



DURHAM DISTRICT SCHOOL BOARD

NOTICE OF MEETING

GOVERNANCE AND POLICY COMMITTEE PUBLIC SESSION

Chair: Emma Cunningham
Vice Chair: Kelly Miller

DATE: Wednesday, March 27, 2024

TIME: 6:00 p.m.

LOCATION: Hybrid

ATTACHMENTS: Agenda

Copies to:

All Trustees and Student Trustees
Director of Education
All Superintendents

Code of Conduct for Public Meetings 2023-2024



The Durham District School Board is committed to public participation at board and committee meetings, and to ensuring a safe and respectful environment for students, parents/guardians, trustees, staff, and community members in attendance.

All meetings of the Board of Trustees follow formal parliamentary procedures in accordance with DDSB by-laws, policies, procedures, and protocols that must be adhered to by all participants.

All participants attending public meetings must be courteous and respectful at all times.

Disruptions of the meeting will not be tolerated and may result in a request to leave the meeting.

Abusive, discourteous, and/or aggressive behaviour will not be tolerated.

Threats, intimidating language and/or behaviour and any attempt to assault any person is prohibited and may result in criminal charges.

Possessing any form of a weapon while in attendance at a public meeting is prohibited. Security personnel are authorized to exercise discretion to request the inspection of any bag, briefcase, backpack, purse or any other item brought onto DDSB property to ensure a safe and respectful environment.

All individuals attending in-person will be asked to sign-in and show photo identification for the purposes of verifying their identity. Individuals that do not wish to sign in may choose to participate in the meeting virtually through the livestream.

Meetings are recorded by the DDSB for the purposes of the livestream and for security purposes. Those in attendance at meetings are prohibited from using their own recording devices.

Violations of this Code of Conduct will not be tolerated under any circumstances and may result in a person being directed to leave, restricting/prohibiting attendance at future meetings and/or all DDSB properties, or being subject to criminal charges depending on the nature of the conduct.

GOVERNANCE AND POLICY COMMITTEE MEETING
Wednesday, March 27, 2024
6:00 p.m.

	PAGE
1. <u>Call to Order</u>	Verbal
2. <u>Land Acknowledgement</u>	Verbal
<p>The Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which our school board and schools are located. Today, this area is home to many Indigenous peoples from across Turtle Island. We acknowledge that the Durham Region forms a part of the traditional and treaty territory of the Mississaugas of Scugog Island First Nation, the Mississauga Peoples and the treaty territory of the Chippewas of Georgina Island First Nation. It is on these ancestral and treaty lands that we teach, learn and live.</p>	
3. <u>Declarations of Interest</u>	Verbal
4. <u>Motion to Approve Agenda</u>	Verbal
5. <u>Minutes</u>	
(a) DRAFT revised minutes of the Governance and Policy Committee meeting of December 13, 2023	1–6
(b) DRAFT minutes of the Special Governance and Policy Committee meeting of February 5, 2024	7–9
6. <u>Information Items</u>	
(a) 2023 Year End Report on Policies, Procedures and Regulations (Executive Lead Robert Cerjanec, General Counsel Patrick Cotter)	10–19
(b) Bylaws – Public Question Period (Executive Lead Robert Cerjanec, General Counsel Patrick Cotter)	20–27
(c) Draft Policy: Board Self-Assessment (General Counsel Patrick Cotter, Executive Lead Robert Cerjanec)	28-45
7. <u>Recommended Actions</u>	
(a) Rescission of Accessible Customer Service Policy and Regulation (Superintendent Heather Mundy, Executive Lead Robert Cerjanec, General Counsel Patrick Cotter)	46–60

(b) Child Care, Early Years and After-School Recreation Programs: Rescission of Regulations and Consolidation of Policies (Superintendent Erin Elmhurst, Executive Lead Robert Cerjanec, General Counsel Patrick Cotter)	61-106
(c) Update and Recommendations: Human Rights Advisory Committee (Director Camille Williams-Taylor, Associate Director Jim Markovski)	107-115
(d) Update and Recommendations: Anti-Black Racism Advisory Committee (Director Camille Williams-Taylor, Superintendent Margaret Lazarus)	116-123

8. Other Business

9. Adjournment



REVISED Minutes - Governance and Policy Committee Meeting
Wednesday, December 13, 2023, 7:30 p.m., Hybrid

1. Call to Order

Trustee Emma Cunningham, Committee Chair, called the meeting to order at 7:41 p.m.

Members Present: Trustees Tracy Brown, Donna Edwards (virtual), Stephen Linton, Kelly Miller, Carolyn Morton, Deb Oldfield, Christine Thatcher, Student Trustee Ben Cameron

Regrets: Trustees Michelle Arseneault, Shailene Panylo, Jill Thompson, Student Trustees Kayla Hoare, Neha Kasoju

Not in Attendance: Trustee Linda Stone

Staff Present: Director of Education Camille Williams-Taylor, Associate Director Jim Markovski (virtual), General Counsel Patrick Cotter, Executive Lead Robert Cerjanec, Superintendent Heather Mundy, Senior Manager Lisa Coppins, Policy Analyst Ahmad Khawaja (virtual)

Recording Secretary: Gillian Venning

2. Land Acknowledgment

Trustee Emma Cunningham gave the Land Acknowledgement: 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.

3. Declarations of Interest

There were no declarations of interest.

4. Approval of Agenda

The agenda was approved as presented.

5. Approval of Minutes – September 27, 2023

MOVED by Trustee Christine Thatcher
 SECONDED by Trustee Kelly Miller

THAT THE DRAFT MINUTES OF THE SEPTEMBER 27, 2023 GOVERNANCE AND POLICY COMMITTEE MEETING BE APPROVED.

CARRIED

6. Recommended Actions

(a) Rescission of Accessible Customer Service Policy and Regulation

Heather Mundy, Superintendent of People and Culture introduced the report, noting that staff have undertaken a review of the Accessible Customer Service Policy and Regulation and they are now being recommended for rescission as the Human Rights, Anti-Discrimination and Anti-Racism Policy govern those matters and would now take precedence on matters related to accessibility, which has led to policy redundancies. Superintendent Mundy advised that consultation regarding the recommendation to rescind the policy and regulation included the Special Education Advisory Committee (SEAC), the Accessibility Committee and others. Following a 2021 accessibility audit, it was recommended that DDSB contain all matters related to operationalizing accessibility in a single document where possible. As part of this review process, a new Accessibility Procedure has been created and all relevant operational provisions from the policy and regulation have been moved into the new procedure.

Trustee questions were answered.

Trustee Donna Edwards expressed concern that, although the October 2023 SEAC minutes noted a discussion on the Human Rights (Accessibility) Procedure, there was no indication or it was unclear in the minutes that the rescinding of the Accessible Customer Service Policy and Regulation was discussed. It was suggested that staff take the recommendation back to SEAC to confirm its awareness and get feedback on the recommendation to rescind the Accessible Customer Service Policy and Regulation, as both are proposed to be replaced by the Human Rights (Accessibility) Procedure.

MOVED by Trustee Donna Edwards
 SECONDED by Trustee Deb Oldfield

IT IS RECOMMENDED THAT RESCISSION OF THE ACCESSIBLE CUSTOMER SERVICE POLICY AND REGULATION BE DEFERRED UNTIL SUCH TIME THAT CONSULTATION WITH SEAC AND OTHER ACCESSIBILITY PARTNERS TAKE PLACE BEFORE BEING CONSIDERED BY THE COMMITTEE.

DEFEATED

MOVED by Trustee Christine Thatcher
 SECONDED by Trustee Carolyn Morton

IT IS RECOMMENDED THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT THE ACCESIBLE CUSTOMER SERVICE POLICY AND REGULATION BE RESCINDED AND THAT THE MATTER BE CONSIDERED AT THE NEXT MEETING OF THE BOARD OF TRUSTEES.

DEFEATED

(b) Rescission of Advocacy Policy

General Counsel Patrick Cotter introduced the report, noting that staff have undertaken a review of the Advocacy Policy and that it has been deemed redundant and is therefore recommended for rescission. It was noted that OPSBA is the only official advocating body of the DDSB and that rescission of this policy would not preclude the DDSB from supporting advocacy through the payment of membership fees to appropriate organizations.

Trustee questions were answered.

MOVED by Trustee Donna Edwards
 SECONDED by Trustee Christine Thatcher

IT IS RECOMMENDED THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT THE ADVOCACY POLICY BE RESCINDED AND THAT THE MATTER PROCEED TO THE NEXT MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION.

CARRIED

(c) Revised Public Concerns Policy and Rescission of Regulation

Executive Lead Robert Cerjanec introduced the report, noting that staff have undertaken a review of the Public Concerns Policy, Procedure and Regulation. Proposed amendments to the policy were summarized, including relevant provisions being retained from the regulation that is now recommended for rescission and a name change to the Public Concerns and Engagement Policy. The review process was undertaken collaboratively with the Associate Director of Equitable Education and the Superintendent of Family and Community Engagement, and as a result of the review, the accompanying procedure has been amended to include any operational provisions contained in the regulation and to align with current best practice.

Trustee questions were answered.

MOVED by Trustee Carolyn Morton
 SECONDED by Trustee Christine Thatcher

IT IS RECOMMENDED THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT THE PUBLIC CONCERNS POLICY BE AMENDED IN ACCORDANCE WITH THE TERMS OF APPENDIX B AND THE PUBLIC CONCERNS REGULATION BE RESCINDED AND THAT THE MATTER PROCEED TO THE NEXT MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION.

CARRIED

(d) Revised Consolidated Bylaws – Advisory Committees

General Counsel Patrick Cotter introduced the report, noting that staff have undertaken a review of sections of the Bylaws pertaining to Advisory Committees and that amendments are being proposed to introduce a more robust structure, with increased participation of trustees and staff, to increase efficacy and engagement of Advisory Committees.

Trustee questions were answered.

MOVED by Trustee Christine Thatcher
SECONDED by Trustee Carolyn Morton

IT IS RECOMMENDED THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT THE CONSOLIDATED BYLAWS BE AMENDED IN ACCORDANCE WITH THE TERMS OF APPENDIX A AND THAT THE MATTER PROCEED TO THE NEXT BOARD MEETING FOR CONSIDERATION.

CARRIED

7. Information Items

(a) Revised Consolidated Bylaws – Agenda Planning and Public Question Period

Executive Lead Robert Cerjanec introduced the report, noting that this item is on the agenda at the request of a trustee and with the consent of the Committee Chair, staff are providing the applicable sections of the Consolidated Bylaws related to agenda planning and public question period to assist trustees in reviewing the relevant sections of the Bylaws. As part of the request, staff have provided proposed draft revisions to sections of the Bylaws applicable to agenda planning.

Discussion took place and trustee questions were answered.

MOVED by Trustee Christine Thatcher
SECONDED by Trustee

IT IS RECOMMENDED THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT SECTION 5.5.4 OF THE CONSOLIDATED BYLAWS BE AMENDED TO INCLUDE THAT THE CHAIR OF

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THE BOARD HAS THE DISCRETION TO INVITE CHAIRS OF ANY COMMITTEES OF THE BOARD TO ATTEND ALL OR PART OF AN AGENDA PLANNING MEETING.

Student Trustee Ben Cameron suggested that the motion be amended so that it can be considered at the next meeting of the board of trustees.

The above foregoing motion was amended:

MOVED by Trustee Tracy Brown
SECONDED by Trustee Deb Oldfield

IT IS RECOMMENDED THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT SECTION 5.5.4 OF THE CONSOLIDATED BYLAWS BE AMENDED TO INCLUDE THAT THE CHAIR OF THE BOARD HAS THE DISCRETION TO INVITE CHAIRS OF ANY COMMITTEES OF THE BOARD TO ATTEND ALL OR PART OF AN AGENDA PLANNING MEETING AND THAT THE MATTER BE CONSIDERED AT THE NEXT MEETING OF THE BOARD OF TRUSTEES.

CARRIED

MOVED by Trustee Christine Thatcher
SECONDED by Trustee Stephen Linton

IT IS RECOMMENDED THAT SECTION 5.13.16 OF THE CONSOLIDATED BYLAWS BE AMENDED TO INCLUDE LANGUAGE THAT INDIVIDUAL TRUSTEES MAY RESPOND TO QUESTIONS AT BOARD MEETINGS FOR THE PURPOSES OF CLARIFICATION.

DEFEATED

MOVED by Trustee Deb Oldfield
SECONDED by Trustee Carolyn Morton

IT IS RECOMMENDED THAT STAFF BRING FORWARD A REPORT AND RECOMMENDED LANGUAGE ON THE ISSUE OF BEING ABLE TO REQUEST CLARIFICATION OF SPEAKERS AND PRESENTERS AT BOARD MEETINGS.

CARRIED

(b) Policy Review Process and Plan

Executive Lead Robert Cerjanec introduced the report, noting that it summarizes the process through which policies, procedures and regulations are reviewed and developed. The report also includes a policy review schedule for the period of January to June 2024 as well as a listing of all policies that have not been reviewed in the past five years and all regulations that remain in place.

Trustee questions were answered.

(c) Board Motions: November 15, 2022 – November 6, 2023

Executive Lead Robert Cerjanec introduced the report, noting that it provides all material resolutions adopted by the Board of Trustees during the first year of the current four year term, during the period of November 15, 2022 to November 6, 2023. This report will be presented annually to the Governance and Policy Committee.

Trustee questions were answered.

8. Adjournment

MOVED by Trustee Kelly Miller

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

The meeting adjourned at 9:03 p.m.



DRAFT Minutes – Special Governance and Policy Committee Meeting
Monday, February 5, 2024 8:00 p.m., Hybrid

1. Call to Order

Trustee Kelly Miller, Committee Vice Chair, called the meeting to order at 9:07 p.m.

