-Racism Procedure which focuses on actions (including applying the principles of the Anti-Racism Act, Accessibility for Ontarians with Disabilities Act (AODA), Universal Design for Learning, Inclusive Design, culturally relevant and responsive pedagogy, etc.) in all schools and system departments to identify, prevent and address all forms of discrimination in the District’s services, employment, and learning and working environments.
- 1.4 The District recognizes the unique and distinct rights of Indigenous Peoples (for example, related to Two Spirit identities and the right to freely practice and preserve Indigenous cultural and spiritual practices and traditions). Indigenous Peoples may pursue any right under the Human Rights Policy and this procedure or under the Indigenous Education Policy and procedures, as they may deem appropriate in any given circumstance.
- 1.5 For students, the duty to accommodate includes providing students with meaningful access to education to the point of undue hardship.
- 1.6 For employees, the duty to accommodate includes not unfairly excluding employees from working where working conditions can be adjusted to meet needs related to a Prohibited Ground(s), to the point of undue hardship.

1.7 The District will meet its procedural and substantive duty to accommodate under the Code and the Human Rights Policy to the point of undue hardship. Each matter will be assessed on a case-by-case basis in recognition of the unique identity of each person, without relying on biases, assumptions or stereotypes about the person based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed, socioeconomic status and any other Prohibited Ground or combination of grounds, in accordance with the terms of the Human Rights Policy and this procedure.

1.8 The duty to accommodate is informed by three key principles: respect for dignity, individualization and integration and full participation.

1.9 The District recognizes the importance of and the need to consider intersectionality/the intersections of oppression to design inclusively, effectively identify, prevent and address discriminatory barriers and to appropriately accommodate students and employees with intersecting identities and needs.

2.0 Definitions

2.1 Key human rights and equity terms used in this procedure are defined in Appendix A (Glossary of Terms) of the Human Rights Policy.

3.0 Procedure

3.1 This procedure applies to students, employees and District community members. This procedure includes specific inclusive design and accommodation considerations for students and employees based on disability, gender identity, gender expression and creed. The procedure also considers needs related to communication and language barriers, and the unique needs of newcomers, international students, English language learners, undocumented students/families and children and youth in care.

3.2 All organizational practices and decision making related to inclusive design and accommodation will comply with this procedure and uphold the strategic direction of the Human Rights Policy and related procedures, including the Accountability Framework.

3.3 The successful implementation of this procedure depends upon ongoing collaboration and engagement with the District's communities. Student, employee and community voice and engagement is critical to help the District inclusively design its services, employment and learning and working environments. The District will endeavor to appropriately engage students, employees and communities on initiatives that affect them ("nothing for/about us without us").

3.4 All schools and system departments will review the requirements of this procedure and adjust, remove, or develop new structures, practices, and decision-making processes to align with inclusive design principles and considerations.

3.5 As part of the District's efforts to create inclusive and welcoming environments for all community members, the Director of Education and/or designates will provide learning resources and opportunities for professional development for employees to:

- a) Enhance understanding of inclusive design and the duty to accommodate; and
- b) Address and prevent potential stigma or actions informed by negative/deficit thinking about students, parents/guardians or employees who may require accommodation.

Proactively Offering Accommodation

- 3.6 The District will:
- a) Regularly share information about the availability of human rights accommodations, including the request process, confidentiality provisions and protection from reprisal; and
 - b) Provide and support respectful, inclusive and accessible spaces and processes for students, parents/families/guardians and employees to safely identify human rights related barriers and accommodation needs, without reprisal.
- 3.7 The District will communicate its commitment to meeting its legal duty to accommodate and will proactively request information about potential accommodation needs based on a Protected Ground(s) as follows:
- a) For students: at or during registration, admission, orientation, returning student processes and, as may be appropriate, at parent/guardian-teacher interviews and other relevant activities/events involving students, families and communities (for example, field trip permission forms);
 - b) For employees: during the recruitment process (for example, job ads, interviews), onboarding process and, as may be appropriate, at other events/activities involving employees (for example, training events, conferences, etc.); and
 - c) For community members: in communications about District community meetings and events.

Requesting Accommodation

- 3.8 A student (or their parent/guardian) or employee requesting accommodation should identify their Prohibited Ground(s)-related needs as soon as possible and provide sufficient documentation as may be required.
- 3.9 Students (or their parent(s)/guardian(s)) should submit any request for accommodation to their school principal using the attached Student Accommodation Request Form [template].
- 3.10 Employees should use the attached Employee Accommodation Request Form [template] to submit their request for disability-related accommodation to Abilities Management, People and Culture (Human Resource Services) or, for all other accommodation requests, to their manager or supervisor. The manager or supervisor shall consult with People and Culture (Human Resource Services), including to address any potential intersecting needs that may be related to disability.
- 3.11 It is recognized that needs related to a Prohibited Ground(s) (for example, disability, language barrier) may impact a person's ability to raise accommodation requests and/or to understand the process. As such, accommodation requests may be submitted in any language and may be raised in writing or in other ways. Staff who receive a request that is not on a completed request form must document it on a request form.

Duty to Inquire

- 3.12 The District recognizes that a student (or their parent/guardian) or an employee may not be able to disclose or communicate accommodation needs (for example, due to the nature of a disability, fear of stigmatization or stereotypes, a communication barrier, etc.). Where the District is aware or reasonably ought to be aware that a student or an employee's behaviour or performance may be linked to a Prohibited Ground(s), the District recognizes its duty to inquire regarding any needed accommodation support before making a decision that may adversely affect the student (or their parent/guardian) or the employee.

Confidentiality

- 3.13 It is recognized that information shared by students (or their parent/guardian) or employees related to accommodation needs is confidential and sensitive. Therefore, in processing accommodation requests or issues, responsible staff shall:
- a) Limit requests for information to that which is least intrusive and required to support the accommodation process;
 - b) Take steps to maximize and protect the privacy of the accommodation requestor's personal information as much as practicable in the circumstance and in accordance with applicable privacy laws;
 - c) Store accommodation information in a secure physical and/or cyber location that only authorized designated personnel can access;
 - d) Only share information with other District employees, if necessary, as part of the determination of what, if any, accommodation ought to be provided and/or the implementation of any accommodation; this may include sharing limited and relevant information to help explore potential accommodation options and solutions (any electronic sharing of confidential data shall be by way of password protected attachments or secure links); and
 - e) Only disclose this information with the student's (or parent/guardian) or employee's consent, unless permitted or required in legal proceedings or as required by law.

Roles and Responsibilities in the Accommodation Process

- 3.14 The accommodation process is a shared responsibility and staff are to cooperatively and respectfully engage with the student (or their parent/guardian) or employees (and union representative, where applicable) to consider individual needs and, where accommodation is required, to collaboratively explore accommodation options and solutions.
- 3.15 A student (or their parent/guardian) or employee requesting accommodation must raise accommodation requests in good faith and shall, to the best of their ability:
- a) Co-operate and provide necessary information to support the accommodation process; this includes, for example, taking part in discussions to explore accommodation options and solutions, providing information about relevant restrictions or limitations, including from medical and health care professionals to support disability-related accommodation requests, where necessary;
 - b) Meet bona fide education/academic or employment requirements, once accommodation is provided; and
 - c) Advise the District of any issues or challenges with the accommodation, or of new/changing accommodation needs as soon as possible.
- 3.16 Responsible District staff are required to:
- a) Accept and respond to accommodation requests in good faith, unless there are objective reasons to question the legitimacy of the request;
 - b) Be alert to situations that may trigger the duty to inquire about accommodation needs;
 - c) Act promptly to facilitate the accommodation process and implement the accommodation in a timely manner;
 - d) Limit requests for information to that which is reasonably related to the nature of the Prohibited Ground(s)-related need or limitation and to establish legal responsibilities, assess needs, limitations or restrictions and to make the accommodation;
 - e) Consult with internal and external expertise when needed to support the accommodation process;

- f) Provide updates to the student (or their parent/guardian) or employee on the status of the accommodation, next steps (where appropriate) and accommodation decision;
- g) Implement the accommodation solution and, where needed, monitor its ongoing effectiveness; and
- h) Document accommodation requests and actions taken.

3.17 Where the District contracts out work or services to a third-party provider, the District requires that the third party confirms its commitment to fulfilling its obligations under the Code, including the duty to accommodate.

Exploring Accommodation Options

- 3.18 Responsible staff will make every effort to provide any required accommodation under the Human Rights Policy that respects the student or employee's dignity (for example, identity, integrity, sense of self-worth, empowerment, privacy, confidentiality, autonomy, individuality and self-esteem) and that responds to their individual needs, to the point of undue hardship.
- 3.19 The duty to accommodate applies to needs, restrictions or limitations based on a Prohibited Ground(s) and not to preferences, expectations or any one type of accommodation.
- 3.20 The process used to determine the appropriate accommodation under the Human Rights Policy is important. The process must include the accommodation requestor's input, and the requestor and responsible staff must collaboratively engage in discussions to explore options as to appropriate accommodations under the Human Rights Policy.
- 3.21 Subject to the confidentiality provisions of this procedure, responsible staff may consult with internal resources (for example, Indigenous Education, Inclusive Student Services, Equity and Inclusive Education, Human Resource Services, Human Rights and Equity Advisor, General Counsel, etc.). With the student (or their parent/guardian) or the employee's consent, responsible staff may also consult with affinity networks and community groups.
- 3.22 Responsible staff may request and obtain additional information about the student or employee's Prohibited Ground(s)-related needs, limitations and restrictions to facilitate the accommodation process.
- 3.23 Depending on individual needs, accommodation options may be seen along a continuum. Where there is more than one option, reasonable accommodation is one that maximizes the individual's dignity, integration and participation and responds to their needs and circumstances, to the point of undue hardship.
- 3.24 Responsible staff will also consider whether the student can perform the essential duties of the service, or the employee can perform the essential duties of employment with or without accommodation.
- 3.25 Where accommodation is necessary and yet it is not possible to implement the most appropriate accommodation option in a timely way (for example, where it will take time to implement or when further information or consultation is required), interim next best solutions/options are to be considered, implemented and documented.
- 3.26 Where it is determined that an accommodation is required, responsible staff will notify the student (or their parent/guardian) or employee about the accommodation solution/decision, complete an accommodation plan and implement the accommodation plan.

Accommodation Solutions

- 3.27 Depending on the individual needs and case by case assessments, accommodations may include, for example, modifications or adjustments to the physical environment, policies, procedures, standards, processes, rules and decision-making practices, or the use of support services, service animals or alternate technology. In addition, accommodations for students may include modifications or adjustments to curriculum, learning plans, assessment or evaluation timelines, methodologies or formats, or transportation.

Accommodation Plan

- 3.28 The accommodation process and result will be documented in an accommodation plan [template attached] for each student or employee that requires an accommodation. The accommodation plan shall include:
- a) A statement of relevant functional limitations or needs;
 - b) Supporting documentation (for example, medical assessment) where appropriate;
 - c) Steps taken to fulfill the procedural duty to accommodate, including accommodation options explored, interim accommodations and any timelines, input from the person requesting accommodation, consultations, additional information requested/received and communications with the student/family or guardian or employee;
 - d) The nature of the accommodation provided (for example, statement of services or support, modification or adjustment);
 - e) Products or services that may be required (for example, adaptive technology), including dates ordered, acquired and/or implemented; and
 - f) Next accommodation review date (to assess if accommodation needs are being met or if adjustments or further accommodations may be required).

For student disability-related accommodations, a completed Individual Education Plan (IEP) may satisfy these requirements.

Monitoring Accommodation and New or Changing Accommodation Needs

- 3.29 Once the accommodation plan has been implemented, responsible staff will monitor to assess if it continues to be appropriate. The accommodation plan must be reviewed when the student or employee's needs or circumstances change, impacting the effectiveness of the accommodation. This includes but is not limited to transition needs (for example, when a student moves through grades or to another school, educational setting or program; or when an employee changes roles or worksites and notifies their manager/supervisor of new, changing or ongoing accommodation needs). A review may also be required when a student (or their parent/guardian) or employee raises a concern about the accommodation. The accommodation review date in the accommodation plan is designed to facilitate ongoing reviews.
- 3.30 An individual may have new or changing accommodation needs (or may have previously not felt comfortable discussing their needs) or may require accommodation that was not previously disclosed or requested. The duty to accommodate is dynamic and responsive to changes in the student or employee's needs. Adjustments or new needs will be accommodated to the point of undue hardship so that the accommodation continues to meet the individual's needs.

Undue Hardship Decision

- 3.31 Undue hardship is the legal test which sets parameters as to the extent to which an organization must accommodate individuals pursuant to the Code. This is a very high threshold that is determined on a case-by-case basis in accordance with current case law. The test typically considers costs, outside sources of funding and health and safety requirements (where health and safety risks cannot be adequately mitigated or reduced) and is based on objective evidence.
- 3.32 Where a principal is of the view that a requested accommodation for a student would result in undue hardship, the principal shall contact their superintendent who will engage an interdisciplinary team which may include, as appropriate, Indigenous Education, Equity and Inclusive Education, Inclusive Student Services, Human Resource Services and the General Counsel.
- 3.33 Where a manager/supervisor believes that a requested accommodation for an employee would result in undue hardship, the manager shall engage and consult with their superintendent or senior manager and the superintendent responsible for Human Resource Services. Where Human Resource Services is handling an employee's disability-related accommodation request, they will consult with the employee's superintendent or senior manager.
- 3.34 The interdisciplinary team (for students) or Human Resource Services team (for employees) shall undertake a review of all available relevant information and shall request any further information necessary to process the accommodation request before making a decision. The team will also consider organizational accommodation patterns and potential organizational learning needs and professional development.
- 3.35 Any accommodation will be documented in the accommodation plan and implemented in accordance with that plan. The accommodation plan shall document if and how undue hardship impacted the nature and extent of the accommodation.

Other Limits to the Duty to Accommodate

- 3.36 The duty to accommodate is not absolute and is not unlimited. For example, the District will have met any duty it may have to accommodate where:
- a) Notwithstanding that any appropriate accommodations have been provided or explored, an employee is unable to fulfill the essential employment related duties or requirements or a student is unable to have meaningful access to educational services;
 - b) The person requesting accommodation does not participate in or provide necessary information to support the accommodation process or does not take part in developing solutions; and/or
 - c) The accommodation requested is outside of the District's mandate for services or employment (i.e., the District is not required to develop or provide a service outside of its legislated mandate).

Right to Pursue Other Avenues

- 3.37 This procedure in no way affects students/families' or employees' ability to exercise their rights under other processes established through legislation, Board policy or procedure, contract or collective agreements (for example, filing an application to the Human Rights Tribunal of Ontario, filing a grievance, etc.).

Protection from Reprisal

- 3.38 No student (or their parent/guardian) or employee will be penalized, threatened, negatively treated or be subject to reprisal for asserting their rights under the Code, the Human Rights Policy or this procedure, including:
- a) Requesting information about human rights and accommodation;
 - b) Requesting an accommodation;
 - c) Raising concerns about the accommodation process or outcome;
 - d) Filing a human rights related complaint, grievance, application to the Human Rights Tribunal of Ontario or raising a complaint to another external body; and/or
 - e) Providing information related to an issue or a complaint or participating as a witness in an issue or complaint resolution process.
- 3.39 Reprisal is a violation of the Human Rights Policy and is unacceptable and will not be condoned. Persons who are found to have engaged in any form of reprisal against students, parents/families/guardian or employees are subject to corrective action, including discipline up to and including termination of employment (for employees) and expulsion (for students).

Unique Inclusive Design and Accommodation Considerations

- 3.40 In addition to the general accommodation process outlined above, the District recognizes that there may be intersecting and/or unique inclusive design and/or accommodation considerations based on ableism and disability, cisnormativity, gender identity and gender expression, and faithism and creed/religion. Each of these is discussed below to provide additional guidance.

Ableism and Disability

- 3.41 The District recognizes:
- a) The broad and evolving definition of disability under the Code and case law, and increasing understanding of neurodiversity and the social model of disability;
 - b) Stigmatization and negative biases, attitudes, perceptions, assumptions and stereotypes based on ableism, disability, diverse abilities and neurodivergent traits (including and not limited to assumptions about functional limitations, low expectations, learning disabilities, differences in behaviours, social interactions, cognitive processing and communication, etc.);
 - c) Unique accessibility barriers (for example, attitudinal, physical, architectural, information/communication or technological barriers) for people with neurodivergent traits, mental health disabilities, addictions and disabilities that may be “invisible”, episodic, temporary and/or permanent;
 - d) Inequitable and disproportionate educational and employment experiences and outcomes, including and not limited to discipline, access to programs, assessments, services, supports, transition planning, activities, events, transportation, etc.;
 - e) Bullying, harassment and discrimination [including intersecting discrimination because of accommodation needs and/or based on disability and other Prohibited Ground(s) (for example, another type of disability, ancestry, race, sexual orientation, gender identity, gender expression, creed, socioeconomic status, etc.)] and which may affect accommodation needs and plans; and
 - f) Individuals may experience disability-related barriers differently (in other words, not everyone with the same type of disability may have the same accommodation needs).

- 3.42 The District is committed to: addressing ableism and discriminatory barriers related to the medical and functional models of disability (including through professional development and learning); supporting inclusive and accessible environments; recognizing and affirming neurodiversity, the social model of disability and individual strengths, abilities and talents; and accommodating disability-related needs in accordance with the Human Rights Policy, to the point of undue hardship.

Medical Information and Disability Related Accommodation

- 3.43 In situations where a student may not have a formal assessment or documentation, responsible staff will consider other available information to facilitate consideration of any accommodation issues. This information may include how the individual identifies their own needs, history of formally identified needs, disability or accommodations, third party reports and screening tools.
- 3.44 Where disability related needs are unclear, responsible staff may request additional medical information, in addition to disability related needs, where objectively necessary to assess accommodation. This may include information about the nature of the disability (for example, if it is a learning, mental health or physical disability, without requiring a medical diagnosis); and/or an independent medical examination or assessment. However, a student or employee is not required to attend an independent medical examination or assessment but not doing so may frustrate, delay or limit the accommodation process.
- 3.45 For disability related accommodations, a diagnosis is not required. However, in some cases there may be an overlap in the description of needs and an actual diagnosis. In very limited and complex cases, requisite information may include a diagnosis to appropriately support the accommodation process.

Classroom Placements for Students with Disabilities

- 3.46 In addition to accommodation principles and requirements set out in this procedure, decisions about the most appropriate classroom placement for students with disabilities shall take into consideration other relevant factors (for example, intersecting needs, maximizing integration, learning style/needs, nature of supports required and mental health and well-being).
- 3.47 Where it is determined that a placement decision outside of the regular classroom is the most appropriate accommodation, every reasonable effort should be made to meaningfully integrate and include the student in school programs and activities including but not limited to some time in classes with school peer groups, lunch, recess, gym, school trips, and events, to the point of undue hardship.

Cisnormativity, Gender Identity and Gender Expression

- 3.48 The District recognizes the unique needs and experiences of, barriers for and negative biases, stereotypes and assumptions about Two Spirit, trans, transitioning, and other non-binary, gender non-confirming, gender expansive and intersex (differences in sex development) students, parents/guardians, employees and community members.

It is noted that members of 2SLGBTQI communities may use different terminology to reflect individual expressions of gender and gender identity that may not be reflected by the 2SLGBTQI acronym. For the purpose of this procedure, “trans” is used as a term to include diverse and non-binary gender identities and expressions, unless otherwise noted.

- 3.49 Students and employees have the right to define their own gender identity and to express their gender identity in District learning and working environments.
- 3.50 DDSB students, parents/guardians, employees and community members who identify as trans:
- May not feel safe disclosing or expressing their gender identity in District learning and working environments or at home;
 - May be vulnerable and subjected to transphobic discrimination, bullying and violence (for example, trans youth are vulnerable to harassment and bullying from peers, and trans employees are vulnerable to unwelcoming or unsafe work environments);
 - Are often negatively affected by cisgenderism/cisnormativity and cissexism in their learning and working environments; and
 - May not have readily available access to resources or support or feel safe raising concerns or complaints, including a lack of awareness and understanding by other students, employees, parents/guardians/families (including, in some cases, a student's parent/guardians/family) and community members.

These concerns may be compounded for trans people who also identify as a member of another group(s) or community(ies) that is also discriminated against because of ancestry, race, disability, sexual orientation, creed/faith and other Prohibited Grounds.

- 3.51 Trans students and employees may have individualized, specific and fluid/evolving needs related to safety and dignity, expressing their gender identity and having their gender identity and expression (and other intersecting Prohibited Ground(s)-based needs) recognized and accommodated (where required), including chosen names/pronouns, confidentiality, inclusive and affirming spaces and activities, and transitioning support (where applicable).

Expressing Gender Identity

- 3.52 Self-identification is sufficient for trans students and employees to be addressed by their chosen name and pronouns and to be recognized according to their gender identity (for example, access to washrooms, services that correspond with their lived gender, etc.). District staff will affirm the self-identified trans identity of students, parents/guardians and employees.
- 3.53 Trans students and employees are not required to provide any "proof" of their gender identity (and trans students or employees may or may not choose to legally change their names and update gender markers on official identity documents). Trans students may also choose to indicate their gender identity, chosen name and pronouns verbally or in writing at any time, including on registration/returning student information forms. For employees, this includes new employee information/onboarding processes and forms.
- 3.54 Where a trans student or employee seeks accommodations to support their gender identity or gender expression (and any other Prohibited Ground(s)-related needs), students (or their parents/guardians) may advise the teacher, principal or other trusted District employee (for example, guidance counsellor) and/or complete the attached form; employees may advise their supervisor/manager and/or complete the attached form. For some accommodation requests, the District may require additional information to support the accommodation process.

Privacy and Confidentiality

- 3.55 It is recognized that trans students and employees may not be open or "out" about their identity to their family or to other District community members.

- 3.56 Subject to record keeping and disclosure requirements in the Ontario Student Record (OSR) Guidelines and other legislation, students have a right to privacy. Subject to record keeping requirements and processes described below, and subject to the terms of the Consent for Clinical Services Procedure, staff shall maintain privacy and confidentiality of trans students and will not disclose a student's gender identity to the student's parent/family/guardian, employees or other students without the student's explicit prior consent and unless the student requests it.
- 3.57 Employees are to maintain privacy and confidentiality and will not disclose an employee's trans identity to other employees or District community members without the employee's explicit prior consent, unless the employee requests it.

Supporting a Trans Student's Identity

- 3.58 To support safe options for students, school staff that are advised by the student that the student is or may be trans will:
- a) Honour and respect the student's self-identified trans identity;
 - b) Ask the student how staff should refer to them (student's chosen name, legal name or deadname and pronouns) in District learning environments including in calls, correspondence and meetings with the student's parent/family/guardian;
 - c) Discuss with the student any additional school or District staff who may need to know the student's gender identity (for example, the principal/vice principal and other employees who may interact with the student in District learning environments such as other teachers, guidance counsellors, child and youth workers, social workers, supply teachers, team or activity coaches, etc.) to support safety and any accommodations, and to prevent misgendering or outing a trans student to others, including when other staff may need to contact the student's parent/family/guardian;
 - d) Ask the student about any other safety concerns they may have and supports they may need; and
 - e) Request that the student inform staff if their needs or safety concerns change.

Names and Pronouns

- 3.59 Trans students and employees have the right to:
- a) Be addressed (verbally and in writing) by their chosen name and pronouns corresponding to their gender identity; this applies regardless of the age of the student and whether they have parent/guardian consent or support, and subject to any safety concerns a student may have; and
 - b) Have their chosen name/pronouns (including pronouns other than the masculine or feminine, such as "they", "ze", "hir" (or "iel" in French, for example) reflected in school and employment documents and records.

School staff will pay special attention to use the student's chosen name and pronouns on printed reports/documents that are provided to the student, unless the student requests otherwise.

- 3.60 Deadnaming (i.e., intentionally or persistently referring to a trans person by the name they used before they transitioned) and misgendering (intentionally or persistently refusing to acknowledge a student's or employee's chosen name, pronoun or gender identity) cause harm, are unacceptable and discriminatory and will not be condoned. However, it is recognized that the District may have legal obligations to reference a person's legal name in certain documentation.

Changing School Records and Documents

- 3.61 The District recognizes that discrepancies on official documents can create significant barriers and risks for trans people. Subject to legal requirements to include reference to a person's legal name, the District will develop and maintain student and employee records, electronic records, databases and/or administrative documents that reflect lived identities and chosen names for trans students, parents/guardian and employees.
- 3.62 Some databases and electronic records are created or maintained provincially. The District will advocate for changes to databases that the District does not maintain and/or develop internal business procedures and local solutions so that records and documents reflect trans students' or employees' lived gender, chosen name, pronouns and gender markers as much as possible.
- 3.63 The District will accommodate a trans person's request to have records and documents reflect their chosen name and pronouns and will:
- a) Update a legal name change (i.e., the District will change a student's or employee's official records to reflect a legal name or gender marker upon receipt of documentation that their legal name or gender marker has changed); and/or
 - b) Recognize a name that differs from their legal name in records and documents, wherever possible based on legal requirements. Where a trans employee requests that the District recognize a name that differs from the name the person uses with any professional college or regulatory body, the General Counsel is to be consulted.

The process to change a name or gender marker in records and databases will be respectful, non-intrusive, and will not be based on whether a trans person has had a medical procedure(s) to support their lived gender.

Parent/Guardian Consent

- 3.64 The District recognizes that some parents/guardians may not be aware or may not agree with or support their child's gender identity or the child's use of a chosen name, pronouns and gender marker that correspond with their lived gender/gender identity. The District has legal obligations to uphold the rights of the child and maintain confidentiality, and will honour, affirm, recognize and respect the student's self-identified gender identity in District services and learning environments.
- 3.65 Where a student indicates that their parent/guardian is not aware of or does not support the student's trans identity, school staff will consider the student's age and level of understanding of potential impacts and will assess the safety risks to the student on an individualized, case-by-case basis. School staff will discuss these risks (and any options to mitigate them) with the student, so the student is aware of and understands the potential risks and implications. Where there is a concern about the potential capacity of the student to understand these impacts and make decisions about them, school staff shall consult with their superintendent who may engage the Board's General Counsel.
- 3.66 Where appropriate, school staff may also refer the student to District or community resources for additional support.
- 3.67 Where the student has indicated a safety concern about disclosing their gender identity to their parent/guardian, responsible staff will respect the student's wishes around communications, report cards, etc. that might "out" them to their parent/guardian. School staff will ask the student before including their chosen name and pronouns on report cards, transcripts, yearbooks, activity/sports lists, awards, etc. or in communications and documents that are sent to parents/guardians/families.

Washrooms and Change Rooms/Facilities

- 3.68 Trans students and employees shall not be discriminated against or harassed for accessing washrooms and change rooms/facilities that do not conflict with their self-identified lived gender identity and shall be accommodated to the point of undue hardship with respect to:
- a) Access and use of washroom and change rooms/facilities that do not conflict with their self-identified lived gender identity; and
 - b) Requests for access to additional options that uphold safety, dignity, privacy and confidentiality (for example, trans students and employees can request access to private spaces/rooms to enhance privacy and address safety concerns).
- 3.69 Trans students and employees may use one or both gendered washrooms or a private single stall or universal washroom. Where reasonably feasible, schools shall have an easily accessible all-gender single stall washroom for use by any trans person (and people who do not identify as trans) who may wish to have increased privacy. Trans students and employees may choose which washroom or change room to use. They must not be required to use a universal/all gender washroom or a separate washroom or change room because others express discomfort or transphobic attitudes.
- 3.70 Alternative arrangements requested for change rooms/spaces will be facilitated in a way that best meets the student's or employee's specific needs and safety concerns, respects privacy and confidentiality and is acceptable to the student or employee.

Gender Segregated Classes and Activities

- 3.71 The District promotes the inclusive design of classes, events and activities that include all identities and expressions of gender. Trans students have the right to take part in gender segregated physical education and other classes and activities in accordance with their lived gender identity.

Gender Inclusive and Trans Positive Environments

- 3.72 The District recognizes the importance of creating learning and working environments that respect and include diverse gender identities and will:
- a) Affirm and support diverse gender identities (for example, by integrating trans positive content and gender inclusive curriculum, pedagogy, instructional practices, resources, the learning and working environments, activities and events and student identity-based affinity groups); and
 - b) Challenge cisnormativity and promote anti-homophobic, anti-biphobic and anti-transphobic education.

Transitioning at School or Work

- 3.73 Transitioning refers to a range of activities that some trans people may pursue to affirm their gender identity. Transitioning means different things to different people and may evolve over time. This may or may not include legal or social changes to their name, pronouns, sex designation/gender marker, clothing and appearance, and may sometimes include medically supportive procedures. Transitioning is highly personal and individualized.
- 3.74 Transitioning can be both affirming and difficult and stressful for some trans students and employees because of heightened stress, anxiety, bullying, discrimination and physical and emotional health and safety risks. The District recognizes the important role it plays in creating welcoming schools and workplaces to support transitioning students and employees, where all students and staff are treated with dignity and respect.

- 3.75 Students and employees who are transitioning may require specific/unique and intersecting accommodation needs to safely, respectfully and confidentially transition in District learning and working environments. The District will accommodate transitioning students and employees on an individual case-by-case basis in accordance with the Human Rights Policy and the Code.

Creed/Religion

- 3.76 The District recognizes that creed may influence and be an important part of a person's identity, worldview and way of life, and recognizes the rights of students, employees and District community members to freely hold their creed beliefs and to be accommodated under the Code and the Human Rights Policy in relation to observance in District working and learning environments.
- 3.77 In this regard, creed:
- a) Is sincerely, freely and deeply held;
 - b) Includes the spiritual beliefs and practices of Indigenous peoples/cultures;
 - c) Is integrally linked to a person's identity, self-definition and fulfilment;
 - d) Is a comprehensive, overarching system of belief that influences or governs a person's conduct and practices;
 - e) Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a Creator and/or a higher or different order of existence;
 - f) Has a "nexus" or connection to an organization or community that professes a shared system of belief; and
 - g) Does not include every belief, opinion, expression, practice, matter of conscience, political belief or conviction.
- 3.78 The District also recognizes community members may experience creed-based discrimination, stigmatization, faithism and hate in various ways, including where creed-based discrimination intersects with other Prohibited Grounds (for example, race, disability, sexual orientation, gender, gender identity and gender expression).
- 3.79 The District will:
- a) Support welcoming, inclusive and equitable learning and working environments that better reflect the multi-faith identities of the school community it serves; and
 - b) Engage students, parents/guardians and employees to help identify creed related barriers and needs.
- 3.80 The District also recognizes that policies, procedures and practices may have an adverse effect on a student or employee's sincerely held belief that is connected to creed. Students or employees may require accommodations for creed-based practices related to:
- a) Indigenous spirituality/spiritual practices;
 - b) Faith days (holidays, leaves, ritual observances);
 - c) Opening exercises;
 - d) Dietary requirements (including fasting);
 - e) Dress codes, including modesty requirements and health and safety rules and standards;
 - f) Displaying creed-based symbols;
 - g) Photo and biometric identification; and
 - h) Curriculum and activities.

Faith Days and Prayer Observances and Spaces

- 3.81 Students and employees may request accommodation for time away from school or work (or for short periods of prayer during the school or work day) to observe or participate in creed-based religious and spiritual observances. Where these observances are adversely affected by District school and employment hours/schedules, the District will explore accommodation options to support these practices in accordance with the Human Rights Policy and the Code.

Opening Exercises

- 3.82 DDSB community members may wish to not participate in school opening exercises (i.e., playing/singing the national anthem) in District learning and working environments (for example, to start the school day, at sporting or other events and at Board and other meetings). A student, parent/guardian, employee or community member may opt out of opening exercises. They will not be required to participate and may choose to stay in the room/area or wait in another location during opening exercises. DDSB community members must treat one another with dignity and respect, regardless of any opt out for opening exercises.