Members Present: Trustees Michelle Arseneault, Tracy Brown, Emma Cunningham, Donna Edwards, Stephen Linton, Carolyn Morton, Deb Oldfield, Shailene Panylo, Christine Thatcher, Student Trustees Ben Cameron, Kayla Hoare, Neha Kasoju

Regrets: Trustee Jill Thompson

Not in Attendance: Trustee Linda Stone

Staff Present: Director of Education Camille Williams-Taylor, Associate Director's Jim Markovski and David Wright, General Counsel Patrick Cotter, Executive Lead Robert Cerjanec, Policy Analyst Ahmad Khawaja (virtual)

Recording Secretary: Gillian Venning

2. Land Acknowledgment

Trustee Kelly Miller gave the Land Acknowledgement: 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.

3. Declarations of Interest

There were no declarations of interest.

4. Approval of Agenda

MOVED by Trustee Shailene Panylo

THAT THE AGENDA BE APPROVED.

5. Approval of Minutes – December 13, 2023

MOVED by Trustee Shailene Panylo

THAT THE DRAFT MINUTES OF THE DECEMBER 13, 2023 GOVERNANCE AND POLICY COMMITTEE MEETING BE APPROVED.

An error was noted in the December 13, 2023 draft minutes related to discussion of the proposed rescission of the Accessible Customer Service Policy at the Special Education Advisory Committee prior to its presentation to the Governance and Policy Committee. The draft minutes are to be revised and presented for approval at the next meeting of the Governance and Policy Committee meeting.

6. Recommended Actions

(a) Draft Policy: Board Self-Assessment

Board Chair Christine Thatcher introduced the report and draft policy, noting that its purpose is to establish a process through which the Board of Trustees can evaluate its own performance and set a proactive framework to support the Board's commitments to ethical leadership and continual growth to increase performance and foster public confidence. It was noted that the Ontario Education Services Corporation (OESC) professional development program for trustees, specifically Module 21 which is appended to the report, confirms that undertaking an annual self assessment is a well researched best practice for an effective board. Under the proposed terms of the draft policy, the existing Terms of Reference of the Director's Performance Review Committee are to be expanded to include the Board's self assessment and the process will result in an annual Self-Assessment Report.

General Counsel Patrick Cotter highlighted provisions of the draft policy.

Trustee questions were answered.

MOVED by Trustee Christine Thatcher

SECONDED by Trustee Tracy Brown

THAT THE GOVERNANCE AND POLICY COMMITTEE RECOMMEND TO THE BOARD OF TRUSTEES THAT THE BOARD SELF-ASSESSMENT POLICY BE ADOPTED AND THAT THE MATTER PROCEED TO THE NEXT MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION.

The above foregoing motion was not voted on as the following motion was moved and took precedence.

MOVED by Trustee Tracy Brown

SECONDED by Trustee Stephen Linton

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THAT CONSIDERATION OF THE DRAFT BOARD SELF-ASSESSMENT POLICY BE DEFERRED TO THE NEXT MEETING OF THE GOVERNANCE AND POLICY COMMITTEE.

CARRIED

7. Adjournment

MOVED by Trustee Michelle Arseneault

THAT THE MEETING DOES NOW ADJOURN.

CARRIED

The meeting adjourned at 9:28 p.m.

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT****REPORT TO:** Governance and Policy Committee**DATE:** March 27, 2024**SUBJECT:** 2023 Year End Report on Policies,
Procedures and Regulations**PAGE:** 1 of 4**ORIGIN:** Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations
Patrick Cotter, General Counsel**1.0 Purpose**

The purpose of this report is to present a year end update of changes to policies, procedures and regulations to the Governance and Policy Committee to maintain a record of the work that has been completed over the course of 2023, the regular review and update of policies and a status update on the number of remaining regulations.

2.0 Background

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

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

Under the Education Act, the Board of Trustees are responsible for the adoption of Board policies, while the Director of Education is responsible for the implementation of Board policies, through the adoption and implementation of procedures, operational structure and personnel, staffing and the like.

The Board's policy making function is one of its key responsibilities. As stated in the Ontario Education Services Corporation (OESC) [Good Governance Guide](#):

Research indicates that “growth in student achievement and well-being is encouraged when elected boards of trustees focus on board policy and concern themselves with ensuring the district mission and vision drive the district’s improvement efforts.”

In recognition of, and to better support the fulfilment of, its policy making function, the Board of Trustees has established the Governance and Policy Committee, as a standing committee of the Board, with a mandate to undertake policy development and review and to report to the Board of Trustees on these matters.

What is a Policy?

A policy is a principle or rule that guides decisions that will achieve the Board's goals. It articulates what must be done and the rationale for it but does not deal with how it is to be done (such matters are left to procedures).

Policies are usually statements of intention, position, direction or objectives. "This is what we stand for. This is the direction that we are going in." Policies are approved by the Board of Trustees. *The Education Act* requires boards to make a considerable number of policies, such as those dealing with anti-bullying. Boards may choose to make other policies on matters within the mandate and jurisdiction of a school board. Some policies are very detailed, such as the Pupil Accommodation policies while others may be more general in nature.

What is a Procedure?

A procedure is usually administrative and provides the details of how policies are to be implemented. The Director of Education is given the responsibility to devise and implement procedures, because this is an executive function, as distinct from the policy-making function exercised by trustees.

In some situations, the Director will bring procedures to the Board of Trustees for their information. This will depend on the importance and sensitivity of the topic.

What is a Regulation?

The use of the word "Regulation" to describe a governance document made by a school board is very unusual, and it is potentially misleading. Regulations are made by Provincial and Federal governments (and certain other bodies) when a statute gives them the power to do so. Regulations are always subordinate to a statute but have the force of law.

The meaning and usage of "regulation" must be viewed in light of the fact that a school board exists by virtue of the Education Act. The Act does not give them the authority to make "regulations" as that term is understood in a law-making or governance context. Therefore, to describe a policy or procedure as a "regulation" is not proper. As a result, the DDSB Board of Trustees confirmed the phase out of all regulations by resolution dated March 2, 2020. This process is being completed in a comprehensive manner that includes a review of all policies and procedures and migration of relevant portions of regulations into policy or procedure, as applicable. The DDSB had a total of 74 active regulations at the commencement of this directive which occurred just prior to the COVID-19 pandemic.

3.0 Analysis

The Durham District School Board currently has 48 regulations, 94 policies, and 143 procedures in effect.

Between January 2023 and December 2023, 20 policies and 17 regulations were rescinded, and 3 policies were revised. In addition, 20 procedures were rescinded, 6 were revised, and 6 new procedures were put into effect.

The policy review document attached to this report (Appendix A) outlines the names and rationales behind these policy decisions. Appendix B outlines the procedures that were dealt with by staff in 2023.

Following an analysis of all policies and regulations, it has been determined that 17 policies currently require updates, and 48 regulations currently require conversion into policies and/or procedures as may be appropriate. Due to pressing operational needs, 15 regulations have been prioritized for review, consolidation, and phasing out as they are linked to policies expiring in the next year. The remaining 33 regulations are proposed to be phased out and amalgamated into policies and procedures as appropriate once this phase of review is completed.

In accordance with the Board's Policy Formulation and Review Policy, all policies shall be reviewed at a minimum of once every five years. Over the course of the school year, there is the possibility of new or emerging issues that would necessitate changes to this schedule that could result in additional policy proposals coming forward and/or potential delays in bringing forward other policies due to operational matters.

4.0 Financial Implications

Not applicable.

5.0 Evidence of impact

There are 48 regulations that require conversion or phase-out, and 17 policies that are currently under review by their respective departments that may require updates and board approval.

6.0 Communication Plan

As staff continue a review of outstanding policies and regulations according to the schedule, updated documents will be posted to the DDSB website.

7.0 Conclusion

This report is provided to the Governance and Policy Committee for information.

8.0 Appendices

Appendix A: Policies and Regulations Completed in 2023

Appendix B: Procedures Completed in 2023

Report reviewed and submitted by:



Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations



Patrick Cotter, General Counsel

Policies/Regulations Completed in 2023				
Name	Type	Owner	Decision	Rationale
Appointment and Transfer of Staff in Positions of Principal, Vice Principal and Officer	Policy	JIMMY MARKOVSKI	Rescinded	Conditions of appointment and administrative transfers are informed through Human Resource Services functions and language reflected in Terms and Conditions of Principals and Vice-Principals.
Appointment and Transfer of Staff in Positions of Principal, Vice Principal and Officers	Regulation	JIMMY MARKOVSKI	Rescinded	Outlines roles and responsibilities of Principals and Vice-Principals at the DDSB, however the duties of Principals and Vice-Principals are set out in the Education Act the Regulations thereunder and in Principal and Vice-Principal Terms and Conditions.
Contests in Art Sponsored by Outside Agencies	Policy	STEPHEN NEVILLS	Rescinded	The Policy was revised to include the Human Rights, Anti-Discrimination, Anti-Racism Policy and the Indigenous Education teaching and Learning policy implications for the French as a Second Language program
Contests in Art Sponsored By Outside Agencies	Regulation	STEPHEN NEVILLS	Rescinded	The regulation is not in line with current practices and offers multiple suggestions that are operational in nature. Any decisions about participation in art contests would be done at the school level in consultation with appropriate Board staff.
Cooperative Education for Secondary Schools	Policy	STEPHEN NEVILLS	Rescinded	Policy created with the intent to achieve a goal of having co-operative education at all schools. This goal has been achieved as co-operative education is now offered at all sites. A specific policy mandating that schools offer co-operative education is redundant
Daily Physical Activity (Elementary Schools)	Policy	STEPHEN NEVILLS	Rescinded	Requirements for daily physical activity is already captured elsewhere through Ministry PPM 138
Daily Physical Activity (Elementary Schools)	Regulation	STEPHEN NEVILLS	Rescinded	Requirements for daily physical activity is already captured elsewhere through Ministry PPM 138
Domestic Violence	Regulation	HEATHER MUNDY	Rescinded	These matters are addressed under an existing procedure - the Workplace Violence Management Program Procedure.
Employee Assistance for the Management of Alcohol and Drug Problems - Policy	Policy	HEATHER MUNDY	Rescinded	The policy is outdated in language and approach and addresses matters that are operational in nature and handled by staff within the Ability Management group on a case-by-case basis

Employees Seeking Public Office	Policy	HEATHER MUNDY	Rescinded	Such matters are governed by contract, collective agreements and terms and conditions.
Employment Equity	Policy	HEATHER MUNDY	Rescinded	The language in this policy is included in the updated Equitable Recruitment Policy and Employment Pay Equity Plans
Employment Equity	Regulation	HEATHER MUNDY	Rescinded	The language in this regulation is included in the updated Equitable Recruitment Policy and Employment Pay Equity Plans
Legal Opinions	Policy	PATRICK COTTER	Rescinded	Policy is operational in nature, The policy also suggests that an individual trustee can obtain legal advice which is not in keeping with good governance practices under the Education Act.
Legal Opinions	Regulation	PATRICK COTTER	Rescinded	Same rationale as above plus legal services are exempt from the Broader Public Sector Accountability Act.
Materials for Personal Projects	Policy	STEPHEN NEVILLS	Rescinded	Clear language on not charging for materials is found in the Learning Materials and Activities Procedure and is also outlined in a Ministry of Education directive.
Materials for Personal Projects	Regulation	STEPHEN NEVILLS	Rescinded	Clear language on not charging for materials is found in the Learning Materials and Activities Procedure and is also outlined in a Ministry of Education directive.
Music - Elementary Schools	Policy	STEPHEN NEVILLS	Rescinded	Policy created with intent to achieve goal of ensuring schools had access to instruments. This goal was reached as all schools now have instruments, and the purchasing plan for instruments has already been phased out.
Music - Elementary Schools	Regulation	STEPHEN NEVILLS	Rescinded	There is no requirement within the curriculum for instrumental music, and the DDSB does not operate a central catalogue anymore. Music in elementary schools may take many different forms and while in many cases may include instrumental music, is not required.
Non-Affiliated Staff Compensation	Policy	HEATHER MUNDY	Rescinded	Non-Affiliated Staff Compensation matters are covered by contract/MPA Terms and Conditions and applicable wage restraint legislation
Physical and Verbal Abuse of Board Employees	Regulation	HEATHER MUNDY	Rescinded	Policy is addressed in the Board's newly adopted Safe and Respectful Workplace and Harassment Prevention Policy
Physical and Verbal Abuse of Board Employees	Policy	HEATHER MUNDY	Rescinded	Regulation is addressed in the Board's newly adopted Safe and Respectful Workplace and Harassment Prevention Policy

Positions of Responsibility- Appointment and Evaluation	Regulation	HEATHER MUNDY	Rescinded	Appointments are covered by contracts or in the Principals and Vice-Principals terms and conditions (OPC Durham Terms and Conditions) Similarly, staff appraisals and evaluations are addressed in Contracts, Terms and Conditions, Collective Agreements and Labour Law and are operational in nature.
Principals'/Vice-Principals' Duties and Responsibilities	Policy	JIMMY MARKOVSKI	Rescinded	Policy outlines roles and responsibilities of Principals and Vice-Principals at the DDSB, however the duties of Principals and Vice-Principals are set out in the Education Act the Regulations thereunder and in Principal and Vice-Principal Terms and Conditions.
Privacy	Regulation	PATRICK COTTER	Rescinded	Regulation was replaced by updated Privacy Policy which reflects changes to applicable legislation and best practices. The Privacy Procedure and Privacy Breach Protocol have also been updated.
Procedure for the Effective Management of Employee Alcohol and Drug Problems - Teaching Employees	Regulation	HEATHER MUNDY	Rescinded	The regulation is outdated in language and approach and addresses matters that are operational in nature and handled by staff within the Ability Management group on a case-by-case basis
Professional Activity Days	Policy	JIMMY MARKOVSKI	Rescinded	Policy is one line recognizing the need for Professional Activity Days. Professional Activity Days are informed through the Ministry of Education and in Provincial Regulation (R.R.O, 1990, Reg. 304)
Professional Activity Days	Regulation	JIMMY MARKOVSKI	Rescinded	Regulation outlines responsibilities of Principal when planning a Professional Activity Day, The regulation is operational in nature and is supported through direction we receive from the Ministry of Education
Recognition of Long Service & Retirement of Employees	Regulation	HEATHER MUNDY	Rescinded	The language in this regulation is now captured within the updated Safe and Respectful Workplace and Harassment Prevention Policy
School Attendance Officer	Policy	ANDREA MCAULEY	Rescinded	The Education Act now calls for the appointment of "one or more attendance counsellors" (per: section 25(1)). The DDSB has filled this statutory role (by appointment of the Senior Manager and Clinical Lead for social work). The Ministry of Education reaches out to school districts on an annual basis to confirm the primary school attendance counsellor lead.

Staff Appeals	Policy	HEATHER MUNDY	Rescinded	Employee rights to challenge workplace circumstances are addressed in collective agreements, terms and conditions and employment contracts or in specific policies such as the Safe and Respectful Workplace and Harassment Prevention Policy and the Human Rights, Anti-Discrimination and Anti-Racism Policy.
Staff Appeals	Regulation	HEATHER MUNDY	Rescinded	Employee rights to challenge workplace circumstances are addressed in collective agreements, terms and conditions and employment contracts or in specific policies such as the Safe and Respectful Workplace and Harassment Prevention Policy and the Human Rights, Anti-Discrimination and Anti-Racism Policy.
Staff Complement	Policy	HEATHER MUNDY	Rescinded	Staff complement in schools is covered by class size limits under the Education Act and other Ministry Regulations as well as the provisions of various Collective Agreements
Teacher Exchanges	Policy	HEATHER MUNDY	Rescinded	The leave process and terms are governed by collective agreements
Teacher Exchanges	Regulation	HEATHER MUNDY	Rescinded	The leave process and terms are governed by collective agreements
Trustee Criminal Reference Checks	Regulation	PATRICK COTTER	Rescinded	The regulation has been replaced by a revised policy which has been updated to include language to require Vulnerable Sector Screening in addition to Criminal Background Checks with clearer instructions for new and returning trustees, and updated data security measures relating to storage and retention.
Trustee Criminal Reference Checks	Policy	PATRICK COTTER	Revised	Policy has been revised to require Vulnerable Sector Screening in addition to Criminal Background Checks with clearer instructions for new and returning trustees, and updated data security measures relating to storage and retention.
Privacy	Policy	PATRICK COTTER	Revised	Revised policy includes relevant language from rescinded regulation and reflects changes to applicable legislation and best practices
French Programs	Policy	MARGARET LAZARUS	Revised	The Policy was revised to include the Human Rights, Anti-Discrimination, Anti-Racism Policy and the Indigenous Education teaching and Learning policy implications for the French as a Second Language program.

Procedures Completed in 2023		
Name	Superintendent	Description
Administrative Guidelines for Secondary School Staffing and Class Size - Durham Secondary Schools	JIMMY MARKOVSKI	Rescinded
Administrative Transfer of Elementary Teachers	JIMMY MARKOVSKI	Rescinded
Advertising	ROBERT CERJANEC	Reviewed without amendments
Appointment and Transfer of Staff in Positions of Principal, Vice Principal and Officer	JIMMY MARKOVSKI	Rescinded
Checklist of Emergency, Operational and Personnel Procedures	JIMMY MARKOVSKI	Rescinded
Daily Physical Activity (Elementary Schools)	STEPHEN NEVILLS	Rescinded
Early School Leaving for Teachers Taking Courses	JIMMY MARKOVSKI	Rescinded
Employee Assistance Program	HEATHER MUNDY	Rescinded
French Programs	MARGARET LAZARUS	Newly Developed
Leaves of Absence for Teaching Staff	HEATHER MUNDY	Rescinded
Length of Elementary School Day	JIMMY MARKOVSKI	Rescinded
Lunchroom Facilities and Supervision	JIMMY MARKOVSKI	Rescinded
Naloxone Program	JIMMY MARKOVSKI	Newly Developed
Noon Hour Supervision	JIMMY MARKOVSKI	Rescinded
Privacy	PATRICK COTTER	Revised
Privacy Breach Protocol	PATRICK COTTER	Revised
Procedure and Guidelines For Co-Curricular Programs/Out Of Class Part A	JIMMY MARKOVSKI	Rescinded
Procedures And Guidelines For Co-Curricular. Out Of Class Primarily Athletics Part B - Procedure	JIMMY MARKOVSKI	Rescinded
Recognition of Long Service & Retirement of Employees	HEATHER MUNDY	Revised
Research in Durham	ROBERT CERJANEC	Revised
Resignations and Retirements	HEATHER MUNDY	Rescinded
School Community Councils	KANDIS THOMPSON	Revised

School Year Calendar	JIMMY MARKOVSKI	Rescinded
Software Selection and Approval	GEORGETTE DAVIS	Rescinded
Supply Coverage for Teachers and Educational Assistants	HEATHER MUNDY	Rescinded
Teachers Returning From Leave	HEATHER MUNDY	Rescinded
Technology Approval Process	DAVID WRIGHT	Newly Developed
Technology Approval Process (Cloud Services): Privacy and Security Assessment Guide	DAVID WRIGHT	Newly Developed
The Professional and Personal Use of Social Networking, Digital Communication Applications, and Web	ROBERT CERJANEC	Rescinded
Trip Excursion	JIMMY MARKOVSKI	Newly Developed
Tuition Fees - Regular, Summer School	DAVID WRIGHT	Rescinded
Usage of Social Media	ROBERT CERJANEC	Newly Developed
Use of Service Animals in Schools	ANDREA MCAULEY	Revised

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Governance and Policy Committee

DATE: March 27, 2024

SUBJECT: Bylaws – Public Question Period

PAGE: 1 of 5

ORIGIN: Robert Cerjanec, Executive Lead, Strategic Initiatives & External Relations
Patrick Cotter, General Counsel

1.0 Purpose

The purpose of this report is to present information on the nature of public question periods during Board meetings.

2.0 Background

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

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

Prior Motions

At the December 13, 2023, Governance and Policy Committee meeting, staff presented a report at the request of a trustee that provided the applicable sections of the Consolidated Bylaws related to public question period to assist trustees in reviewing the relevant sections of the Bylaws. Discussion took place and the following motions were moved, one of which was defeated and the other carried:

MOVED by Trustee Christine Thatcher
SECONDED by Trustee Stephen Linton

IT IS RECOMMENDED THAT SECTION 5.13.16 OF THE CONSOLIDATED BYLAWS BE AMENDED TO INCLUDE LANGUAGE THAT INDIVIDUAL TRUSTEES MAY RESPOND TO QUESTIONS AT BOARD MEETINGS FOR THE PURPOSES OF CLARIFICATION.

DEFEATED

MOVED by Trustee Deb Oldfield
SECONDED by Trustee Carolyn Morton

IT IS RECOMMENDED THAT STAFF BRING FORWARD A REPORT AND RECOMMENDED LANGUAGE ON THE ISSUE OF BEING ABLE TO REQUEST CLARIFICATION OF SPEAKERS AND PRESENTERS AT BOARD MEETINGS.

CARRIED

Contextual Background

Members of the Durham District School Board (DDSB) community have the opportunity to engage with the DDSB in many different formats including through public questions at Board meetings, public presentations at Standing Committee meetings, participation in public consultations on a variety of topics, providing feedback through surveys, and engagement through social media, e-mail, phone, and other formats.

The DDSB has a long-standing practice of having public questions at Board meetings and public presentations at Standing Committee meetings. Appendix A includes sections of the By-laws covering public participation in meetings through question period and presentations.

In 2023, during the public question period process, multiple questions on the same or similar topics came forward and meetings descended into chaos, resulting in multiple recesses being called and the public being cleared from the gallery. Safety concerns were raised by trustees, staff and members of the public in attendance at meetings. There was threatening behaviour and vulgar slurs made at these meetings.

In response to challenges and disruptions at Board meetings in 2023, the Governance and Policy Committee undertook a detailed review of, and brought forward recommended changes to, the provisions of the By-laws that address public question period to provide additional clarity around the public question period process, including time limits, making provision for hybrid participation, providing trustees with copies of any questions that were not approved, and providing clarity around the use of supplemental questions.

These changes were intended to ensure that the public had the opportunity to participate in meetings in a fair and equitable way while ensuring that the business of the Board could move forward in a timely and professional manner. This was keeping in the spirit of the By-laws with respect to allowing questions on a wide variety of topics of a general nature, but also ensuring public question period takes place in a structured manner that respects all participants at meetings, including staff who are answering questions in a public format.

In addition, and in response to significant concerns about discriminatory comments causing harm, contrary to the Board's legal obligations, the Board put in place additional safeguards to ensure that questions are not designed or framed in a manner that would be contrary to the Board's commitments and statutory duties and responsibilities under the Education Act, the Ontario Human Rights Code, the Board's Human Rights Policy and/or the Board's Indigenous Education Policy and Procedures.

As noted by the Court in [Carolyn Burjoski v. Waterloo Region District School Board, 2023 ONSC 6506](#) these types of limits are reasonable to protect all participants of meetings from discrimination and harm.

2023 Public Question Periods

The following table lists the number of public questions that were asked at every regularly scheduled Board Meeting in 2023:

Meeting Date	Number of Public Questions
January 23, 2023	2
February 21, 2023	2
March 20, 2023	5
April 17, 2023	6
May 15, 2023	13
June 19, 2023	4
September 18, 2023	4
October 16, 2023	3
December 4, 2023	3

The District also adopted additional safety and security measures for public meetings, including the creation of a [Code of Conduct for Public Meetings](#). Since then, Board staff have received multiple requests for public questions that continue to be contrary to the Board's commitments and statutory duties and responsibilities under the Education Act, the Ontario Human Rights Code, the Board's Human Rights Policy and/or the Board's Indigenous Education Policy and Procedures.

3.0 Analysis

In recent years with the COVID-19 pandemic and various topics of interest to various communities, the public question period process has been used as a method to engage in advocacy and debate. This was one of the reasons why additional safety and security measures were put in place for public meetings and additional changes to the By-laws as noted above.

Staff have considerable concerns around the allowance of unstructured follow-up questions.

The safeguards now in place in the Board's By-laws regarding the vetting and approval of questions could be compromised by an imprudent follow-up question from the Board table.

The current By-laws for public question period contain the following provisions which were reviewed the last time trustees considered changes to this section of the By-laws:

5.13.16 (h) Individual Trustees will not respond or comment on questions posed.

Based on the public nature of Board Meetings and the importance of providing clear and accurate information to the public and trustees, staff are not supportive of changes that would verge on debate between staff and trustees or members of the public at Board meetings. This has the potential to create a risk of undue harm and could expose the Board to litigation. The current process gives members of the public the ability to ask questions at Board Meetings. Questions are submitted in advance, providing the ability to carefully review the questions in accordance with the by-laws and to consider appropriate responses which are then posted on the Board's website for the benefit of all. In addition, based on previous events there are significant concerns over the safety and well-being of staff, trustees, and community members.

The current By-laws regarding public presentations at Standing Committee meetings allow for questions to be posed to presenter(s) provided that the total presentation time and questions for each presentation do not exceed 15 minutes.

A jurisdictional scan has taken place of school boards of a similar or larger size (including the Ottawa, Peel, York, and Toronto District School Boards) to the DDSB and no other school board reviewed provides for public questions by members of the public at meetings.

Should the Committee still wish to include a provision in the By-laws to ask questions of clarification to those participating in public question period, the Committee may wish to consider the following language as an addition under Section 5.13.16:

Trustees are each permitted to ask one question of clarification to the Questioner.

Should that change be added to the By-laws, trustees should expect that staff will not have anything further to add in responding to questions posed other than what was already provided.

4.0 Financial Implications

Not applicable.

5.0 Communication Plan

If revisions to the bylaws are required by the Board of Trustees, the revised bylaws will be shared with relevant staff and will be posted on the Board's website.

6.0 Conclusion

For the reasons outlined in the report, no further changes are recommended to the bylaws. This report is provided to the Governance and Policy Committee for information.

7.0 Appendices

Appendix A: Sections of the Board's By-laws applicable to public participation

Report reviewed and submitted by:



Patrick Cotter, General Counsel



Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations



BYLAWS

Consolidated Bylaws

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

4.2.8 Public presentations to the Committee of Whole - Standing are welcomed. The individual or group seeking to make a presentation shall follow the process and rules set out in these Bylaws.

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

- (c) Receive and seek representations and opinions from staff, area residents, and others, with respect to Board policy, including proposed new policy or a proposed amendment to an existing policy;

5.13 Public Participation in Meetings

5.13.1 In keeping with the Board's Policy on Public Consultation, the Board welcomes presentations by individuals and groups. Presentations shall be made in the first instance to the Committee of Whole – Standing.

5.13.2 In order to obtain permission to make a presentation to the Committee of Whole – Standing, the person shall email the Director at least eight working days before the next scheduled meeting of the Committee of Whole – Standing. A presenter to the Committee of Whole – Standing may also be invited to present at a Board Meeting, at the discretion of the Chair of the Board.