Dietary Requirements and Fasting

- 3.83 Student or employee's individual sincerely held creed-related food requirements or restrictions, including practices as to fasting, will be accommodated to the point of undue hardship. In considering accommodation requests, responsible staff should not rely on generalizations about creed based dietary requirements and are to consider options of comparable nutritional value to those offered to others.
- 3.84 Where the District provides food services, and irrespective of individual accommodation plans, responsible staff shall:
- a) Keep any vegetarian food options separate, with separate serving utensils;
 - b) Ensure any kosher or halal certification markings on packaged food are visible; and
 - c) Provide appropriate options and/or adjust food services, pizza days, fun fairs, meal programs and community events to account for typical dietary needs and restrictions.

Dress Requirements, Including Modesty and Health and Safety Concerns

- 3.85 Students and employees may wish to observe their creed beliefs through religious attire, including but not limited to wearing crucifixes, Stars of David, head coverings, face coverings, modesty in attire/dress, or ceremonial dress. This may affect dress requirements for physical education classes, activities and sports events or may be perceived as contravening safety policies. Religious attire also makes students or employees' creed-based beliefs "visible" and may make them more vulnerable to discrimination and harassment. The District will meet its duty to accommodate students' and employees' creed-related dress needs to the point of undue hardship and will take steps to prevent and address potential discrimination and harassment in accordance with the Human Rights Policy and procedures.

Displaying Religious or Creed-Based Symbols

- 3.86 It is recognized that students and employees may wish to express a creed belief by displaying or wearing a religious symbol in District learning and working environments.

- 3.87 The District will not organizationally privilege or disadvantage one creed over another and will:
- a) Maintain environments free from religious or creed-based pressure;
 - b) Promote equality through universal design and inclusion of diverse creed symbols;
 - c) Consider if a display or symbol should not be displayed as it may have a significant negative impact (for example, exclusion, discrimination against others or creed pressure) or may create or contribute to a poisoned working or learning environment for students, parents/guardians, employees or District community members, including where the symbol may promote hate or incite violence; and
 - d) Accommodate individual creed beliefs and practices to the point of undue hardship, subject to the limits of creed-based accommodation.

Photographs and Biometric Information

- 3.88 It is recognized that students or employees may hold creed beliefs about not being photographed, wearing face or head coverings as part of their expression of creed beliefs, and/or about showing their face in photographs. In considering any accommodation issues, responsible staff should consider if a requirement for a photograph is bona fide and if the purpose of the photograph can be achieved in other ways.

Curriculum and Activities

- 3.89 It is recognized that there may be some situations where students or parents/guardians may request accommodations as to curriculum, activities or resources/materials where they believe that the content of curriculum, learning activity or resources/materials may infringe on creed-based rights and/or freedom of religion.
- 3.90 There is no general right not to be exposed to views and beliefs that contradict or differ from one's own, including school curriculum that may conflict with creed related beliefs and practices. The DDSB is a publicly funded school board, and the District meets provincial curriculum requirements, expectations and standards. This includes teaching students about, affirming and supporting the expression of diverse identities (including those related to ancestry, race, disability, sexual orientation, gender identity, gender expression, creed and all Prohibited Grounds) and challenging all forms of discrimination.
- 3.91 A student (or their parent/guardian) may raise a concern that curriculum content or a resource, material or activity interferes with a creed-based practice or objectively infringes on freedom of religion and may request an accommodation. In such a case, responsible staff will discuss possible individual solutions with a focus on meeting curriculum requirements, preserving student/family dignity and privacy and promoting integration and full participation. Appropriate accommodations (for example, substitution, exemption or withdrawal from the curriculum, activity or resource through a differentiated instructional model), may also be considered but may be limited due to undue hardship or a bona fide requirement.

Limits to the Duty to Accommodate Creed-Related Requests

- 3.92 Human rights protections for creed do not extend to creed practices and observances that are hateful or incite hatred or violence against other individuals or groups, or that contravene criminal law. The duty to accommodate creed beliefs and practices may also be limited where the creed right interferes with the human rights of others or announces an intention to discriminate under section 13 of the Code in District services, employment and learning and working environments.

Accessibility and Accommodation in Employment

- 3.93 The District recognizes that inclusion and accessibility barriers may affect recruitment and employment practices and processes and may impact the District's efforts to recruit and retain a qualified workforce that represents the diverse communities it serves. The District will meet accommodation requirements under the Code and the Human Rights Policy and obligations under the AODA throughout the employment cycle/relationship (for example, recruitment, selection, promotion and retention processes and strategies) and in human resources administration.

Competing Rights

- 3.94 The District recognizes that in a complex and diverse service and employment organization, rights may come into conflict with one another. The District:
- a) Recognizes that no rights are absolute and there is no hierarchy of human rights;
 - b) Respects the importance of all sets of rights;
 - c) Will assess each situation on a case-by-case basis; and
 - d) Will collaboratively explore options and solutions in consultation with appropriate internal resources and expertise to maximize rights for everyone consistent with the Ontario Human Rights Commission's *Policy on Competing Rights* framework, human rights and legal principles, and relevant case law.

Concerns with the Accommodation Process

- 3.95 The Student/Family Human Rights Issue, Incident and Complaint Resolution Process and the Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention (for employees) outline the processes for raising and resolving issues or complaints related to the accommodation process.

Accommodating Parents/Guardians and Other Community Members

- 3.96 Parents/guardians, community members and visitors may require human rights accommodation when:
- a) Accessing District learning or working environments, including District schools, offices and meetings;
 - b) Participating in District-hosted events, committees and meetings;
 - c) Supporting a student's meaningful access to education or an employee's meaningful access to employment; and
 - d) Communicating and interacting with District employees for all other District educational service or employment related reasons.
- 3.97 Parents/guardians, community members and visitors should:
- a) Make their human rights accommodation needs known to the District in advance (for example, by submitting the attached accommodation request form [insert]); and
 - b) Collaboratively engage in the accommodation process outlined in this procedure so that the District can facilitate appropriate accommodation.

Organizational Trends Analysis

- 3.98 The Director of Education and designates will collect and analyze accommodation data in accordance with the Human Rights Policy and related Accountability Framework and procedures to monitor organizational accommodation trends and accessibility issues. Where appropriate, this data may be used to inform:

- a) Professional development planning;
- b) Revisions to relevant procedures and practices; and
- c) Special initiatives, programs, strategies, plans or actions to address unique and intersecting inclusive design barriers that affect students and employees based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed/religion, and any other Prohibited Ground or combination of grounds. The District will engage and endeavour to co-create any such programs with communities the District serves and those most affected by the program.

Communications and Information Sharing

- 3.99 The Director and designates will communicate about and publicly post this procedure in accordance with the requirements of the Human Rights Policy, related procedures and the Accountability Framework.

Review Process

- 3.100 The Director of Education and designates will review and update this procedure as necessary and appropriate but it shall be reviewed at least every five years. To support the review process, the review will include:
- a) Information, trends and data (for example, school climate and well-being survey data, student census/identity survey, workforce census data, complaints data, accommodations data, etc.);
 - b) Input from and evidence of impact on students, parents/guardians and employees; and
 - c) Evolving human rights law, policy and/or practices.

4.0 Reference Documents

4.1 Policies

- [Indigenous Education](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- [Policy Formulation and Review](#)
- [Equity and Inclusive Education](#)
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- Safe and Respectful Workplace and Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.2 Procedures

- [Indigenous Education Procedure on Classroom Practices: Teaching and Learning](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- Student/Family Human Rights Issue, Incident and Complaint Resolution <insert link>
- Human Rights Roles, Responsibilities and Accountability Framework <insert link>
- [Consultative Process](#)
- [Equity and Inclusive Education](#)
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.3 Other Documents

- [Universal Declaration of Human Rights](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [United Nations Convention on the Rights of the Child, Rights of Persons with Disabilities, Yogyakarta Principles](#) and other United Nations documents and instruments
- [Canadian Charter of Rights and Freedoms](#)
- [Ontario Human Rights Code](#)
- [Anti-Racism Act](#)
- [Accessibility for Ontarians with Disabilities Act](#)
- [Occupational Health and Safety Act](#)
- [Education Act](#)
- [Ontario Human Rights Commission's Policies and Guidelines](#), reports and resources
- [Anti-Racism Directorate's Anti-Racism Policy, Anti-Black Racism Strategy](#) and [Data Standards for the Identification and Monitoring of Systemic Racism](#)
- Ministry of Education strategies, plans, and policy and procedures memoranda
- [DDSB Hiring Guidelines](#)
- DDSB's [Supporting Trans Students in Our Schools](#)
- DDSB's [Guidelines and Procedures for the Accommodation of Creed in Schools: An Inclusive Design Approach](#)

Appendix:

[NOTE: Forms and templates referenced in procedure to be added to final version]

Effective Date

YYYY-MM-DD

Amended

YYYY-MM-DD

STUDENTS

DRAFT

**Student/Family Human Rights Issue,
Incident and Complaint Resolution Procedure**

Adopted under the Human Rights, Anti-Discrimination and Anti-Racism Policy

1.0 Objective

- 1.1 The objective of the Student/Family Human Rights Issue, Incident and Complaint Resolution Procedure is to support the implementation of the Durham District School Board's (DDSB) Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"). The purpose of this procedure is to give students and families options and accessible ways to raise issues and complaints through non-adversarial informal or formal processes that focus on safety and support for students/families, early resolution and restorative practices. The procedure also outlines transparent, fair and accountable steps to address issues and complaints.
- 1.2 This procedure addresses human rights issues, incidents and complaints against or involving employees for not following or for violating the rights of students under the Human Rights Policy.
- 1.3 As set out in the Human Rights Policy, "discrimination" means all forms of individual, intersectional and system discrimination based on any of the Prohibited Grounds as defined in the Human Rights Policy. Consistent with the Human Rights Policy, there is no hierarchy of rights. This procedure applies equally to all Prohibited Grounds and intersection of grounds and applies to all forms of discrimination, including (and not limited to) racism, ableism, sexism, homophobia, biphobia, transphobia, faithism and classism.
- 1.4 This procedure shall be read together with the:
 - a) Indigenous Education Policy and related procedures;
 - b) Human Rights Policy;
 - c) Human Rights, Anti-Discrimination and Anti-Racism Procedure;
 - d) Human Rights Inclusive Design and Accommodation Procedure; and
 - e) Human Rights Roles, Responsibilities and Accountability Framework (the "Accountability Framework").

Through these policies and procedures, the District recognizes the importance of protecting and promoting human rights to support students' sense of safety, well-being, engagement and belonging, and providing learning and working environments that are free from discrimination where all students are successful and thrive.

- 1.5 The District recognizes the unique and distinct rights of Indigenous Peoples. Indigenous students and families may pursue any right under the Human Rights Policy and this procedure or under the Indigenous Education Policy and procedures, as they may deem appropriate in any given circumstance.

- 1.6 Nothing in this procedure prevents anyone from seeking assistance or information through Ontario's Human Rights Legal Support Centre [insert link] or from seeking to address a human rights issue or complaint through the Human Rights Tribunal of Ontario or as otherwise may be lawfully available through other means or forums.
- 1.7 As outlined in this procedure, students [or their parent(s)/guardian(s)] have the right to:
- a) Raise human rights issues, incidents and complaints without reprisal;
 - b) Accommodation (under the Human Rights Inclusive Design and Accommodation Procedure) throughout the processes set out in this procedure; and
 - c) Have a support person or community or other advocate attend issue, incident and complaint resolution meetings with them.
- 1.8 This procedure does not replace other resolution processes identified in other policies, procedures, or guidelines (for example, Accommodation Review Committee or the Identification, Placement and Review Committee) or those established by law.
- 1.9 Student complaints against other students or District community members will be addressed through the Code of Conduct.

2.0 Definitions

- 2.1 Key terms related to human rights and equity terms used in this procedure are defined in Appendix A (Glossary of Terms) of the Human Rights Policy.

3.0 Procedure

- 3.1 This procedure applies to all students and their parent(s)/guardian(s) who wish to raise a human rights issue, incident or complaint involving a District employee(s). It also sets out District employees' roles, responsibilities and required actions upon becoming aware of a human rights issue, incident or complaint affecting a student(s).
- 3.2 The District shall investigate potential discrimination upon becoming aware of it (or where it should reasonably be known), regardless of whether a formal written complaint has been submitted.

Key Principles

- 3.3 When addressing human rights issues, incidents and complaints, responsible staff will:
- a) Treat all parties involved in the issue or complaint with dignity and respect;
 - b) Handle issues and complaints sensitively and with care;
 - c) Consider and address safety (including emotional/psychological) needs, accommodation needs and related support;
 - d) Provide accessible options that focus on the rights of the student, agency, empowerment, early resolution and restorative practices;
 - e) Uphold principles of procedural fairness;
 - f) Use transparent and accountable processes;
 - g) Support consistent approaches and decision making that are thorough, contextual and flexible to adapt to specific situations and circumstances;
 - h) Keep parties informed about the process and next steps, and address issues and complaints in a timely manner;

- i) Reinforce confidentiality and protection from reprisal;
- j) Apply human rights, anti-discrimination and anti-racism principles and analyses, including intersectionality, to all aspects of issue, incident and complaint resolution processes;
- k) Focus on the impacts and effects of conduct (whether intentional or unintentional) that may be discriminatory;
- l) Take appropriate responsive, remedial and corrective actions including discipline to address findings of discrimination, prevent it from happening again and to support learning;
- m) Address potential underlying systemic issues, where appropriate;
- n) Collect and analyze issue, incident and complaint data to identify, address and report on potential trends; and
- o) Uphold Duty Bearer responsibilities under the Human Rights Policy throughout issue, incident and complaint resolution processes.

3.4 To support these principles, students (or their parents/guardians on their behalf) may choose to:

- a) Raise human rights issues and incidents directly with their teacher, principal or another employee (Issue and Incident Reporting and Response Process); or
- b) File a complaint through a formal complaints process, which includes alternative dispute resolution options or an investigation (Complaint Process).

Note: If a student (or their parent/guardian) initially chooses (a) and is not satisfied with the response, they may choose to proceed with (b).

3.5 This procedure has three main parts:

- Part I is the Issue and Incident Reporting and Response Process;
- Part II is the Complaint Process; and
- Part III are general requirements and considerations that apply to both processes [including safety and support, union/federation/association representation (where applicable), support persons, confidentiality, timelines, protection from reprisal, and accommodation needs].

I. Issue and Incident Reporting and Response Process

3.6 This part sets out the process for reporting and responding to issues and incidents of discrimination based on a Prohibited Ground(s) and intersecting grounds.

3.7 A student (or their parent/guardian) may speak with their teacher or the school principal (or any other school employee) about an issue or incident of discrimination that affects students at school or at a school-related activity or event, or that affects the learning environment.

3.8 Anyone who witnesses or becomes aware of an incident or issue that affects students in District learning environments should report it to a District employee.

Employee Responsibilities

3.9 When a District employee becomes aware of an issue or incident (or sees or overhears discriminatory actions or words), the employee must report it to the principal or to their supervisor (or if the matter involves the principal or supervisor, to the next level manager not involved or implicated in the issue or incident). Further, the employee must, wherever possible:

- a) Interrupt and intervene immediately to stop the conduct;
- b) Determine potential safety needs or supports for individuals involved or impacted in the matter; and

- c) State that what was said or done was inappropriate and harmful (in way a that is appropriate to the circumstances).

3.10 Where an issue, incident or complaint raises a suspicion on reasonable grounds that a child may be in need of protection, steps will be taken immediately to contact the Children's Aid Society (see the Board's Procedure on Reporting Children and Youth in Need of Protection). This decision is not to be based on biases, stereotypes or assumptions about the student or their parent/guardian based on any Prohibited Ground or combinations of grounds.

Principal Responsibilities

3.11 If an issue or incident involves a possible hate crime (refer to Glossary of Terms), the principal must contact Positive School Climates, the Family of Schools superintendent and the police. District responses and the principal's actions (as outlined below) may need to await police direction/investigation. In such circumstances, the principal will consult with the police on any steps the District can take to support safety and to communicate to the affected student(s) (and their parents/guardians).

3.12 For all other incidents involving students, the principal will:

- a) Assess if any immediate or additional steps or safety/supports are required, and if so, will act on it;
- b) Notify the parent/guardian as soon as possible, subject to sections 3.88 and 3.89 (Safety, Supports and Interim Measures) and considering and addressing potential accessibility and accommodation needs;
- c) Notify the superintendent within one day;
- d) Contact Human Resource Services if an employee(s) is involved;
- e) Contact emergency services if medical attention is required;
- f) Note the names of any witnesses and preserve any pertinent evidence or information; and
- g) Document all actions taken on the incident reporting form [template attached].

Depending on the circumstances, all steps above may not be necessary or may not happen sequentially; the principal will assess the circumstances and act based on the nature of the incident, steps/action already taken and what may be required to immediately address the situation.

3.13 The principal may need to speak to the parties involved and those impacted to gather preliminary information and details about the incident. Where the principal has sufficient information, the principal may take appropriate steps to resolve the issue.

3.14 All incidents and issues must be reported to the superintendent. This is a mandatory requirement regardless of the circumstances, including where the principal assesses that the situation does not require any further action or response. The principal will submit the completed incident reporting form to the superintendent, with a copy to the Human Rights and Equity Advisor.

Superintendent Responsibilities

3.15 The responsible Family of Schools superintendent will assess steps taken, may consult the Human Rights and Equity Advisor, and will consider if further action is appropriate based on whether:

- a) The issue has been appropriately resolved at the school level;
 - b) Any further supports, actions or communications are required to immediately address the incident, as well as longer-term impacts; and
 - c) The situation requires an integrated response team (discussed below).
- 3.16 The superintendent will also assess if there is sufficient information to take appropriate restorative and corrective action including discipline against the person(s) who engaged in the discriminatory incident, in consultation with the superintendent responsible for human resources, where applicable. If further information is required, the superintendent and/or principal will arrange to meet with students and/or employees, including potential witnesses, to gather additional information and take action.
- 3.17 The superintendent will report all issues and incidents to the Associate Director of Equitable Education. Where the issue/incident involves a hate crime, the superintendent will notify the Director of Education.
- 3.18 If the superintendent determines that further action is required, the superintendent will:
- a) Direct the principal to take additional action and will document all steps taken to address the issue; and
 - b) Consider convening an integrated response team to collaborate on additional actions that may be required, based on the following criteria:
 - Severity, scale, extent and intensity of the impact of the incident;
 - Previous incidents at the school or involving same party(ies);
 - Nature of impact (or number of people involved or impacted);
 - Risks to persons and/or property;
 - Legal and/or reputational risks;
 - Public interest and impacts;
 - Potential systemic issues;
 - Other reporting or consulting requirements (e.g., under Positive School Climates policies and procedures);
 - Expertise required to address the issue; and
 - Other relevant factors based on the circumstances.
- 3.19 If the superintendent determines that an integrated response team is appropriate, the superintendent will:
- a) Notify the Associate Director of Equitable Education and the Human Rights and Equity Advisor; and
 - b) Convene an integrated response team within three days of being notified of the incident.

Integrated Response Team

- 3.20 Depending on the nature of the incident, the integrated response team may include (where appropriate) representatives from:
- Administration at the affected school (unless they are involved or implicated in the incident);

- Leads from relevant portfolios:
 - Indigenous Education
 - Equity and Inclusive Education
 - Positive School Climates
 - Inclusive Student Services
 - Mental Health and Well-Being
 - Student Success/Curriculum
- Human Rights and Equity Advisor;
- General Counsel; and
- Other internal DDSB personnel as may be deemed appropriate by the superintendent based on the specific incident(s) and any further input/expertise required to address the matter (for example, Human Resource Services, Associate Director of Equitable Education, Director of Education, etc.).

While they would not be part of the integrated response team, critical friends, subject matter experts or other individuals may be consulted at the discretion of the superintendent, provided that the identity of the students, employees, parents/guardians and other District community members involved shall not be disclosed by any District employee without consent.

- 3.21 The integrated response team will respect and maintain confidentiality and develop an appropriate response based upon consideration of all relevant facts and circumstances including:
- a) Safety and supports for affected students, parents/guardians, employees and community members;
 - b) Responsive, restorative, remedial and corrective action, including discipline up to and including termination of employment (for employees), suspension or expulsion (for students) and other actions as necessary to address inappropriate behaviours and to restore the learning environment; Note: any information or discussions about outcomes for specific employees [for example, potential corrective action for an employee(s)] will be strictly limited to Human Resource Services, the employee's supervisor and senior team members as may be required;
 - c) Potential systemic issues or actions that may be required;
 - d) Individual, team/group, school or organizational learning and growth (e.g., professional development/learning needs, including coaching/mentoring and other potential preventative individual or systemic actions for the classroom, school or District);
 - e) Communications to those impacted and the broader school, District/DDSB community (including the Director of Education and Trustees), where appropriate; this may include interim communications while an appropriate response is developed and implemented; and
 - f) Monitoring and follow up as may be required to ensure that the response was appropriate and to consider if:
 - Additional or ongoing support or actions are required; and
 - Any new or continuing issues or incidents need to be addressed.
- 3.22 Based on the work of the response team, the superintendent will develop a response action plan [attached form] with timelines to implement the response and recommendations. The principal and other identified leads will fulfill the required actions and report back to the superintendent once completed.
- 3.23 After the response has been implemented, the superintendent and principal will debrief to discuss potential lessons learned, promising practices and potential preventative measures.

II. Complaint Process

- 3.24 The superintendent, or their designate, is responsible for administering the complaint process.
- 3.25 Where there is a concern that the Board's Human Rights Policy has been breached or is not being following, a student (or a parent/guardian on the student's behalf) may report and raise a complaint using the attached complaint form [template] and submit it to their superintendent (or if the complaint involves the superintendent, to the next level manager not involved in the matter). This could include concerns that a student's needs related to a Prohibited Ground(s) have not been accommodated to the point of undue hardship or concerns as to systemic barriers.
- 3.26 Before filing a complaint, and where they feel safe to do so, individuals are encouraged to tell the person who is engaging in discriminatory actions to stop. However, this step is not required.
- 3.27 The individual raising a complaint (a complaint "reporter") may withdraw a complaint at any time during the resolution process. Depending on the circumstances and the stage of the complaint resolution process, the District may speak with the reporter to determine if the withdrawal is because of safety concerns or fear of reprisal, and the District will attempt to address those concerns.
- 3.28 In the case of a withdrawal, the District will assess the available information and may proceed with an investigation, in which case the reporter may be considered a witness.
- 3.29 Where the District receives an anonymous human rights complaint, the District may be limited in how it can address the complaint. The District will review the complaint but may not be able to investigate the complaint further if procedural fairness cannot be maintained due to the anonymous nature of the complaint.
- 3.30 Group complaints (i.e., where several individuals file a complaint dealing with the same or similar issue or involving the same respondent) raise potential procedural concerns and other investigative challenges. The District will typically treat any such complaint as individual complaints. The District therefore encourages people who have human rights complaints to raise them individually. Where the District receives multiple complaints involving the same situation or same respondent, the District may assign the matters to the same investigator.
- 3.31 Where the District becomes aware of potential discrimination in the absence of a formal complaint or where a reporter withdraws a complaint, the District may proceed with a management-initiated complaint. This is to support the District's commitment to addressing potential discrimination. The principal (or manager/supervisor) will consult with their superintendent, the Human Rights and Equity Advisor and General Counsel before initiating a complaint.

Preliminary Assessment

- 3.32 Upon receipt of a complaint, the superintendent will review and assess if the matter falls under the scope of the Human Rights Policy and procedures, in consultation with the Associate Director of Equitable Education and the Human Rights and Equity Advisor. The superintendent will consider if any of the allegations, if they were found to be true, would amount to discrimination under the Human Rights Policy. If a complaint involves allegations about the conduct of an employee(s), the superintendent responsible for human resources (or designate) will also be consulted.

- 3.33 If the allegations involve a hate crime or other criminal activity, the superintendent will contact the Positive School Climates superintendent, the Associate Director of Equitable Education, and the police for direction on next steps, including support for and communications to the reporter.
- 3.34 If the superintendent assesses that the matter does not fall under the Human Rights Policy, the superintendent will consider whether the complaint is best addressed through another policy or procedure (for example, Code of Conduct) and may take appropriate action to address it or refer the matter to the principal or another appropriate area for handling and shall notify the reporter in writing of the determination.
- 3.35 Where there is clear information that the complaint may be frivolous or vexatious, the superintendent, in consultation with the Associate Director of Equitable Education and the Human Rights and Equity Advisor, will also consider whether to proceed with the complaint. The reporter will be advised of the decision and rationale.
- 3.36 If the complaint is assessed to fall under the scope and application of the Human Rights Policy and procedures, the superintendent shall:
- a) Determine if interim safety or supports are required pending the resolution of the matter; and
 - b) Consider potential early resolution options.

Early Communication with the Parties

- 3.37 The superintendent will notify the respondent about the complaint in writing and provide a summary of the complaint so that the respondent has sufficient information to respond. Where appropriate, the superintendent will also inquire if the respondent would be willing to participate in early resolution efforts.
- 3.38 The respondent may provide the superintendent with a written response to the complaint.
- 3.39 The superintendent will remind the parties of the following as outlined in this procedure:
- a) Confidentiality;
 - b) Protection from reprisal; and
 - c) The right to have a support person.

The superintendent will also inquire if the parties have any human rights accommodation needs (for example, translator) to participate in a resolution process.

Holding the Complaint in Abeyance

- 3.40 The superintendent will also consider if there are other factors that affect if the matter can proceed or may need to be held in abeyance if, for example:
- a) One or both parties are not able to participate in the investigation because of medical or other issues that cannot be accommodated;
 - b) The matter is being addressed through another process (for example, an application to the Human Rights Tribunal of Ontario); or
 - c) The complaint involves a criminal matter, and the police are investigating.

Where appropriate, the District will continue to provide necessary supports and interim safety measures. The superintendent will inform the parties that the complaint is being held in abeyance, why (without disclosing any confidential information about the parties) and when the District expects to proceed with the complaint.

Direct Action

- 3.41 Where the information and any supporting documents provided in a complaint and response to a complaint provides clear evidence of a violation of the Human Rights Policy, the superintendent may be able to make a finding and take direct action to address the violation. If the respondent is an employee, the superintendent will consult with Human Resource Services.
- 3.42 The superintendent will provide the respondent with an opportunity to respond before taking any action and will consider mitigating and aggravating factors as part of bias aware progressive discipline and employment related progressive discipline policies and practices.
- 3.43 The superintendent will take appropriate actions and communicate the findings and any corrective action that has been taken to the parties.

Early Resolution

- 3.44 Where a reporter requests a form of alternative dispute resolution (ADR), or the superintendent assesses that the complaint may be resolved through ADR, the superintendent will seek the parties' consent and arrange a resolution conference meeting or a more structured mediation. Note: It is recognized that some complaints may not be suitable or appropriate for early resolution processes.
- 3.45 A resolution conference or a mediation is confidential, without prejudice and voluntary. Both parties must agree to participate. Any party can revoke their consent/agreement at any time, including during the resolution conference.
- 3.46 The purpose of these processes is to bring the parties together to collaboratively explore ways to create their own solution to resolve the complaint and restore or repair relationships.
- 3.47 Mediation may include a restorative circle or other facilitated resolution options to address a complaint. The facilitator may be a trained mediator, community leader or other person agreeable to the parties to the complaint.
- 3.48 The superintendent must approve the terms of settlement before they are binding. This will help ensure that the matter is appropriately resolved, including as to any systemic issues or power imbalances.

Investigation

- 3.49 An investigation is a process of gathering information to determine if the policy has been violated and to make findings of fact related to the complaint. This includes determining, based on evidence and a balance of probabilities, if the allegations amount to a violation of the policy. An investigation assists with decision making and may also help identify potential underlying issues and concerns. An investigation typically involves interviewing the reporter, respondent and witnesses, and collecting, reviewing and assessing documentary and other information and records.
- 3.50 The investigation process must be fair, objective, impartial, thorough, timely and confidential. Investigations must also follow the principles and rules of administrative/procedural fairness which includes, among other things, that respondents have the right to know about the complaint and to respond to it, to identify witnesses and to produce relevant information.
- 3.51 All investigators, whether internal or external to the District, will apply human rights, anti-discrimination, intersectional and trauma informed principles and approaches to the investigation process, analysis and decision.

- 3.52 If the superintendent determines that an investigation is appropriate to address the complaint, the superintendent will consult with the Associate Director of Equitable Education (and the superintendent responsible for human resources if the investigation involves an employee) and decide on an appropriate investigator: the principal, the superintendent (or delegate), another District employee or an external investigator. When making this decision, they will consider factors including but not limited to:
- a) Any real or perceived conflicts of interest;
 - b) Knowledge and awareness of human rights issues and analyses, including systemic and intersectional analyses;
 - c) Scope of the investigation (for example, number of people to be interviewed);
 - d) Complexity of the allegations and analyses required;
 - e) Understanding of the legislative framework and the DDSB's Human Rights Policy and procedures;
 - f) Investigation procedures; and
 - g) Availability and capacity to conduct the investigation in a timely manner.
- 3.53 The superintendent will notify the parties that the complaint has been assigned to an investigator and explain the role of the investigator, and shall remind the parties about the terms of the Human Rights Policy and this procedure as to confidentiality, protection from reprisal, the right to have a support person (including an employee's union/federation representative, where applicable) and identifying any accommodation needs to participate in the investigation process. The superintendent will also provide all parties with a copy of the Human Rights Policy and this procedure.
- 3.54 As the investigation proceeds, the superintendent will assess potential opportunities to resolve the matter. The reporter or respondent may also request resolution at any time. If the parties agree to a resolution and the complaint is resolved, the investigation will not proceed.

Conducting the Investigation

- 3.55 The investigator is responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint, and for completing the investigation as expeditiously as possible in the circumstances.
- 3.56 The investigator will interview (separately) the reporter, respondent and any identified or potential witnesses and review and request relevant documents or materials. Prior to interviewing the respondent, the investigator will provide the respondent with a summary of the allegations to allow the respondent to prepare for the interview, and so that the respondent may also identify potential witnesses. Where the respondent is a member of a union/federation/association, the respondent has the right to union/federation/association representation during the investigation meeting(s).
- 3.57 District employees are required to participate in investigations and cooperate with the investigator.
- 3.58 The investigator will interview the reporter, respondent(s) and witness(es) using a trauma informed approach. The respondent should be given the opportunity to respond to each of the specific allegations raised by the reporter.
- 3.59 Parties may need to be interviewed more than once to clarify information and to address new information that the investigator may learn during the investigation. Relevant parties to the complaint are entitled to know of this new information and have a full opportunity to respond.

- 3.60 Where an investigator assesses potential systemic issues, the investigator will notify the Director of Education to determine if the systemic concerns will fall under the scope of the investigation or will be addressed as part of a separate systemic review process. If the scope includes potential systemic concerns, the investigator may also request and review additional information (for example, other District policies, procedures, data, etc.) to help identify potential barriers, disparities and disproportionalities that may affect the complaint.

Investigation Findings

- 3.61 The investigator will review all interview statements and evidence gathered to make findings of fact and determine if the incident(s) of alleged discrimination took place and, if so, assess if the incident(s) amounts to discrimination under (or any other violation of) the Human Rights Policy.
- 3.62 The District recognizes that in some instances, it can be difficult to find evidence of discrimination because it can often be subtle, systemic and/or not overt. The investigator may make inferences based on evidence available and systemic human rights analyses.
- 3.63 The investigator will apply the appropriate standard of proof to the evidence, factual findings and analysis. The standard of proof for human rights investigations is the legal “balance of probabilities” standard. This means that an allegation(s) is supported if the evidence and information provided or gathered shows that the allegation was more likely than not to have occurred.
- 3.64 The investigator will determine if, on a balance of probabilities, the alleged incident(s) of discrimination took place and whether it amounts to a breach of the Human Rights Policy.