5.13.3 Any application submitted to the Director shall be forwarded to the Chair of the Committee of Whole - Standing.

5.13.4 An email requesting permission to present to the Committee of Whole - Standing shall:

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

5.13.5 Any application to present at the Committee of Whole – Standing Committee may be approved at the good faith discretion of the Chair of the Committee of Whole – Standing who shall, in considering whether to grant approval:

- (a) Consider if an opportunity for presentation is available through any other public consultation process, which shall be utilized prior to approval being given;
- (b) Consider if the matter is a matter within the scope and authority of the Board of Trustees or whether the matter is operational in nature or within

- the jurisdiction of the Ministry of Education or some other entity;
- (c) Consider whether the proposed presentation would be consistent with the Board's commitments and statutory duties and responsibilities under the Education Act, the Ontario Human Rights Code, the Board's Human Rights Policy and/or the Board's Indigenous Education Policy. If there is a concern with the manner in which a proposed presentation is designed or framed, the requester is to be given an opportunity to rectify the issues prior to any denial. If the denial is maintained, the proposed presentation shall nonetheless be circulated to all trustees by email with a summary note as to the nature of the presentation and the basis of the denial. If two or more trustees are concerned about the denial of a proposal, a motion may be brought at the next meeting of the Board for consideration of the presentation and shall reference the summary note but not include the proposed presentation. Provided there is a two thirds majority to have the motion debated, the Chair will declare the motion to be on the floor and it is debatable. Where appropriate, the Board may move into closed session of Committee of the Whole to debate the matter. In the absence of a two thirds majority, the motion is not debatable, and the Chair shall call a vote.
 - (d) Consider the time available for presentations at a given meeting and whether allowing the proposed presentation will allow the Committee of Whole – Standing sufficient time to conduct its business.

- 5.13.6 The Chair of Committee of the Whole-Standing shall inform the members of the Board when an application has been denied, including the rationale.
- 5.13.7 The Chair may waive the eight working days' notice period.
- 5.13.8 Presenters should use the appropriate format and protocol for presentations, available from the Director's office.
- 5.13.9 Anyone wishing to make a presentation shall be informed if the issue to be addressed will be discussed at any meeting of the Board or Committee of Whole - Standing prior to her or his opportunity to present.
- 5.13.10 Presenters shall be limited to speaking not more than 15 minutes including time for questions. At the discretion of the Chair of the Committee of Whole – Standing, this may be extended for a specific amount of time or deferred to a later point in the meeting.
- 5.13.11 Presenters shall be restricted to topics outlined in the application.
- 5.13.12 One or more presentations on a topic do not necessarily lead to a Committee of Whole - Standing or Board decision. The topic of a presentation should not be debated by Trustees unless and until it is on an agenda.
- 5.13.13 Members of the public may also pose questions of a general nature or regarding Board processes to the Board at any regular Board meeting.
- 5.13.14 The Board encourages questions on a wide variety of topics, while making sure that adequate time is available for regular business. The Chair shall establish time limitations as necessary to achieve these objectives and may group together questions of a similar nature. In order to complete the business of the Board, public question period shall not exceed 30 minutes. Time may be extended in extenuating or special circumstances at the discretion of the Chair or a majority of the Board. Any approved questions not answered at the Board meeting shall be responded to through the website.

5.13.15 The Board reserves the right to deny an individual or party the opportunity to ask a question, or to otherwise limit a question where the question is designed or framed in a manner that would be contrary to the Board's commitments and statutory duties and responsibilities under the Education Act, the Ontario Human Rights Code, the Board's Human Rights Policy and/or the Board's Indigenous Education Policy and Procedures. If there is concern with the manner in which a proposed question is designed or framed, the requester is to be given an opportunity to rectify the issue prior to any denial. If the denial is maintained, the proposed question shall nonetheless be circulated to all trustees by email.

5.13.16 The following procedure applies to public question period:

- (a) Before the beginning of the Board meeting, the Questioner shall submit the question in writing through the appropriate form made available on the DDSB website;
- (b) The approved question shall be displayed on the screens in the Boardroom;
- (c) The Questioner shall be allowed to ask the approved question. At the discretion of the Chair, the Questioner may be prompted if further clarification is required on the answer provided and/or direct the Questioner to the email address to which the question may be submitted;
- (d) The Questioner shall have the option to ask their question in-person or virtually subject to availability and at the discretion of the Chair;
- (e) The Questioner or, if the Questioner prefers, the Chair, shall read the question;
- (f) The question shall be addressed by the Chair who may direct staff to answer;
- (g) Questions to individual Trustees or staff will not be addressed at public question period;
- (h) Individual Trustees will not respond or comment on questions posed.

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Governance and Policy Committee

DATE: March 27, 2024

SUBJECT: Draft Policy: Board Self-Assessment

PAGE: 1 of 3

ORIGIN: Patrick Cotter, General Counsel
Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations

1.0 Purpose

The purpose of this report is to provide the Governance and Policy Committee with a draft Board Self-Assessment Policy for consideration.

2.0 Background and Analysis

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

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

The matter first came before this Committee at a meeting on February 5, 2024. The staff report provided a draft self-assessment policy for the Committee to consider in furtherance of the Board's commitment to ethical leadership and continual growth to increase performance and foster public confidence in our system. The policy's objective is to establish a process for the Board of Trustees to evaluate its own performance and to set a proactive framework to support continual growth and increased performance. The draft policy is attached to this report. After considering the comments from the last Committee meeting, the draft policy has been revised to provide for the formation of a stand-alone committee in relation to the Board's self-assessment. Other minor changes have been made to the draft policy.

The Ontario Education Services Corporation (OESC) professional development program for Trustees, Module 21, confirms that undertaking an annual self-assessment is a well-researched best practice for an effective board. Module 21 is also attached to this report for information.

There are two other discussion points from the last Committee meeting to consider.

Firstly, the approach of other school boards. The Ottawa-Carleton District School Board (OCDSB) and the Bluewater District School Board (BDSB) have each adopted a Policy governing the Board's self-evaluation, copies of which are attached for information.

The OCDSB has a single Ad Hoc Committee that manages both the Director's Performance Review and the Board's Self-Assessment, as was contemplated in the initial draft of our Policy. Given the comments from the Committee, the draft Policy now contemplates the formation of a separate committee. This is the approach that has been adopted by the Halton District School Board (HDSB) which has a Board Self-Assessment Committee, but their process does not appear to be enshrined in their by-laws or policies. Toronto District School Board (TDSB), Waterloo Region District School Board (WRDSB) and York Region District School Board (YRDSB) all undertake some form of self-assessment, although, as with HDSB, the process does not appear to be enshrined in their by-laws or in policy. It is difficult to locate the Board resolutions that established the process. It appears that Simcoe County District School Board (SCDSB) and Peel District School Board (PDSB) have no self-assessment process but we can't be certain from an online review of documentation.

Secondly, there was discussion about whether a self-assessment process ought to be in a policy, as opposed to a resolution. As a board self-assessment would not stipulate District-wide policy, it may be appropriate to establish an assessment process by resolution, rather than policy. That said, the Committee may wish to consider that policies are posted publicly in a searchable database, which aligns with the Board's commitment to transparency.

3.0 Recommendations

That the Governance and Policy Committee consider the attached draft policy. If the Committee determines that it would like to move forward with the policy, it is recommended that the Committee adopt a resolution to recommend to the Board of Trustees that the Board Self-Assessment Policy be adopted and that the matter proceed to the next meeting of the Board of Trustees for consideration.

4.0 Appendices

Appendix A: Draft Board Self-Assessment Policy
Appendix B: Module 21, OESC Professional Development
Appendix C: OCDSB Policy
Appendix D: BDSB Policy

Report reviewed and submitted by:



Patrick Cotter, General Counsel



Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations

POLICY

CORPORATE SERVICES

DRAFT

Board of Trustees' Self-Assessment Policy

1.0 Rationale

- 1.1 The Board of Trustees is committed to ethical leadership and to continual growth with a view to increasing performance and fostering public confidence in our system. This policy supports these commitments.

2.0 Policy Objective

- 2.1 The objective of this policy is to establish a process for Trustees to evaluate their performance and to set a proactive framework to support continual growth and increased performance.
- 2.2 This policy is to be interpreted and applied in accordance with the District's commitment to promoting and upholding Indigenous rights and human rights in all of its learning and working environments. This includes anti-colonial, anti-discriminatory and anti-racist approaches and actions to provide services and employment that are safe, welcoming, respectful, inclusive, equitable, accessible and free from discrimination and harassment consistent with the DDSB's Indigenous Education Policy, the Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"), the Safe and Respectful Workplace and Harassment Prevention Policy and related procedures.

3.0 Application

- 3.1 The Board's self-assessment process occurs annually in accordance with the terms of this Policy.
- 3.2 There may be aspects of the self-assessment that are confidential in nature and conducted in closed session in accordance with the provisions of Section 207(2)(b) of the *Education Act*.
- 3.3 The Board of Trustees will keep the public informed as to when the annual self-assessment has been completed and will share with the public a summary of goals or priorities identified for the coming year to support the growth and increased performance of the Board of Trustees.

4.0 Committee

- 4.1 By this policy, the Board establishes the Board's Self-Assessment Committee ("BSAC") as a Standing Committee of the Board, terms of reference of which are:
- (i) To oversee the selection of any external consultant that the BSAC may, in its discretion, determine ought to be engaged to facilitate the Board's self-assessment under this policy; and

- (ii) To develop and implement the Board's annual self-assessment in conjunction with any external consultant.

5.0 Evaluation Process

- 5.1 Each year, coinciding with the Director of Education's Performance Review, the BSAC shall develop and implement the Board's self-assessment which will culminate in the *Board of Trustees' Annual Self-Assessment Report*, a complete and concise confidential report on the results of the evaluation, which shall be submitted to the Board of Trustees, or the Committee of Whole, as appropriate, for information.
- 5.2 The self-assessment process shall provide for anonymous feedback, through surveys or through confidential interviews conducted by an external consultant (should there be a consultant engaged) and shall, in either case, seek feedback on the following:
 - (i) Performance in carrying out core governance functions;
 - (ii) Commitment to fulfilling the mandate of the Board of Trustees;
 - (iii) Any impediments to respectful relationships amongst Trustees;
 - (iv) The performance of Trustees in: contributing constructively to meetings; coming to meetings prepared; and respecting the views and opinions of other Trustees and the work of staff; and
 - (v) The knowledge of Trustees around the role of the Board and the role of individual Trustees.
- 5.3 The ability to provide feedback (whether through surveys or interviews, as the case may be) is to be offered to each of the Trustees and may be offered to staff members and/or community members as the BSAC may, in its discretion, determine on an annual basis.

6.0 Goals and Priorities

- 6.1 Following completion of the *Board of Trustees' Annual Self-Assessment Report*, the BSAC shall, in conjunction with any external consultant that may be retained, develop goals and priorities for the coming year to support increased performance and the Board's continual growth.

7.0 Annual Public Communication

- 7.1 Annually, at a public meeting of the Board, the Board of Trustees shall:
 - (a) Confirm the completion of the annual self-assessment; and
 - (b) Approve a summary of the goals and priorities for the upcoming year.
- 7.2 Following approval, the summary of the goals and priorities for the upcoming year will be posted publicly on the Board's website.

8.0 Reference Documents

- 8.1 Policies

[DDSB Consolidated By-Laws](#)

[DDSB Board Member \(Trustee\) Code of Conduct](#)

8.2 Other Documents (Legislation, Provincial Regulations, Etc.)

[Education Act, R.S.O. 1990, c. E.2, s.207\(2\)\(b\)](#)

Appendix:

None or

Appendix A: XXXXXXXXXX

Appendix B: XXXXXXXXXX

Effective Date:

YYYY-MM-DD

Reviewed and Amended:

YYYY-MM-DD

Reviewed without Amendment:

YYYY-MM-DD

Good Governance for School Boards

Trustee Professional Development Program

Module 21 — Board Self-Assessment: Governance Performance

Last updated in June 2019

IN THIS MODULE, TRUSTEES WILL EXPLORE:

- the importance of ongoing self-assessment of governance performance
- guiding principles for the board governance review process
- leading governance practices and resources to support the development of a board self-assessment process

INTRODUCTION

Governance is the work of the board of trustees and involves the purposeful exercise of collective leadership. Good governance doesn't just happen. It requires the elected board to take responsibility for the effectiveness of its governance practices and to work as a team. Effective boards of trustees develop a governance review policy that includes processes that contribute to the continuous improvement of board governance.

While self-assessment is a well-researched best practice for effective boards, it is not legislated. However, the requirement to annually review the board's multi-year strategic plan provides an opportunity for the elected board to look at its governance policies and actions. It also allows the board to reflect on how successful it is in focusing on what matters most to student achievement, well-being and good governance.

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ONGOING SELF-ASSESSMENT OF GOVERNANCE PERFORMANCE

Self-assessment is a valuable process that results in a range of benefits. In addition to improving communication among board members and building an understanding of the effectiveness of the directions taken by the elected board, the key outcome is greater certainty around what works for the benefit of students.

The process and frequency that boards of trustees undertake to review their performance will vary from board to board. Collection of the information to inform the review can occur in several ways including:

- surveys of board and committee members
- review and analysis of board agendas and minutes
- focus groups with staff, community members and other stakeholders
- interviews with board members and the director of education
- use of an outside facilitator/consultant (e.g. board observation, guided discussion)

Boards should strive to regularly complete a review of their performance. Some boards may choose to align their own self-assessment with the performance appraisal of the director, while others choose a review cycle that works in their circumstances. Either way, board self-assessments should occur frequently enough that the goals set by the board remain fresh and provide for continuous improvement.

GUIDING PRINCIPLES FOR THE BOARD GOVERNANCE REVIEW PROCESS

Elected boards should consider the development of a policy which is parallel to the policy for the performance review of the director of education. Similar to those outlined in **Module 5 – Performance Review: Director of Education**, the policy should:

- benefit students based on the **shared responsibility** of the director and the elected board for improving student achievement and well-being

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- **strengthen the organization**, making it more cohesive, viable, accountable and proactive in serving the needs of students and the broader school board community
- be based on the roles and responsibilities of the board as outlined in the *Education Act* and **clearly aligned** with the annual goals of the board's multi-year strategic plan
- be conducted on an **annual basis**, involving all members of the board
- **assess board effectiveness** in carrying out the core governance functions - assessment relates to board responsibility for having a plan in place, following the plan and annually updating it
- rely on **quantitative and qualitative evidence (data)** agreed upon by the board of trustees and collected for the purpose of informing the board governance review process
- be a **mutual learning opportunity** to affirm successful governance practices and to improve areas of identified need
- be results-oriented and focus on **continuous improvement** for the board as the governing body
- be characterized throughout by **transparency and open communication**, balanced by professional confidentiality and respect for all parties
- lead to the development and implementation of a specific learning and action plan for the improvement of governance practices

Boards may wish to consider how they can include their student trustees in the board self-assessment process. Student trustees can provide valuable insights and a different perspective given their work on the board and role representing the student voice.

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EFFECTIVE POLICY ELEMENTS

The board of trustees is encouraged to consider the following elements of an effective self-assessment process when developing or reviewing a policy:

- Clear rationale and objectives for the process, including local context:
 - Help achieve board goals and priorities
 - Help build strong, mutually respectful relationships amongst board members
 - Provide clarity to trustees regarding board goals and priorities
 - Provide clarity with respect to duties of trustees and board leadership
 - Support the ongoing development of trustees
 - Ensure that there are no misunderstandings or surprises during the board assessment process
- Clear steps, components and timelines:
 - What will be assessed?
 - What criteria will be used to assess identified areas?
 - What evidence (data) will be collected?
 - How will evidence be collected?
 - Who will be involved in the collection of evidence?
 - Who will be involved in the review process?
 - Who will have access to the information?
 - How will evidence be analyzed and compiled?
 - How will the board ensure the evidence is valid and reliable? Does evidence collected truly measure what it was designed to measure? Is evidence collected reflective of the board's work over time (as opposed to being reflective of short-term issues)?
 - When and how will the assessment be discussed and will a facilitator be asked to assist in the discussions?
 - How will the outcomes be reported? (e.g. report)

- How will the assessment results be acted upon?
- How will recommendations related to agreed-to changes be monitored?
- How will issues and/or conflict be managed?

It is essential that the process be determined and agreed upon by the elected board in advance.

LEADING GOVERNANCE PRACTICES

The basis for the elected board's self-assessment includes its role and responsibilities (***see Module 3 – Roles and Responsibilities***) and reflects the following leading governance practices:

- Setting the Vision
- Establishing Goals
- Developing Policy
- Allocating Resources
- Assuring Accountability

Self-assessment includes examining how well the board works together and how effective the group dynamics are. This includes the impact of the day-to-day independent and collective actions of trustees on the cohesiveness and collaborative nature of the board overall, and public perception of the functioning of the board.

Day to day examples of this include:

- Do board members come to meetings on time and well-prepared?
- Do board members contribute constructively to the meetings?
- Do board members practice active listening and support an open and encouraging approach to sharing their views?
- Do board members respect the opinions of others while working to reach a consensus?
- Do board members have a shared understanding of acceptable and unacceptable behaviour?

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- Do board members work together to promote positive interactions and address negative ones – both amongst themselves and with the larger community?
- Do board members share knowledge, skills and experiences with the aim of promoting collaboration?
- Are meetings productive? Do they consistently run over time?
- Do board members follow board policies including conflict of interest policies and communication protocols?
- Are political dynamics and constituency-based interests handled constructively and appropriately?
- Do board members understand their role and help other members to get back on track if it appears the board is getting too involved in operational matters?

RESOURCES AVAILABLE

- Chartered Public Accountants of Canada's **20 Questions Directors (Trustees) of Not-For-Profit Organizations Should Ask about Board Recruitment, Development and Assessment** [<https://www.cpacanada.ca/en/business-and-accounting-resources/strategy-risk-and-governance/not-for-profit-governance/publications/nfp-directors-recruiting-developing-assessing-renewing>](https://www.cpacanada.ca/en/business-and-accounting-resources/strategy-risk-and-governance/not-for-profit-governance/publications/nfp-directors-recruiting-developing-assessing-renewing)
- Ontario Hospital Association's **Guide to Good Governance** [<https://www.oha.com/learning/product/Guide-to-Good-Governance-Third-Edition-PDF-PP335201707271130561851>](https://www.oha.com/learning/product/Guide-to-Good-Governance-Third-Edition-PDF-PP335201707271130561851)
- OESC-CSEO has developed a **Pre-Assessment Survey on Governance**, specifically designed for elected school boards
- Ontario Leadership Framework (**OLF**) [<https://www.education-leadership-ontario.ca/en/resources/ontario-leadership-framework-olf>](https://www.education-leadership-ontario.ca/en/resources/ontario-leadership-framework-olf)
- **Good Governance Guides** [<https://ontarioschooltrustees.org/Guides.html>](https://ontarioschooltrustees.org/Guides.html) (from OPSBA, OCSTA and ACEPO)

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HOW CONTEXT IMPACTS PROCESS

In each of Ontario's four publicly funded school systems, the board's expectations regarding leadership and governance practices will also be influenced by the unique mandate, missions and values that characterize those systems. In a Catholic school board, for instance, there will be a focus on Catholic faith, community and culture. A French-language school board will have an expanded focus on community capacity-building related to sustainability of French language and culture.

In addition, the performance of the board is affected by individual competencies and efforts, and by the conditions and demographics of the school board community. The board self-assessment process should be designed to allow for the flexibility to recognize these individual circumstances and needs. One of the most significant aspects of the board self-assessment process is the open communication, collaboration and discussion that leads to “an agreed upon process.” This collaborative approach allows both the individual trustees and the board to be clear about all aspects of the process before the self-assessment process begins. There should be no surprises for either the individual trustees or the board.

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ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION
Leading Education's Advocates



Ontario Catholic School
Trustees' Association



Association des conseils
scolaires des écoles publiques de l'Ontario



Association française des conseils
scolaires catholiques



CODE

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POLICY P.130.GOV

TITLE: EVALUATION PROCESS FOR THE BOARD OF TRUSTEES

Date Issued: July 2008

Last Revised: 28 March 2017

Authorization: Board: 10 June 2008

1.0 OBJECTIVE

To establish an evaluation process for the Board of Trustees that values the importance of strategic leadership, accountability and professional development of the Board and of the individual trustee, for the effective governance of the school district.

2.0 DEFINITIONS

- 2.1 **Board** means the Board of Trustees of the Ottawa-Carleton District School Board.
- 2.2 **District** means the Ottawa-Carleton District School Board.
- 2.3 **Governance** is the way in which the Board provides leadership, stewardship and oversight of the school district and its resources.
- 2.4 **Trustee** means a member of the Board elected or appointed in accordance with the *Municipal Elections Act* and the *Education Act*.

3.0 POLICY

- 3.1 The Board of Trustees shall establish a formal evaluation process which includes an annual reflection process, whereby all members of the Board participate in a facilitated discussion to assess progress and opportunities for growth.
- 3.2 The Board annual reflection process shall encourage both the evaluation of the Board as an entity and the self-evaluation of each individual member of the Board.
- 3.3 The evaluation process shall include a comprehensive evaluation undertaken once in every four year term of office. The comprehensive evaluation shall be supported by an annual reflection process.
- 3.4 The purpose of the Board comprehensive evaluation is to:
 - a) assist the Board in identifying areas where the Board can improve its effectiveness;

- b) monitor the contribution of the Board to the achievement of the strategic plan; and
 - c) identify opportunities for the ongoing professional development of the Board and its members.
- 3.5 The purpose of the annual reflection is to encourage individual members of the Board to:
- a) assess their individual effectiveness as a member of the Board;
 - b) reflect on their personal contribution to the success of the Board as a whole; and
 - c) identify opportunities for professional development.
- 3.6 The comprehensive evaluation of the Board and the annual reflection shall be based on duties as assigned in provincial statutes, regulations, policies and guidelines, and in the roles and responsibilities document for the Board and the Board Member, and the Board's contribution to the strategic plan.

4.0 SPECIFIC DIRECTIVES

Comprehensive Evaluation

- 4.1 The comprehensive evaluation shall include input from the Board, the Director and other stakeholders about the performance of the Board. The input shall be obtained through a questionnaire which will ask participants to evaluate the Board as an entity.
- 4.2 The information collected through the questionnaire shall be compiled by an external resource and submitted to the Board for discussion. The purpose of collecting the input is to assist the Board in identifying areas where the Board can improve its effectiveness and to provide input to the Board on the development, implementation and achievement of the strategic plan.

Annual Reflection

- 4.3 A facilitated discussion will be held designed to improve the overall performance of the Board by assisting members to reflect on their individual and collective accomplishments as trustees and as a Board, to build on their strengths and assess their need for continuing education.

Evaluation Cycle

- 4.4 The evaluation cycle shall be as follows:
- i) A comprehensive evaluation shall occur at the mid-point in every four year term of office;
 - ii) The questionnaire for the comprehensive evaluation shall be distributed to stakeholder groups in the spring;
 - iii) The questionnaire data shall be compiled by an external resource and a summary report on the data prepared for discussion by the Board at the annual reflection meeting in August/September;

- iv) The Board shall reflect on the feedback from the comprehensive evaluation to direct any further research or information, and incorporate any changes into its key strategic plan objectives for the coming year;
- b) Annual Reflection
 - i) On an annual basis, including a year when the comprehensive evaluation is conducted, a facilitated discussion will be scheduled for members of the Board in late August each year; and
 - ii) The Board and Director will meet to discuss the feedback from the facilitated discussion in late August/September and establish key areas of focus for the Board based on the feedback and the strategic plan for the coming school year;
- c) Key areas of focus shall be confirmed by Board motion by end of September each year; and
- d) Upon Board approval of the key areas of focus, the Ad Hoc Committee for the Board Evaluation Process and the Director Performance Evaluation Process shall convene a meeting within a two month period to discuss the evaluation process and any revisions that may be required.

5 REFERENCE DOCUMENTS

Education Act, Ontario, 1998, § 283

Board Policy P.051.GOV: Evaluation of Director of Education and Secretary of the Board

Board Policy P.048.GOV: Board Guiding Principles

Board Policy P.073.GOV: Board Member Code of Ethics

Job Description for Board Member

BOARD POLICY

Board

BP 1109-D

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Policy Title	Board Self-Assessment: Governance Performance		
Date of Issue	May 19, 2015	Related Procedure	
Revision Dates	October 18, 2022	Related Forms	
Review Date	October 1, 2027	Originator	Board of Trustees
References			
Education Act 169.1; Ontario Education Services Corporation (OESC) Good Governance for School Boards Trustee Professional Development Program, Module 21 – Board Self-Assessment: Governance Performance; BP 1107-D “Performance Review – Director of Education”, BP 1102-D “Role Description – Board of Trustees”			

1.0 RATIONALE

- 1.1 Bluewater District School Board policies will support and provide direction necessary to achieve the board’s Vision, Mission, and Strategic Plan priorities.
- 1.2 The self-assessment process intends to:
 - 1.2.1 be characterized throughout by transparency and open communication, while ensuring confidentiality and respect for all parties;
 - 1.2.2 provide a mutual learning opportunity to affirm successful practices and to improve areas of identified need;
 - 1.2.3 monitor the contribution of the Board of Trustees in relation to the achievement of board priorities;
 - 1.2.4 identify possible opportunities for ongoing professional development of the Board of Trustees; and
 - 1.2.5 encourage individual trustees to:
 - 1.2.5.1 assess individual effectiveness as a member of the Board of Trustees; and
 - 1.2.5.2 reflect on how they have personally contributed to the success of the Board of Trustees.
- 1.3 The self-assessment process will provide trustees with feedback to be used as the basis for a continuous improvement plan, ensuring effective governance of Bluewater District School Board which will benefit students, strengthen the organization, and enhance public confidence.

2.0 POLICY

- 2.1 The self-assessment process will use board policy BP 1102-D “Role Description – Board of Trustees” as a guide.
- 2.2 The board self-assessment process will take place on a regular basis during the term of the board; timing and format will be determined by each new Board of Trustees, under the guidance of the chair of the board, during the first year of their elected term.

3.0 SYSTEM EXPECTATIONS

3.1 Assessment Process

- 3.1.1 The chair of the board will guide the self-assessment process, with participation of all trustees. An external facilitator/consultant may be hired to assist with the collection of information and the preparation of a final summary report.
- 3.1.2 The components of the board self-assessment may include:
 - 3.1.2.1 review of Board of Trustees role performance as described in BP 1102-D “Role Description – Board of Trustees”;
 - 3.1.2.2 review of Board of Trustees support for the Multi-Year Strategic Plan;
 - 3.1.2.3 monitoring of interpersonal working relationships;
 - 3.1.2.4 monitoring of Board of Trustees communication;
 - 3.1.2.5 monitoring of relations between Board of Trustees and director of education;
 - 3.1.2.6 review of board governance policies.

3.2 Collection of Information

- 3.2.1 Collection of information to inform the assessment may include:
 - 3.2.1.1 a review of board motions;
 - 3.2.1.2 interviews with trustees and the director of education;
 - 3.2.1.3 surveys of trustees and other stakeholders;
 - 3.2.1.4 focus groups with community members and other stakeholders.
- 3.2.2 The following sample questions can be used by the Board of Trustees as part of the assessment process:
 - 3.2.2.1 How well have we adhered to the Bluewater District School Board vision, mission, and Multi Year Strategic Plan priorities?
 - 3.2.2.2 How well have we adhered to BP 1102-D “Role Description – Board of Trustees”?
 - 3.2.2.3 How well have we adhered to the Bluewater District School Board Procedural By-Laws?
 - 3.2.2.4 How would we rate our interpersonal working relationships?
 - 3.2.2.5 How well do we receive input and communicate?
 - 3.2.2.6 How would we rate our board/director relations?
 - 3.2.2.7 What have we accomplished since our term began/since our last review? How do we know?
- 3.3 A final summary report will be prepared for review and discussion by the Board of Trustees.
- 3.4 Any exception to the established process must be mutually agreed to by the Board of Trustees.