Vexatious or Bad Faith Complaint

- 3.65 If it is determined based on objective, clear and compelling evidence that a complaint is vexatious or was filed in bad faith, the investigation process may be discontinued, and corrective action including discipline may be taken against the person(s) responsible for making the complaint.
- 3.66 People who have human rights issues and concerns should raise them. A vexatious or bad faith complaint is not the same thing as an unsubstantiated complaint (for which the investigator has not found sufficient evidence on a balance of probabilities that an incident occurred and that it amounted to discrimination).

Investigation Report

- 3.67 The investigator will prepare a written report summarizing the allegations and responses, the steps taken during the investigation, the evidence gathered, the analysis of the evidence, and the investigation findings and conclusions (the “Investigation Report”).
- 3.68 The investigator will provide a copy of the draft Investigation Report to the Human Rights and Equity Advisor, who will review it to ensure that the appropriate human rights analyses have been applied and that the findings are supported by the evidence. The purpose of this review is not to advise on the investigation or to question, challenge or influence the outcome. It provides an opportunity to raise potential or perceived gaps in the investigation process, report, evidence or human rights analyses. This is in keeping with the District’s responsibility to ensure that investigation reports and analyses are sound and can withstand third party scrutiny.

- 3.69 The investigator will invite the reporter and respondent individually to a meeting (in-person or virtual) to verbally share a summary of the findings and conclusions in the draft Investigation Report and will provide the parties with an opportunity to comment. The investigator will consider any potential accessibility and accommodation needs that may need to be addressed in order for the reporter or respondent to review the report and provide comments.
- 3.70 The investigator will consider any comments and may adjust the report at the investigator's sole discretion. The investigator will issue a final Investigation Report to the Associate Director of Equitable Education.

Requesting a Review of the Investigation Findings

- 3.71 A reporter or respondent who wishes to request a review of an investigator's findings may submit a written request to the Associate Director of Equitable Education explaining the reasons for the request and providing any supporting information.
- 3.72 Subject to accommodation needs, the review request must be submitted in writing within ten regular business days from the date the final summary investigation report was received.
- 3.73 The Associate Director of Equitable Education will only consider a review request if the request asserts:
- a) Lack of procedural fairness;
 - b) That the lack of procedural fairness could have had an impact on the findings or outcome of the investigation;
 - c) That the findings of fact do not support the conclusion; or
 - d) New facts or evidence that could affect the outcome decision and that could not have been reasonably obtained during the investigation.
- 3.74 The request for review is not intended to duplicate the investigation that was completed and is not a process or mechanism to reinvestigate a complaint.
- 3.75 The Associate Director will inform the other party that a review has been requested and provide the other party an opportunity to respond, including as to any new information provided as part of the review request.
- 3.76 The Associate Director will determine if the investigator's findings stand, should be adjusted or if the matter requires further or a new investigation and will communicate the decision to the parties. There is no further internal appeals mechanism or process.

Investigation Outcomes: Corrective and Other Action

Complaint Not Substantiated

- 3.77 Where a complaint is found to not be substantiated, the Associate Director of Equitable Education will nonetheless assess whether any action is required to address any findings in the investigation report (for example, inappropriate behaviour that does not amount to discrimination or potential evidence or findings of systemic issues in the environment).

Complaint Substantiated (in whole or in part)

- 3.78 Where one or more of the allegations are found to be substantiated, the District will, in accordance with the below process:

- a) Consider the complaint on an individual basis and assess the specific facts, circumstances and findings; and
- b) Take appropriate responsive, remedial, restorative and corrective actions including discipline, as appropriate, to address the findings.

3.79 Consideration shall also be given to addressing any potential underlying or systemic issues.

3.80 To support this process, the superintendent responsible for Human Resources shall convene a committee known as the Investigation Outcome Committee (“IOC”) made up the Associate Director of Equitable Education, the Human Rights and Equity Advisor and the respondent’s superintendent. At the discretion of the superintendent responsible for Human Resources, additional supervisory staff may be engaged based on the findings and issues outlined in the Investigation Report and in accordance with relevant policies, procedures and collective agreement provisions (where applicable). The IOC will consider all relevant findings, factors and circumstances and will make recommendations to the Associate Director of Equitable Education about the appropriate response, including potential systemic actions, to address the substantiated complaint. The recommendations will be documented in an investigation response action plan (template). The Associate Director of Equitable Education will document which of the recommendations are being acted upon, including corrective actions that may be appropriate, in consultation with Human Resource Services. The IOC will maintain confidentiality.

Possible Corrective Actions

- 3.81 Where the respondent is an employee, corrective action(s) will be in accordance with discipline policies, procedures and collective agreements and may include:
- a) A restorative meeting or approaches;
 - b) An apology;
 - c) A permanent separation of the parties;
 - d) Training or professional development;
 - e) Counseling;
 - f) Letter of expectations/letter of counsel; and
 - g) Discipline, up to and including termination of employment.

Possible Corrective Systemic Actions

- 3.82 Possible systemic actions in response to a complaint may include:
- a) Learning, training or professional development for groups (for example, at a school, system department or system level);
 - b) Review of a policy, procedure, practice or professional development to identify, prevent and address barriers in accordance with anti-discrimination principles in the Human Rights Policy; and
 - c) A systemic review of the learning environment.

Notifying the Parties and Communicating the Outcome

- 3.83 The Associate Director of Equitable Education will provide the reporter and respondent with written notification of the investigation findings and conclusions and of any corrective action taken.

- 3.84 The Associate Director of Equitable Education will keep the Director of Education informed about substantiated findings and actions adopted from the investigation response action plan and may also share this information with supervisory employees as may be required to support the implementation of corrective and systemic actions. The Associate Director will consider additional communications that may be required, depending on the circumstances, while protecting confidentiality.
- 3.85 For some employee groups, the District may also have obligations to report substantiated findings to applicable employee professional associations and colleges.

Concerns About the Findings or Outcome of the Investigation

- 3.86 Where a reporter or respondent is dissatisfied with the outcome of the complaint, they may pursue other options/remedies such as filing an application with the Human Rights Tribunal of Ontario or as may be available under collective agreements, contract, or otherwise at law.

Monitoring and Follow Up: Restoring Relationships and Learning Environments, and Preventing Discrimination

- 3.87 Human rights issues, incidents and complaints affect parties and witnesses (and relationships among them) and other people in the learning and working environment. As part of the resolution of all issues, incidents and complaints, the District will take appropriate action to help restore relationships and the environment and to prevent potential recurrences (for example, restorative meetings, learning and professional development).

III. General Requirements and Considerations

Safety, Supports and Interim Measures

- 3.88 When addressing issues, incidents and complaints, the District will explore, assess and address potential immediate and ongoing safety needs or other interim measures for any impacted parties, pending the outcome of the matter. This includes providing support to any District community member who witnesses or has been affected by an incident of discrimination in District learning or working environments. It may also involve separating parties (where feasible and in a way that does not penalize the reporter) and developing a safety plan.
- 3.89 The District will also consider unique identity-based and other safety and privacy concerns that need to be addressed in safety planning related to stigma, biases, barriers and stereotypes based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed and all Prohibited Grounds. For example, 2SLGBTQI students may not be “out” with their parents/guardians and may have safety concerns related to communications, and they may not have access to a safe support person to attend complaints resolution meetings. In addition, international students, newcomers, undocumented students, English language learners and children and youth in care may require additional support.
- 3.90 Employees who witness incidents of discrimination may contact the Employee and Family Assistance Program (for employees for whom this service is available) or their principal or manager/supervisor for support.

Union/Federation/Association Representation

- 3.91 Respondents who are employees and who are members of a union, federation or association have the right to union/federation/association representation at issue or complaint resolution meetings and investigations.

Support Person

- 3.92 Reporters, respondents and witnesses have the right to have a support person accompany them during an issue, incident or complaint resolution process. The support person must not be a party or witness to the complaint or have a real or perceived conflict of interest. A support person may include: parent/guardian, colleague or family member, union/federation/association representative (where applicable), a friend, school staff, another student, teacher, or community advocate, member or representative.
- 3.93 All persons acting as a support person within the scope of these procedures must keep any information regarding the complaint confidential. A support person may be required to sign a confidentiality agreement when attending investigation or other issue, incident or complaint resolution meetings.
- 3.94 Subject to accommodation needs, support persons must not answer questions on behalf of the interviewee or obstruct the investigation process in any way.

Confidentiality

- 3.95 Information about the issue or complaint is provided only to those who need to know in order to address and resolve the issue or complaint.
- 3.96 All individuals involved in reporting/raising, responding to, or the administration of an issue or complaint under this procedure must keep all information related to the issue or complaint strictly confidential, except as may be required to administer any corrective action in response to the complaint, or as required or permitted by law.
- 3.97 General anonymized summary data about issues, incidents, complaints and actions taken to address them, including any systemic actions, may be included as part of annual reports and trends analyses.

Protection from Reprisal

- 3.98 Reprisal is a violation of the Human Rights Policy and is unacceptable and will not be condoned. No student (or their parent/guardian) or community member will be penalized, threatened, negatively treated or be subject to reprisal for seeking information about or asserting their rights under the Human Rights Code or the Human Rights Policy and procedures, including:
- a) Requesting an accommodation;
 - b) Raising a human rights issue, incident or complaint;
 - c) Raising a concern about an issue, incident, complaint or accommodation process or outcome;
 - d) Filing an application to the Human Rights Tribunal of Ontario or raising a complaint to another external body to assert their rights; and
 - e) Providing information related to an issue or complaint or participating as a party or witness in a complaint or issue resolution process.
- 3.99 Protection from reprisal extends to any District community member who is a reporter, witness, advisor, support person or representation, investigator, decision maker or District representative responsible for implementing the outcome of a complaint, or employee who reports a human rights issue or incident under section 3.9 (Employee Responsibilities).

- 3.100 All complaints about reprisal should be raised to the superintendent (or if the matter involves the superintendent, the next level supervisor) as soon as possible. Where reprisal is substantiated, it will be reported to the Director of Education. Persons who are found to have reprised against students, parents/families/guardians, employees or community members are subject to corrective action, including discipline up to and including termination of employment (for employees) or expulsion (for students).

Investigations into Allegations of Discrimination

- 3.101 The District recognizes that in some cases, incidents of individual or systemic discrimination (for example, racism, sexism, ableism, homophobia, biphobia, transphobia and faithism) may be overt and in other cases, it may be subtle with little or no direct evidence. Assessing allegations of discrimination requires (among other things):
- a) Applying human rights and anti-discrimination principles [for example, discriminatory effect or impact instead of intent, intersectional analyses, determining if a Prohibited Ground(s) is a factor (and not necessarily the sole or main factor) in the alleged discrimination] and assessing the effects of historical and ongoing systemic discrimination as they may relate to the specific complaint;
 - b) Considering how dominant discriminatory ideologies, biases, assumptions and stereotypes are “normalized” and internalized and may affect perspectives and decision making;
 - c) Understanding how discrimination operates in systems and structures (for example, in policies and practices which may appear neutral but that create or perpetuate disadvantage and may discriminate against or exclude people based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed/religion, socioeconomic status and all other Prohibited Grounds and intersection of grounds, and how this affects services, learning environments and cultures); and
 - d) Analyzing comparative evidence and drawing inferences based on patterns of behaviour and decision making (for example, reviewing data to assess potential disparities and disproportionalities), where appropriate.

With these principles in mind, each complaint and allegation will be examined on an individual, case by case basis and will consider all relevant facts and circumstances within the full context of the complaint.

Timelines to Raise an Issue, Incident or Complaint

- 3.102 Issues, incidents or complaints should be raised as soon as possible, and within one year from the date of the incident that led to the issue or complaint (or, if the complaint is about a series of connected incidents, then one year from the date of the last incident). The District will consider reasonable exceptions where:
- a) There is a good faith reason for not raising the matter sooner;
 - b) No party to the complaint will be negatively affected or substantially prejudiced by the delay; and
 - c) The issue, incident or complaint raises significant concerns.

Timelines to Address an Issue, Incident or Complaint

- 3.103 Timelines to address an issue, incident or a complaint may vary depending on several factors, including and not limited to the nature of the issue, incident or complaint, the complexity of the allegations, number and availability of parties/witnesses and resolution method(s). The District is committed to addressing and resolving issues, incidents and complaints as quickly as is reasonably possible in all of the circumstances. Persons involved in addressing the matter (for example, superintendent, mediator, investigator) will advise parties of expected timelines and will keep parties informed of next steps and any potential delays throughout the process.

Flexible Procedures

- 3.104 It is recognized that in some situations or where there are extenuating circumstances, resolution procedures may need to be adapted to best fit the situation or to resolve a matter outside of these procedures. In these cases, the responsible staff will document the rationale and inform the parties. Any adapted approach must maintain the principles of the Human Rights Policy and this procedure.

Interference with an Investigation

- 3.105 Any participant (reporter, respondent, witness, support person, etc.) in an issue, incident or complaint investigation process has an obligation to cooperate and not interfere in the process. Interference in an investigation is a violation of the Human Rights Policy and this procedure.

Competing Rights

- 3.106 The District recognizes that in a complex and diverse service and employment organization, rights may come into conflict with one another. The District:
- a) Recognizes that no rights are absolute and there is no hierarchy of human rights;
 - b) Respects the importance of all sets of rights;
 - c) Will assess each situation on a case by case basis; and
 - d) Will collaboratively explore options and solutions in consultation with appropriate internal resources and expertise to maximize rights for everyone consistent with the Ontario Human Rights Commission's *Policy on Competing Rights* framework, human rights and legal principles and relevant case law.

Accommodation to Participate in the Complaint or Issue Resolution Process

- 3.107 Students (or their parents/guardians) may have needs related to a Prohibited Ground(s) (for example, disability, language barrier, etc.) that affect their ability to raise or respond to issues, incidents or complaints and/or to understand their rights, responsibilities and options under the Human Rights Policy and this procedure. If so, they will be accommodated to the point of undue hardship (e.g., with alternate formats, translation services, assistance completing forms, etc.). To support accessibility and reduce barriers to bringing forward complaints, students (or their parents/guardians) may:
- a) Submit a complaint in the language of their choosing; and/or
 - b) Raise a complaint in an alternative way (for example, verbally) if they are unable to submit it in writing.

The District employee who receives the issue or complaint will document it on the complaint form. Other flexible options will be explored as may be needed on an individualized, case-by-case basis.

- 3.108 Students, parents/guardians, support persons or community members involved in an issue, incident or complaint resolution process may require accommodation (for example, translator, other supports) to participate in resolution meetings, and should make their human rights related needs known in advance by submitting the attached accommodation request form [template]) and collaboratively engaging in the accommodation process so that the District can facilitate appropriate accommodation.

Organizational Trends Analysis

- 3.109 The Director of Education and designates will collect and analyze issue, incident and complaint data in accordance with Human Rights Policy, related procedures and Accountability Framework to monitor organizational human rights trends and issues. Where appropriate, this data may be used to inform:
- a) Professional development planning;
 - b) Revisions to relevant procedures and practices; and
 - c) Special initiatives, programs strategies, plans or actions to address unique and intersecting issues or barriers that affect students and employees based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed/religion, and any other Prohibited Ground or combination of grounds. The District will engage and co-create any such programs with communities the District serves and those who are most affected by the program.

Communications and Information Sharing

- 3.110 The Director and designates will communicate about and publicly post this procedure in accordance with the requirements of the Human Rights Policy, procedures and Accountability Framework. Alternative formats will be made available upon request.
- 3.111 This procedure shall be referenced in School Codes of Conduct, School Handbooks, and on school websites. It should also be referenced in newsletters, reports, meetings, school websites and other appropriate communication tools to help bring awareness of the procedure to the community.
- 3.112 The District will regularly share information about its commitment to human rights and the issue, incident and complaint resolution process. This will be posted on the District's website and will also be communicated in, among other things, student application, registration and returning student materials, orientation packages, student information forms, newsletters, survey invitations, etc.

Review Process

- 3.113 The Director of Education and designates will review and update this procedure as necessary and appropriate, but it shall be reviewed at least every five years. To support the review process, the review will include:
- a) Information, trends and data (for example, school climate and well-being survey data, student census/identity survey, workforce census data, complaints data, accommodations data, etc.);
 - b) Input from students, parents/guardians and employees; and
 - c) Evolving human rights law, policy and/or practices.

4.0 Reference Documents

4.1 Policies

- [Indigenous Education](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- [Policy Formulation and Review](#)
- [Equity and Inclusive Education](#)
- [Positive School Climate](#)
- Safe and Respectful Workplace and Harassment Prevention Policy <insert link>
- [Code of Conduct and Discipline for Students](#)

4.2 Procedures

- [Indigenous Education Procedure on Classroom Practices: Teaching and Learning](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- Human Rights Inclusive Design and Accommodation <insert link>
- Human Rights Roles, Responsibilities and Accountability Framework <insert link>
- [Consultative Process](#)
- [Equity and Inclusive Education](#)
- [Positive School Climate](#)
- Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.3 Other Documents

- [Universal Declaration of Human Rights](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [United Nations Convention on the Rights of the Child](#), [Rights of Persons with Disabilities](#), [Yogyakarta Principles](#) and other United Nations documents and instruments
- [Canadian Charter of Rights and Freedoms](#)
- [Ontario Human Rights Code](#)
- [Anti-Racism Act](#)
- [Accessibility for Ontarians with Disabilities Act](#)
- [Education Act](#)
- [Ontario Human Rights Commission's Policies and Guidelines](#), reports and resources
- [Anti-Racism Directorate's Anti-Racism Policy](#), [Anti-Black Racism Strategy](#) and [Data Standards for the Identification and Monitoring of Systemic Racism](#)
- Ministry of Education strategies, plans, and policy and procedures memoranda
- Toronto District School Board's [Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools Operational Procedure](#)

Appendix:

[NOTE: Forms and templates referenced in procedure to be added to final version]

Effective Date

YYYY-MM-DD

Amended

YYYY-MM-DD



PROCEDURE

EMPLOYEES

DRAFT Human Rights Roles, Responsibilities and Accountability Framework

Adopted under the Human Rights, Anti-Discrimination and Anti-Racism Policy

1.0 Objective

- 1.1 The Human Rights, Anti-Discrimination and Anti-Racism Policy (the “Human Rights Policy”) requires the District to establish and implement a human rights roles, responsibilities and accountability framework (an “Accountability Framework”) for DDSB employees to support individual and shared organizational roles and responsibilities for meeting the policy’s objectives and requirements.
- 1.2 This procedure must be applied to the implementation of the Human Rights Policy and related procedures.
- 1.3 As set out in the Human Rights Policy, “discrimination” means all forms of individual, intersectional and system discrimination based on any of the Prohibited Grounds as defined in the Human Rights Policy. Consistent with the Human Rights Policy, there is no hierarchy of rights. This procedure applies equally to all Prohibited Grounds and intersection of grounds and to all forms of discrimination, including (and not limited to) racism, ableism, sexism, homophobia, biphobia, transphobia, faithism and classism.
- 1.4 This procedure outlines human rights, anti-discrimination (anti-racist, anti-ableist, anti-sexist, anti-homophobic, anti-biphobic, anti-transphobic, anti-faithist and anti-classist) approaches and actions, and also considers intersectionality/the intersections of oppression, to effectively identify, prevent and address all forms of discrimination in the District’s learning and working environments.
- 1.5 This procedure also includes approaches and actions to support the District in meeting its obligations under the Ontario Human Rights Code (the “Code”), the Anti-Racism Act and the Accessibility for Ontarians with Disabilities Act (AODA).
- 1.6 The procedure shall be read together with the:
 - a) Indigenous Education Policy and procedures upholding the distinct rights of Indigenous Peoples; and
 - b) Human Rights Policy, the Human Rights Inclusive Design and Accommodation Procedure, the Student/Family Human Rights Issue, Incident and Complaint Resolution Procedure and the Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention.
- 1.7 Together, these policies and procedures focus on:
 - a) Promoting, protecting and upholding Indigenous rights and human rights;

- b) Proactively identifying, preventing and addressing all forms of discrimination in the District's services, employment, and learning and working environments;
- c) Taking intentional human rights, anti-discriminatory and anti-racist approaches and actions to support equitable experiences, opportunities and access and to prevent disproportionate outcomes for students and employees; and
- d) Providing services, employment and learning and working environment that are safe, welcoming, respectful, inclusive, equitable, accessible and free from discrimination, racism, oppression, harassment and harm.

1.8 As a publicly funded school board, the District is accountable to the students and communities it serves. This procedure summarizes the District's approach to support an accountable human rights organization.

2.0 Definitions

2.1 Key human rights and equity terms used in this procedure are defined in Appendix A (Glossary of Terms) of the Human Rights Policy.

3.0 Procedure

Roles, Responsibilities and Accountability

3.1 *Responsibility* references the duty to fulfill a role, make a decision or take a specific action. Responsibility may be delegated based on individual roles and level or scope of authority.

3.2 *Accountability* references being responsible for decisions and actions. It also refers to the consequences of not fulfilling responsibilities appropriately, including where this leads to discriminatory effects, experiences and/or outcomes. Accountability cannot be delegated.

3.3 Responsibilities and accountabilities:

- a) Are key parts of supporting, promoting and protecting human rights and meeting requirements under the Human Rights Policy and procedures; and

- b) Can be described as the relationship between:

- Rights holders: all students, employees and community members; and
- Duty Bearers: all employees. Employees are responsible for promoting, protecting and upholding human rights and preventing and addressing discrimination against rights holders. The Director of Education will ensure that all employees are aware of their responsibilities and that processes are in place for accountability.

3.4 Under the Human Rights Policy, the term "employee" includes permanent, temporary, casual and contract staff, volunteers, university and college students on placement, interns and any other person included in the definition of "worker" under the Occupational Health and Safety Act.

Responsibilities

- 3.5 Under the Human Rights Policy, all DDSB community members (employees, students, parents/guardians, permit holders, vendors, service providers, authorized visitors and any other person authorized to be present within DDSB learning or working environments or spaces) must:
- a) Treat other DDSB community members with dignity and respect;
 - b) Not engage in discrimination, harassment or any other violation of the Human Rights Policy and the Code of Conduct for Students; and
 - c) Contribute to and support the District's efforts to provide learning and working environments that are safe, welcoming, respectful, inclusive, accessible and free from discrimination, oppression and harm.

Duty Bearer Responsibilities

- 3.6 Under the Human Rights Policy, all employees have additional Duty Bearer responsibilities **within the scope of their roles, authority and influence** to:
- a) **Promote and protect** human rights and provide DDSB community members (rights holders and duty bearers) with information about their rights and responsibilities;
 - b) **Identify, prevent and address** human rights barriers and discriminatory structures in learning and/or working environments (for example, classrooms, schools, offices, job sites, etc.), teaching and learning, services, and operational, corporate and employment related policies, procedures, practices, plans, initiatives and decision making;
 - c) **Respond** to and address human rights barriers, issues and accommodation requests under the Human Rights Policy for all DDSB community members;
 - d) **Learn** about the Human Rights Policy and related procedures so that all Duty Bearers have knowledge, skills, learning and resources to apply human rights, anti-discrimination and anti-racism principles to their jobs/roles, decision-making and interactions with DDSB community members; and
 - e) **Correct** and address human rights issues, incidents and complaints.
- 3.7 For administrators, supervisors, managers and senior leaders, Duty Bearer responsibilities also include the following:
- a) Not condoning discrimination and harassment;
 - b) Addressing human rights issues, complaints and accommodation requests fairly and effectively;
 - c) Leading/championing the implementation of the Human Rights Policy and procedures;
 - d) Holding employees accountable for meeting duty bearer responsibilities and other responsibilities set out in the Human Rights Policy, procedures and this framework; and

- e) In consultation with Human Resources, taking appropriate remedial, responsive, restorative and corrective action when these responsibilities are not met, including discipline up to and including termination of employment (for employees) and expulsion (for students), subject to the principles of progressive discipline.

3.8 The Director of Education and/or designates is responsible for:

- a) Promoting and maintaining an accountable human rights organizational culture that:
 - Supports, respects and upholds the District's commitments and responsibilities set out in the Human Rights Policy and procedures; and
 - Complies with the individual and organizational requirements and elements of this framework;
- b) Holding direct reports accountable; and
- c) Providing regular reports to the Board of Trustees about organizational compliance with the Human Rights Policy, including relevant implementation and experience and outcome measures and data.

3.9 Appendix A outlines additional Duty Bearer responsibilities for the Director of Education and all employees, including school-based employees and employees who interact with students, non-school-based employees, administrators, managers/supervisors and system leaders. All responsibilities are based on and/or flow from the Human Rights Policy and procedures. Employees must understand, apply and fulfill these Duty Bearer responsibilities and also contribute to and support school, system department and shared system-level/organizational human rights responsibilities and accountabilities, as outlined in this procedure.

Organizational Requirements

3.10 All schools, program areas and system departments are, through their respective employees, responsible for the successful implementation and adoption of the Human Rights Policy and procedures, which include:

- a) Acting on and implementing the elements of this framework; and
- b) Fulfilling Duty Bearer roles and responsibilities in:
 - Learning and working environments; and
 - The services and supports they provide to students, parents/guardians, employees and community members.

Elements of an Accountable Human Rights Organization

3.11 To support an organizational culture of human rights responsibilities and accountability as called for in the Human Rights Policy, the District will:

1. **Document expectations** so that all employees understand their Duty Bearer responsibilities (for example, in operational and employment procedures, practices, strategies and initiatives, job descriptions, hiring processes, performance appraisals/reviews and learning plans);

2. **Build employee capacity** to meet Duty Bearer responsibilities and provide Duty Bearers with knowledge and skills (for example, through professional development/training and access to tools, resources and internal subject matter expertise) to help apply human rights principles and Duty Bearer responsibilities in day-to-day actions and decision making;
3. **Uphold human rights** by proactively identifying, preventing and addressing discriminatory structures and barriers in policies, procedures and practices;
4. **Develop and maintain effective issue and complaint resolution processes** to address individual and systemic issues and complaints; and
5. **Monitor, evaluate and report results** through data collection, analysis and public reporting.

3.12 All District employees contribute to these shared organizational responsibilities to implement the Human Rights Policy and related procedures. Appendix B provides additional information on organizational responsibilities and accountability.

Accountability Mechanisms

3.13 Each school and system department is responsible for developing and actioning implementation plans to meet the requirements of the policy and procedures as summarized below (including the requirements and actions listed in Appendices A and B) into all activities.

| Organizational level | Accountability mechanism |
|--|--|
| District | Decisions and recommendations to the Board Operational Plan Accessibility Plan Strategies and initiatives Procedures and practices System Professional Development plan Community partnerships Employment systems Student Census and Workforce Census Human rights issues, incidents, complaints and accommodation data Communications plan Engagement plan |
| Schools and system departments | Human rights policy and procedures implementation plan (and/or school learning plan or department operational plans) School Climate data and Student Census School Community Councils and community engagement Program evaluations |
| Managers, supervisors, system leaders and administrators | All operational and employment related decision making (recruitment, hiring, performance management, promotions, discipline, etc.) |
| All employees (at all levels, including the Director of Education) | Job description/position profile Performance appraisal Learning plan Professional development Professional duties and obligations |

Data Collection, Evaluation and Reporting

- 3.14 In accordance with the Human Rights Policy, the Director and designates are to collect, analyze and publicly report to the Board of Trustees on specific qualitative and quantitative data including and not limited to:
- a) In relation to services, learning environments and student experiences and outcomes: Student Census and School Climate surveys, academic placements, course enrolments, access to programs, achievement and learning skills, well-being, attendance, bullying/safety, Education Quality and Accountability Office (EQAO) results, credits granted to students, graduation metrics, post-secondary access (i.e., university and college applications and confirmations), accommodations, special education identifications, special education class placements, awards and scholarships, discipline (for example, suspensions and expulsions), extra and co-curricular engagement, and human rights issues, complaints and resolutions/results; and
 - b) In relation to employment, working environments and employee experiences and outcomes: Workforce Census and employee experience surveys, recruitment, selection, accommodations, workplace conditions and experiences, retention, access to developmental opportunities, volunteer recruitment, promotions, discipline, workforce data, terminations, exits, and human rights issues, incidents, complaints and resolutions/results.
- 3.15 The Director, in consultation with Assessment & Accountability, may also consider additional data and research, as may be required to uphold the objectives of the Human Rights Policy.
- 3.16 In relation to this data, the Director of Education and designates are to develop an evaluation plan to:
- a) Identify potentially discriminatory structures, policies, practices, barriers and differential and disproportionate student and employee opportunities, access, experiences and outcomes;
 - b) Act on the results of the evaluation (for example, remove barriers, adjust practices, revise procedures or this framework, etc.) to support ongoing human rights performance improvements; and
 - c) Report on the results to the Board of Trustees and the public.

Communications and Information Sharing

- 3.17 The Director and designates will communicate about and publicly post this procedure in accordance with the requirements of the Human Rights Policy and procedures.

Review Process

- 3.18 The Director of Education and designates will review and update this procedure as necessary and appropriate but it shall be reviewed at least every five years. To support the review process, the review will include:
- a) Information, trends and data (for example, school climate and well-being survey data, student census/identity survey, workforce census data, complaints data, accommodations data, etc.);
 - b) Input from and evidence of impact on students, parents/guardians and employees; and
 - c) Evolving human rights law, policy and/or practices.

4.0 Reference Documents

4.1 Policies

- [Indigenous Education](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- [Policy Formulation and Review](#)
- [Equity and Inclusive Education](#)
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- Safe and Respectful Workplace and Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.2 Procedures

- [Indigenous Education Procedure on Classroom Practices: Teaching and Learning](#)
- Human Rights, Anti-Discrimination and Anti-Racism <insert link>
- Human Rights Inclusive Design and Accommodation <insert link>
- Student/Family Human Rights Issue, Incident and Complaint Resolution <insert link>
- [Consultative Process](#)
- [Equity and Inclusive Education](#)
- [Equitable Recruitment](#)
- [Positive School Climate](#)
- Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention <insert link>
- [Code of Conduct and Discipline for Students](#)

4.3 Other Documents

- [Universal Declaration of Human Rights](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [United Nations Convention on the Rights of the Child, Rights of Persons with Disabilities, Yogyakarta Principles](#) and other United Nations documents and instruments
- [Canadian Charter of Rights and Freedoms](#)
- [Ontario Human Rights Code](#)
- [Anti-Racism Act](#)
- [Accessibility for Ontarians with Disabilities Act](#)
- [Occupational Health and Safety Act](#)
- [Education Act](#)
- [Ontario Human Rights Commission's Policies and Guidelines](#), reports and resources
- [Anti-Racism Directorate's Anti-Racism Policy, Anti-Black Racism Strategy](#) and [Data Standards for the Identification and Monitoring of Systemic Racism](#)
- [The Equity Continuum: Action for Critical Transformation in Schools and Classrooms \(Murray and West-Burns, 2011\)](#)
- Building Capacity: A Focus on Culturally Responsive and Relevant Pedagogy Through a Critically Conscious Practitioner Inquiry (West-Burns, 2018)
- [DDSB Hiring Guidelines](#)

Appendix:

None

Effective Date

YYYY-MM-DD

Amended

YYYY-MM-DD

Draft Human Rights Roles, Responsibilities and Accountability Framework

Appendix A: Employee Roles and Duty Bearer Responsibilities

- 1.1 All employees have individual roles, responsibilities and accountability for human rights, anti-discrimination and anti-racism in District services, employment and learning and working environments as set out in:
- a) The Human Rights Policy and related procedures; and
 - b) Legislation, other policies and procedures, collective agreements (where applicable) and professional standards governing conduct (where applicable).
- 1.2 In addition, all employees contribute to shared organizational responsibilities to create and contribute to learning and working environments that centre human rights and equity and that are welcoming, safe, respectful, equitable, inclusive, accessible and free from discrimination, oppression, harassment and harm.
- 1.3 The Director of Education and/or designates is/are responsible for the operations of the District and implementing (or overseeing the implementation of):
- a) Organizational requirements to uphold the Human Rights Policy and procedures; and
 - b) Initiatives, practices and measures to support all employees in complying with the Human Rights Policy and procedures.