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Governance and Policy Committee

DATE: March 27, 2024

SUBJECT: Rescission of Accessible Customer
Service Policy and Regulation

PAGE: 1 of 5

ORIGIN: Heather Mundy, Superintendent of People and Culture
Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations
Patrick Cotter, General Counsel

1.0 Purpose

The purpose of this report is to recommend rescission of the Accessible Customer Service Policy and Regulation.

2.0 Background and Analysis

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

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

It is important to accurately maintain current policies to support Board governance and system operations. Consistent with this objective and in furtherance of the Board's direction to phase out regulations, the Superintendent of People and Culture has completed a review of the policy and regulation and recommends this update.

In 2022, the Board of Trustees adopted the Human Rights, Anti-Discrimination and Anti-Racism Policy, which acts as an umbrella, providing direction over other policy matters that were previously stand-alone. This has led to policy redundancies; the Accessible Customer Service Policy is an example of this. As such, the Policy and Regulation should be considered for rescission as the relevant operational content has since been incorporated into the new Accessibility Procedure which outlines responsibilities for implementation of sections of the Human Rights, Anti-Discrimination and Anti-Racism Policy related to accessibility. With the new Procedure, rescinding the Policy and Regulation will provide greater clarity for staff and community members.

The table below outlines the policy and regulation recommended for rescission including staff's rationale in bringing forward the recommendation. The current policy and regulation are attached at Appendix A and are referenced in the table below with a hyperlink. The new procedure is included at Appendix B for information.

Table 1 – Accessible Customer Service Policy and Regulation

Name	Type	Recommendation	Rationale
Accessible Customer Service	Policy	Rescind	DDSB's Human Rights, Anti-Discrimination and Anti-Racism Policy provides clear policy direction in relation to our responsibilities as to accessibility and inclusion, deeming this policy redundant. Relevant content has been incorporated into the new Accessibility Procedure and the Employee Emergency Response Plan. In accordance with recommendations received from the Ministry for Seniors and Accessibility following a 2021 audit, Training, Assistive Devices, Communication, Service Animals, Notice of Temporary Disruption, Feedback Process, Procurement, Employment, Design of Public Spaces and Support Persons have been included in the procedure to ensure compliance.
Accessible Customer Service	Regulation	Rescind	Same as above.

3.0 Consultations

Consultation on the Accessibility Procedure took place with the draft procedure shared and feedback requested from various groups. These included the DDSB Accessibility working group which has representation from across the system and the Abilities Centre, Unions and Federations, our Legal Counsel and Human Rights Advisor. The Procedure was presented to the Special Education Advisory Committee (SEAC) on October 19, 2023 and no feedback was received. It was then presented to SEAC again on January 18, 2024 and feedback was received which is included in the chart below. All feedback received has been considered. Based on the feedback received, the recommendation remains to rescind the policy and regulation. The Accessibility Procedure contains all relevant and key information and has been adopted under the Human Rights Policy.

The communication plan will ensure that the Accessibility Procedure and related Human Rights Policy will be easily searched on the DDSB website.

Group Consulted	Date of Consultation	Summary of Feedback Received
CUPE, ETFO, OSSTF	October 17, 2023	Appreciation for opportunity to review and no suggestions for changes beyond minor edits.
Accessibility Working Group	October 17, 2023	Procedure is aligned with Ministry template that was provided and includes commitment statements that reflect the Human Rights Policy and Accessibility Plan.
Human Rights Advisor and Legal Counsel	October 5, 2023	<p>Suggestions for formatting, use of headings, added legal wording to meet legislative requirements. Additions to “Other Documents” section to include other relevant legislation and policies. Referencing the Duty to Accommodate in the Procedure. The Human Rights Advisor was instrumental in drafting the procedure so only minor feedback on the final draft was provided.</p> <p>Legal Counsel shared that the AODA requires a “policy”, however, generally, this can mean a procedure since the content and the format of the policy is the organization’s choice.</p>
SEAC	October 19, 2023 January 18, 2024	<p>No feedback or comments from October 19, 2023.</p> <p>January 18, 2024: Two community members agreed that the Accessibility Procedure should be under the Human Rights Policy but wanted to ensure that families or community could find it</p>

easily through a search of accessibility on the website.

It was noted that while the procedure fits under the Human Rights Policy, based on the lack of progress on accessibility in Ontario some wanted to maintain the policy but have it rewritten.

4.0 Financial Implications

No financial implications.

5.0 Evidence of impact

Revising outdated and obsolete policies and rescinding regulations will bring clarity to applicable processes for system leaders, staff and community members.

6.0 Communication Plan

Communication regarding the revision of policies will be provided to system leaders as applicable to their role. The website listing of policies, procedures and regulations will be updated and website content will be reviewed to ensure that both the Accessibility Procedure and related Human Rights Policy are easily searchable.

7.0 Recommendation

That the Governance and Policy Committee recommend to the Board of Trustees that the Accessible Customer Service Policy and Regulation be rescinded and that the matter proceed to the next meeting of the Board of Trustees for consideration.

8.0 Appendices

Appendix A – Accessible Customer Service Policy and Regulation

Appendix B – New Accessibility Procedure (for information only)

Report reviewed and submitted by:





Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations



Patrick Cotter, General Counsel

COMMUNITY**Accessible Customer Service**

- 1.0 It is the policy of the Durham District School Board to provide an environment that builds independence, dignity, integration and equality of opportunity for our students, parents/guardians, the public and our staff. We are committed to giving people with disabilities equal opportunity to access the services of the Durham District School Board.

Appendix:

None

Effective Date

2009-11-16

Amended/Reviewed

2018-11-19

COMMUNITY**Accessible Customer Service****1.0 Guiding Principles**

- 1.1 Welcome all members of the school and broader community by committing our staff (including volunteers, interns, students, etc.) to providing services that respect the independence and dignity of persons with disabilities.
- 1.2 Provide services that incorporate measures and allow for the use of assistive devices, service animals, and/or support persons.
- 1.3 To review all current policies, practices and procedures on an on-going basis to ensure that they are consistent with the principles of independence, dignity, integration and equality of opportunity for all persons with disabilities.

2.0 Roles and Responsibilities of the Board

- 2.1 To ensure that our policies, regulations, and procedures comply with legislative requirements. Definition of terms can be found in the procedure that accompanies this regulation.
- 2.2 To provide appropriate training for current staff and new staff hired who may interface with the public or with third parties, to ensure greater awareness and responsiveness to the needs of individuals with disabilities.
- 2.3 To provide information to the public about the availability of accessible formats and communication supports.
- 2.4 To post a notice of disruption at any site and on that location's web site when services that are normally provided to a person with a disability are temporarily unavailable, such as access to an elevator.
- 2.5 To take into account the impact on persons with disabilities when purchasing new equipment, designing new systems, or planning a new initiative.
- 2.6 To consult with the person making a request determining the suitability of an accessible format for communication support.

3.0 Feedback, Monitoring and Evaluation Process

- 3.1 To monitor the effectiveness of the Accessible Customer Service policy and procedures using a feedback process that uses a variety of accessible methods.
- 3.2 The feedback process will include review of the implementation of this regulation by various constituency groups such as SEAC.
- 3.3 The Board's Accessibility Committee will regularly review the effectiveness of the practices and procedures established under this regulation and related policy.

Effective Date

2009-11-16

Amended/Reviewed

2018-11-19



PROCEDURE

STUDENTS, EMPLOYEES AND COMMUNITY

Accessibility

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

1.0 Objective

- 1.0 The Durham District School Board ("DDSB") adopts this policy/procedure to promote and uphold accessibility and to prevent accessibility barriers in all DDSB learning and working environments.
- 1.1 Providing accessible services and employment 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. This procedure will set out how the DDSB will meet accessibility needs in a timely manner and to the point of undue hardship.
- 1.2 The DDSB adopts this procedure to better fulfill its obligations and responsibilities under, Ontario's accessibility laws, including the Ontario Human Rights Code (the "Code") and the Accessibility for Ontarians with Disabilities Act, S.O.2005, c.11 and the corresponding Ontario regulation 191/11, Integrates Accessibility Standards, as amended (the "AODA"), the Education Act, R.S.O. 1990, c. E.2 and its regulations, as amended (the "Education Act"), and other applicable legislation, and in so doing recognizes that accessibility principles and anti-ableist approaches, actions and initiatives are required to:
 - Comply with AODA accessibility standards for customer service, employment, transportation, design public spaces, and information and communications,
 - Establish and maintain a Multi-Year Accessibility Plan("MYAP"), which outlines its strategy to identify, prevent and remove barriers to persons with disabilities in relation to each area identified in the section above, and review and update the MYAP at least one every five years in consultation with person with disabilities. The DDSB will post the MYAP and progress updates on its website and make available in accessible format upon request.
 - Demonstrate the DDSB's commitment in actively removing barriers and increasing accessibility and participation for all members of its community and maintain compliance through this procedure.
 - Support equitable access, opportunities, experiences and outcomes for students, employees and community members with different abilities, disabilities and neurodivergent traits.
- 1.3 If a provision of AODA, an accessibility standard or any other regulation under AODA conflicts with a Provision of another statute or regulation, the provision that provides the highest level of accessibility to person with disabilities will prevail.
- 1.4 This procedure must be read together with the Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"), the Human Rights Anti-Discrimination and Anti-Racism Procedure (The "Human Rights Procedure"), the Human Rights Inclusive Design and Accommodation Procedure (the "Accommodation Procedure"), and the Human Rights Roles, Responsibilities and Accountability Framework (the "Accountability Framework")

1.5 The DDSB recognizes the roles, responsibilities, and accountabilities it has to:

- Promote accessibility and anti-ableism
- Identify, prevent, and address ableism and accessibility barriers for students, staff and community members when accessing DDSB services, employment, and learning and working environments.
- Respond to and/address accessibility barriers (including the duty to accommodate under the Code)
- Learn and build capacity about how to apply accessibility principles to all aspects of DDSB learning and working environments
- Provide a mechanism for students, staff, and community members to report accessibility issues/concerns and to raise accessibility complaints.

1.6 A key objective of this procedure is to embed anti-ableism, accessibility, Universal Design for Learning and inclusive design principles to all aspects of DDSB services, employment and learning and working environments. These include:

- Disrupting ableist structures, policies, practices and rules to address individual and systemic accessibility barriers
- Upholding principles of dignity and respect
- Maximizing integration, independence, and participation

This is in keeping with the DDSB's commitment to providing learning and working environments that centre Indigenous rights, human rights, and equity and that are safe, welcoming, respectful, equitable, inclusive, accessible, and free from all forms of discrimination, oppression and harm.

1.7 This procedure is to be interpreted and applied in accordance with the district's commitment to promoting and upholding Indigenous rights and human rights in all 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 Indigenous Education Policy, the Human Rights Policy, the Safe and Respectful Workplace and Harassment Prevention Policy and related procedures.

1.8 This policy applies to DDSB employees, trustees, students, parents/guardians, volunteers, permits holders, contractors, customers, and other members of organizations not related to the DDSB but who nevertheless work on or are invited onto DDSB premises or utilize DDSB services.

2.0 Definitions

- 2.1 “Customer” refers to any person who uses the services of the DDSB.
- 2.2 “Goods” are discrete items like books, food, software, etc., provided by DDSB. This Procedure applies to accessing goods, and not to the accessibility of goods.
- 2.3 “Services” are things like education and public washrooms provided by the DDSB services are expected to be accessible.
- 2.4 “Facilities” refers to rooms or spaces used to provide a service if the DDSB. IT does not refer to the physical structure of a building.

Other key human rights and accessibility terms used in this procedure are defined in (Appendix A Glossary of Terms) of the Human Rights Policy.

3.0 Procedure

Each employee, as appropriate to their individual role and within the scope of their authority and influence, must comply with this procedure and must contribute to shared organizational responsibilities for accessibility.

The DDSB Recognizes:

- a) The broad and evolving definition of disability under the Ontario Human Rights Code and case law, and increasing understanding of neurodiversity and the social model of disability
- b) Stigmatization and negative biases, attitudes, perceptions, assumptions and traits based on abilities, disabilities, and neurodiversity (including and not limited to assumptions about functional limitations, low expectations, learning disabilities, differences in behaviors, social interactions cognitive processing and communication, etc.);
- c) Unique accessibility barriers (for example attitudinal, physical, architectural, information/communication or technological barriers) for people based on abilities, disabilities, neurodivergent traits, mental health disabilities, addictions and disabilities that may be “invisible”, episodic, temporary and/or permanent.
- d) Inequitable and disproportionate educational and employment access, opportunities, experiences and outcomes for students, employees and community members with different abilities, disabilities and neurodivergent traits;
- e) Individuals may experience disability-related barriers differently (in other words, not everyone with the same type of disability may have the same accessibility needs).

The DDSB 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, and the Accommodation Procedure, to the point of undue hardship.

3.1 Training

The DDSB is committed to training all staff and volunteers including all persons who participate in developing the organization’s policies, or who provide goods, services, or facilities on behalf of the DDSB in accessible customer service, other applicable Ontario Accessibility Standards and aspects of the Ontario Human Rights Code that relate to persons with disabilities. Training of our employees and volunteers on accessibility relates to their specific roles, including:

- Purpose of the AODA
- How to interact with and communicate with people with various types of abilities, disabilities and neurodivergent traits including written format to meet accessibility requirements
- How to use equipment or devices that may help with providing services to people with disabilities and neurodivergent traits, as applicable to their roles and responsibilities
- What to do if a person with a disability or neurodivergent traits is having difficulty in accessing DDSB services, employment, or facilities

We train individuals as soon as practicable after being hired and provide training on any new or any significant changes to existing accessibility policies and procedures. These records are available upon request to persons who received the applicable goods or services.