Organizational Responsibilities

- 1.4 The District, through the Director of Education and/or designates, will:
- a) Engage and consult with diverse communities, including enhancing existing or developing new relationships with communities and networks;
 - b) Integrate human rights, anti-discrimination, anti-racism, inclusive design, Universal Design for Learning (UDL) and accessibility principles into organizational operational, service related and employment related policies, procedures, practices, rules, programs, initiatives and informal and formal decision making;
 - c) Identify, prevent and address discriminatory and inequitable impacts, practices, processes, experiences, barriers and outcomes in all aspects of:
 - Pedagogical and teaching/instructional approaches and practices, educational program delivery and all classroom/school practices;
 - Recruitment, selection, promotion and retention and all human resources practices and decisions;
 - Initiatives and programs, including school and board improvement, learning, operational and strategic plans and priorities;
 - Training, learning, professional development, performance and succession plans and decision making;
 - Business planning, processes and decisions (for example, procurements, budgets, resources, etc.);
 - Communications;
 - Evaluation and reporting;
 - Community engagement; and
 - Organizational change processes, assessments and decision making;
 - d) Communicate about human rights related accountabilities so that all employees recognize and understand their individual and organizational roles and responsibilities and how their decisions and actions must uphold human rights and prevent discrimination;

- e) Fulfill its legal duty to accommodate Human Rights Code and Human Rights Policy related needs to the point of undue hardship;
- f) Provide students, parents/guardians, employees and community members with information, tools, resources, and processes to identify and raise potential discriminatory practices, exercise their rights, and provide feedback on their Human Rights Policy-related experiences in DDSB learning and working environments;
- g) Not condone, ignore, or continue discriminatory practices;
- h) Have in place transparent, fair, accessible and effective processes to address human rights accommodation requests, issues, incidents, and complaints;
- i) Implement additional actions/initiatives as may be required to meet the objectives of the Human Rights Policy and procedures;
- j) Work with education sector and other partners to raise potential human rights issues in their processes/practices that impact District students, employees and communities; and
- k) Measure, evaluate and report on organizational human rights performance.

1.5 To support these organizational responsibilities, the Director of Education and/or designates will:

- a) Set clear direction and expectations to help employees at all levels fulfill individual and organizational roles, responsibilities and accountabilities for human rights, anti-discrimination, anti-racism, inclusive design, UDL and accessibility;
- b) Build capacity and competencies and provide professional learning and training to equip employees with knowledge and skills to:
 - Support the implementation of the Human Rights Policy and procedures;
 - Identify, prevent, and address discrimination and discriminatory barriers; and
 - Apply human rights, anti-discrimination and anti-racism principles and approaches in day-to-day activities and decision making;
- c) Integrate and embed human rights, anti-discrimination, and anti-racism into:
 - Recommendations to the Board of Trustees to inform the Board's decision making;
 - Strategic priorities, operational strategies, initiatives and action plans;
 - Operational functions, policies, procedures and practices, including (and not limited to) those related to pedagogical and teaching/instructional practices, student assessment, placement, guidance, supports, resources and discipline;
 - Employment and human resources functions, policies, procedures and practices, including (and not limited to) job descriptions, hiring practices, supervision, performance appraisals, performance management, promotion practices, succession planning, termination, exits and safe and respectful workplaces;
 - Mental health and well-being initiatives;
 - Organizational learning plans and other job expectations;
 - Financial and business planning and relationships including:
 - Equitable budget and resource allocation recommendations that include human rights barrier identification, removal and accommodation costs that are appropriately spread as widely as possible throughout the organization; and
 - Procurement processes, vendor and service provider selection, community use of schools permits, etc.
 - Research and evaluation;
 - Community engagement and partnerships, including School Community Councils;
 - Communications and reporting;
- d) Develop fair, effective and efficient human rights accommodation, issue, incident and complaint resolution mechanisms;
- e) Prevent and correct human rights violations and uphold individual and organizational obligations and accountabilities;
- f) Monitor, evaluate and report on progress, including collecting and analyzing data to identify potential issues and trends;

- g) Act on and address results, findings and trends to support ongoing organizational learning and growth;
- h) Support Human Rights Policy commitments, champion an organizational culture of human rights, and promote human rights, anti-discrimination and anti-racism as core competencies and practices;
- i) Raise systemic human rights related policy or other issues that affect the District's services, employment and learning and working environments to the Board of Trustees, education/community partners or the Ministry of Education, as appropriate;
- j) Strengthen Board of Trustee governance through the provision of training on human rights, anti-discrimination and anti-racism principles and the scope, use and results of identity-based data collection and analyses within the District;
- k) Monitor and assess organizational compliance with this procedure and:
 - Revise or remove procedures and practices that conflict with the Human Rights Policy and procedures;
 - Implement new procedures, actions or initiatives that proactively promote and support human rights, anti-discrimination and anti-racism; and
 - Hold direct reports accountable for complying with individual and shared organizational roles and responsibilities set out in the Human Rights Policy and procedures; and
- l) Put in place appropriate organizational structures and allocate sufficient resources and expertise to:
 - Implement requirements and meet the objectives of the Human Rights Policy and procedures; this may include additional actions as may be required to meet the policy's objectives; and
 - Support this critical work.

1.6 The Director and/or designates shall include, reflect and assess the requirements of the Human Rights Policy and procedures and/or responsibilities and accountabilities in:

- a) Recommendations to the Board of Trustees on the Board's Multi-Year Strategic Plans;
- b) Strategic and operational priorities, goals, strategies and initiatives;
- c) Organizational leadership and system learning and professional development plans;
- d) System department and school improvement/learning plans;
- e) Protocols for inclusion in all employee performance appraisals and learning plans;
- f) All other service/operational and employment, practices, procedures and decision-making processes; and
- g) All other mechanisms listed under the Accountability Mechanisms section of this framework.

Employee Responsibilities

1.7 **All employees** shall implement and comply with the Human Rights Policy and procedures within the scope of their job duties, role, authority and influence and must:

- a) Model human rights positive behaviour and not engage in any form of discrimination or harassment;
- b) Ground decisions and actions in District policies and procedures;
- c) Support and contribute to safe, welcoming, respectful, inclusive, accessible and equitable learning and working environments;
- d) Engage in ongoing learning and professional development to:
 - Strengthen human rights, anti-discrimination and anti-racism knowledge, skills and competencies; and

- Recognize how positionality, power, privilege and discriminatory biases, beliefs, assumptions, stereotypes, ideologies, inequities and barriers operate in District learning and working environments and in individual practices;
- e) Apply human rights, anti-discrimination and anti-racism principles, practices and approaches (including inclusive design, UDL and accessibility principles) in all work, interactions, actions and decision making; this includes:
- Addressing human rights obligations when applying other policies, procedures and practices;
 - Examining practices and decision making to consider potential discriminatory barriers and inequitable experiences, processes, effects and outcomes, including impacts on students, families, employees and communities that may be discriminatory and may unintentionally cause trauma and harm;
 - Act in ways that uphold the rights of the child/student and the rights of employees, are in the best interests of the child/student, are asset-based, do not cause or perpetuate harm and are not discriminatory (for example, adjust practices to prevent or address potential discrimination);
- f) Report potential discrimination and discriminatory barriers to their supervisor/manager;
- g) Intervene to stop all forms of harassment or discrimination against a student(s) and report it to their supervisor/manager through appropriate processes;
- h) Not interfere with human rights issue or complaint resolution processes;
- i) Participate in and cooperate fully with information gathering or investigation procedures, as may be required to respond to a human rights issue, incident or complaint;
- j) Not engage in reprisal actions against students (or their family members/guardians), employees or community members who raise human rights related issues, incidents, concerns, accommodation requests or complaints, or who participate in issue, incident or complaint resolution processes; and
- k) Support and contribute to the organizational responsibilities outlined in the Human Rights Policy and procedures.

1.8 All employees, within the scope of their job duties, role, authority and influence, will comply with the Code, Anti-Racism Act and AODA and shall be informed by, apply and incorporate the principles and requirements of and/or implement the following in their work:

- a) The Indigenous Education Policy and related procedures;
- b) The DDSB's Accessibility Plan;
- c) Inclusive design, UDL and differentiated instruction, assessment and evaluation;
- d) The Equity Continuum: Action for Critical Transformation in Schools and Classrooms;
- e) Culturally Relevant and Responsive Pedagogy (CRRP) and critically conscious practitioner inquiries (CCPI);
- f) The Compendium of Action for Black Student Success; and
- g) Additional new tools and resources to support anti-discrimination, as they are developed and become available.

1.9 In addition, **all employees who interact with students** (including but not limited to school-based administrators, educators, professional services staff and support staff) will:

- a) Create conditions that support welcoming, safe, inclusive, accessible, equitable learning environments, opportunities, experiences and outcomes for students;
- b) Treat students equitably, with dignity, respect and care, and respond to individual and intersecting identities, strengths, barriers, needs, circumstances and other factors that influence individual student learning and experiences;

- c) Critically examine and reflect on how positionality, systems of power, privileges, biases and ideologies operate and affect their decisions, actions and interactions in classrooms and schools (for example, relating to educational philosophies, pedagogical and teaching/instructional approaches, class rules and routines, instructional materials and resources, student assessment, placement, programming needs, evaluation, classroom management, guidance practices, office referrals, referrals to the police and Children's Aid Society, discipline, clinical and professional services and practices, resources and support for students, school activities and events, parent/guardian and community engagement, etc.) and how this affects students;
- d) Not take part in, condone or allow discrimination in learning environments; and
- e) Confront, challenge and disrupt discriminatory practices, barriers and inequities in student learning environments and services and adjust practices and approaches and address barriers as required to support equitable opportunities, processes, experiences and outcomes. This includes reviewing and addressing class/school data findings and trends.

1.10 In addition, **administrators, system leads, managers/supervisors** and **superintendents** shall:

- a) Communicate about this procedure to students/families and employees (and, where needed, make accessible copies available) so that they are aware of obligations, rights, responsibilities and how to request accommodation and raise/report human rights issues, incidents and complaints;
- b) Provide the Human Rights Policy and related procedures to all existing and new staff;
- c) Create and maintain learning and working environments that are free from discrimination, oppression, harassment and harm;
- d) Take steps to immediately act on and address human rights accommodation requests, issues, complaints and observations or allegations of discrimination or harassment (including potential poisoned learning or working environments); this includes acting upon becoming aware of potential discrimination, even in the absence of formal or written complaint;
- e) Not condone discrimination;
- f) Implement policies, procedures and initiatives in ways that align with human rights obligations and that assess and address potential discriminatory barriers, experiences, outcomes and impacts;
- g) Incorporate and apply human rights, anti-discrimination, anti-racist, equity, inclusive design and accessibility principles and competencies in job descriptions/requirements, outreach, recruitment, hiring and selection decisions, onboarding, supervision policies and practices, coaching, mentoring, performance appraisals, performance management, promotions, succession planning and staffing decisions;
- h) Provide learning and professional development opportunities for employees to enhance their understanding of human rights, racism, ableism, sexism, homophobia, biphobia, transphobia, faithism, classism and other forms of discrimination, including intersectionality;
- i) Hold staff accountable for complying with the Human Rights Policy and procedures by:
 - Assessing human rights, anti-discrimination and anti-racism competencies and skills and meeting human rights roles and responsibilities in (among other things) recruitment (for example, job descriptions, selection criteria, etc.) supervision/coaching, learning plans, performance appraisals and performance management; and
 - In consultation with Human Resources, and in accordance with the principles of progressive discipline, taking appropriate responsive, remedial, restorative and/or corrective action (including discipline up to and including termination of employment) to address human rights performance concerns and policy violations;
- j) Address potential resistance to initiatives and strategies that challenge discriminatory ideologies, practices and inequities and that promote increased access to, and opportunities and participation for, groups that are discriminated against;

- k) Build and sustain relationships and regularly engage District community members on initiatives that affect them;
- l) Champion and promote initiatives that support human rights organizational change and that address barriers, disparities and disproportionate experiences, processes and outcomes based on Prohibited Grounds; and
- m) Incorporate the commitments, objectives and requirements of the Human Rights Policy and procedures in school and/or system department learning plans and initiatives.

1.11 To support these requirements, all employees shall include, reflect and assess human rights anti-discrimination and anti-racism roles, responsibilities and accountabilities in their:

- a) Individual learning and professional development plans and performance plans and/or appraisals; and
- b) Contributions to meet the requirements of school learning or system department implementation plans.

Accountability

1.12 All employees are expected to:

- a) Adhere to the Human Rights Policy and procedures, including the requirements set out in this framework; and
- b) Not engage in behaviour and/or express views, share materials, discuss or teach content that is contrary to or inconsistent with the Human Rights Policy, the Human Rights Code and the Education Act in the DDSB's services, employment and learning and working environments.

1.13 For some employee groups, the District may also have obligations to report substantiated findings of discrimination or harassment to applicable employee professional associations and colleges.

1.14 Employees who do not comply with these requirements are subject to corrective action, including discipline up to and including termination of employment, subject to the principles of progressive discipline. Each situation and all relevant factors will be considered on a case-by-case basis in consultation with Human Resources and in accordance with the principles of progressive discipline.

School Community Councils

1.15 School Community Councils will comply with the Human Rights Policy and procedures within the scope of their mandate, responsibilities and activities and in ways that promote and uphold human rights, anti-discrimination and anti-racism principles and actions.

**Draft Human Rights Roles, Responsibilities and
Accountability Framework**

Appendix B: Key Organizational Elements and Actions

Principles

| Shared Responsibility | Transparency | Ethics and Integrity | Equity |
|---|---|--|--|
| All employees contribute to an accountable organizational culture of human rights | Processes, communications and reporting about human rights responsibilities and accountability are clear and accessible | Employees perform their duties ethically, consistent with legal obligations and strategic priorities and commitments | Employees treat all community members equitably and with dignity and respect |

Key Elements of an Accountable Human Rights Organization Embedded in the Human Rights Policy and Procedures

| | |
|--|---|
| <p>1. Document expectations</p> <p>Duty Bearers know what their human rights-related responsibilities are</p> | <p>a) Outline human rights requirements, responsibilities and expectations in:</p> <ul style="list-style-type: none"> • Policies, procedures, practices, and learning/training; and • Operational plans, strategies, priorities and communications <p>b) Define human rights-related roles and responsibilities and set clear expectations in all performance plans (i.e., identify, include and evaluate human rights performance and learning commitments, strategies and activities in job descriptions and performance plans, and reinforce expectations in day-to-day work)</p> <p>c) Clearly communicate Human Rights Policy requirements and the consequences for policy violations (including reprisal)</p> |
| <p>2. Build employee capacity</p> <p>Provide learning and resources on human rights roles and responsibilities</p> | <p>a) Provide opportunities for employees to learn about human rights and to understand how to apply human rights requirements to their jobs and decision making</p> <p>b) Provide resources to help employees support system-wide actions to identify, prevent and address discriminatory barriers</p> <p>c) Provide managers and employees with access to resources and Indigenous and human rights expertise to help resolve issues</p> |
| <p>3. Uphold human rights</p> <p>Proactively identify, prevent and address discriminatory structures and barriers</p> | <p>a) Design inclusive services, employment and learning and working environments to support equitable access, experiences and opportunities and to prevent discriminatory outcomes</p> <p>b) Identify, prevent and address:</p> <ul style="list-style-type: none"> • Human rights barriers and needs in services, employment and learning and working environments; and • Processes or practices that conflict with human rights requirements <p>c) Anticipate and address potential challenges to uphold the requirements of the Human Rights Policy and procedures</p> |

| | |
|---|---|
| <p>4. Develop and maintain effective issue and complaint resolution processes</p> <p>Rights holders can safely raise human rights issues and complaints</p> <p>Duty bearers address complaints fairly and effectively</p> | <ol style="list-style-type: none"> a) Establish transparent and accessible processes to raise human rights issues, incidents and complaints b) Address issues, incidents and complaints fairly and effectively c) Clearly communicate processes and outcomes d) Take appropriate responsive, remedial, restorative and corrective action, including discipline (in consultation with Human Resources and other areas, as may be appropriate in the circumstances, consistent with the principles of progressive discipline) to address human rights violations, and restore learning and working environments and relationships |
| <p>5. Monitor, evaluate and report results</p> <p>Review to determine if responsibilities and obligations are being met</p> <p>Learn from and act on the results to continuously improve human rights performance</p> <p>Communicate the results</p> | <ol style="list-style-type: none"> a) Monitor compliance with requirements and address potential barriers and issues, as needed b) Collect data to assess experiences and outcomes c) Report results to DDSB community members d) Provide opportunities for DDSB community members to: <ul style="list-style-type: none"> • Give feedback on their human rights experiences; and • Invite input on District human rights initiatives e) Make responsive changes to the framework, as needed |

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Durham District School Board **DATE:** May 16, 2022

SUBJECT: Revised Safe and Respectful Workplace and Harassment Prevention Policy **PAGE:** 1 of 2

ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
Heather Mundy, Superintendent of People and Culture
Patrick Cotter, General Counsel

1.0 Purpose

The purpose of this report is to bring forward for approval the Revised Safe and Respectful Workplace and Harassment Prevention Policy that came before the Board as a notice of motion on April 19, 2022.

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

The Governance and Policy Committee undertook a detailed review of, and revision to the Safe and Respectful Workplace and Harassment Prevention Policy.

At the March 24, 2022 Governance and Policy Committee meeting, the Committee passed a resolution to move the revised Safe and Respectful Workplace and Harassment Prevention Policy to the April 19, 2022 Board meeting.

The revised Safe and Respectful Workplace and Harassment Prevention Policy came before the Board as a notice of motion on April 19, 2022.

4.0 Recommendations

That the Board of Trustees consider and, as it may deem appropriate, approve the revised Safe and Respectful Workplace and Harassment Prevention Policy.

5.0 Appendices

- Appendix A DRAFT Safe and Respectful Workplace and Harassment Prevention Policy-**For Approval**
- Appendix B DRAFT Safe and Respectful Workplace and Harassment Prevention Policy - tracked changes-**For Information Only**
- Appendix C DRAFT Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention-**For Information Only**

Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



Heather Mundy, Superintendent of People and Culture



Patrick Cotter, General Counsel

DRAFT Safe and Respectful Workplace and Harassment Prevention Policy

1.0 Rationale

- 1.1 The Durham District School Board (the “Board” or “employer”) is committed to providing working and learning environments in which all individuals are treated with respect and dignity. Every individual has an equal right to learn, work and feel safe in an environment that is free from discrimination and harassment under the Ontario Human Rights Code (Code) and the Ontario Occupational Health and Safety Act (OHSA).

2.0 Policy Objective

- 2.1 Workplace harassment and disrespectful conduct are unacceptable. It is the policy of the Board to address any such incidents with seriousness and sensitivity.
- 2.2 This policy must be read together with the Board’s Human Rights, Anti-Discrimination and Anti-Racism Policy (the “Human Rights Policy”). Read together, these policies address all forms of discrimination, harassment and disrespectful conduct in the workplace.
- 2.3 This policy is adopted to foster and promote healthy, inclusive and supportive working and learning environments. All employees are expected to engage in courteous and respectful conduct, interactions, communications and relationships in Board working environments.
- 2.4 The policy sets the parameters for prohibited conduct and outlines the duties of the Director of Education or delegates to provide the requisite training along with the system’s shared responsibility in fostering a healthy, respectful and supportive environment that is free from harassment and disrespectful conduct.

3.0 Definitions

- 3.1 **Disrespectful Conduct:** conduct by an individual that a reasonable person would consider inappropriate and disrespectful of another but that does not rise to the level of harassment. Examples of conduct that may be Disrespectful Conduct (or that may, in some cases rise to the level of Harassment or Discrimination under the Board’s Human Rights Policy) could include, but not limited to:
- Spreading rumours or engaging in negative talk about personal or private information of a worker;
 - Written or verbal comments, actions, gestures, micro-aggressions or “jokes”;
 - Abuse of authority (which does not include any reasonable action taken by a supervisor relating to the management and direction of workers);
 - Yelling, shouting, screaming, swearing, pounding a desk or table with a hand or fist;
 - Deliberately excluding or isolating a person from relevant work activities or decision making within the scope of their role;
 - Stereotyping or making inappropriate assumptions about an individual based on an individual’s personal qualities, lived experiences, characteristics or role;

- Devaluing or trivializing a person's role, successes, contributions or concerns; or
- Engaging in misconduct that results in a negative impact or perceived negative impact to the employer and its reputation or to students and staff.

3.2 **Harassment:** a course of vexatious comments or actions that are known or ought reasonably to be known to be unwelcome. It can involve words or actions that are known to be offensive, embarrassing, humiliating, demeaning or unwelcome and can include sexual harassment. Harassment can occur, in some cases, in a single incident and may result in a poisoned work environment. Harassment may be linked to a protected ground under the Code and may also be found to be a violation of the Board's Human Rights Policy. Any reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not Harassment.

3.3 **Reprisal:** penalizing or threatening to penalize a Worker for attempting to enforce their rights under this policy (e.g., reporting an incident, raising a complaint under this policy or through another avenue or external body to assert their rights, or supporting someone in any of these activities), or for participating in the resolution or investigation of a complaint (e.g., employees who are parties or witnesses to disrespectful conduct or Harassment).

3.4 **Sexual Harassment:** a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity and gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome amongst peers, towards a supervisor, or a supervisor towards staff. This includes sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Sexual Harassment can occur, in some cases, in a single incident.

3.5 **Worker:** Any person included in the definition of "worker" under the OHSA including but not limited to regular, temporary, probationary employees, co-op students, contract employees and volunteers.

3.6 **Workplace:** any land, premises, location or thing at, upon, in or near which a Worker works, including:

- Any place where individuals perform work or work-related duties or functions, including virtual and on-line environments;
- Board offices and facilities, including eating, meeting and employee areas/lounges, and vehicles used for work purposes or on work property;
- Conferences, workshops, training sessions, and staff functions (e.g., retirement celebrations); and
- In some instances, the use of social media where it is connected to the Workplace or Workplace relationships.

4.0 Policy

Application and Scope

4.1 This policy addresses Harassment and Disrespectful Conduct and applies to all Workers in the Workplace (conduct of parents/families is addressed separately under the school's Code of Conduct).

Roles and Responsibilities

4.2 The Director of Education or delegates shall:

- Ensure this policy is posted conspicuously on the Health and Safety Boards in the Workplace;
- Review this policy as often as necessary, but at least annually with any recommended changes brought to the Board of Trustees for consideration;
- Publicly report to the Board of Trustees on the effectiveness of this policy in achieving the policy's objectives and on organizational compliance with this policy;
- Develop procedures and protocols for all complaints or incidents of Disrespectful Conduct and Workplace Harassment to be investigated in a fair, respectful and timely manner. These procedures and protocols are to provide for circumstances where Workers have been victimized and are hesitant to come forward. In these circumstances, the Board must address and/or investigate the conduct at issue with the intent of ensuring a professional and safe workplace and of providing the victimized Worker with appropriate support; and
- Ensure that all Workers are provided with information and instruction on the contents of this policy and any related procedures.

4.3 Workers shall:

- Treat all Workers in the Workplace with dignity and respect and not engage in any form of Harassment or Disrespectful Conduct;
- Make changes to their own behaviour where they become aware that there is a potential for such behaviour to amount to Harassment or Disrespectful Conduct;
- To the extent they feel safe to do so, advise that the conduct of another Worker in breach of this policy is not acceptable;
- Intervene (when safe to do so) and/or report instances of any conduct on the part of any Worker which could amount to Harassment or Disrespectful Conduct;
- When aware, be supportive of others who are victims of Harassment or Disrespectful Conduct;
- Cooperate fully with any and all investigations under this policy;
- Preserve evidence related to instances of alleged Harassment or Disrespectful Conduct, including as to dates, times and the names of any witnesses;
- Actively participate in training provided by the Board as to this policy and related procedures;
- If they are a supervisor, take any allegations of Harassment or Disrespectful Conduct seriously, and, in consultation with the Superintendent responsible for Human Resources, take steps to address any potential safety needs and to restore the Workplaces disrupted by policy violations (or allegations/investigations of policy violations);
- Not demonstrate or condone any conduct that is Harassment or Disrespectful Conduct; and;
- Not engage in any form of Reprisal.

4.4 Workers are required to comply with this policy and will be held responsible for any non-compliance. Consequences for non-compliance could include discipline up to and including termination of employment. Workers will not be penalized or disciplined for making a good faith report or complaint of a potential breach of this policy or for participating in any investigation into an alleged breach of this policy. Reprisal is unacceptable and will not be condoned. Workers who have been victimized and do not come forward or are reluctant to come forward shall not be disciplined or penalized for the failure to come forward. The obligation to address potential violations of this policy is with the employer once it learns of the issue, regardless of how the issue comes forward.

4.5 Nothing in this policy, nor in any related procedure, precludes Workers from asserting their rights, pursuing other resolution options or seeking redress through other statutory, contractual

or legal rights and remedies (e.g., a grievance through the applicable collective agreement if they hold grievance rights, filing an application to the Human Rights Tribunal of Ontario, etc.).

- 4.6 The Director shall implement the terms of this Policy through procedure(s) and as otherwise may be deemed appropriate.

Confidentiality

- 4.7 Information provided about an incident or about a complaint will not be disclosed except as necessary to protect Workers, to investigate the complaint or incident, to take corrective action or as otherwise required bylaw.

Training

- 4.8 The Director of Education or designate shall ensure that all Workers are aware of this policy and that regular training is provided on the contents of this Policy and related procedure(s).

5.0 Evaluation

- 5.1 This policy may be reviewed and updated as may be deemed necessary or appropriate, but it shall be reviewed at least annually by the Director of Education, with any recommended changes brought to the Board of Trustees for consideration.

6.0 Reference Documents

- 6.1 Policies
- Human Rights, Anti-Discrimination and Anti-Racism Policy
- 6.2 Other Documents (Legislation, Provincial Regulations, Etc.)
- Ontario Human Rights Code
 - Ontario Occupational Health and Safety Act

Appendix:

Appendix A: Safe and Respectful Workplace and Harassment Procedure

Effective Date:

TBA

Reviewed and Amended:

1995-05-08
2006-08-08
2010-09-20
2017-12-12
2018-01-31
2022-05-16



POLICY

DRAFT Safe and Respectful Workplace and Harassment Prevention Policy

1. Rational Objective

1.1—General

1.1 The Durham District School Board (the “Board” or “employer”) is committed to providing a working and learning environments in which all individuals are treated with respect and dignity. ~~It is further recognized that~~ Every individual has an equal right to learn, work and feel safe in an environment that is free from discrimination and harassment ~~or objectionable behaviour according to the provisions of~~ under the Ontario Human Rights Code (Code) and the Ontario Occupational Health and Safety Act (OHSA).

~~11~~—The Durham District School Board has a duty to maintain an environment respectful of human rights and free of harassment for all persons served by it.

~~12~~—The Board expects that all persons in its learning/working environment will:

- ~~• Be aware of and be sensitive to issues of harassment;~~
- ~~• Support individuals who are, or have been targets of harassment;~~
- ~~• Prevent harassment through training;~~
- ~~• Take all allegations seriously and respond promptly;~~
- ~~• Provide positive role models; and~~
- ~~• Not demonstrate, allow or condone behaviour contrary to the Policy.~~

2 Objective

~~13~~ 21 Workplace harassment and disrespectful conduct are unacceptable. It is the policy of the Board to address any such incidents with seriousness and sensitivity.

~~14~~ 22 This policy must be read together with the Board’s Human Rights, Anti-Discrimination and Anti-Racism Policy (the “Human Rights Policy”). ~~Read together, these policies address all forms of discrimination, harassment and disrespectful conduct in the workplace.~~

~~2.4 This policy is designed to promote a healthy, respectful and supportive working and learning environment. It highlights conduct that may lead to workplace harassment as well as outlines the system’s shared responsibility in fostering a harassment free workplace. The goal is to prevent workplace harassment from taking place and, where, necessary to investigate and respond~~

~~to incidents/complaints of such behaviour in a fair, timely and effective manner.~~

~~1.51.4 2.3~~ This policy is adopted to foster and promote healthy, inclusive and supportive working and learning environments. All employees are expected to engage in courteous and respectful conduct, interactions, communications and relationships in Board working environments.

~~1.61.5 2.4~~ The policy sets the parameters for prohibited conduct and outlines the duties of the Director of Education or delegates to provide the requisite training along with the system's shared responsibility in fostering a healthy, respectful and supportive environment that is free from harassment and disrespectful conduct.

2. — Definitions

3.0 Definitions

~~3.2~~ The OHSA defines "workplace harassment" as:

- ~~1. — engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or~~
- ~~2. workplace sexual harassment;~~

~~— "workplace sexual harassment" means,~~

- ~~1. engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or~~
- ~~2. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;~~

~~— A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.~~

21 3.1 Disrespectful Conduct: conduct by an individual that a reasonable person would consider inappropriate and disrespectful of another but that does not rise to the level of harassment. Examples of conduct that may be Disrespectful Conduct (or that may, in some cases rise to the level of Harassment or Discrimination under the Board's Human Rights Policy) could include, but not limited to:

- Gossiping and s Spreading rumours or engaging in negative talk about personal or private information of a worker;
- Written or verbal comments, actions, gestures, micro-aggressions or "jokes";

- Abuse of authority (which does not include any reasonable action taken by a supervisor relating to the management and direction of workers);
- Yelling, shouting, screaming, swearing, pounding a desk or table with a hand or fist;
- Deliberately excluding or isolating a person from relevant work activities or decision making within the scope of their role;
- Stereotyping or making inappropriate assumptions about an individual based on an individual's personal qualities, lived experiences, characteristics or role;
- Devaluing or trivializing a person's role, successes, contributions or concerns; or
- Engaging in misconduct that results in a negative impact or perceived negative impact to the District and its reputation or to students and staff.

22 **3.2 Harassment:** a course of vexatious comments or actions that are known or ought reasonably to be known to be unwelcome. It can involve words or actions that are known to be offensive, embarrassing, humiliating, demeaning or unwelcome and can include sexual harassment. Harassment can occur, in some cases, in a single incident and may result in a poisoned work environment. Harassment may be linked to a protected ground under the Code and may also be found to be a violation of the Human Rights Policy. Any reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not harassment.

232 **3.3 Reprisal:** penalizing or threatening to penalize a person for attempting to enforce their rights under this policy (e.g., reporting an incident, raising a complaint under this policy or through another avenue or external body to assert their rights, or supporting someone in any of these activities), or for participating in the resolution or in an investigation of a complaint (e.g., employees who are parties or witnesses to disrespectful conduct or harassment).

2423 **3.4 Sexual Harassment:** a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity and gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome amongst peers, towards a supervisor, or a supervisor towards staff. This includes **sexual solicitation** or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Sexual Harassment can occur, in some cases, in a single incident.

2524 **3.5 Worker:** Any person included in the definition of "worker" under the OHS Act including

but not limited to regular, temporary, probationary employees, co-op students, contract employees and volunteers.

2625 3.6 Workplace: any land, premises, location or thing at, upon, in or near which a Worker works, including:

- Any place where individuals perform work or work-related duties or functions, including virtual and on-line environments;
- Board offices and facilities, including eating, meeting and employee areas/lounges, and vehicles used for work purposes or on work property;
- Conferences, workshops, training sessions, and staff functions (e.g., retirement celebrations); and
- In some instances, the use of social media where it is connected to the Workplace or Workplace relationships.

3. Application and Scope

4.0 Policy

~~2.6 This policy addresses workplace harassment under the OHSA and the Code and applies to all workers within the meaning of OHSA. It addresses workplace harassment from all sources, including supervisors, workers, trustees, students, parents, suppliers, and members of the public.~~

3.14.1 This policy addresses Harassment and Disrespectful Conduct and applies to all Workers in the Workplace (conduct of parents/families is addressed separately under the school's Code of Conduct).

~~2.1 Board Responsibility~~

~~2. In accordance with Bill 168 and Bill 132, the Durham District School Board shall ensure:~~

- ~~—The Workplace Harassment and Workplace Sexual Harassment Policy is in written form and is posted in a conspicuous place in the workplace;~~
- ~~—The Workplace Harassment and Workplace Sexual Harassment Policy is reviewed as often as is necessary, but at least annually;~~
- ~~—All employees are provided with information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace Harassment and Workplace Sexual Harassment and any other prescribed information.~~

4.3. Roles and Responsibilities

41 The Director of Education or delegates shall:

4.2 The Director of Education or delegates shall:

- Ensure this policy is posted conspicuously on the Health and Safety Boards in the Workplace;
- Review this policy as often as necessary, but at least annually with any recommended changes brought to the Board of Trustees for consideration;
- Publicly report to the Board of Trustees on the effectiveness of this policy in achieving the policy's objectives and on organizational compliance with this policy;
- Develop procedures and protocols for all complaints or incidents of Disrespectful Conduct and Workplace Harassment to be investigated in a fair, respectful and timely manner. These procedures and protocols are to provide for circumstances where Workers have been victimized and are hesitant to come forward. In these circumstances, the Board must address and/or investigate the conduct at issue with the intent of ensuring a professional and safe workplace and of providing the victimized Worker with appropriate support; and
- Ensure that all Workers are provided with information and instruction on the contents of this policy and any related procedures.

4.2 Workers shall:

4.3 Workers shall:

- Treat all Workers in the Workplace with dignity and respect and not engage in any form of Harassment or Disrespectful Conduct;
- Make changes to their own behaviour where they become aware that there is a potential for such behaviour to amount to Harassment or Disrespectful Conduct;
- To the extent they feel safe to do so, advise that the conduct of another Worker in breach of this policy is not acceptable;
- Intervene (when safe to do so) and/or report instances of any conduct on the part of any Worker which could amount to Harassment or Disrespectful Conduct;
- When aware, be supportive of others who are victims of Harassment or Disrespectful Conduct;
- Cooperate fully with any and all investigations under this policy;
- Preserve evidence related to instances of alleged Harassment or Disrespectful Conduct, including as to dates, times and the names of any witnesses;-
- Actively participate in training provided by the Board as to this policy and related

procedures;

- If they are a supervisor, take any allegations of Harassment or Disrespectful Conduct seriously, and, in consultation with the Superintendent responsible for Human Resources, take steps to address any potential safety needs and to restore the Workplaces disrupted by policy violations (or allegations/investigations of policy violations);
- Not demonstrate or condone any conduct that is Harassment or Disrespectful Conduct; and
- Not engage in any form of Reprisal.

~~4.3.2~~ 4.4 Workers are required to comply with this policy and will be held responsible for any non-compliance. Consequences for non-compliance could include discipline up to and including termination of employment. Workers will not be penalized or disciplined for making a good faith report or complaint of a potential breach of this policy or for participating in any investigation into an alleged breach of this policy. Reprisal is unacceptable and will not be condoned. Workers who have been victimized and do not come forward or are reluctant to come forward shall not be disciplined or penalized for the failure to come forward. The obligation to address potential violations of this policy is with the employer once it learns of the issue, regardless of how the issue comes forward.

~~3.3—Workers are encouraged to report any incidents of workplace harassment to their supervisor or if their supervisor is the alleged harasser, then to the Superintendent of Education/Employee Relations.~~

-

~~3.4—The Employer will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner.~~

-

~~3.5—Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.~~

-

~~3.6—Supervisors and workers are expected to adhere to this policy, and will be held responsible by the employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.~~

- 44 4.5 Nothing in this policy, nor in any related procedure, precludes Workers from asserting their rights, pursuing other resolution options or seeking redress through other statutory, contractual or legal rights and remedies (e.g., a grievance through the applicable collective agreement if they hold grievance rights, filing an application to the Human Rights Tribunal of Ontario, etc.).
- 45 4.6 The Director shall implement the terms of this Policy through procedure(s) and as otherwise may be deemed appropriate.

5.4. Confidentiality

- 5.1.47 Information provided about an incident or about a complaint will not be disclosed except as necessary to protect Workers, to investigate the complaint or incident, to take corrective action or as otherwise required bylaw.

6.5. Training

- 6.1.48 The Director of Education or designate shall ensure that all Workers are aware of this policy and that regular training is provided on the contents of this Policy and related procedure(s).

5.0 Evaluation

- 5.1 This policy may be reviewed and updated as may be deemed necessary or appropriate, but it shall be reviewed at least annually by the Director of Education with any recommended changes brought to the Board of Trustees for consideration.

6.0 Reference Documents

6.1 Policies

Human Rights, Anti-Discrimination and Anti-Racism Policy

6.2. Other Documents

Ontario Human Rights Code

Ontario Occupational Health and Safety Act

Appendix:

None Safe and Respectful Workplace and Harassment Procedure

Effective Date

TBD 91-01-17

Amended/Review

95-05-08

2006-08-08

2010-09-20

2017-12-12

2018-01-31

| [2022-05-16](#)

DRAFT Complaints Procedure - Human Rights, Safe and Respectful Workplace and Workplace Harassment Prevention

1.0 Objective

- 1.1 This Procedure is adopted to support the implementation of the Durham District School Board's Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy") and the Safe and Respectful Workplace and Harassment Prevention Policy (the "Safe and Respectful Workplace Policy")
- 1.2 Through these policies, the Durham District School Board (the "District" or the "employer") recognizes that protecting and promoting human rights, anti- oppression and respectful learning and working environments that are free from discrimination and harassment are critically important for supporting:
 - Students, community members and employees' sense of safety, well-being, mattering, engagement and belonging; and
 - A culture of care where students and employees are successful and thrive.
- 1.3 The District is committed to providing services, employment and learning and working environments that centre Indigenous rights, human rights and equity and are welcoming, respectful, safe, inclusive, equitable, accessible and free from oppression, discrimination (including and not limited to all forms of racism, ableism, sexism, homophobia, biphobia, transphobia, faithism and ageism), harassment and harm.
- 1.4 This procedure must be read together with the Safe and Respectful Workplace Policy and the Human Rights Policy and Procedures. These documents set out commitments and organizational roles, responsibilities and accountabilities to promote and uphold human rights and to prevent discrimination, harassment and disrespectful conduct in the workplace.
- 1.5 This procedure provides a mechanism for dealing with any alleged violations by District employees of the Safe and Respectful Workplace Policy and/or of the Human Rights Policy (conduct of parents/families is to be dealt with under the school Code of Conduct).
- 1.6 Incidents of discrimination, workplace harassment and disrespectful conduct are unacceptable in District working environments and will not be condoned. Any such incidents or allegations will be addressed as outlined in this procedure in a fair, appropriate, timely and confidential manner.
- 1.7 Nothing in this procedure denies or limits access to other avenues of redress available under the law. At any stage, a complainant may choose to report the matter to the Police, bring proceedings before the Human Rights Tribunal of Ontario, or seek to address the matter through their Professional Organization or Association. Typically, multiple processes will not be permitted to proceed concurrently, although informal dispute resolution attempts will be permitted at any time with the agreement of the District and the parties. The Superintendent responsible for Human Resources or designate will, after consulting with the parties, determine how to proceed in circumstances where there are concurrent processes underway.

2.0 Definitions

- 2.1 The definitions from the Human Rights Policy and the Safe and Respectful Workplace Policy are adopted for this procedure. In this procedure “complainant” refers to the worker bringing forward an alleged breach of the Human Rights Policy or the Safe and Respectful Workplace Policy. The “respondent” is the person alleged to have committed the breach.

3.0 Reporting / Complaint

- 3.1 A complaint may be initiated by any Worker (as defined in the Human Rights Policy and the Safe and Respectful Workplace Policy) who is aware of any potential breach of the Human Rights Policy or the Safe and Respectful Workplace Policy.
- 3.2 All Workers have a right to report/make a complaint of harassment, discrimination, disrespectful conduct or any other conduct that is in breach of the Human Rights Policy and/or the Safe and Respectful Workplace Policy.
- 3.3 The complainant is advised to keep a written record including the name of the respondent, date, time, location, description of the conduct at issue, potential witnesses and who has been informed.
- 3.4 Provided they feel safe to do so, a complainant is encouraged to inform the respondent that their conduct may be in breach of the Human Rights Policy and/or the Safe and Respectful Workplace Policy. Complainants are also encouraged to seek support from a colleague, union or association representative, if applicable.
- 3.5 Complaints of an alleged breach should typically be made to the complainant’s supervisor and to the Superintendent responsible for Human Resources. However, if the respondent is the supervisor, reports should be made by the complainant directly to the Superintendent responsible for Human Resources or if the allegation is against a manager senior manager or a member of the senior team, to the Director of Education, the General Counsel or the Superintendent responsible for Human Resources as the complainant may deem most appropriate in the circumstances. Complaints against the Director of Education should be made to the Chair of the Board of Trustees and one of either the General Counsel or the Superintendent for Human Resources, as the complainant may deem appropriate in the circumstances,
- 3.6 A report/complaint of an alleged breach of the Human Rights Policy and/or the Safe and Respectful Workplace Policy shall be made using the Complaint Form attached as Appendix “A” and must include the following information:
- Name(s) of the complainant(s), position and contact information;
 - Name of the respondent (s) position and contact information (if known);
 - Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known); and
 - Details of what happened including date(s), frequency and location(s) of the alleged incident(s).

3.7 Individuals seeking information or resources about how to address issues or concerns regarding workplace conduct may contact their supervisor, union or association representative (where applicable), a joint health and safety committee member, the Employee and Family Assistance Program, the Superintendent responsible for Human Resources or the General Counsel.

3.8 Reprisals against individuals because they have reported a complaint in good faith are strictly prohibited.

4.0 Process / Timelines for Initiating a Complaint

4.1 Complaints are to be made using the Complaint Form attached as Appendix "A".

4.2 Complaints must be initiated within one (1) year of the most recent alleged breach. However, at the good faith discretion of the Superintendent for Human Resources, a complaint outside this time frame may be considered (for example where the complainant was sick, on leave or the like).

4.3 Within five (5) working days or as soon as possible thereafter, the Superintendent responsible for Human Resources or designate will provide written confirmation of receipt of the complaint to the complainant.

4.4 The Superintendent responsible for Human Resources or designate may take immediate steps to limit the interaction of the parties, including a non-disciplinary temporary separation of the parties (for example, shift change or reassignment of either the complainant or the respondent) as may be appropriate in the circumstances.

4.5 Within ten (10) working days or as soon as possible thereafter of issuing the written confirmation of the complaint, the Superintendent responsible for Human Resources or designate will initiate the process of an investigation.

4.6 The Superintendent responsible for Human Resources shall designate an internal or external investigator and may consult with the General Counsel on the retainer of any external investigator. Complaints engaging Human Rights issues shall be investigated by someone with knowledge and experience addressing such issues.

5.0 Informal or Mediated Resolution

5.1 The Superintendent responsible for Human Recourses may, at any time, pursue a negotiated resolution of a complaint informally or through mediation, where appropriate in the circumstances of the complaint. The complainant and the respondent must consent and must agree that a mutually agreeable solution is achievable and desirable.

5.2 Mediation involves a neutral, objective third party acting as a facilitator in direct communication between the parties who voluntarily agree to enter into this process. It is an opportunity to resolve disputes in a respectful manner. It provides the opportunity to generate a variety of options for resolution and may contribute to restoring the working relationship between the parties.

5.3 The complainant and the respondent may choose to withdraw from any negotiation or mediation at any time.

- 5.4 Where a complaint is already being investigated, the parties may agree to hold the investigation in abeyance while they attempt to achieve a negotiated resolution.
- 5.5 If the parties agree to mediation, the investigator may, with the consent of the parties and the Superintendent responsible for Human Resources, act as the mediator, or the Superintendent responsible for Human Resources may retain an independent mediator acceptable to both parties.
- 5.6 When matters are resolved through a negotiated resolution, the complainant and the respondent will sign a memorandum of agreement outlining the terms to which they have agreed. The Superintendent responsible for Human Resources or the General Counsel must approve the agreement before it is binding. Human Resources will take all appropriate follow-up action to ensure compliance with the terms of the agreement.

6.0 Investigation Process, Procedural Fairness and Results

- 6.1 Subject to any successful informal resolution, the District shall ensure an investigation appropriate in the circumstances is conducted when:
- The employer or a supervisor becomes aware of conduct that may constitute a breach of the Human Rights Policy or the Safe and Respectful Workplace Policy; or
 - A complaint is made, whether in writing or orally, of conduct that may constitute a breach of the Human Rights Policy or the Safe and Respectful Workplace Policy.
- 6.2 Best efforts will be made to complete all investigations within 90 calendar days of the events listed in the preceding paragraph unless there are extenuating circumstances warranting a longer investigation. The parties shall be notified if the investigation will not be completed within 90 days, the reason for the delay and the expected date that the investigation will be completed.
- 6.3 The investigator must not be the respondent and must not be a direct report of the respondent. The investigator must be able to conduct an objective investigation. The investigator conducting the investigation on behalf of the employer must, at a minimum, complete the following steps in an investigation:
- 6.3.1 The investigator must ensure the investigation is kept confidential and that identifying information is not disclosed unless necessary to conduct the investigation or as required by law. The investigator must remind the complainant, the respondent and any witnesses of the confidentiality requirements and protection from reprisal under the Human Rights Policy and the Safe and Respectful Workplace Policy.
- 6.3.2 The investigator must make reasonable efforts to thoroughly interview the complainant and the respondent, even if they are no longer employed by the District.
- 6.3.3 The respondent must be given the opportunity to respond to the allegations raised by the complainant. In some circumstances, as may be determined appropriate by the investigator, the complainant may be given a reasonable opportunity to reply.
- 6.3.4 The investigator must make reasonable efforts to interview any relevant witnesses as necessary to conduct a thorough investigation, even if they are not employed by the District. Witnesses shall be interviewed separately.
- 6.3.5 The complainant, respondent and any witnesses employed by the District are entitled to have a union representative or support person in attendance at any interviews/meetings with the investigator.

- 6.3.6 The investigator must collect and review any relevant documents.
- 6.3.7 The investigator must take appropriate notes and statements during interviews.
- 6.4 The employer must ensure that written notice of the results of the investigation and any corrective action are provided to the complainant and the respondent.
- 6.5 The results of the investigation are not the same as the investigation report. The “results of the investigation” is a summary of the findings of the investigation. The results must be communicated in writing, within ten (10) calendar days of the investigation being concluded, unless there are extenuating circumstances requiring an additional ten (10) days to communicate the results.
- 6.6 The employer must also ensure that any corrective action is communicated to the complainant and the respondent. The amount of information provided to the complainant about the corrective action will depend on the circumstances but in all cases where a breach of the Human Rights Policy and/or Safe and Respectful Workplace Policy is found, the information provided must, at a minimum, indicate what steps the employer has taken or will take to best prevent a similar incident from occurring again in the future. The corrective action, if any, must be communicated in writing within ten (10) calendar days of the investigation being concluded, unless there are extenuating circumstances requiring an addition ten (10) days.
- 6.7 In circumstances where the conduct at issue is not a violation of the Human Rights Policy or the Safe and Respectful Workplace Policy, the Superintendent responsible for Human Resources or designate may recommend measures to address any workplace issues between the parties or to address workplace culture or systemic issues.

7.0 Disciplinary Actions

- 7.1 Following an investigation into a complaint under this procedure, the appropriate supervisor or manager, in consultation with the Superintendent responsible for Human Resources, may impose discipline on a respondent as appropriate in the circumstances.
- 7.2 The principles of progressive discipline and proportionality will be applied in dealing with any discipline. Discipline could include, but not limited to:
- verbal warning;
 - written reprimand;
 - suspension without pay; or
 - termination of employment.
- 7.3 The decision as to discipline may include a recommendation for professional learning, counselling or coaching support for the complainant or a recommendation for professional learning or coaching support/counselling for the respondent. A copy of the summary report may be placed in personnel file of the respondent.

- 7.4 For respondents who are not employees of the District, actions will be taken as appropriate for each situation and may include a letter of disapproval and caution or warning, a revoking of permits or contracts, an exclusion from District property, issuing of a trespass notice and/ or any other remedy that may be available at law. The Superintendent responsible for Human Resources will consult with Administrative Council in making a determination on appropriate action under this paragraph.
- 7.5 Any time that the District learns of conduct that may involve a criminal offence, it will be reported to the police and any relevant professional college.

8.0 Review

- 8.1 In the event that either a complainant or a respondent has one or both of the specific concerns listed in the next paragraph, a written request may be made to the Superintendent responsible for Human Resources to convene a review. Any such request shall be delivered within ten (10) working of receipt of the summary report. The reviewer may be internal or external and will be appointed by the Superintendent responsible for Human Resources, with approval of the Administrative Council.
- 8.2 The grounds for review are:
- The investigator(s) did not comply with this procedure; or
 - New evidence has become known after the completion of the investigation (but before the expiry of the ten working days limitation period for requesting a review).
- 8.3 The reviewer will report findings to the Superintendent responsible for Human Resources who will affirm or amend the reviewed decision or require that a new investigation be undertaken.

9.0 Misuse of the Complaint Procedures

- 9.1 If there is a determination on a balance of probabilities that a complaint has been filed in bad faith, including making of a false accusation by a person who knows it to be false, the complaint process may be discontinued and disciplinary action up to and including termination of employment may occur.
- 9.2 Any alleged reprisal shall be investigated as a complaint made under this procedure and, if substantiated, be subject to the same consequences as any complaint under this procedure.

10.0 Confidentiality and Records

- 10.1 All individuals involved in any complaint process, or who become aware of any complaint under this procedure, shall ensure that all information remains confidential. Witnesses will be informed that any statement they provide will be kept in confidence.
- 10.2 Notwithstanding the above, procedural fairness requires that the respondent to a complaint be advised of the nature of the complaint and other relevant information sufficient to provide a meaningful opportunity to respond to the complaint(s).

- 10.3 While an investigation is ongoing, the complainant, the respondent(s) and any witnesses will be instructed not to discuss the complaint, incident or the investigation with other Workers, witnesses, or any other person unless it is to someone not involved in any way in the complaint and is solely for the purpose of obtaining advice about their rights, in which case only the information necessary to obtain the advice is to be shared.
- 10.4 All correspondence and other documents generated under this procedure shall be marked "PRIVATE AND CONFIDENTIAL" and shall be stored in a locked and secure file in the Human Resources Department or the office of the General Counsel.
- 10.5 Records that will be stored include the following:
- A copy of the complaint and/or details about the incident(s);
 - A record of the investigation including notes;
 - A copy of witness statements, if any;
 - A copy of the investigation report;
 - A copy of the results of the investigation provided to the parties, where applicable; and
 - A copy of any corrective action taken to address the complaint.
- 10.6 The documents associated with a complaint, incident and/or investigation will not be disclosed unless necessary to investigate an incident or complaint under this procedure, take corrective action or otherwise as may be required by law.
- 10.7 Records will be kept for at least five (5) years from the conclusion of an investigation.

Appendix:

Appendix A: Complaint Form

Effective Date

95-05-18

Approved by:

Administrative Council

Amended

2006-08-08

2010-09-20

2018-01-31

2022-05-16

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT**

REPORT TO: Durham District School Board **DATE:** May 16, 2022
SUBJECT: Revised Emergency Closing of Schools Policy **PAGE:** 1 of 2
ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
David Wright, Associate Director of Corporate Services
Jim Markovski, Associate Director of Equitable Education

1.0 Purpose

The purpose of this report is to provide the Board of Trustees with the Revised Emergency Closing of Schools Policy as a Notice of Motion.

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

The Governance and Policy Committee undertook a detailed review of, and revision to the Emergency Closing of Schools Policy.

At the May 10, 2022, Governance and Policy Committee meeting, the Committee passed a resolution to move the Revised Emergency Closing of Schools Policy to the May 16, 2022 Board meeting. The draft documents attached to this report are as approved by the Governance Committee with minor revisions as recommended and adjustments to align with the new policy template without content revisions.

4.0 Recommendations

That the Board of Trustee receive the Notice of Motion for the Revised Emergency Closing of Schools Policy so that they move to the June 20, 2022 Board meeting for consideration.

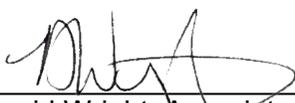
5.0 Appendices

- Appendix A DRAFT Emergency Closing of Schools Policy
Appendix B DRAFT Emergency Closing of Schools Policy - tracked changes

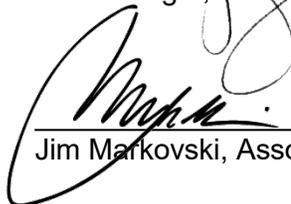
Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



David Wright, Associate Director of Corporate Services



Jim Markovski, Associate Director of Equitable Education

Emergency Closing of Schools

1.0 Rationale

- 1.1 The Durham District School Board (DDSB) is committed to ensuring the safety and well-being of all students, staff, families, and community members. In the event of an emergency situation affecting a school site, or on days that are deemed to be severe weather days, the DDSB may need to close all, or some, schools. The DDSB strives to ensure that all schools and workplaces are open every instructional/operational day to meet the needs of students and the community.
- 1.2 This policy is to be interpreted and applied in accordance with the Board'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 DDSB's Human Rights Policy, the Indigenous Education Policy, the Workplace Harassment Policy, and the Safe and Respectful Workplace Policy.

2.0 Policy

- 2.1 From time to time situations may arise which require 'emergency' action affecting the normal operation of a school or schools within the district. The Education Act, S19(1), grants school boards the following authority with respect to emergency closures:
19. (1) **Closing of school or class by a board** – A Board may close or authorize the closing of a school or class for a temporary period where such closing appears unavoidable because of,
- a) failure of transportation arrangements; or
 - b) inclement weather, fire, flood, the breakdown of the school heating plant, the failure of an essential utility or a similar emergency.
- 2.2 It is confirmed that the Director of Education and delegates have the authority to close schools or classes for a temporary period in accordance with the provisions of section 19(1) of the Education Act.
- 2.3 The members of the Board of Trustees shall be advised of any decision to close a school or class as soon as possible after the decision has been made.
- 2.4 The Director may adopt procedures to implement the terms of this policy.
- 2.5 The Director shall report at least annually and at such other times as appears necessary on any and all closures under this policy.

3.0 Reference Documents

Procedure: Emergency Closing of Schools

160

Procedure: Cancellation of Student Transportation

Effective Date:

1977-05-24

Reviewed and Amended:

2006-02-08

2012-10-10

2022-xx-xx

Emergency Closing of Schools~~School Systems Procedures for Emergency Closing~~

1.0 Rationale

1.1 ~~That t~~The Durham District School Board (DDSB) is committed to ensuring the safety and well-being of all students, staff, families, and community members. In the event of an emergency situation affecting a school site, or on days that are deemed to be severe weather days, the DDSB may need to close all, or some, schools. The DDSB strives to ensure that all schools and workplaces are open every instructional/operational day to meet the needs of students and the community. recognizes that from time to time situations may arise which require 'emergency' action affecting the normal operation of a school or schools within the system.

1.2 ~~—This policy is to be interpreted and applied in accordance with the Board'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 DDSB's Human Rights Policy, the Indigenous Education Policy, the Workplace Harassment Policy, and the Safe and Respectful Workplace Policy. Therefore, during 'emergency' situations staff is authorized to take such action as is necessary in accordance with procedures established from time to time by the Director of Education in accordance with this Policy.~~

1.3 ~~The Director shall report annually and at such other times as appears necessary on the use of emergency procedures.~~

2.0 Policy

2.1 ~~From time to time situations may arise which require 'emergency' action affecting the normal operation of a school or schools within the district. The Education Act, S19(1), grants school boards the following authority with respect to emergency closures:~~

19. (1) Closing of school or class by a board – A Board may close or authorize the closing of a school or class for a temporary period where such closing appears unavoidable because of,

a) failure of transportation arrangements; or

b) inclement weather, fire, flood, the breakdown of the school heating plant, the failure of an essential utility or a similar emergency.

2.2 ~~It is confirmed that the Director of Education and delegates have the authority to close schools or classes for a temporary period in accordance with the provisions of section 19(1) of the Education Act.~~

2.3 ~~The members of the Board of Trustees shall be advised of any decision to close a school or class as soon as possible after the decision has been made.~~

2.4 The Director may adopt procedures to implement the terms of this policy.

2.5 The Director shall report at least annually and at such other times as appears necessary on any and all closures under this policy.

3.0 Reference Documents

Procedure: Emergency Closing of Schools

Procedure: Cancellation of Student Transportation

Effective Date:

1977-05-24

Reviewed and Amended:

2006-02-08

2012-10-10

2022-xx-xx

Appendix:

None

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT**

REPORT TO: Durham District School Board **DATE:** May 16, 2022

SUBJECT: Recirculation of Surplus Property - **PAGE:** 1 of 4
 Former Cartwright HS
 Former HW Knight PS

ORIGIN: Norah Marsh, Director of Education and Secretary to the Board
 David Wright, Associate Director of Corporate Services
 Lisa Bianca, Head, Facilities Services
 Carey Trombino, Manager of Property and Planning

1.0 Purpose

The purpose of this report is to provide information to the Board of Trustees that the former Cartwright HS and former HW Knight PS sites, identified in Appendix A, declared surplus to the Durham District School Board (DDSB), have been recirculated in accordance with Regulation 444/98.

The process for the circulation of the property commenced on May 3, 2022.

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.*

3.0 Background

3.1 Former Cartwright HS

Former Cartwright HS is located on 3.22 acres at 14220 Old Scugog Road, Blackstock. In 2013, through the Accommodation Review process, DDSB closed Cartwright HS and students transferred to Port Perry HS.

In November 2014 the Township of Scugog intended to designate Cartwright HS as a property of cultural heritage, value of interest under Part IV of the *Ontario Heritage Act*. DDSB objected to the proposed designation in December 2014 and requested a referral to the Conservation Review Board. This designation remains in dispute and has not been established.

On May 16, 2016, Trustees approved that the former Cartwright HS be declared surplus to the needs of the DDSB. The property was circulated for purchase through Regulation 444/98 and there was an interest in the property however, an offer for the purchase of the property was not made. The DDSB received an official notice that the interested party decided to decline the purchase of former Cartwright HS.

3.2 Former HW Knight PS

Former HW Knight PS site is located on 6.0 acres at 1310 12th Line outside of Cannington. In 2001 the school officially closed, and the enrolment merged with the former Cannington PS to become McCaskills Mills PS. A number of years ago, the school was demolished to accommodate the excavation and removal of fuel-impacted soil.

Former HW Knight PS was declared surplus and circulated under Regulation 444/98. In 2014, the former HW Knight PS site was circulated through Regulation 444/98. There was no interest in the property, and it was put on the open market. DDSB was unable to finalize a sale of the property.

3.3 Process to Re-Circulate and Sell Property

Since 1998, all school boards across the province have been required to follow “Ontario Regulation 444/98 Disposition of Surplus Real Property Summary”, to dispose of surplus school sites. The Regulation was revised on September 1, 2016. A copy of the Regulation is provided as Appendix B.

As per Regulation 444/98 there is a 180-day period that the school Board must offer the property to the following bodies in the preferred order, at Fair Market Value:

- 1) French Public, English Catholic and French Catholic School Boards
- 2) Education Community Partnership Program (ECP) – Section 23 Agencies
- 3) Consolidated Municipal Service Manager (CMSM)
- 4) Local English and French Language College and University
- 5) Lead Agency for Child and Youth Mental Health
- 6) Local Health Integration Network (LHIN)
- 7) Board of Health
- 8) Crown of Ontario (Province of Ontario)
- 9) Local Municipality (Townships of Brock and Scugog)
- 10) Local Upper-tier Municipality (Region of Durham)
- 11) Indigenous Organizations

Letters were sent to listed organizations on May 3, 2022 to begin the 180-day process. If there is no interest from the bodies identified above, the property is offered for sale in the open market at Fair Market Value.

3.4 Definition of Fair Market Value (FMV)

The Ministry of Education has advised that a Board is expected to receive FMV for any properties which are offered for sale as per Ontario Regulation 444/98.

In order to establish FMV, the Board would request a valuation from the Board’s local Real Estate agent as well as a 3rd party appraisal. The appraisal is typically based upon the best utilization of the property.

Past practice for the DDSB has been that the FMV for land being sold or purchased has primarily been valued as revenue. However, it is possible for Boards to be offered land as a trade for FMV.

4.0 **Analysis**

4.1 Former Cartwright HS and HW Knight PS sites

The former Cartwright HS and HW Knight PS sites have been closed and declared surplus to the DDSB's needs for at least 6 years.

As noted in section 3.1, Township of Scugog Council declined to purchase Cartwright HS on March 28, 2022. The deteriorating condition of the empty building is of concern. The condition of the school continues to decline, as DDSB can only make required repairs, given that the school is closed.

4.2 Ministry Proceeds of Disposition Policy

As outlined in the Ministry of Education Memorandum 2015:B13 Proceeds of Disposition Policy (POD):

1. POD must be used for the repair or replacement of components within a school.
2. For components, boards are to follow the expenditure requirements set out in the School Condition Improvement (SCI) policy. Through this policy, boards are required to spend a minimum 80% of their POD to target key building components and systems, with the remaining 20% to address other locally identified renewal needs. Boards are expected to report their expenditures through the Total Capital Planning Solution (TCPS) database. Boards will not need to seek Ministry approval to proceed with school component repair or replacement using POD.

Examples of eligible projects would include roof replacements, ventilation upgrades and window replacements.

5.0 **Financial Implications**

As outline in section 4.2, once the properties have sold, the proceeds must be placed into a Proceeds of Disposition (POD) reserve.

6.0 **Communication Plan**

The following communication/action plans have been developed by staff:

- To begin the 180-day expression of interest process, on May 3, 2022, official letters were mailed to each of the organizations identified in Section 3, 3.2-Chart 1, Part B of *Ontario Regulation 444/98 Disposition of Surplus Real Property Summary*. Each organization will have a single point of contact and the official letters will be addressed to that contact person, unless they notify the Durham District School Board of a change. The Board's s contact is Carey Trombino, Manager of Property and Planning.
- The following information will be shared in the letter:
Expression of interest must be declared within the first 90 days, which is August 2, 2022. An offer must be made by the highest ranked public entity that declared an interest, within the next 90-days, which will occur by October 31, 2022.
- A copy of the Board Press Release, attached as Appendix C, will be provided to local community newspapers as well as posted on the DDSB website.

- A copy of the Board Staff Notification Letter which will include Question and Answers, attached as Appendix D, were delivered to the neighbouring households located within the proximity of the site.
- Staff will provide a report to trustees at the September 6, 2022, Standing Committee Meeting for information to share the results of the expression of interest.