In addition to formal training, each school and system department must develop an implementation plan to meet the objectives and requirements of the Human Rights Policy, the Human Rights Procedure, and this procedure, which includes;

- Embedding accessibility principles into their work and implementing the requirements of the DDSB's Accessibility Plan
- Identifying, preventing, and addressing potential accessibility barriers in schools and classrooms, community engagement, academic and corporate services, and across the organization

3.2 Assistive Devices

Assistive devices are tools, technology or other mechanisms that enable a person with disabilities to do everyday tasks and activities. People with disabilities may use their personal assistive devices when accessing our services or facilities. DDSB ensure that our staff are trained and familiar with various assistive devices that are used or made available in the workplace, as applicable to their roles and responsibilities.

Where use of any assistive devices is not possible under the DDSB's policies and procedures alternate arrangements must be considered and made available by DDSB where possible.

3.3 Information and Communications

We communicate with people in ways that take into account various abilities, disabilities, and neurodiversity, including, where reasonable;

- Use of accessible and inclusive communication and information formats for students, families, caregivers, and staff
- Use of public web content that is compliant with AODA accessibility standards including Web Content Accessibility Guidelines (WCAG) 2.0 Level AA
- Use of accessible best practices in classroom instruction, presentations, workshops, and meetings, both online and in person
- Provide multiple methods for the public to provide feedback.
- Notify the public about the availability of accessible formats and communication support
- Offering alternative or conversion-ready formats for all public DDSB documents and communications upon request and consulting with the person making such request to determine the suitability of the format or communication support. If DDSB determines that information or communications are unconvertible, it will provide the person requesting the information or communication with (a) an explanation as to why the information or communication are unconvertible; and (b) summary of the unconvertible information or

communications.

- Maintaining an Accessibility section on the DDSB website which contains relevant information, communications and contact information, including the availability of accessible formats and communication supports.

3.4 Service Animals

Service animal refers to an animal that is being used to provide accommodation support to a person with a disability, either readily apparent or supported by a letter from a regulated health professional. DDSB welcomes people and their service animals and a separate and specific Policy, Use of Service Animals in Schools, outlines our commitment and requirements and accompanies this procedure.

Where use of any service animal is not possible under the DDSB's Policies and procedures alternate arrangements must be considered and made available by the DDSB where possible.

3.5 Notice of Temporary Disruption

In the event of a planned or unexpected disruption to services or a facility for individuals with disabilities, we will notify the community as soon as it is known. Examples of disruption may include:

- An accessibility entrance door button being temporarily out of function
- An elevator shut down for repairs
- Temporary unavailability of a barrier free washroom

Notification includes but is not limited to, information about the reason for the disruption, anticipated duration and description of alternative facilities or service accommodation if any are available. Notification will be posted in a visible area on site, posted on school website or by any other means reasonable (e.g., social media post).

3.6 Feedback Process

The DDSB welcomes feedback on how we provide accessible service. Feedback will help us identify barriers and respond to concerns. Feedback may be provided through our public [website](#) and is monitored by the Communications Department and forwarded to the appropriate individuals for review and response where required.

Our Student/Family Human Rights Issue, Incident and Complaint Resolution Procedure further outlines options and accessible ways in which students and families can raise issues and complaints related to accessibility and accommodations.

3.7 Procurement

The DDSB incorporates accessibility criteria and features when procuring or acquiring goods, services, or facilities except when it is not practicable to do so. Accessibility requirements are included in service, equipment, and technology procurement processes as part of the Terms and Conditions for all bid documents.

Additionally, emphasis is placed on streamlining the specifications of the purchase requirements to remove barriers where possible, for the procurement of assistive devices for students.

The DDSB will take into account the impact on persons with disabilities when purchasing new equipment, designing new systems or planning a new initiative.

3.8 Employment

Recruitment and Hiring

The DDSB will communicate its commitment to meeting its legal duty to accommodate and will proactively request information about potential accommodation needs during the recruitment process, including through job postings and interview invitations, as well as during the hiring process. We notify employees, job applicants and the public that accommodation can be made during recruitment and hiring processes for the individual to actively participate in any assessment and selection stage, where requested. We consult with the applicants and provide or arrange suitable accommodation once requested.

Workplace Policies and Supports, Individuals Accommodations Plans and Return to Work Process.

We notify successful applicants and existing employees of policies for accommodating employees with disabilities and how to access employee accommodations through the Ability Management department as part of the Human Rights Inclusive Design and Accommodation Procedure for employees.

We consult with employees when arranging for the provision of suitable accommodation in a manner that considers accessibility needs due to ability, disabilities and neurodivergent traits. We consult with the person making the request in determining the suitability of an accommodation plan for the employee to complete the essential duties of their job and have a written process to develop individual accommodation plans for employees.

Workplace Emergency Response Information

Where needed, we also provide customized emergency information to help an employee with a disability during an emergency. With the employee's consent, we will provide workplace emergency information to a designated person who will help that employee during an emergency. This includes ensuring the individualized workplace emergency response information transfers with an employee when they move to a different location in the organization.

Performance Management

In conducting performance management, the DDSB will take into account the specific accessibility needs of employees with disabilities (including individual accommodation plans); for example, accounting for the difference between disability related issues and performance related issues.

Advancement

When Considering career development and advancement, the DDSB will take into account the specific accessibility needs of employees with disabilities (Including individuals accommodation plans). For example, professional development materials or training will be provided in formats that account for a person's disability.

Redeployment

In cases of redeployment, the DDSB will take into account accessibility needs (including individual accommodation plans) when redeploying employee with disabilities. For example, factoring in the employee's accommodation plan to select a new job that would suit them.

3.9 Design of Public Spaces

The DDSB meets accessibility laws, codes and requirements when designing, building, or making major changes to public spaces. Our public spaces include schools and their grounds including parking lots, outdoor play spaces, gathering spaces on school property both inside and outside, and other board office and central administrative buildings.

3.10 Support Person or Assistive Service Person

Assistive service person refers to a person who assists or interprets for a person with a disability as the services of the Board are accessed. An assistive service person is distinct from an employee who supports a student in the system. A community member with a disability who is accompanied by a support person or assistive service person may have that person accompany them on our premises.

3.11 Self-Serve Kiosks

The Board will incorporate accessibility features when designing, procuring, or acquiring self-serve kiosks.

3.12 Accessible School transportation

The Board will provide integrated accessible school transportation, or appropriate alternative accessible transportation services for students with disabilities where integrated services are not possible or not the best option due to the nature of the disability or safety concerns.

3.13 Review Process

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.

4.0 Reference Documents

4.1 Policies

- [Human Rights, Anti-Discrimination and Anti-Racism Policy](#)
- [Use of Service Animals in Schools Policy](#)

4.2 Procedures

- [Human Rights, Anti-Discrimination and Anti-Racism Procedure](#)
- [Human Rights Inclusive Design and Accommodation Procedure](#)
- [Student/Family Human Rights Issue, Incident and Complaint Resolution Procedure](#)
- [Human Rights Roles, Responsibilities, and Accountability Framework](#)
- [Complaint Procedure-Human Rights, Safe and Respectful Workplace and Harassment Prevention](#)
- [Use of Service Animals in Schools Procedure](#)

4.3 Other Documents

- [Accessibility for Ontarians with Disabilities Act, 2005](#)
- [Ontario Human Rights Code](#)
- [Integrated Accessibility Standards Regulation](#)
- [Web Content Accessibility Guidelines](#)
- [Ontarians with Disabilities Act](#)
- [The Education Act](#)
- [Ontario Building Code](#)
- [Blind Person's Rights Act](#)
- [Service and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act](#)
- [DDSB Accessibility Plan](#)
- [DDSB Accessibility Guide](#)

Appendix:

None

Effective Date

2024-01-05

Amended

YYYY-MM-DD

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Governance and Policy Committee

DATE: March 27, 2024

SUBJECT: Child Care, Early Years and After-School
Recreation Programs: Rescission of Regulations
and Consolidation of Policies

PAGE: 1 of 7

ORIGIN: Erin Elmhurst, Superintendent of Equitable Education, Curriculum and Early Years
Amanda Gleed, Acting Manager of Early Years
Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations
Patrick Cotter, General Counsel

1.0 Purpose

This purpose of this report is to:

1. Recommend rescission of the Early Years, Child Care, and After-School Early Years Recreation Programs Regulations; and,
2. Recommend the consolidation of the Early Years, Child Care, and After-School Early Years Recreation Programs Policies into one comprehensive policy.

2.0 Background

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

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

It is important to accurately maintain current policies to support Board governance and system operations. Consistent with this objective and in furtherance of the Board's direction to phase out regulations, the Superintendent of Equitable Education, Curriculum and Early Years has completed a review of the Child Care, Early Years and After-School Early Years Recreation Policies, Regulations and Procedures and is recommending rescission of three regulations and consolidation of three policies. To support implementation of the revised consolidated policy, applicable procedures have been revised.

2.0 Analysis

The Durham District School Board's (DDSB) Early Years Policy, Child Care Policy and After-School Recreation Policy are all guided by the [Child Care and Early Years Act, 2014](#) (CCEYA).

Following a review of all three policies, which are included as Appendix A, and through consultation with members of the Early Years Consortium, consisting of DDSB Child Care, Early Years, After-School Recreation partners and school administrators, the consolidation of these three policies into one policy is being recommended to increase ease of access for partners, school leaders, and educators. Tracked changes versions of the current policies are included as Appendix C and the new consolidated policy is included as Appendix B. The three regulations recommended for rescission are included as Appendix D.

As part of the consolidation process, language in the policy has been updated where applicable in order to accurately align to legislation, existing policies and to highlight the importance of the partner/District/school relationship.

Relevant provisions of the regulations recommended for rescission have been moved into the consolidated policy and revised procedures.

Consultation

Early Years Consortium members were invited to engage in the policy and procedure revision working group beginning in August 2021 and have been engaged throughout the revision process. Initial discussions guided the consolidation of the Early Years, Child Care, and After-School Early Years Recreation Programs Policies and Procedures into combined overarching documents. Additional Early Years Consortium partners have since expressed appreciation for the inclusion of After-School Recreation Programs within both the policy and procedure.

Consultation on the draft policy and procedures also took place with school leaders within the Early Years Consortium, Durham Elementary School Administrators (DESA), Ontario Principals' Council (OPC), DDSB Legal Counsel and the Human Rights and Equity Advisor, which led to additional revisions to improve clarity and further support positive partner/school relationships. All feedback received has been considered.

Table 1 below summarizes the consultation process, which included virtual meetings, self-facilitated consultations and email submissions.

Table 1: Summary of Child Care, Early Years and After School Recreation Programs Policies and Procedures Consultation Process

Date of Consultation	Group Consulted	Summary of Consultation Opportunity and Feedback Received
August 2021	Small working group of Early Years Consortium Members	<ul style="list-style-type: none"> Minor language changes received (e.g., moving from Day Nurseries Act (DNA) to Child Care and Early Years Act (CCEYA) and emphasis on partnership vs. tenant language)

December 2023 & January 2024	Early Years Consortium Members	<ul style="list-style-type: none"> • Draft consolidated policy/procedures shared with a small working group of Early Years Consortium members for their initial thoughts/feedback • Amended version shared for further feedback and final changes based on feedback received included minor to language, grammatical changes, and clarification points
January 2024	Administrative Council	<ul style="list-style-type: none"> • Draft consolidated policy/procedures shared • Received feedback, suggested revisions and recommendations to solicit feedback from additional groups/individuals before finalizing
January 2024	Executive Director, Schoolhouse Playcare, and Early Years Consortium Member	<ul style="list-style-type: none"> • Virtual meeting, attendees requested clarity be made in the policy and procedure documents to answer questions around the Child Care Operator Application Pre-Qualification Procedure • Recommended language be more “relational”
January 2024	Manager of YMCA/EarlyON/PlayON and Early Years Consortium Member	<ul style="list-style-type: none"> • Virtual meeting, attendees expressed appreciation for the inclusion of After-School Recreation programs within both the policy and procedure • Recommended separation of After-School Recreation Program Application steps within the procedure – expressed concern with combining child care and recreation in application pre-qualification process • Recommended establishment of an approval process for new early years programs, including after-school recreation (i.e., “first right of refusal” for existing partner within the school)
January 2024	Early Years Consortium Principal Representative	<ul style="list-style-type: none"> • Telephone and email consultation, principal rep feedback included recommendation for policy to include messaging regarding expectations for shared space and access to physical school building as well as the inclusion of “School Administrators” in definition of Early Years Consortium
January 2024	DDSB Human Rights and Equity Advisor	<ul style="list-style-type: none"> • Written feedback received including recommendations to delete sections that were repetitive or do not

		contribute to the overall understanding and purpose of the policy document
January 2024	Durham Elementary School Administrators (DESA) Leadership Association Durham Secondary School Administrators (DSSA) Leadership Association Ontario Principals Council, Durham Chapter	<ul style="list-style-type: none"> School leaders shared feedback recommending inclusion of language around shared space and Professional Development Days
January 2024	Early Years Consortium	<ul style="list-style-type: none"> Draft Policy and Procedures shared with all Early Years Consortium members via email

The table below outlines the policies and regulations recommended for revision, consolidation, and rescission, including staff's rationale in bringing forward the recommendations.