7.0 **Conclusion**

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

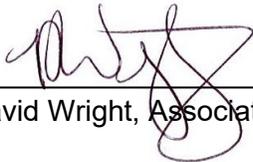
8.0 **Appendices**

Appendix A – Former Cartwright HS and HW Knight PS site location Ontario Regulation 444/98
Appendix B – Ontario Regulation 444/98
Appendix C – Board Press Release
Appendix D – Board Staff Notification Letter with Questions and Answers

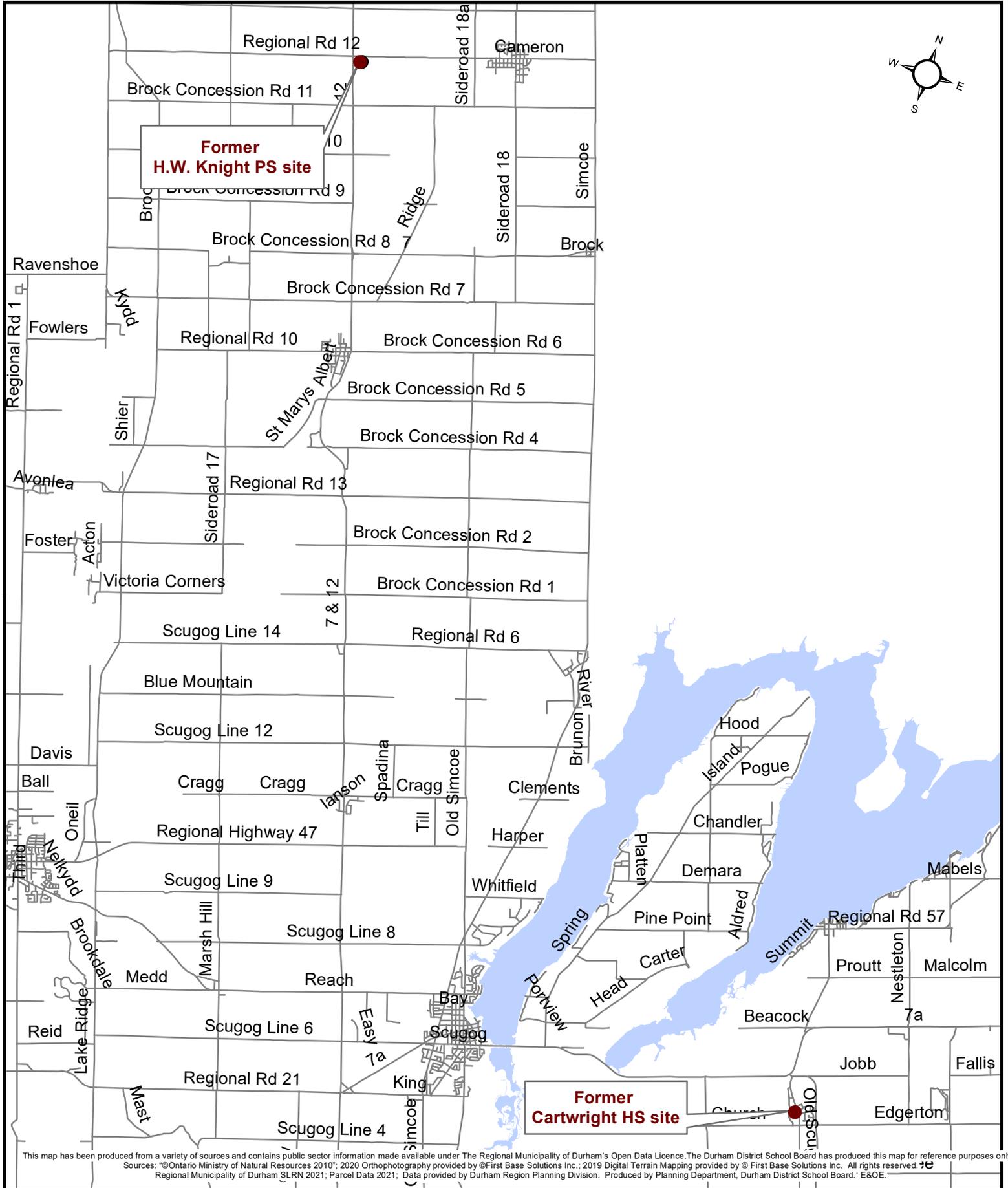
Report reviewed and submitted by:



Norah Marsh, Director of Education and Secretary to the Board



David Wright, Associate Director of Corporate Services



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Français

Education Act

ONTARIO REGULATION 444/98

DISPOSITION OF SURPLUS REAL PROPERTY AND ACQUISITION OF REAL PROPERTY

Consolidation Period: From November 8, 2019 to the [e-Laws currency date](#).

Last amendment: 372/19.

Legislative History: 57/99, 535/00, 303/03, 146/04, 415/05, 445/06, 290/08, 363/10, 115/16, 11/17, 360/17, 464/17, 188/18, 372/19.

This is the English version of a bilingual regulation.

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PART I

DISPOSITIONS FOR SPECIFIED PURPOSES AND GRANTS OF EASEMENTS

1. (1) Subject to subsection (3), a board that has adopted a resolution under clause 194 (3) (a) of the Act that real property is not required for the purposes of the board may sell, lease or otherwise dispose of the property to a person referred to in subsection (2) if the purpose of that person in acquiring the property is to provide one or more of the services described in paragraphs 1 to 7 of subsection 5 (5) of the *Development Charges Act, 1997*. O. Reg. 444/98, s. 1 (1).

(2) The persons referred to in subsection (1) are:

1. The municipality in which the property is located.
2. Any local board of the municipality in which the property is located.
3. If the property is located in an upper-tier municipality, that upper-tier municipality.
4. If the property is located in an upper-tier municipality, any local board of that upper-tier municipality. O. Reg. 444/98, s. 1 (2); O. Reg. 303/03, s. 1.

(3) A sale, lease or other disposition under this section must be at fair market value. O. Reg. 444/98, s. 1 (3).

1.0.1 A board that has adopted a resolution under clause 194 (3) (a) of the Act that real property is not required for the purposes of the board may lease the property to a person if the purpose of that person in acquiring the property is to occupy and use the property for the purposes of,

- (a) a child care centre within the meaning of the *Child Care and Early Years Act, 2014*;
- (b) a family support program as defined in subsection 3 (2) of Ontario Regulation 137/15 (General) made under the *Child Care and Early Years Act, 2014*;
- (c) a third party program; or

(d) the provision of a children’s recreation program described in paragraph 8 of subsection 6 (1) of Ontario Regulation 138/15 (Funding, Cost Sharing and Financial Assistance) made under the *Child Care and Early Years Act, 2014*. O. Reg. 115/16, s. 1.

1.1 (1) A board may grant an easement over any of its real property if,

- (a) it has adopted a resolution under clause 194 (3) (a) of the Act that it does not require for its purposes the interest that the easement would create;
- (b) the grant of easement is for the consideration that the board considers reasonable; and
- (c) the grant of easement does not have the effect of rendering any school site or part of a school site no longer suitable for providing pupil accommodation. O. Reg. 535/00, s. 2.

(2) In subsection (1),

“easement” means an easement, right-of-way, right or licence in the nature of an easement, *profit à prendre* or other incorporeal hereditament, but does not include such an easement arising by operation of law. O. Reg. 535/00, s. 2.

1.2 (1) If the Toronto District School Board adopts a resolution under clause 194 (3) (a) of the Act that the real property described in subsection (3) is not required for the purposes of the board, the board may sell the property to a purchaser and shall, upon sale, provide to the purchaser funds for the purpose of erecting a building on the property or retrofitting an existing building on the property, where all or part of the building is intended to be used to provide services, including licensed child care, to the public. O. Reg. 11/17, s. 2.

(2) The funds provided to the purchaser shall be funds from the proceeds of the sale equal to the lesser of,

- (a) the cost of erecting the new building or retrofitting the existing building, or where only a part of the new or retrofitted building is to be used to provide services to the public, the cost of erecting or retrofitting that part; and
- (b) \$7 million. O. Reg. 11/17, s. 2.

(3) The real property referred to in subsection (1) is the land described as follows:

1. PIN 21309-0585 (LT): LT 1-8 PL 1252 TORONTO; BLK A PL 1252 TORONTO; LANE PL 1252 TORONTO (CLOSED BY WG134848); LT 1-3 PL D1373 TORONTO; O’CONNELL AV PL D1373 TORONTO (CLOSED BY WG126118); BLK A PL 1085 TORONTO; LT 18-20 PL 1068 CITY WEST; PT BLK A PL 1089 CITY WEST AS IN WG27509; PT PARK LT 29 CON 1 FTB TWP OF YORK PL 1068 CITY WEST AS IN WG131508; WG150992; S/T WG126445E; CITY OF TORONTO.
2. PIN 21309-0688 (LT): BLK B PL D1343 TORONTO; CITY OF TORONTO. O. Reg. 11/17, s. 2.

1.3 REVOKED: O. Reg. 360/17, s. 1 (2).

1.4 REVOKED: O. Reg. 464/17, s. 1 (2).

PART II OTHER DISPOSITIONS

APPLICATION

2. (1) This Part applies if,

- (a) a board proposes to sell, lease or otherwise dispose of real property;
- (b) the board has adopted a resolution under clause 194 (3) (a) of the Act that the property is not required for the purposes of the board; and
- (c) the sale, lease or other disposition is not permitted under Part I. O. Reg. 444/98, s. 2 (1); O. Reg. 535/00, s. 3.

(2) If this Part applies, a board shall not sell, lease or otherwise dispose of property except after issuing a proposal in accordance with section 3 or 4, as the case may be, and except in accordance with this Part. O. Reg. 444/98, s. 2 (2).

(3) For the purposes of this Part, a building is considered to be last used for providing pupil accommodation even if, since it was last so used, it was used by the board primarily for storage or maintenance purposes. O. Reg. 444/98, s. 2 (3).

INTERPRETATION

2.1 (1) In this Regulation,

“board of health” means a board of health within the meaning of the *Health Protection and Promotion Act*; (“conseil de santé”)

“expression of interest” means an expression of interest that complies with subsection 6 (2); (“manifestation d’intérêt”)

“fiscal year” means the period commencing on September 1 in each year and ending on August 31 of the following year; (“exercice”)

- “health unit” means a health unit within the meaning of the *Health Protection and Promotion Act*; (“circonscription sanitaire”)
- “lead agency for child and youth mental health” means an agency set out in Column 2 of Schedule 3; (“organisme responsable des services de santé mentale aux enfants et aux jeunes”)
- “LHIN” means a local health integration network within the meaning of the *Local Health System Integration Act, 2006*; (“réseau local d’intégration des services de santé”)
- “local services board” means a board within the meaning of Part I of the *Northern Services Boards Act*; (“régie locale des services publics”)
- “qualifying education agreement” means an agreement between a board and a facility to provide a qualifying education program within the meaning of the provision in the most recent regulation made under section 234 of the Act that determines the board’s facilities amount; (“entente sur l’enseignement admissible”)
- “service area” means a service area listed in Column 1 of Schedule 3. (“aire de service”) O. Reg. 115/16, s. 2; O. Reg. 188/18, s. 1.

(2) For the purposes of this Regulation, the following are indigenous organizations:

1. Métis Nation of Ontario Secretariat.
2. Chiefs of Ontario.
3. Ontario Federation of Indigenous Friendship Centres.
4. Association of Iroquois and Allied Indians.
5. Nishnawbe Aski Nation.
6. Grand Council Treaty #3.
7. Union of Ontario Indians. O. Reg. 115/16, s. 2.

BODIES TO RECEIVE PROPOSALS FROM DISTRICT SCHOOL BOARDS

3. (1) An English-language public district school board shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:

- 0.1 The French-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
- 0.2 The English-language separate district school board or Roman Catholic school authority that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
- 0.3 The French-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
- 0.4 The board of a Protestant separate school that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. The French-language public district school board the area of jurisdiction of which includes the property.
 2. The English-language separate district school board or Roman Catholic school authority the area of jurisdiction of which includes the property.
 3. The French-language separate district school board the area of jurisdiction of which includes the property.
 4. The board of a Protestant separate school the area of jurisdiction of which includes the property.
- 4.1 All facilities that,
 - i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
- 4.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.

5. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
 6. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
 - i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
 - 6.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 6 i, ii and iii.
 7. The university named in Schedule 1 the head office of which is nearest to the property.
 - 7.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
 - 7.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
 - 7.3 The board of health for the health unit in which the property is located.
 8. The Crown in right of Ontario.
 9. The municipality in which the property is located.
 10. If the property is located in an upper-tier municipality, that upper-tier municipality.
 11. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
 - 11.1 All indigenous organizations listed in subsection 2.1 (2).
 12. The Crown in right of Canada. O. Reg. 444/98, s. 3 (1); O. Reg. 303/03, s. 2 (1); O. Reg. 146/04, s. 2 (1, 2); O. Reg. 415/05, s. 1 (1); O. Reg. 290/08, s. 2 (1); O. Reg. 115/16, s. 3 (1-4).
- (2) A French-language public district school board shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:
- 0.1 The English-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.2 The French-language separate district school board or Roman Catholic school authority that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.3 The English-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.4 The board of a Protestant separate school that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. The English-language public district school board the area of jurisdiction of which includes the property.
 2. The French-language separate district school board or Roman Catholic school authority the area of jurisdiction of which includes the property.
 3. The English-language separate district school board the area of jurisdiction of which includes the property.
 4. The board of a Protestant separate school the area of jurisdiction of which includes the property.
- 4.1 All facilities that,
- i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.

- 4.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
5. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
- i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
- 5.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 5 i, ii and iii.
6. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
7. The university named in Schedule 1 the head office of which is nearest to the property.
- 7.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
- 7.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
- 7.3 The board of health for the health unit in which the property is located.
8. The Crown in right of Ontario.
9. The municipality in which the property is located.
10. If the property is located in an upper-tier municipality, that upper-tier municipality.
11. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
- 11.1 All indigenous organizations listed in subsection 2.1 (2).
12. The Crown in right of Canada. O. Reg. 444/98, s. 3 (2); O. Reg. 303/03, s. 2 (2); O. Reg. 146/04, s. 2 (3, 4); O. Reg. 415/05, s. 1 (2); O. Reg. 290/08, s. 2 (2); O. Reg. 115/16, s. 3 (5-8).
- (3) An English-language separate district school board shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:
- 0.1 The French-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.2 The English-language public district school board or the board of a district school area that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.3 The French-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.4 The board of a Protestant separate school that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. The French-language separate district school board the area of jurisdiction of which includes the property.
 2. The English-language public district school board or the board of district school area the area of jurisdiction of which includes the property.
 3. The French-language public district school board the area of jurisdiction of which includes the property.
 4. The board of a Protestant separate school the area of jurisdiction of which includes the property.
- 4.1 All facilities that,
- i. have a qualifying education agreement with the board, and

- ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
- 4.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
5. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
6. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
- i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
- 6.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 6 i, ii and iii.
7. The university named in Schedule 1 the head office of which is nearest to the property.
- 7.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
- 7.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
- 7.3 The board of health for the health unit in which the property is located.
8. The Crown in right of Ontario.
9. The municipality in which the property is located.
10. If the property is located in an upper-tier municipality, that upper-tier municipality.
11. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
- 11.1 All indigenous organizations listed in subsection 2.1 (2).
12. The Crown in right of Canada. O. Reg. 444/98, s. 3 (3); O. Reg. 303/03, s. 2 (3); O. Reg. 146/04, s. 2 (5, 6); O. Reg. 415/05, s. 1 (3); O. Reg. 290/08, s. 2 (3); O. Reg. 115/16, s. 3 (9-12).
- (4) A French-language separate district school board shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:
- 0.1 The English-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.2 The French-language public district school board or the board of a district school area that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.3 The English-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.4 The board of a Protestant separate school that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 1. The English-language separate district school board the area of jurisdiction of which includes the property.
 - 2. The French-language public district school board or the board of a district school area the area of jurisdiction of which includes the property.
 - 3. The English-language public district school board the area of jurisdiction of which includes the property.
 - 4. The board of a Protestant separate school the area of jurisdiction of which includes the property.
- 4.1 All facilities that,

- i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
- 4.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
5. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
- i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
- 5.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 5 i, ii and iii.
6. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
7. The university named in Schedule 1 the head office of which is nearest to the property.
- 7.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
- 7.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
- 7.3 The board of health for the health unit in which the property is located.
8. The Crown in right of Ontario.
9. The municipality in which the property is located.
10. If the property is located in an upper-tier municipality, that upper-tier municipality.
11. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
- 11.1 All indigenous organizations listed in subsection 2.1 (2).
12. The Crown in right of Canada. O. Reg. 444/98, s. 3 (4); O. Reg. 303/03, s. 2 (4); O. Reg. 146/04, s. 2 (7, 8); O. Reg. 415/05, s. 1 (4); O. Reg. 290/08, s. 2 (4); O. Reg. 115/16, s. 3 (13-16).
- (5) A lead agency for child and youth mental health to which a proposal is issued may refer the proposal to a child and youth mental health service provider funded by the Ministry of Children and Youth Services in the service area in which the property is located. O. Reg. 115/16, s. 3 (17); O. Reg. 188/18, s. 2.
- (5.1) A LHIN to which a proposal is issued may refer the proposal to a health service provider in the LHIN's local health system, as determined under the *Local Health System Integration Act, 2006*. O. Reg. 115/16, s. 3 (17).
- (6) A body mentioned in paragraph 9 or 10 of subsection (1), (2), (3) or (4) to which a proposal is issued may refer the proposal to any of its local boards, not including a school board. O. Reg. 444/98, s. 3 (6); O. Reg. 415/05, s. 1 (6).
- (7) The Crown in right of Ontario may refer the proposal to any agency, board or commission of the Crown in right of Ontario. O. Reg. 444/98, s. 3 (7).
- (7.1) An indigenous organization to which a proposal is issued may refer the proposal to a band, a council of a band, an education authority, a corporation or organization wholly owned or controlled by one or more bands or councils of bands or a corporation that is a member of the Ontario Federation of Indigenous Friendship Centres. O. Reg. 115/16, s. 3 (17).
- (8) The Crown in right of Canada may refer the proposal to any agency, board or commission of the Crown in right of Canada. O. Reg. 444/98, s. 3 (8).

BODIES TO RECEIVE PROPOSALS FROM SCHOOL AUTHORITIES

4. (1) A board of a district school area shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:

- 0.1 The board of a secondary school district established under section 67 of the Act that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.2 The English-language separate district school board or Roman Catholic school authority that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.3 The French-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. A board of a secondary school district established under section 67 of the Act the area of jurisdiction of which includes the property.
 2. The English-language separate district school board or Roman Catholic school authority the area of jurisdiction of which includes the property.
 3. The French-language separate district school board the area of jurisdiction of which includes the property.
 - 3.1 All facilities that,
 - i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
 - 3.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
 4. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
 5. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
 - i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
 - 5.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 5 i, ii and iii.
 6. The university named in Schedule 1 the head office of which is nearest to the property.
 - 6.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
 - 6.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
 - 6.3 The board of health for the health unit in which the property is located.
 7. The Crown in right of Ontario.
 8. The municipality in which the property is located.
 9. If the property is located in an upper-tier municipality, that upper-tier municipality.
 10. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
 - 10.1 All indigenous organizations listed in subsection 2.1 (2).
 11. The Crown in right of Canada. O. Reg. 444/98, s. 4 (1); O. Reg. 535/00, s. 4 (1); O. Reg. 303/03, s. 3 (1); O. Reg. 146/04, s. 3 (1, 2); O. Reg. 415/05, s. 2 (1); O. Reg. 290/08, s. 3 (1); O. Reg. 115/16, s. 4 (1-4).
- (2) A board of a secondary school district established under section 67 of the Act shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:

- 0.1 The board of a district school area that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
- 0.2 The English-language separate district school board or Roman Catholic school authority that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
- 0.3 The French-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. A board of a district school area the area of jurisdiction of which includes the property.
 2. The English-language separate district school board or Roman Catholic school authority the area of jurisdiction of which includes the property.
 3. The French-language separate district school board the area of jurisdiction of which includes the property.
- 3.1 All facilities that,
 - i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
- 3.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
 4. The college known as Collège Boréal d'arts appliqués et de technologie.
- 4.1 REVOKED: O. Reg. 115/16, s. 4 (7).
 5. The university named in Schedule 1 the head office of which is nearest to the property.
- 5.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
- 5.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
- 5.3 The board of health for the health unit in which the property is located.
 6. The Crown in right of Ontario.
 7. The municipality in which the property is located.
 8. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
- 8.1 All indigenous organizations listed in subsection 2.1 (2).
 9. The Crown in right of Canada. O. Reg. 444/98, s. 4 (2); O. Reg. 535/00, s. 4 (2); O. Reg. 146/04, s. 3 (3, 4); O. Reg. 415/05, s. 2 (2); O. Reg. 290/08, s. 3 (2); O. Reg. 115/16, s. 4 (5-9).
- (3) A Roman Catholic school authority shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:
 - 0.1 The board of a secondary school district established under section 67 of the Act that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.2 The English-language public district school board or the board of a district school area that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.3 The French-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. A board of a secondary school district established under section 67 of the Act the area of jurisdiction of which includes the property.
 2. The English-language public district school board or the board of a district school area the area of jurisdiction of which includes the property.
 3. The French-language public district school board the area of jurisdiction of which includes the property.

- 3.1 All facilities that,
 - i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
- 3.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
4. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
5. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
 - i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
- 5.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 5 i, ii and iii.
6. The university named in Schedule 1 the head office of which is nearest to the property.
- 6.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
- 6.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
- 6.3 The board of health for the health unit in which the property is located.
7. The Crown in right of Ontario.
8. The municipality in which the property is located.
9. If the property is located in an upper-tier municipality, that upper-tier municipality.
10. If the property is located in the geographical area within which a local services board may exercise its jurisdiction, the local services board.
- 10.1 All indigenous organizations listed in subsection 2.1 (2).
11. The Crown in right of Canada. O. Reg. 444/98, s. 4 (3); O. Reg. 535/00, s. 4 (3); O. Reg. 303/03, s. 3 (2); O. Reg. 146/04, s. 3 (5, 6); O. Reg. 415/05, s. 2 (3); O. Reg. 290/08, s. 3 (3); O. Reg. 115/16, s. 4 (10-13).
- (4) A board of a Protestant separate school shall issue a proposal to sell, lease or otherwise dispose of the real property to each of the following bodies on the same day:
 - 0.1 The English-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.2 The French-language public district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.3 The English-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 - 0.4 The French-language separate district school board that holds or held a leasehold interest in the property for pupil accommodation at any time during the fiscal year, or the preceding fiscal year, on or before the day the proposal under this subsection is issued, if any.
 1. The English-language public district school board the area of jurisdiction of which includes the property.
 2. The French-language public district school board the area of jurisdiction of which includes the property.
 3. The English-language separate district school board the area of jurisdiction of which includes the property.
 4. The French-language separate district school board the area of jurisdiction of which includes the property.

- 4.1 All facilities that,
- i. have a qualifying education agreement with the board, and
 - ii. are located in the same municipality as the property or, if the property is not in a municipality, are located in the same geographic area, within the meaning of the *Territorial Division Act, 2002*, as the property.
- 4.2 The service system manager set out in Column 2 of Schedule 2 if the property is located in the area described in Column 1 of Schedule 2.
5. The English language college, within the meaning of Regulation 771 of the Revised Regulations of Ontario, 1990 as that regulation read immediately before it was revoked by Ontario Regulation 36/03, for the area in which the property is located.
6. The college known as Collège d'arts appliqués et de technologie La Cité collégiale, if the property is located in the geographic area of,
- i. the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997,
 - ii. the upper-tier municipalities of Renfrew; Lanark; Prescott and Russell; Leeds and Grenville; or Stormont, Dundas and Glengarry, or
 - iii. the municipalities of Brockville, Cornwall, Gananoque, Ottawa, Pembroke, Prescott and Smiths Falls.
- 6.1 The college known as Collège Boréal d'arts appliqués et de technologie, if the property is located anywhere other than in the geographic areas listed in subparagraphs 6 i, ii and iii.
7. The university named in Schedule 1 the head office of which is nearest to the property.
- 7.1 The lead agency for child and youth mental health set out in Column 2 of Schedule 3 if the property is located in the service area described in Column 1 of Schedule 3.
- 7.2 The LHIN for the geographic area, as defined in subsection 2 (1) of the *Local Health System Integration Act, 2006*, in which the property is located.
- 7.3 The board of health for the health unit in which the property is located.
8. The Crown in right of Ontario.
- 8.1 REVOKED: O. Reg. 415/05, s. 2 (4).
9. The municipality in which the property is located.
10. If the property is located in an upper-tier municipality, that upper-tier municipality.
- 10.1 All indigenous organizations listed in subsection 2.1 (2).
11. The Crown in right of Canada. O. Reg. 444/98, s. 4 (4); O. Reg. 303/03, s. 3 (3); O. Reg. 146/04, s. 3 (7, 8); O. Reg. 415/05, s. 2 (4); O. Reg. 290/08, s. 3 (4); O. Reg. 115/16, s. 4 (14-17).
- (5) A lead agency for child and youth mental health to which a proposal is issued may refer the proposal to a child and youth mental health service provider funded by the Ministry of Children and Youth Services in the service area in which the property is located. O. Reg. 115/16, s. 4 (18); O. Reg. 188/18, s. 3.
- (5.1) A LHIN to which a proposal is issued may refer the proposal to a health service provider in the LHIN's local health system, as determined under the *Local Health System Integration Act, 2006*. O. Reg. 115/16, s. 4 (18).
- (6) A body mentioned in paragraph 8 or 9 of subsection (1), paragraph 7 of subsection (2), paragraph 8 or 9 of subsection (3) or paragraph 9 or 10 of subsection (4) to which a proposal is issued may refer the proposal to any of its local boards, not including a school board. O. Reg. 415/05, s. 2 (6).
- (7) The Crown in right of Ontario may refer the proposal to any agency, board or commission of the Crown in right of Ontario. O. Reg. 444/98, s. 4 (7).
- (7.1) An indigenous organization to which a proposal is issued may refer the proposal to a band, a council of a band, an education authority, a corporation or organization wholly owned or controlled by one or more bands or councils of bands or a corporation that is a member of the Ontario Federation of Indigenous Friendship Centres. O. Reg. 115/16, s. 4 (18).
- (8) The Crown in right of Canada may refer the proposal to any agency, board or commission of the Crown in right of Canada. O. Reg. 444/98, s. 4 (8).

PROPOSALS FOR LEASE

5. A proposal for lease issued under section 3 or 4 must specify the term of the lease of the property. O. Reg. 444/98, s. 5.

EXPRESSIONS OF INTEREST AND OFFERS

6. (1) A body to which a board issued a proposal under section 3 or 4 or to which a proposal was referred under section 3 or 4 may submit to the board an expression of interest in response to the proposal before the expiration of 90 days after the day on which the board issued the proposal. O. Reg. 115/16, s. 5.

(2) An expression of interest must be in writing, must be signed by a person authorized by the body to express interest on its behalf and must include,

- (a) the description of the property that was included in the proposal;
- (b) the name of the body expressing interest;
- (c) the name of any body that referred the proposal to the body expressing interest; and
- (d) the date of the expression of interest. O. Reg. 115/16, s. 5.

(3) A body referred to in subsection (1) may submit an offer to the board in response to the proposal,

- (a) along with its expression of interest; or
- (b) after submitting its expression of interest but before the expiration of 180 days after the day on which the board issued the proposal. O. Reg. 115/16, s. 5.

7. Except as otherwise provided in section 8, an offer under section 6 must be for sale, lease or other disposition of the property at fair market value. O. Reg. 444/98, s. 7; O. Reg. 415/05, s. 3.

8. (1) This section applies to an offer under section 6 for the lease of property on which there is a building, or part of a building, that is used or was last used for providing pupil accommodation if the body that issued the proposal and the body making the offer are both district school boards and if the purpose of leasing the building is to provide pupil accommodation. O. Reg. 115/16, s. 5.

(2) An offer to which this section applies shall offer, in return for the lease, an obligation to pay, in respect of each fiscal year in the lease period, an amount to be calculated as follows:

1. Take the sum of,
 - i. the gross floor area of the building or part of a building that is to be leased multiplied by \$85.77, and
 - ii. either,
 - A. if the building or part of the building is used or was last used for providing pupil accommodation only for an elementary school program, the product of,
 1. the gross floor area of the building or part of a building that is to be leased,
 2. the Weighted Average Benchmark Elementary School Renewal Cost per Metre Squared for the board that issued the proposal, as set out in Column 2 of Schedule 4, and
 3. the Geographic Adjustment Factor for the board that issued the proposal, as set out in Column 4 of Schedule 4, or
 - B. if the building or part of the building is used or was last used for providing pupil accommodation for a program leading to a secondary school diploma, or for both an elementary school program and a program leading to a secondary school diploma, the product of,
 1. the gross floor area of the building or part of a building that is to be leased,
 2. the Weighted Average Benchmark Secondary School Renewal Cost per Metre Squared for the board that issued the proposal, as set out in Column 3 of Schedule 4, and
 3. the Geographic Adjustment Factor for the board that issued the proposal, as set out in Column 4 of Schedule 4.
 2. Divide the result obtained in paragraph 1 by the number of calendar days in the fiscal year.
 3. Multiply the result obtained in paragraph 2 by the number of calendar days in the fiscal year that are covered by the lease period. O. Reg. 115/16, s. 5.
- (3) In subsection (2),

“gross floor area” means the gross floor area, expressed in square metres, within the meaning of Ontario Regulation 20/98 (Education Development Charges – General) made under the Act. O. Reg. 115/16, s. 5.

9. REVOKED: O. Reg. 415/05, s. 5.

ACCEPTANCE OF OFFERS

10. (1) A board shall not accept any offer to purchase, lease or otherwise acquire property in respect of which a proposal must be issued under section 3 or 4 before the expiration of 90 days after the day on which the board issued the proposal. O. Reg. 115/16, s. 5.

(2) After the expiration of the 90-day period referred to in subsection (1), the only offer that the board may accept, subject to subsections (3) to (8) is an offer that,

- (a) complies with section 7 or 8, as the case may be; and
- (b) is made by a body that,
 - (i) submitted an expression of interest in response to the proposal within the 90-day period referred to in subsection (1),
 - (ii) submitted its offer before the expiration of 180 days after the day on which the board issued the proposal, and
 - (iii) has, in accordance with subsection (9), the highest priority among the bodies that made expressions of interest in the 90-day period referred to in subsection (1). O. Reg. 115/16, s. 5.

(3) If the body that has the highest priority among the bodies that made expressions of interest withdraws its expression of interest, the board shall,

- (a) consider or wait for an offer from the body with the next highest priority among the bodies that made expressions of interest if the 180-day period referred to in subclause (2) (b) (ii) has not expired; or
- (b) consider an offer made by the body that has the next highest priority among the bodies that made offers if the 180-day period referred to in subclause (2) (b) (ii) has expired. O. Reg. 115/16, s. 5.

(4) If the body that has the highest priority among the bodies that made expressions of interest fails to submit an offer in the 180-day period referred to in subclause (2) (b) (ii), the board shall consider an offer made by the body that has the next highest priority among the bodies that made offers. O. Reg. 115/16, s. 5.

(5) If the body with the highest priority or, if applicable, the highest remaining priority and the board disagree on the fair market value of the property, they shall attempt, within 30 days of the beginning of negotiations, to negotiate the fair market value and the body shall amend its offer to reflect the agreed value. O. Reg. 115/16, s. 5.

(6) If the board and the body cannot agree under subsection (5) on the fair market value of the property, the body making the offer may, at or before the termination of the 30-day period referred to in subsection (5),

- (a) withdraw its offer; or
- (b) elect to have the fair market value determined through binding arbitration and amend its offer according to the fair market value determined by the arbitrator. O. Reg. 115/16, s. 5.

(7) If no price is agreed to at the termination of the 30-day period referred to in subsection (5) or if the body withdraws its offer or does not elect binding arbitration under subsection (6), the board shall,

- (a) consider or wait for an offer from the body with the next highest priority among the bodies that made expressions of interest if the 180-day period referred to in subclause (2) (b) (ii) has not expired; or
- (b) consider an offer made by the body that has the next highest priority among the bodies that made offers if the 180-day period referred to in subclause (2) (b) (ii) has expired. O. Reg. 115/16, s. 5.

(8) Subsections (2) to (7) apply to each subsequent offer that the board considers. O. Reg. 115/16, s. 5.

(9) For the purposes of this section, priorities shall be determined in accordance with the following rules:

1. A body mentioned in a paragraph of subsection 3 (1), (2), (3) or (4) or 4 (1), (2), (3) or (4) has a higher priority than a body mentioned in a subsequent paragraph.
2. If a body is mentioned in more than one paragraph in a subsection listed in paragraph 1, it shall have no priority other than its highest priority as determined under that paragraph.
3. A body that receives a referral from a body under subsection 3 (5), (5.1), (6), (7), (7.1) or (8) or 4 (5), (5.1), (6), (7), (7.1) or (8) shall be deemed to have the same priority as the body that made the referral.
4. If offers are made by two or more bodies that, under paragraph 3, have the same priority because they received a referral from the same body, priorities among those bodies may be determined by the body that made the referral or, if the body does not wish to determine priority, then the body that offers the highest price has priority over the others.
5. Despite paragraph 4, if offers are made by two or more bodies whose highest priority comes from being an indigenous organization listed in subsection 2.1 (2), or from receiving a referral from such an organization, the body that offers the highest price has priority over the others.

6. If offers are made by two or more bodies whose highest priority comes from being a facility, the facility that offers the highest price has priority over the others. O. Reg. 115/16, s. 5.

11. (1) An agreement for the lease of real property to which section 8 applies shall include a condition that the lease is terminated on a day specified in the agreement if the body making the offer does not use the property to provide accommodation for pupils eligible to be included in the calculation of legislative grants for new pupil places for any period of 12 consecutive months after the commencement of the lease. O. Reg. 115/16, s. 5.

(2) The termination of a lease under subsection (1) is not a closing of the school. O. Reg. 115/16, s. 5.

DISPOSITION TO OTHERS AFTER PROPOSAL PROCESS

12. (1) Subject to subsections (2) and (3), a board may sell, lease or otherwise dispose of a property at fair market value to any body or person if,

- (a) it does not receive an expression of interest from a body to which a proposal is issued or referred under section 3 or 4 before the expiration of 90 days after the day on which the board issued the proposal;
- (b) it receives one or more expressions of interest referred to in clause (a) but does not receive an offer that meets the requirements of subsection 10 (2) before the expiration of 180 days after the day on which the board issued the proposal; or
- (c) it receives one or more expressions of interest referred to in clause (a) and one or more offers referred to in clause (b) before the expiration of 180 days after the day on which the board issued the proposal, but the 180-day period has ended and every offer the board received has expired or has been withdrawn. O. Reg. 115/16, s. 6 (1).

(2) If the proposal referred to in subsection (1) is only for the lease of property, the board that issued the proposal may, under subsection (1), lease but not sell or otherwise dispose of the property, and the lease shall be for the term specified in the proposal. O. Reg. 444/98, s. 12 (2).

(3) A board shall not sell, lease or otherwise dispose of property under subsection (1) unless it provides written evidence satisfactory to the Minister that,

- (a) it first issued a proposal of the sale or lease of the property to each body to which a proposal must be issued under section 3 or 4, as the case may be; and
 - (b) no expression of interest referred to in clause (1) (a) was received, no offer referred to in clause (1) (b) was received or all of the offers the board received expired or were withdrawn, as applicable. O. Reg. 444/98, s. 12 (3); O. Reg. 415/05, s. 7 (2); O. Reg. 115/16, s. 6 (2).
- (4) REVOKED: O. Reg. 115/16, s. 6 (3).

MISCELLANEOUS

13. (1) If a board issues a proposal under section 3 or 4 but does not sell, lease or otherwise dispose of the real property in accordance with the terms set out in the proposal within three years of the expiry of the 180-day period referred to in subclause 10 (2) (b) (ii), the board shall not sell, lease or otherwise dispose of the property unless the board issues another proposal under section 3 or 4, as the case may be. O. Reg. 290/08, s. 4; O. Reg. 115/16, s. 7.

(2) A board shall not sell, lease or otherwise dispose of real property that was previously sold, leased or otherwise disposed of in accordance with the terms of a proposal under section 3 or 4 and that has reverted back to the board, unless the board issues another proposal under section 3 or 4, as the case may be. O. Reg. 290/08, s. 4.

14. (1) This Regulation, as it read on August 31, 2016, applies to proposals issued under section 3 or 4 on or before that date. O. Reg. 115/16, s. 8.

(2) This Regulation applies to proposals issued under section 3 or 4 on or after September 1, 2016. O. Reg. 115/16, s. 8.

PART III NOTICE OF ACQUISITIONS

15. (1) For the purposes of subsection 195 (1.1) of the Act, the prescribed time period within which the board must provide notice to the Minister is at least 60 days prior to the day the board acquires or applies for an approval to expropriate a school site or any other land under subsection 195 (1). O. Reg. 372/19, s. 2.

(2) For the purposes of subsection 195 (1.2) of the Act, the prescribed time period within which the Minister must notify the board that the proposed acquisition or application to expropriate shall not proceed is not more than 60 days from the day the notice referred to in subsection (1) of this section is provided. O. Reg. 372/19, s. 2.

SCHEDULE 1 UNIVERSITIES

Algoma University

Brock University

Carleton University
 Lakehead University
 Laurentian University of Sudbury
 McMaster University
 Nipissing University
 Ontario College of Art & Design University
 Queen's University at Kingston
 Ryerson University
 The University of Western Ontario
 Trent University
 University of Guelph
 University of Ontario Institute of Technology
 University of Ottawa/Université d'Ottawa
 University of Toronto
 University of Waterloo
 University of Windsor
 Wilfrid Laurier University
 York University

O. Reg. 444/98, Sched.; O. Reg. 415/05, s. 8; O. Reg. 115/16, s. 9.

SCHEDULE 2
 SERVICE SYSTEM MANAGERS

| Item | Column 1 Area | Column 2 Service system manager |
|------|--|--|
| 1. | County of Dufferin | County of Dufferin |
| 2. | Regional Municipality of Halton | Regional Municipality of Halton |
| 3. | County of Lennox and Addington and County of Prince Edward | County of Lennox and Addington |
| 4. | District Municipality of Muskoka | District Municipality of Muskoka |
| 5. | City of Ottawa | City of Ottawa |
| 6. | County of Renfrew, including the City of Pembroke | County of Renfrew |
| 7. | The district for the Algoma District Services Administration Board, as described in Ontario Regulation 278/98 (General) made under the <i>District Social Services Administration Boards Act</i> | Algoma District Services Administration Board |
| 8. | City of Hamilton | City of Hamilton |
| 9. | County of Lanark and Town of Smiths Falls | County of Lanark |
| 10. | The district for the District of Parry Sound Social Services Administration Board, as described in Ontario Regulation 278/98 | District of Parry Sound Social Services Administration Board |
| 11. | County of Peterborough and City of Peterborough | City of Peterborough |
| 12. | County of Simcoe, City of Barrie and City of Orillia | County of Simcoe |
| 13. | City of Toronto | City of Toronto |
| 14. | Regional Municipality of York | Regional Municipality of York |
| 15. | County of Brant and City of Brantford | City of Brantford |
| 16. | County of Bruce | County of Bruce |
| 17. | Municipality of Chatham-Kent | Municipality of Chatham-Kent |
| 18. | City of Cornwall and United Counties of Stormont, Dundas and Glengarry | City of Cornwall |
| 19. | County of Grey | County of Grey |
| 20. | County of Lambton | County of Lambton |
| 21. | Regional Municipality of Niagara | Regional Municipality of Niagara |
| 22. | County of Northumberland | County of Northumberland |
| 23. | County of Oxford | County of Oxford |
| 24. | United Counties of Prescott and Russell | United Counties of Prescott and Russell |
| 25. | City of Greater Sudbury | City of Greater Sudbury |

| | | |
|-----|---|---|
| 26. | Regional Municipality of Durham | Regional Municipality of Durham |
| 27. | Norfolk County and Haldimand County | Norfolk County |
| 28. | County of Hastings, City of Belleville and City of Quinte West | County of Hastings |
| 29. | County of Huron | County of Huron |
| 30. | City of Kingston and the service area of the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the <i>Municipal Act</i> on January 7, 1997 and published in <i>The Ontario Gazette</i> dated February 15, 1997 | City of Kingston |
| 31. | United Counties of Leeds and Grenville, City of Brockville, Town of Gananoque and Town of Prescott | United Counties of Leeds and Grenville |
| 32. | City of London and County of Middlesex | City of London |
| 33. | Regional Municipality of Peel | Regional Municipality of Peel |
| 34. | County of Perth, City of Stratford and Town of St. Marys | City of Stratford |
| 35. | City of St. Thomas and County of Elgin | City of St. Thomas |
| 36. | City of Kawartha Lakes and County of Haliburton | City of Kawartha Lakes |
| 37. | Regional Municipality of Waterloo | Regional Municipality of Waterloo |
| 38. | County of Wellington and City of Guelph | County of Wellington |
| 39. | City of Windsor, County of Essex and Township of Pelee | City of Windsor |
| 40. | The district for the District of Cochrane Social Services Administration Board, as described in Ontario Regulation 278/98 | District of Cochrane Social Services Administration Board |
| 41. | The district for the Kenora District Services Board, as described in Ontario Regulation 278/98 | Kenora District Services Board |
| 42. | The district for the District of Nipissing Social Services Administration Board, as described in Ontario Regulation 278/98 | District of Nipissing Social Services Administration Board |
| 43. | The district for the Rainy River District Social Services Administration Board, as described in Ontario Regulation 278/98 | Rainy River District Social Services Administration Board |
| 44. | The district for the District of Sault Ste. Marie Social Services Administration Board, as described in Ontario Regulation 278/98 | District of Sault Ste. Marie Social Services Administration Board |
| 45. | The district for the Manitoulin-Sudbury District Services Board, as described in Ontario Regulation 278/98 | Manitoulin-Sudbury District Services Board |
| 46. | The district for the District of Thunder Bay Social Services Administration Board, as described in Ontario Regulation 278/98 | District of Thunder Bay Social Services Administration Board |
| 47. | The district for the District of Timiskaming Social Services Administration Board, as described in Ontario Regulation 278/98 | District of Timiskaming Social Services Administration Board |

O. Reg. 115/16, s. 10.

SCHEDULE 3
LEAD AGENCIES FOR CHILD AND YOUTH MENTAL HEALTH

| Item | Column 1 Service Area | Column 2 Lead Agency for Child and Youth Mental Health |
|------|---|--|
| 1. | County of Dufferin, County of Wellington, City of Guelph | Canadian Mental Health Association Waterloo Wellington Dufferin Branch |
| 2. | Regional Municipality of Halton | Reach Out Centre for Kids (ROCK) |
| 3. | Regional Municipality of Peel | Peel Children's Centre |
| 4. | County of Simcoe, City of Barrie, City of Orillia | New Path Youth and Family Counselling Services of Simcoe County |
| 5. | Regional Municipality of Waterloo | Lutherwood |
| 6. | Regional Municipality of York | Kinark Child and Family Services |
| 7. | Regional Municipality of Durham | Kinark Child and Family Services |
| 8. | Regional Municipality of Niagara | Minister of Children and Youth Services |
| 9. | City of Kingston, County of Lennox and Addington and the service area of the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the <i>Municipal Act</i> on January 7, 1997 and published in <i>The Ontario Gazette</i> dated February 15, 1997 | Pathways for Children and Youth |
| 10. | City of Kawartha Lakes, City of Peterborough, County of Haliburton and County of Peterborough | Kinark Child and Family Services |
| 11. | City of Belleville, City of Quinte West, County of Hastings, County of Prince Edward | Children's Mental Health Services |
| 12. | City of Brockville, Town of Smiths Falls, Town of Gananoque, Town of Prescott, United Counties of Leeds and Grenville, County of Lanark | Children's Mental Health of Leeds and Grenville |
| 13. | City of Ottawa | Youth Services Bureau of Ottawa |
| 14. | United Counties of Prescott and Russell | Valoris for Children and Adults of Prescott-Russell |

| | | |
|-----|--|--|
| 15. | City of Pembroke, County of Renfrew | The Phoenix Centre for Children and Families |
| 16. | City of Cornwall and United Counties of Stormont, Dundas and Glengarry | Cornwall Community Hospital |
| 17. | Territorial District of Algoma | Algoma Family Services |
| 18. | Territorial Districts of Kenora and Rainy River | FIREFLY – Physical, Emotional, Developmental and Community Services |
| 19. | District Municipality of Muskoka, Territorial Districts of Nipissing and Parry Sound | Hands TheFamilyHelpNetwork.ca |
| 20. | City of Greater Sudbury, Territorial Districts of Manitoulin and Sudbury | Child and Family Centre/Centre de l'enfant et de la famille/Ngodweangizwin Aaskaagewin |
| 21. | Territorial District of Thunder Bay | Children's Centre Thunder Bay |
| 22. | Territorial Districts of Cochrane and Timiskaming | Minister of Children and Youth Services |
| 23. | City of Toronto | East Metro Youth Services |
| 24. | City of Brantford, County of Brant | Woodview Mental Health and Autism Services |
| 25. | Municipality of Chatham-Kent | Chatham Kent Children's Services |
| 26. | City of St. Thomas, County of Elgin, County of Oxford | Oxford-Elgin Child & Youth Centre |
| 27. | City of Windsor, County of Essex and Township of Pelee | Hôtel-Dieu Grace Healthcare - Regional Children's Centre |
| 28. | Counties of Bruce and Grey | Keystone Child, Youth & Family Services |
| 29. | Haldimand County and Norfolk County | Haldimand Norfolk Resource, Education and Counselling Help (H-N REACH) |
| 30. | City of Hamilton | Lynwood Charlton Centre |
| 31. | City of Stratford, Town of St. Marys, Counties of Huron and Perth | Huron Perth Centre for Children and Youth |
| 32. | County of Lambton | St. Clair Child & Youth Services |
| 33. | City of London and County of Middlesex | Madame Vanier Children's Services |

O. Reg. 115/16, s. 10.

SCHEDULE 4
BOARD LEASES

| Item | Column 1 Name of board | Column 2 Weighted Average Benchmark Elementary School Renewal Cost per Metre Squared (in dollars) | Column 3 Weighted Average Benchmark Secondary School Renewal Cost per Metre Squared (in dollars) | Column 4 Geographic Adjustment Factor |
|------|--|---|--|--|
| 1. | Algoma District School Board | 11.30 | 11.10 | 1.30 |
| 2. | Algonquin and Lakeshore Catholic District School Board | 11.39 | 11.14 | 1.06 |
| 3. | Avon Maitland District School Board | 11.51 | 11.83 | 1.05 |
| 4. | Bluewater District School Board | 11.22 | 10.91 | 1.05 |
| 5. | Brant Haldimand Norfolk Catholic District School Board | 10.39 | 10.62 | 1.03 |
| 6. | Bruce-Grey Catholic District School Board | 11.83 | 11.83 | 1.05 |
| 7. | Catholic District School Board of Eastern Ontario | 10.65 | 9.06 | 1.05 |
| 8. | Conseil des écoles publiques de l'Est de l'Ontario | 9.87 | 9.89 | 1.04 |
| 9. | Conseil scolaire catholique Providence | 10.16 | 10.94 | 1.04 |
| 10. | Conseil scolaire de district catholique Centre-Sud | 11.25 | 8.80 | 1.02 |
| 11. | Conseil scolaire de district catholique de l'Est ontarien | 10.87 | 11.49 | 1.04 |
| 12. | Conseil scolaire de district catholique des Aurores boréales | 11.57 | 7.89 | 1.52 |
| 13. | Conseil scolaire de district catholique des Grandes Rivières | 11.83 | 11.12 | 1.56 |
| 14. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | 9.91 | 10.52 | 1.03 |
| 15. | Conseil scolaire de district catholique du Nouvel-Ontario | 11.63 | 10.67 | 1.26 |
| 16. | Conseil scolaire de district catholique Franco-Nord | 10.12 | 9.69 | 1.21 |
| 17. | Conseil scolaire de district du Grand Nord de l'Ontario | 10.56 | 11.16 | 1.30 |
| 18. | Conseil scolaire de district du Nord-Est de l'Ontario | 9.35 | 8.49 | 1.42 |
| 19. | Conseil scolaire Viamonde | 11.27 | 10.16 | 1.02 |
| 20. | District School Board of Niagara | 11.54 | 11.83 | 1.03 |
| 21. | District School Board Ontario North East | 10.96 | 11.39 | 1.54 |
| 22. | Dufferin-Peel Catholic District School Board | 9.86 | 9.74 | 1.00 |
| 23. | Durham Catholic District School Board | 10.22 | 10.55 | 1.00 |
| 24. | Durham District School Board | 10.09 | 11.07 | 1.00 |

| | | | | |
|-----|--|-------|-------|------|
| 25. | Grand Erie District School Board | 11.52 | 11.83 | 1.03 |
| 26. | Greater Essex County District School Board | 11.02 | 11.71 | 1.05 |
| 27. | Halton Catholic District School Board | 9.81 | 9.54 | 1.02 |
| 28. | Halton District School Board | 10.39 | 11.19 | 1.02 |
| 29. | Hamilton-Wentworth Catholic District School Board | 10.51 | 10.22 | 1.02 |
| 30. | Hamilton-Wentworth District School Board | 10.75 | 11.24 | 1.02 |
| 31. | Hastings and Prince Edward District School Board | 11.48 | 11.83 | 1.07 |
| 32. | Huron Perth Catholic District School Board | 11.35 | 7.89 | 1.05 |
| 33. | Huron-Superior Catholic District School Board | 11.31 | 11.83 | 1.30 |
| 34. | Kawartha Pine Ridge District School Board | 10.78 | 11.56 | 1.04 |
| 35. | Keewatin-Patricia District School Board | 10.27 | 10.56 | 1.63 |
| 36. | Kenora Catholic District School Board | 9.88 | 7.89 | 1.62 |
| 37. | Lakehead District School Board | 11.27 | 10.98 | 1.35 |
| 38. | Lambton Kent District School Board | 11.62 | 11.83 | 1.05 |
| 39. | Limestone District School Board | 11.31 | 11.83 | 1.06 |
| 40. | London District Catholic School Board | 11.24 | 9.83 | 1.02 |
| 41. | Near North District School Board | 11.33 | 11.52 | 1.19 |
| 42. | Niagara Catholic District School Board | 11.19 | 10.91 | 1.03 |
| 43. | Nipissing-Parry Sound Catholic District School Board | 10.94 | 11.83 | 1.19 |
| 44. | Northeastern Catholic District School Board | 11.83 | 11.83 | 1.55 |
| 45. | Northwest Catholic District School Board | 11.83 | 0 | 1.62 |
| 46. | Ottawa Catholic District School Board | 10.89 | 10.54 | 1.03 |
| 47. | Ottawa-Carleton District School Board | 11.10 | 11.54 | 1.03 |
| 48. | Peel District School Board | 9.86 | 10.68 | 1.00 |
| 49. | Peterborough Victoria Northumberland and Clarington Catholic District School Board | 10.74 | 8.63 | 1.04 |
| 50. | Rainbow District School Board | 11.22 | 11.83 | 1.20 |
| 51. | Rainy River District School Board | 10.19 | 11.83 | 1.62 |
| 52. | Renfrew County Catholic District School Board | 11.52 | 11.83 | 1.11 |
| 53. | Renfrew County District School Board | 11.20 | 11.51 | 1.12 |
| 54. | Simcoe County District School Board | 10.55 | 11.05 | 1.04 |
| 55. | Simcoe Muskoka Catholic District School Board | 9.95 | 8.68 | 1.04 |
| 56. | St. Clair Catholic District School Board | 11.12 | 10.14 | 1.05 |
| 57. | Sudbury Catholic District School Board | 11.31 | 10.95 | 1.17 |
| 58. | Superior North Catholic District School Board | 11.06 | 0 | 1.58 |
| 59. | Superior-Greenstone District School Board | 11.55 | 11.17 | 1.56 |
| 60. | Thames Valley District School Board | 11.48 | 11.68 | 1.02 |
| 61. | Thunder Bay Catholic District School Board | 11.29 | 11.83 | 1.30 |
| 62. | Toronto Catholic District School Board | 11.29 | 10.92 | 1.03 |
| 63. | Toronto District School Board | 11.63 | 11.72 | 1.03 |
| 64. | Trillium Lakelands District School Board | 11.71 | 11.18 | 1.10 |
| 65. | Upper Canada District School Board | 11.18 | 11.32 | 1.05 |
| 66. | Upper Grand District School Board | 10.49 | 10.74 | 1.02 |
| 67. | Waterloo Catholic District School Board | 10.78 | 10.05 | 1.00 |
| 68. | Waterloo Region District School Board | 10.74 | 11.34 | 1.00 |
| 69. | Wellington Catholic District School Board | 9.91 | 10.46 | 1.01 |
| 70. | Windsor-Essex Catholic District School Board | 11.08 | 10.75 | 1.05 |
| 71. | York Catholic District School Board | 9.88 | 10.09 | 1.00 |
| 72. | York Region District School Board | 9.64 | 10.18 | 1.00 |

O. Reg. 115/16, s. 10.

Français

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NEWS

Durham District School Board
400 Taunton Road East
Whitby, Ontario L1R 2K6
Ph: 905-666-5500
1-800-265-3968
TTY: 905-666-6943
www.ddsbc.ca

Durham District School Board Recirculates Surplus Properties: Former Cartwright HS and HW Knight PS

Media Release - May 17, 2022

On May 16, 2022, a report was presented to the Durham District School Board (DDSDB) Board of Trustees to publicly announce the recirculation for sale of two properties – former Cartwright High School site at 14220 Old Scugog Road in Blackstock and former HW Knight Public School site at 1310 12th Line in Cannington, both of which have previously been declared surplus to the needs of the Board.

Following the government mandated process to recirculate and sell surplus properties, a 180-day period commences during which the DDSB must offer the properties for sale at Fair Market Value to the following organizations: French Public, English Catholic and French Catholic school boards; Education Community Partnership Program Section 23 Agencies; Consolidated Municipal Service Managers; local English and French language colleges and universities; Children’s Mental Health Lead Agency; Local Health Integration Networks; Board of Health, Province of Ontario, local municipalities (in this case the Townships of Scugog and Brock); the local upper-tier municipality (in this case the Region of Durham) and Indigenous organizations.

The 180-day period began on May 3, 2022 and the listed organizations received letters in accordance with the process to sell the properties.

If there is no interest from the identified organizations, the properties will be offered for sale in the open market at Fair Market Value.

More information, including the report presented to the Board of Trustees on May 16, 2022, can be found on the DDSB’s website at www.ddsbc.ca.

The Durham District School Board (DDSDB) is responsible for public education in the rural settings of Uxbridge, Brock and Scugog Townships and the urban settings of Ajax, Whitby, Pickering, and Oshawa. The DDSB employs 7,000 teaching and educational services staff. With 136 elementary and secondary schools and learning centres, the DDSB accommodates more than 75,000 regular day students and thousands more who take advantage of a wide variety of continuing education and adult credit courses. More information can be found on the DDSB’s website at ddsbc.ca. Like us on [Facebook](https://www.facebook.com/ddsbschools) and follow us on Twitter [@ddsbschools](https://twitter.com/ddsbschools), Instagram [@ddsbschools](https://www.instagram.com/ddsbschools) and YouTube at [DurhamDSB](https://www.youtube.com/DurhamDSB).

For more information, contact:

Charles Senior
Communications Specialist
Durham District School Board
905.666.6987
charles.senior@ddsbc.ca



Durham District School Board
400 Taunton Road East
Whitby, Ontario L1R 2K6
Ph: 905-666-5500
1-800-265-3968
ddsb.ca

May 3, 2022

To Site Neighbours of the former Cartwright HS Site OR HW Knight PS Site (*neighbourhood letters will be identify one location, based upon site*)

As part of ongoing efforts to effectively manage its resources, the Durham District School Board, is now disposing of the property previously declared surplus.

Under the property disposition process, set out in the Education Act, a 180-day period commences, during which the Board must offer the properties at Fair Market Value to the following bodies, in order:

1. French Public, English Catholic and French Catholic school boards
2. Education Community Partnership Program (ECPP)-Section 23 Agencies
3. Consolidated Municipal Service Managers
4. Local English and French language colleges and universities
5. Children's Mental Health Lead Agencies
6. Local Health Integration Networks
7. Board of Health
8. Province of Ontario
9. City of Oshawa
10. Region of Durham
11. Indigenous Organizations
12. Federal government

These organizations have the first 90 days of the 180 days to declare an interest in the property. The highest-ranking entity that declares an interest has a further 90 days to make an offer to purchase. Should none of these organizations declare their intent to purchase in the first 90-day time frame, the property is then offered for sale on the open market.

The 180 days commenced on May 3, 2022 with declarations of interest to be made by August 2, 2022. If there is a declaration of interest, that organization has until October 31, 2022 to make an offer to purchase. In keeping with the terms of the process, official letters have been sent to the organizations listed above.

For more information, including the report to be presented to the Board on May 16, 2022, please visit the DDSB's website at www.ddsb.ca.

Should you require additional information please contact the undersigned at 905-666-6430 or carey.trombino@ddsb.ca.

Sincerely,

Carey Trombino
Manager Property & Planning

Durham District School Board

Questions and Answers

Why was the site declared surplus?

As part of the Durham District School Board's ongoing efforts to effectively manage its resources, the site was declared surplus approximately 8 years ago.

Why is the site being re-circulated?

As per the terms for property disposition as set out in the Education Act, if it has been more than three years since the Board circulated/offered the property, as outlined below, then the property is to be re-circulated.

What happens next with the property?

A 180-day period commences during which the Board must offer the properties at Fair Market Value to the following bodies, in order:

1. French Public, English Catholic and French Catholic school boards
2. Section 23 Agencies
3. Consolidated Municipal Service Managers
4. Local English and French language colleges and universities
5. Children's Mental Health Lead Agencies
6. Local Health Integration Networks
7. Board of Health
8. Province of Ontario
9. City of Oshawa
10. Region of Durham
11. Indigenous Organizations
12. Federal government

The 180 days commenced on May 3, 2022 with declarations of interest to be made by August 2, 2022. If there is a declaration of interest, that organization has until October 31, 2022 to make an offer to purchase. Should none of those organizations declare their intent to purchase the site, the property will be offered for sale on the open market.

Where can I get more information about the process?

Please visit the Durham District School Board's website at www.ddsb.ca where you can find the complete report presented to Board along with the Ontario Regulation 444/98-Disposition of Surplus Real Property Summary.

Where can I get more information about zoning?

Zoning is not part of the DDSB's mandate or part of the surplus schools' process. For specific information, enquiries can be directed to the municipality.

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT**

REPORT TO: Board of Trustees

DATE: May 16, 2022

SUBJECT: Integrity Commissioner Annual Report

PAGE: 1 of 1

ORIGIN: Patrick Cotter, General Counsel

1.0 Purpose

The purpose of this report is to provide the Board of Trustees with a copy of the annual report of the Integrity Commissioner.

2.0 Annual Report

The terms of the Trustee Code of Conduct stipulate that the Integrity Commissioner is to provide the Board with an annual report on complaints received during the year that are not within the jurisdiction of the Integrity Commissioner.

A copy of the Integrity Commissioner Annual Report is attached as Appendix "A".

4.0 Conclusion and/or Recommendations

This report is provided for information.

5.0 Appendices

Appendix "A" - Integrity Commissioner Annual Report

Report reviewed and submitted by:



Patrick Cotter, General Counsel

**ADR**
CHAMBERSIntegrity Commissioner Office
for Durham District School Board

February 28, 2022

SENT VIA EMAIL TO:

Mr. Patrick J. Cotter
General Counsel
Durham District School Board
400 Taunton Road East
Whitby, ON L1R 2K6
patrick.cotter@ddsb.ca

Dear Mr. Cotter:

Re: Durham District School Board Annual Report (File No. IC-16369-0122) for the Operating Period of January 22, 2021 to January 21, 2022

Thank you for the opportunity to act as the Integrity Commissioner (or “IC”) for the Durham District School Board over the past year. I am providing our Annual Report for the first operating period of January 22, 2021 to January 21, 2022.

The IC’s role is to help Trustees ensure that they are performing their functions in accordance with the School Board Member (Trustee) Code of Conduct (“Code”) and the *Municipal Conflict of Interest Act* (“Act”). The IC is available to educate and provide advice to Trustees on matters governing their ethical behaviour and compliance with the Code and Act.

The IC is also responsible for receiving, assessing, and investigating appropriate complaints respecting alleged breaches of the Code by Trustees.

Requests for Advice

Two requests for advice from Trustees were received and responded to in writing during this operating period.

Code of Conduct Complaints

Three formal complaints were received¹ and processed during this operating period. All of these complaints raised allegations of misconduct against the school board's staff members. These complaints were determined to be outside the scope of the IC's authority as the IC's jurisdiction is limited to Code complaints against Trustees and does not extend to staff.

Billing

Billing for the year to date has totaled \$1,299.50.

Final Comments

It has been a pleasure assisting the school board and its Trustees during this operating period. We look forward to continuing to provide the services of Integrity Commissioner to the school board in the forthcoming year.

Yours very truly,



Michael L. Maynard

Office of the Integrity Commissioner for Durham District School Board

¹ A fourth complaint, IC-16210-0122, was received near the end of the operating period and will be reported in the next annual report.

REPORT OF THE SPECIAL EDUCATION ADVISORY COMMITTEE Thursday March 10, 2022 6:30 P.M.

An on-line meeting of the Special Education Advisory Committee was held on this date.

ROLL CALL:

Eva Kyriakides, Association for Bright Children (ABC) (SEAC Chair)
sensaRAneb Burrell, Autism Ontario – Durham Chapter
Jenny McLaughlin, Black Parents Support Group
Tara Culley, Durham Down Syndrome Association
Christina Salisbury, Easter Seals Ontario
Rowin Jarvis, Learning Disabilities Association of Durham Region
Carolyn McLennon, Member At Large
Donna Edge-Bean, Member At Large
Elizabeth Daniel, Ontario Association for Families of Children with Communication Disorders
Kathy Kedey, VOICE for Deaf and Hard of Hearing Children
Vera Mercier, Early Years Consortium – Non-voting member

Trustees: Donna Edwards Darlene Forbes

Staff: Superintendent, Andrea McAuley
System Lead, Kyla McKee, Conor Jinkinson

Recording Secretary: Lisa Wry

1. **Call to Order:**

SEAC Chair Eva Kyriakides called the meeting to order at 6:33 p.m.

- At this time, we do not have quorum; therefore, voting will not take place at this time.

2. **Land Acknowledgement:**

SEAC Chair Eva Kyriakides advised that 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.

3. **DDSB Human Rights & Equity Statement**

The Durham District School Board is committed to learning environments that are safe, welcoming, respectful, equitable, accessible, inclusive and free from discrimination while placing Human Rights and Equity at the center.

4. **Welcome Guests:** Jim Markovski Associate Director - Equitable Education, Anthony Phelan - Vice Principal, Pickering H.S., Dave Robson - Principal Dr. S. J. Phillips.

Regrets: Rowin Jarvis, Jenny McLaughlin, Kathy Kedey

Report Special Education Advisory Committee (cont'd)
March 10, 2022

Absent: Christina Salisbury

5. **Approval of Agenda:** Quorum was achieved at 7:27pm and voting took place.
That the agenda for March 10, 2022 be approved:

MOTION BY: Darlene Forbes SECONDED BY: Tara Culley

CARRIED

6. **Approval of the Minutes from February 17, 2022:**
That the minutes from February 17, 2022 be approved

MOVED BY: Tara Culley SECONDED BY: Donna Edwards

CARRIED

7. **Staff Reports:**
SEAC: March 2022 Administration Report

As we see warmer temperatures and a shift with the world around opening up, we are also cognizant of additional worldwide concerns such as the conflict in Ukraine and the impact ongoing issues bring to our students and the staff that support them. As an organization, we are focused on everyday resiliency while also recognizing that what we truly need is empathy, compassion and connection for ourselves and for the students we serve. Schools will need to pivot once again as COVID guidelines reflect recommendations from health authorities, while also furthering the work in Indigenous rights, human rights, and anti-racism. We continue to see a rise in mental health needs across the system and seek to better understand these needs in order to respond with relevant supports. With March Break around the corner, we hope this time brings an opportunity for DDSB staff to rejuvenate in order to continue to support the complex needs of our students and families.

As a district, we recognize three key documents that will influence decision making for student supports and programs:

- Draft revision to PPM81; discussed at SEAC in February
 - The Ontario Human Rights Commission Right to Read Report
 - The K-12 Educational Standards Committee – Recommendations to Government
- We look forward to further discussions with SEAC and updates.

Planning at this time has shifted to include Now, Next and Later in phases of our current, summer and the 2022-23 school year.

Planning for 2022-2023 is well underway. Factors of Consideration:

- Housing growth in Region; DDSB is one of only a few growth enrolment districts in the province
- Service partners increasing services such as Stewart Homes for children and youth with medical complexities
- Programming supports through changes in education such as Inclusive Design Grade 9

Usually during March SEAC, we are able to share the scope of changes to special education programs. This information will be shared in April this year. We want to ensure that program decisions take into consideration student & families preference choices for in-person learning or learning through DDSB@Home, our virtual school. The survey will not close, or data available to our teams, until later this month as we wanted, as a district, to

give families the best opportunity to make decisions while be cognizant of operational timelines for planning & staffing.

Our Inclusive Student Services team has commenced updates to the Special Education Plan. Feedback continues to be sought from SEAC members. We will circulate reminder of the direct link to the document on the DDSB website and survey for your input.

Associate Director Jim Markovski shared COVID related information update:

As you are aware the province of Ontario has announced updates to health and safety measures, including for the education sector. These changes are part of an overall objective to have schools move toward operations that were in place prior to the pandemic. These updated public health measures for schools will also be in alignment with the measures found within the broader community. Below is a summary of the key changes.

Vaccination Disclosure and Ongoing Rapid Testing Requirements

- Effective March 14th vaccination disclosure procedures are revoked. Rapid testing 3 times weekly for select staff will no longer be required.

Masking for Student and Personal Protective Equipment for Staff

- We are in the process of consulting with our public health unit, Durham Region Health Department, and are awaiting the outcome of a Board Meeting scheduled for Thursday, March 10, 2022 at 6pm to inform our guidance on masking. We expect to have updated guidance to administrators, staff, and families by Friday morning.

Cohorting and Distancing

- Effective March 21st, the cohorting and distancing measures will no longer be required.
- Elementary students can interact with each other across cohorts and grades, both indoors and outdoors and during lunch and recess.
- Shared spaces, such as libraries, cafeterias and music rooms can be fully utilized without distancing.

Screening

- Effective March 21st, on-site daily screening verification will no longer be required. Staff and students will continue to self-screen and self-isolate as needed.
- The [Ontario School Screening Tool](#) has been updated to align with the [COVID-19 Integrated Testing & Case, Contact and Outbreak Management Interim Guidance: Omicron Surge](#)

Updated Case and Contact Management Guidance

The Ministry of Health has revised the [COVID-19 Integrated Testing & Case, Contact and Outbreak Management Interim Guidance: Omicron Surge](#), with updated guidance for close contacts in the community and in households:

- Asymptomatic individuals who are close contacts of a case or a symptomatic individual in the community are no longer required to isolate but must self-monitor for 10 days following last exposure. During the self-monitoring period, close contacts must wear a well-fitted mask in all public settings and avoid activities where they need to take off their mask (for example, playing a wind instrument in music class or playing high-contact sports).
- Asymptomatic household contacts of a case or a symptomatic individual are also not required to isolate if they are 17 or younger and [fully vaccinated](#); 18 and older and have already received their COVID-19 booster; or tested positive for COVID-19 in the last 90 days and have completed their isolation period. Asymptomatic household contacts who are not required to isolate are also required to self-monitor for 10 days following last

exposure, as outlined above. Children under 5 who are asymptomatic household contacts are required to isolate for 5 days.

The [Ontario school screening tool](#) has been updated to reflect these changes to isolation requirements.

In-Person Gatherings

- The limitation on in-person gatherings has been removed. In-person staff meetings and school assemblies are permitted to take place. Additional information regarding graduation ceremonies will be communicated shortly.
- Off-site bookings for graduation, commencement and prom venues, with deposits, will now be permitted.

Ongoing Access to Rapid Antigen Tests

- There have been no changes to the ongoing access to rapid antigen tests. Bi-weekly shipments of RATs will continue to support symptomatic testing only for staff and students. Please continue to distribute RATs to staff and students who return from an unplanned absence.

Community Use of Schools

- Plans are in development to gradually open up Community Use of Schools later in March with the initial focus on providing access to support children and youth activities. No vaccination disclosure is required.

Visitors/Volunteers in Schools

- The limitation on visitors/volunteers in schools has been lifted. No vaccination disclosure is required.

Absence Reporting

- Schools are expected to continue to report on daily absenteeism through the absence reporting tool (ART) until April 14, 2022. The ministry is reviewing and monitoring absenteeism and will determine if the requirement will continue beyond this timeline.

Please note that the current expectations for schools to communicate self-reported COVID-19 positive test results will continue to remain in place until further notice.

The following health and safety measures will continue to remain in place for the 2021-22 school year:

- Enhanced cleaning and disinfection
- Promotion of respiratory etiquette and integration of hand hygiene practices
- Isolation room and Clinician room (ISS)
- Ventilation measures
- Promotion of vaccination for students, staff and families.

There was a brief discussion regarding the new measures and the following conclusions were made:

- Requests to attend DDSB@Home if family are not comfortable with the mask removal will be assessed on a case by case
- Gifted orientation will remain virtual for this year for the comfort of all that may attend.

Board: Trustee Donna Edwards informed SEAC members that the Board of Trustees had a Special Board meeting which rescinded mandatory masking for JK – 12, will continue to provide masks should this change, or should they choose to wear them. A mask friendly environment will be adopted. Standing Committee received presentations from the Affinity Networks as well as an Operational Plan update. Also, grade 9 programming presentation from Ajax H.S. Positive School Climate update, capital priorities update, Ministry allowed

resubmission of 2 priority request along with 3 new with a scope change, one of the requests would be a secondary school in Oshawa.

Trustee Darlene Forbes indicated Secondary students in North Oshawa will be looking at significant transportation times, until the time a new high school will be approved and built.

8. **Inclusive Student Service Department Report- March 2022**

Updates this month include:

- Mental Health & Well-Being
- Social Work Month
- Transition Supports
- OHRC Right to Read Report Released
- Abilities Scholarship
- World Down Syndrome Day
- Purple Day for Epilepsy Awareness
- Intersectionality Infinity Summit

Mental Health & Well-Being: Social Media Campaign.

- It's ok to ask for help.
- We want you to feel heard, seen, and understood.
- We are here if you want to talk.
- Reach out to school staff or connect with our Mental Health team at [Mental Health Team-connect](#)
- Take time to connect with your social support network.
- Talk about the impact of the pandemic, but also take time to reflect on the positives in your life.
- Be sure to check-in on your loved ones too.
- Find more tips at [Mental Health & Well-Being Resources](#)

Our Mental Health & Well-Being webpage has helpful resources for:

- ✓ Parents & Guardians
- ✓ Students
- ✓ Staff

Visit [Mental Health & Well-Being Resources](#)

March is Social Work Month

Social Workers:

- | | |
|--------------------------------------|------------------|
| • Listen | • Develop skills |
| • Advocate | • Promote |
| • Affirm identities | • Challenge |
| • Problem solve | • Protect |
| • Enhance well-being & mental health | • Engage |
| • Facilitate | • Assist |
| • Prevent | • Individualize |
| • Listen | • Support |

Social Workers make a difference

In the words of our students....

Mrs. Buller's Grade 1/2 class celebrated Black excellence by researching and writing about important Black Canadians. They included learning about their school social worker.

"She helps students when they are having difficulties....She helps make kids' lives better."

We absolutely agree.

Transitions Supports: Employment After High School

Shared with SEAC previously – updated to include recording link.

Presented in partnership with the YMCA and Agilec, the DDSB Transition Coordinator Team (Sade & Braden) facilitated a webinar on "**Aiming for and Obtaining Meaningful Employment After High School**". During the webinar, both agencies shared information on their services and how students can develop employment skill, access supports while employed (i.e., job coaches, self-advocacy support) and how parents/caregivers can support with advocacy.

[Transition Supports - Employment](#)

Transitions Supports: CICE Connections

Life Beyond High School Webinar Series Presents: *Exploring Post-secondary Education Community Integration through Co-operative Education (CICE) Programs & Academic Accommodations*

Upcoming evening webinar for students and families to Learn, Explore & Ask questions!

When: Thursday March 24, 2022, 6:30 pm -7:30pm via Zoom.

Featuring Community Partners from Durham College CICE in collaboration with Durham College's Access and Support Centre (ASC) & Fleming College CICE.

Registration Link [Bit.ly/3HHkRkx](https://bit.ly/3HHkRkx)

Community Integration for Community Education CICE - Gives individuals with intellectual disabilities or significant learning challenges the opportunity to enhance their academic and vocational skills with modified programming through a variety of courses. While participating in courses and area of interest. Students will also earn skills that promote independence in areas such as communication, self-awareness, advocacy, community and leadership.

The Access and Support Centre (ASC) at Durham College works with students and faculty to provide full opportunities for academic success. The ASC provides confidential services to students who are temporarily at-risk or identified with an exceptionality, to ensure equal access to all aspects of the academic environment. * Not specific to CICE but all Durham College programs.

OHRC Right to Read Inquiry Report Released

The Ontario Human Rights Commission (OHRC) has released its findings from its Right to Read public inquiry on February 28, 2022. Input into the inquiry findings, which commenced in 2019, included over 3000 survey respondents, data from 8 school districts, and other research and focus groups.

The inquiry cites five areas to help address the current issues in the education system:

- Curriculum and Instruction (emphasizing structured literacy)
- Early Screening
- Evidence-based Reading Intervention Programs
- Appropriate Accommodations
- Timely availability of Professional Assessments
- In its news release, the OHRC summarized the 157 recommendations in the report as follows: *Right to Read* includes recommendations to the Ministry of Education, school boards and faculties of education on how to address systemic issues that affect the right to learn to read.
- While we await a Ministry response to the report, a cross-departmental Durham DSB team is currently working through the report and will be providing updates as the recommendations of the Right to Read report are brought into a local, Durham context. As further information becomes available, we will share it with SEAC.
- https://www.ohrc.on.ca/en/news_centre/right-to-read-inquiry-calls-for-critical-changes

LDADR & DDSB Abilities Scholarship 2022

- The Learning Disabilities Association of Durham Region and the Durham District School Board partner to provide an annual \$1000.00 Abilities Scholarship Award.
- This scholarship recognizes a DDSB high school student who has a diagnosed Learning Disability and who is continuing studies (Apprenticeship, College or University) in the upcoming academic year.
- Candidates must be full time high school students during the 2021-2022 school year and be entering first year of apprenticeship, college or university in 2022-2023.
- Submission are due no later than April 27, 2022. [Abilities Scholarship Award](#)

Role Highlight: Special Education Resource Teachers

- Special Education Resource Teachers (SERTs) help lead inclusive programming in schools, support students directly, connect with families and support educators with resources, coaching and collaboration.
- SERTs are embedded in every DDSB school team; both elementary and secondary.
- Support for SERTs include:
- Collaboration with the Inclusive Student Services integrated team supporting directly in the schools (Instructional Facilitator, Psychological Services, Social Work, Speech-Language, Hearing and Vision);
- Access to a DDSB SERT OneNote of resources and key links;
- Weekly eBulletin providing information & learning supports related to board strategic plan commitments and inclusive programming for students with special education strengths & needs.

Weekly eBulletin for SERTs

As an example, the SERT eBulletin for February 22-25, 2022, included content focused on:

- Dismantling Racism in Special Education (consistent topic)
- Community Based Virtual Appointments During School Hours
- Navigating Toileting Supports
- PowerTPM* Updates
- OSRs (Ontario Student Records)
- EQAO Updates
- K-TEA (Kaufman Test of Educational Achievement) Updates & Reminders

*Special Education Software for consents, IEPs etc.

World Down Syndrome Day – 03.21

- *World Down Syndrome Day* is an awareness campaign aimed at highlighting the abilities and impacts of individuals with Down syndrome.
- March 21st is a special day to advocate, celebrate, and show support for individuals with Down syndrome. More generally, it's a wonderful opportunity to talk about Down syndrome - about *difference* - and highlight the important and impressive things that these individuals contribute to our community each day. In short, it's a chance to pause and **#SeeTheAbility**.

March 26 – Epilepsy Day

- Cassidy Megan, a Canadian, created the idea of Purple Day in 2008, motivated by her own struggles with epilepsy. Cassidy's goal is to get people talking about epilepsy in an effort to dispel myths and inform those with seizures that they are not alone.
- March 26 is designated as an annual day to promote epilepsy awareness. Link: [Purple Day](#)
- Epilepsy Toronto is an example of a GTA based organization supporting children & youth with epilepsy. [Epilepsy Toronto](#)

Intersectionality Infinity Summit

The Neurodivergent Infinity Network of Educators is asking for your assistance to spread the word!

- The Intersectional Infinity Summit is a multi-day online global event the Durham Neurodivergent Infinity Network of Educators is hosting from March 27-April 2.
- Registration gives access to livestreams, Twitter spaces, video screenings, panel discussions, Q and A's, and much more!
- The goal of the Summit is to amplify the voices of Autistic and otherwise Neurodivergent folx, particularly those who have been most historically marginalized within the community.
- Please see link for additional details:
[Intersectional Infinity Summit March 27 to April 2 2022](#)

Antiracism and Universal Design for Learning Building Expressways for Success –Andratesha Fitzgerald

- "In a UDL community we are diligent to receive what each learner has to give." (p.73)
- "If we want to reach the rigorous and lofty goals of improving academic achievement, then we have to be mindful and action oriented to provide options that meet the needs of varying learners in our classrooms" (p.87)

9. Open Discussion:

- COVID Related Shifts Considerations for/of Families.
- Children that have trouble with speech have more difficulty while wearing a mask.
- Speech and language have seen significant impact with: in-person/online; masking social distancing and other COVID protocols.
- Concerns with articulation; phonological awareness and developing literacy.
- Frequent change in routine for students took a toll on many with special education strengths and needs.
- Hybrid work schedules may impact transportation needs.
- Transportation works with schools through Principals and families to explore what options exist.
- Concerns about repercussions for the future as a result of the disruption in learning.
- Social gap closing.
- Literacy and numeracy gap closing.
- Kids are tremendously resilient, and their social skills have improved significantly since September.
- Many children have not experienced school without COVID protocols in place, unlearning and reassurance will need to take place.
- Messaging and on-going support to walk kids through and prepare them to the best of our ability as they transition back to a pre-pandemic space.
- Honour the decisions of individual students and families regarding masking and distancing.
- Social distancing and isolation have been hard on kids.

10. Business Arising from the Minutes:

- Distribution of sent correspondence-Definition of a Disability
- Education Finance Deputation
- Tara Culley will be presenting at the Finance Deputation
 - Looking for highlights from SEAC members priorities or concerns

11. Association Reports & Committee Reports:

None at this time

12. Correspondence:

- Thunder Bay CDSB-Bill 172
- Final submission – Definition of a disability
- CSC Nouvelon – Nursing Shortage
 - French original & English translation
- DPCDSB COVID Related Letter to Ministry of Education
- DSC Nouvelon – MNP/PPM 81
 - French original & English Translation

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Report Special Education Advisory Committee (cont'd)
March 10, 2022

13. Community Concerns:

None at this time.

14. Celebrations and Success:

- Tara Culley is celebrating her son making steps toward becoming more independent.
- Trustee Donna Edwards - K-12 Education Standards final report has been posted.

15. Next S.E.A.C. meeting – Thursday, April 21, 2022.

16. Adjournment:

That the meeting does now adjourn at 7:38 p.m.

MOVED BY: Tara Culley

SECONDED BY: Elizabeth Daniels

CARRIED

Report respectfully submitted by:

Eva Kyriakides, SEAC Chair

Table 1- Action Plan

| ACTIVITY | RESPONSIBILITY | COMPLETION |
|---|-------------------------------|--|
| Share link to Special Education Plan 2022-2023 for input from Members | Superintendent Andrea McAuley | Once departmental update has been completed. |
| Deputation to Finance • Request for Associations priority highlights | Tara Culley | March 30, 2022 |



Minutes - Governance and Policy Committee Meeting

Thursday, March 24, 2022, 6:00 p.m., Virtual

Trustees: Michael Barrett, Niki Lundquist, Paul Crawford, Donna Edwards, Carolyn Morton, Christine Thatcher, Scott Templeton, Darlene Forbes

Regrets: Trustees Patrice Barnes, Linda Stone and Chris Braney

Staff present: Director of Education Norah Marsh, Associate Director 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, Heather Mundy, Erin Elmhurst, Mohamed Hamid, Andrea McAuley, Policy Analyst Ahmad Khawaja

Recording Secretary: Gillian Venning

1. Call to Order

Trustee Michael Barrett, Committee Chair, called the meeting to order at 6:02 p.m.

2. Land Acknowledgment

Trustee Barrett read out the Land Acknowledgement.

3. Declarations of Interest

There were no Declarations of Interest.

4. Approval of Agenda

Trustee Templeton put forth a motion to approve the agenda.

CARRIED

5. Approval of Minutes – March 3, 2021

Trustee Morton put forth a motion to approve the minutes.

CARRIED

6. Recommended Actions

(a) Draft Safe and Respectful Workplace Policy

The Committee agreed to review the draft policy and procedure referencing the tracked changes version of the policy. It was noted that the policy and procedure have been revised to ensure alignment with the new draft Human Rights, Anti-Discrimination and Anti-Racism Policy.

Superintendent Mundy and Counsel Cotter led the Committee through each section, summarizing revisions that have been made.

Within the policy, staff committed to revisiting Section 2, Definitions, specifically the inclusion of gossiping and spreading rumours within the disrespectful conduct definition. The intent of any future revision to this section will be to bring clarity to the definition.

Trustee Lundquist joined the meeting at 6:20 p.m.

Within the procedure, it was noted that the window of time within which staff can raise a complaint is six months, consistent with the previous version of the procedure but not consistent with the 12-month length of time found in related legislation. Staff confirmed that the procedure is written in such a way that flexibility is built into this section should it be required on a case-by-case basis but that moving to a 12-month timeframe would be considered, while still maintaining flexibility.

A suggestion as to section 7.2 of the procedure was taken under advisement by staff.

Trustee questions were answered.

Following review of the draft policy and procedure, it was recommended that pending minor revisions as noted above, the policy be moved to the next Board meeting as a Notice of Motion.

It was suggested that any suggested amendments from trustees could be included in the agenda package when the policy is considered.

Trustee Morton put forward a motion to move the draft Safe and Respectful Workplace Policy forward to the next regular meeting of the Board as a notice of motion, scheduled for April 19, 2022.

Trustee Crawford seconded the motion.

CARRIED

(b) Draft Human Rights, Anti-Discrimination and Anti-Racism Policy

Human Rights and Equity Advisor Mathur summarized changes to the policy as outlined in Appendix A of the report. It was noted that minor correction changes were

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made, and more substantial changes were made to the Responsibilities section based on discussion and feedback at the previous meeting of the Committee.

Trustee questions were answered.

Trustee Crawford informed the Committee and left the meeting at 7:19 p.m.

Committee members expressed their appreciation to staff for their work in developing this policy, ensuring clarity and for seeking trustee feedback throughout the process.

Trustee Edwards put forward a motion to move the draft Human Rights, Anti-Discrimination and Anti-Racism Policy forward to the next regular meeting of the Board as a notice of motion, scheduled for April 19, 2022.

Trustee Lundquist seconded the motion.

CARRIED

7. Date of Next Meeting

To be scheduled by email poll.

8. Adjournment

Meeting adjourned at 7:25 p.m.

May 4, 2022

Via email: minister.edu@ontario.ca
christine.elliott@ontario.ca

The Honorable Stephen Lecce
Minister of Education
315 Front Street, 14th Floor
Toronto, Ontario
M7A 0B8

The Honorable Christine Elliott
Minister of Health
5775 Yonge Street, 16th Floor
Toronto, Ontario
M7A 2E5

Dear Minister Lecce and Minister Elliott,

In February, the Special Education Advisory Committee (SEAC) of the Thames Valley District School Board (TVDSB) was copied on several letters of concern related to funding, programs, services, supports and well-being that have an impact on students with special education needs. The TVDSB SEAC supports the letters from:

- the Dufferin-Peel District Catholic District School Board (DPCDSB) related to COVID Protocols and Equipment,
- the Durham District School Board (DDSB) regarding Bill 172 and insufficient SIP Funding,
- as well as the Halton District School Board (HDSB) with regards to concerns about PPM 81,
- and the Nursing Shortage and Online Learning Accessibility concerns identified by the Renfrew County Catholic District School Board (RCCDSB).

The letters referenced raise important issues of access, safety and well-being for students and staff in Ontario schools. We appreciate that other Special Education Advisory Committees in Ontario have raised concerns about these issues and the Thames Valley District School Board (TVDSB) SEAC joins with them in highlighting related concerns and recommendations.

The TVDSB SEAC has previously written in relation to students with Fetal Alcohol Spectrum Disorder and looks forward to a response to those concerns.

This time of uncertainty has shone a light on and heightened the need for crisis protocols, collaborative processes, and adequate funding in order to respond efficiently and effectively to emergent conditions and ongoing needs for students with special education needs. It is key that transparency and consultation are paramount in decision-making to establish those priorities. SEACs and provincial groups should have input at all stages locally and provincially.

COVID/Emergency Protocols: The Dufferin-Peel District Catholic District School Board (DPCDSB) sent a letter regarding COVID protocols and equipment. Additionally, TVDSB SEAC recommends that to protect students and staff as new variants emerge, and for any future outbreaks of disease, that measures should be taken to ensure school buildings and facilities meet all recommended air quality and safety criteria.

It is imperative that testing and prevention measures be prioritized and expedited, and that appropriate PPE continues to be readily available to staff as well as students in need. In addition, decision-making and planning should always include input from all stakeholders to ensure inclusive practices are maintained. For example, when the issue of PPE was brought up at our SEAC, concerns were shared with regards to the need for PPE with transparent windows to accommodate students who are deaf or hard of hearing, or with other exceptionalities such as Autism, that rely on facial expression for effective communication. Access to PPE with transparent windows would be valuable for students with various challenges that affect their ability to process information in order to be successful in school.

Accessibility issues for accommodating students with special education needs in online learning:

There needs to be a commitment to develop technology, services and supports for special education students that are unable to access their curriculum remotely due to their disabilities and/or level of need for support and access to equipment. This is a real challenge for students with special education needs who are at a different learning level, including individual education learning goals different from their peers, and unable to participate in online learning with their classroom teacher to access their curriculum. This resulted in some students learning at home with full-time support and delivery of material and programming from parent(s) and/or caregiver(s). Students may also require additional supports to transition that must be accommodated. Also, there are compounded challenges for students in rural areas with limited access to internet. There needs to be greater investments in software and infrastructure with a collaborative approach to identify needs, gaps, and a clear plan, subject to periodic review, for addressing these issues.

The Covid pandemic has heightened many of the inequalities for people with disabilities through the loss and reduction of services at schools, home and in the community and resulted in learning loss that needs to be mitigated. In order to address gaps that widened during the pandemic, it is essential that special education services be fully funded to increase student supports at this critical time. We urge the Ministry to plan proactively for the future when new variants emerge, and to be prepared for any disease outbreaks. This preparation will help to overcome these challenges and reduce their impact on students with special education needs. All students have a right to an education and that includes equitable access in order to provide every opportunity for success now and in the future.

Inadequate SIP funding: SIP funding supports children and youth with the most complex needs to receive an education and to be a part of their school community. However, the true costs of supporting a student with a SIP claim are significantly higher than the amount provided by the Ministry of Education. In August of 2018, the Ministry announced that it was clawing back an increase to this funding that had been announced earlier in the year. TVDSB has operated its Special Education Programming at a deficit for the last several years as the costs of supporting children and youth with special education needs continues to rise. This is in part due to the deficit funding of students requiring SIP supports.

TVDSB SEAC urges the Minister to evaluate the true costs associated with SIP claims and the costs to our most vulnerable students and make the necessary changes to update methods for evaluating and allocating funding to special education, and to fully fund special education supports accordingly.

TVDSB SEAC further urges the Minister to acknowledge that vulnerable students with complex needs require increased support to reintegrate into the classroom and school community after a worldwide pandemic.

Additionally, we urge the Minister to provide all supports and services necessary to contribute to their long-term success as citizens of Ontario, and to fund this accordingly. By not doing so, this government is instead reinforcing the continued decline of students' skills, mental health, and overall well-being. Covid has impacted their lives and denied them the right to the educational services that they need and deserve.

TVDSB SEAC further urges the Minister to acknowledge that by not fully funding special education needs now, they are denying equal opportunities, and students with complex needs will instead rely even more heavily on systems and supports from the government as adults.

Draft PPM 81: TVDSB SEAC appreciates the opportunity to provide input to PPM 81 and echoes the letter from Halton District School Board outlining that PPM 81 is making decisions and setting policy on health regulated procedures performed within the classroom, that "covers vital day to day and lifesaving services" to our most vulnerable students, without the time and fulsome engagement this consultation deserves by all stakeholders. This decision will have enormous ramifications and should not be taken lightly.

The TVDSB SEAC would also like to express concern about PPM 81 and the downloading of nursing and health regulated procedures onto unqualified school board personnel. This creates serious safety and liability concerns for both staff and families. We are aware that the province of Ontario is experiencing a Nursing shortage. However, the Ontario education system is also experiencing staffing shortages. In worst case scenarios, the personnel shortage denies students access to curriculum as well as impeding their ability to be successful. In particular, the TVDSB has an ongoing shortage of candidates to fill Educational Assistant hiring needs. Proceeding with PPM 81 changes could exacerbate staffing challenges.

In addition, TVDSB SEAC asks the Minister to understand that families qualify for in-home nursing because there is a need for that child and their caregiver to have that additional support in their home for the wellbeing of the child. PPM 81 opens the door to families being asked to divert this support to their child's classroom; thereby, directly impacting the subsequent support levels they receive in their home and their ability to continue to provide care safely for their child with medically complex needs.

We understand that an update to the current PPM outlining the implementation of medical procedures and therapies is needed. However, the TVDSB SEAC urges the Ministry of Education to reconsider implementation of PPM 81 until a more fulsome and intentional engagement can be addressed with all stakeholders (including families, school boards, Education Assistant Unions, Teachers Unions and Nursing Unions). We ask that you do what is in the best interest of our most vulnerable children and youth. TVDSB SEAC further urges the Ministry to consider identifying opportunities to increase the number of support staff in Ontario schools as this shortage needs to be addressed as a first priority.

Shortage of nurses: The nursing shortage continues to be an issue in safe and full inclusion for all students in the education system. We join with the Renfrew County Catholic District School Board in appealing to the government to institute an inter-ministry plan to ensure that students have access to the care they need to 'access the learning they require and deserve.'

In conclusion, the pandemic, and last two years of response measures, have tested the system's resilience and highlighted areas of concern and gaps in services. Clearly, an inclusive, collaborative approach, and ongoing emergency preparedness planning, are needed to ensure continuity in services, equal opportunities, and access to education. We hope to all learn through reflecting on data and experience from this time of struggle, and the deeper insights that have emerged, so that system capacity can grow and create a better educational experience for all students, staff, and families every day.

Thank you.



Christine Thammavongsa,
Chair, Special Education Advisory Committee
Thames Valley District School Board



Sherri Moore,
Vice-Chair, Special Education Advisory Committee
Thames Valley District School Board

Cc: Chair Lori-Ann Pizzolato, Thames Valley District School Board
Mark Fisher, Director of Education, Thames Valley District School Board
Chairs, Chairs of all Ontario Special Education Advisory Committees



OPSBA POLICY RESOLUTION SUBMISSION FORM

Environmental Determinants of Student Health and Well-Being

Rationale

Whereas, the World Health Organization [WHO] warns that climate change is negatively impacting the environmental aspects of health, food supply and security, safe drinking water, and air supply,

Whereas, Canada is a signatory to the Paris Agreement [2015] committing to carbon reduction goals and actions to reduce global warming, and Canada's Changing Climate Change Report [Ottawa, 2019] documents the average annual temperature over land has increased 1.7°C, while the temperatures in Northern Canada have increased by 2.3°C between 1948 and 2016,

Whereas, effects of global warming do not affect all people and communities equally, the more marginalized members of our communities being inequitably affected, with Indigenous Peoples, young people and socially and economically disadvantaged populations being particularly affected,

Whereas, federal, provincial and municipal governments have made commitments, plans, programs, and dedicated resources to mitigate climate change, impacts and future risks,

Whereas, school boards as community leaders and partners have developed Environmental Plans and Monitoring Reports, undertaken Renewable Energy projects, Capital and Renewal Efficiency projects in an effort to reduce school board carbon emissions, and developed student and organizational Environmental Education and action plans,

Whereas, the Whole Child and Student Well-Being is an OPSBA multi-year priority with advocacy efforts on Child and Youth Mental Health, and Poverty,

Whereas, Sustainable and Equitable Funding is an OPSBA multi-year priority with advocacy for Energy and Transportation,

Resolution

Be it resolved, that OPSBA's Whole Child and Student Well-Being Priority, recognize the environmental determinants of mental health on student achievement and well-being, and that this be included in OPSBA advocacy work plans and activities.

Be it resolved, that OPSBA's Whole Child and Student Well-Being, and Sustainable and Equitable Education Funding Priorities recognize the inequitable impact of climate change on Indigenous Peoples, young people and socially and economically disadvantaged populations, and advocate for local board efforts in addressing these inequities.

Be it resolved, that OPSBA's Sustainable and Equitable Education Funding Priority, advocate for dedicated Carbon Neutral, Capital and Renewal funding targeted to reduce School Board Energy and Transportation Carbon emissions.

Respectfully submitted,

Date of Submission: May 3, 2022

Name of Member Board Representative: Linda Busuttill

Title of Member Board Representative: Board Chairperson

Name of Member Board: Upper Grand District School Board



May 9, 2022

The Honourable Stephen Lecce, Minister of Education
Ministry of Education
315 Front Street West, 14th Floor
Toronto, ON, M7A 0B8

Dear Minister Lecce,

At its meeting on April 11, 2022, the Board of Trustees for the Waterloo Region District School Board (WRDSB), agreed to write to you to urge the Ministry of Education (Ministry) to consider making the following amendments to the Suspension/Expulsion reporting requirements:

That the Waterloo Region District School Board write a letter to the Minister of Education requesting that the Suspension/Expulsion, Annual Reports and monthly Suspension/Expulsion reports, be amended to include an in-depth analysis of students with exceptionalities that have been suspended or expelled; and

That this analysis also includes the different types of exceptionalities and the number of students with exceptionalities that have been suspended or expelled;

Minister Lecce, we ask for your consideration of this request, as it will provide an additional level of information that will inform future practices and programs to support students with exceptionalities.

Sincerely,

A handwritten signature in black ink that reads "Scott Piatkowski".

Scott Piatkowski
Chairperson of the Board of Trustees
Waterloo Region District School Board

CC: Special Education Advisory Committees in Ontario Public School Board; Ontario Public Supervisory Officers' Association