Table 2 – After School Early Years Recreation Programs, Early Years and Child Care Policies and Regulations

Name	Type	Recommendation	Rationale
Early Years	Policy	Revise and Amalgamate	<p>Created in 2009 and has not been updated.</p> <p>Language within the Early Years, Child Care, and After-School Early Years Policies is repetitive and can be amalgamated for ease of access.</p> <p>All fall under the framework of the Child Care and Early Years Act, 2014 (CCEYA).</p> <p>Consultation supported amalgamation.</p>
Child Care	Policy	Revise and Amalgamate	<p>Created in 1991 and last updated in 2017. Language within the Early Years, Child Care, and After-School Early Years Policies is repetitive and can be amalgamated for ease of access.</p> <p>All fall under the framework of the Child Care and Early Years Act, 2014 (CCEYA).</p>

			Consultation supported amalgamation.
After-School Early Years Recreation Programs	Policy	Revise and Amalgamate	<p>Created in 2016 and has not been updated.</p> <p>Language within the Early Years, Child Care, and After-School Early Years Policies is repetitive and can be amalgamated for ease of access.</p> <p>All fall under the framework of the Child Care and Early Years Act, 2014 (CCEYA).</p> <p>Consultation supported amalgamation.</p>
After-School Early Years Recreation Programs	Regulation	Rescind	<p>Created in 2016 and has not been updated. Pursuant to Board directives to phase out regulations, it is recommended that this regulation be rescinded with the relevant language retained in the updated policy.</p>
Child Care	Regulation	Rescind	<p>Pursuant to Board directives to phase out regulations, it is recommended that the Early Years regulation be rescinded with the relevant language retained in the updated policy.</p>
Early Years	Regulation	Rescind	<p>Created in 2009 and last updated in 2016. Pursuant to Board directives to phase out regulations, it is recommended that the Early Years regulation be rescinded with the relevant language retained in the updated policy.</p>

3.0 Financial Implications

Not applicable.

4.0 Evidence of impact

Revising outdated and obsolete policies and rescinding regulations will bring clarity to applicable processes for system leaders and staff.

5.0 Communication Plan

Communication regarding the revision of policies will be provided to system leaders as applicable to their role. The website listing of policies, procedures and regulations will be updated.

6.0 Recommendations

That the Governance and Policy Committee recommend to the Board of Trustees:

1. That the Early Years, Child Care, and After-School Early Years Recreation Programs Regulations included in Appendix D be rescinded;
2. That the Early Years, Child Care, and After-School Early Years Recreation Programs Policies be consolidated into one new comprehensive policy included as Appendix B; and,

That the matter be referred to the next meeting of the Board of Trustees.

7.0 Appendices

Appendix A – Current Child Care, Early Years and After-School Early Years Recreation Programs Policies

Appendix B – Draft Consolidated Child Care, Early Years and After-School Early Years Recreation Programs Policy

Appendix C – Tracked Changes Child Care, Early Years and After-School Recreation Policy

Appendix D – Child Care, Early Years and After-School Early Years Recreation Programs Regulations

Appendix E – Revised Child Care, Early Years and After-School Early Years Recreation Programs Procedure and Child Care Operator Application/Pre-Qualification Process Procedure (for information only)

Report reviewed and submitted by:



Erin Elmhurst, Superintendent of Equitable Education, Curriculum and Early Years



Robert Cerjanec, Executive Lead, Strategic Initiatives and External Relations



Patrick Cotter, General Counsel

POLICY

COMMUNITY

Early Years

1.0 The Durham District School Board supports the engagement of parents/guardians and/or care givers and children through the provision of high quality Early Years programming in its schools through partnerships with community and government-based organizations.

2.0 The Durham District School Board recognizes the importance of rich language stimulation prior to coming to school in a variety of environments such as home, Child Care and community settings. These experiences establish the foundation for the acquisition of knowledge and skills that will affect later learning, behaviour and readiness for school.

Appendix:

None

Effective Date

2009-06-15

Amended/Reviewed

COMMUNITY

Child Care

- 1.0 The Durham District School Board (DDSB) supports the provision of quality Child Care services in its schools through DDSB approved licensed Child Care Operators.

Appendix:

None

Effective Date

91-04-22

Amended/Reviewed

2006-08-08

2009-06-23

2011-01-10

2017-01-20

POLICY

COMMUNITY

After School Early Years Recreation Programs

1. The Durham District School Board supports the engagement of parents/guardians and/or care givers and children through the provision of high quality After School Recreation programming in its schools through partnerships with community and government-based organizations.
2. The Durham District School Board recognizes and supports the importance of healthy development of children and youth in after school recreation programs. High quality after school programs play an important role in helping children to grow up safe, healthy, educated and connected while improving children's personal, social and academic skills.
3. After School programs support the vision of the Ontario Early Years Policy Framework and the Ministry of Education's Modernization of Child Care as part of the quality programs and services available to children and families.

Appendix:

None

Effective Date

2016-11-21

Amended/Reviewed

2016-11-21



POLICY

NAME OF GROUPING

Child Care, Early Years, and After-School Recreation Programs

1.0 Rationale

- 1.1 The Durham District School Board (DDSB) supports the engagement of families and children through the provision of high quality Child Care, Early Years and After-School Recreation programs in its schools through DDSB approved licensed Child Care Operators and partnerships with community and government-based organizations.
- 1.2 The Durham District School Board (DDSB) recognizes that rich early learning and child care programs play a pivotal role in supporting children's learning, development, health, and well-being. Responsive, high-quality, and accessible early learning programs and services contribute to children's cognitive, social, emotional, and physical growth, providing a nurturing environment that supports curiosity and exploration while promoting positive interactions with peers and caregivers. Prioritizing early learning and child care underscores the District's commitment to creating inclusive, accessible, and high-quality experiences that set the stage for the youngest learners to reach their full potential, reach optimal health and well-being, and achieve future success.
- 1.3 The DDSB is committed to fulfilling its statutory responsibilities as outlined in the *Education Act* (1990), the *Child Care and Early Years Act* (2014), and the relevant policies established by the Ministry of Education.
- 1.4 The DDSB acknowledges the leadership role it plays in establishing partnerships that facilitate and support the provision of diverse early learning experiences within schools. The DDSB is committed to building strong partnerships with Child Care, Early Years, and After-School Recreation partners to support the implementation of high-quality programs and services that create successful transitions to school for students, families, and communities. The DDSB is also committed to promoting the healthy development of cognitive and social skills required for later school success and promoting healthy childhood growth, development, and overall well-being.
- 1.5 The DDSB is committed to providing families and communities with quality early learning, Child Care, and After-School Recreation services within its schools, working in partnership with Early Years partners and school personnel. The District recognizes that where space is available, and the need for service has been identified through community/regional planning processes, these programs will provide continuity for children and consistency for families.

2.0 Policy Objective

- 2.1 The objective of this policy is to establish the parameters for Child Care, Early Years, and After-School Recreation programs and services for children from birth to 12 years of age within the DDSB. In doing so, the Board adopts the following principles for all Early Years, Child Care, and After-School Recreation partners in schools:

- a. The Board values the rich diversity of our communities and strives to uphold rights and promote dignity, respect and inclusion for all individuals and communities that access our schools. To meet the DDSB's responsibilities to provide safe and welcoming environments free from discrimination, the DDSB shall not enter into partnerships or permit space to organizations, groups that do not support human rights principles, whose mandates/objectives conflict with DDSB's values and commitments as set out in section 2.2, or who cannot support the DDSB in meeting its responsibilities under the Ontario Human Rights Code and Occupational Health and Safety Act. Wherever possible, the DDSB will partner with groups and organizations that actively demonstrate their support for human rights and anti-discrimination.
- b. Respect for Roles and Responsibilities – Early Years, Child Care, and After-School Recreation partners respect each other's roles, responsibilities, and obligations to the community and education system.
- c. Develop partnerships with external community agencies and DDSB schools. This will help to strengthen early learning.
- d. Focus on children and families in Durham Region.
- e. Promote the health, safety, and well-being of children from birth to 12 years of age.
- f. Provide high quality early learning experiences and positive outcomes for children using *"How Does Learning Happen"*, Ontario's Pedagogy for the Early Years.
- g. Provide Child Care, Early Years, and After-School Recreation programs that deliver high-quality programming, inclusive learning environments, and developmentally appropriate care. Child Care, Early Years, and After-School Recreation programs work in partnership with the school in which they are located to support successful transitions to school and healthy well-being.
- h. Where appropriate, a high degree of parent/guardian/family involvement and participation in Child Care, Early Years, and After-School Recreation programming is essential, including direct involvement in programs, planning, and decision making.
- i. Facilitate a comprehensive and integrated early learning and care program that offers a range of services and support to all families and children, while making the most efficient use of resources.
- j. When possible, collaborate with schools to provide integrated services that prioritize the best interests of children and families.
- k. Child Care and After-School Recreation programs should prioritize children attending the school in their respective catchment areas during registration.
- l. Both elementary and secondary schools can be considered as locations for Child Care programs.
- m. Ensure that early learning and care programs meet the needs of families and children based on data and demographics.

This policy is adopted to develop, foster, and promote healthy, supportive, and equal working relationships with Child Care, Early Years, and After-School Recreation partners for the benefit of

DDSB students and families. All partners are expected to engage in courteous and respectful conduct, interactions, communications, and relationships.

- 2.2 This policy is to be interpreted and applied in accordance with the DDSB'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 Indigenous Education Policy, the Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"), the Safe and Respectful Workplace and Harassment Prevention Policy and related procedures.

3.0 Definitions

In this policy,

- 3.1 Board refers to the Board of Trustees for the Durham District School Board.
- 3.2 District refers to the corporation entity of Durham District School Board.
- 3.3 Staff refers to any individual employed by the Durham District School Board.
- 3.4 Early Years Consortium refers to the collection of DDSB Child Care, Early Years, After-School Recreation partners, and school administrators committed to working collaboratively in a mutually beneficial, on-going and supportive relationship that benefits children, families, staff, and communities as transitions occur from an early learning program to school and from school to an early learning program.
- 3.5 Before and After-School Programs refers to programs in schools serving children between the ages of 3.8 and 12 years of age before the school day begins, and after it ends, as defined in the *Child Care and Early Years Act (2014)*.
- 3.6 After-School Recreation Programs refers to authorized recreational/skill building programs approved by the Ministry for school-aged children six to twelve* years of age (*exceptions are made for four- and five-year-old children who have older siblings in the recreation program and/or if there is no child care on site or the child care is unable to accommodate them). These programs offer learning and recreation activities including sports, outdoor play, special events, creative activities, and homework help.
- 3.7 Child Care refers to licensed early learning and care programs for children from birth to 3.8 years of age. In accordance with the Child Care and Early Years Act (2014), child care means the provision of temporary care for or supervision of children in any circumstance other than in exempt circumstances.
- 3.8 Early Years refers to programs and services specifically designed for children aged birth to six years of age. These programs involve or relate to the learning, development, health, and well-being of children and families.
- 3.9 Consolidated Municipal Service Managers (CMSM) refers to the service delivery agents for social assistance, childcare, and affordable and social housing.
- 3.10 Child Care Operator/Partner refers to the designated Administrator with decision-making authority who oversees operations for all the programs/centres and directly participates on the DDSB Early Years Consortium.

- 3.11 Families refers to parents/guardians/caregivers and other trusted adults who care for a child outside of the school.

4.0 Policy

- 5.1. The DDSB supports the provision of high-quality Child Care programs and services in its schools through DDSB-approved licensed Child Care Partners.
- 5.2. The DDSB supports the provision of high-quality Early Years programs and services in its schools that support children from birth to six and their parents/caregivers that promote and encourage healthy childhood growth and development, facilitate and foster successful early learning and a seamless transition from the early years to kindergarten, improve school readiness and kindergarten achievement levels, and support Ministry of Education directions.
- 5.3. The DDSB supports the provision of After-School Recreation programs and services for children from 6 to 12 years of age that promote physical fitness, healthy eating, building resiliency, and fostering the development of life-skills and problem-solving strategies.
- 5.4. The DDSB supports working in partnership with the Early Years Consortium to provide quality Early Years, Child Care, and After-School Recreation programs and services to meet the needs of Durham's diverse communities.
- 5.5. An annual analysis and review of community needs, in consultation with the Region of Durham, Consolidated Municipal Service Manager (CMSM) will be conducted to support the viable expansion of Early Years and Child Care services within Durham schools.
- 5.6. Any new Child Care centres and Early Years programs established on the property of the Durham District School Board shall follow an approval process and meet the requirements set by the Ministry of Education.
- 5.7. Pre-qualified Child Care operators, licensed under the *Child Care and Early Years Act* (CCEYA), may apply to provide Child Care services by following the Durham District School Board criteria and approval process. Criteria for the Durham District School Board pre-qualified and the approved process for Child Care Operators Early Years Partners are contained in the Child Care Procedure - Application/Pre-Qualification Process.
- 5.8. After-School Recreation programs will adhere to legislative requirements set under subsection 6(4) of the Child Care and Early Years Act, 2014 and its General Regulation, Authorized Recreational and Skill Building Programs. Criteria for the Durham District School Board pre-qualified and the approved process for After-School Recreation Programs are contained in the After-School Recreation Program Procedure-Application/Pre-Qualification Process.
- 5.9. Child Care partners will sign and comply with a partnership agreement that spans over five years. Early Years partners will sign and comply with a partnership agreement that spans over three years. After-School Recreation partners will sign and comply with an annual Memorandum of Understanding (MOU).
- 5.10. All Early Years, Child Care, and After-School Recreation programs and services shall confirm in any agreement that they will uphold rights and responsibilities and promote

equitable, safe, inclusive and welcoming practices consistent with the [Provincial Code of Conduct](#), the Ontario Human Rights Code, and section 2.2.

5.0 Evaluation

- 6.1 This policy may be reviewed and updated as may be deemed necessary or appropriate, but it shall be reviewed at least every 5 years.

6.0 Reference Documents

7.1 Policies

[Indigenous Education Policy](#)

[Human Rights, Anti-Discrimination and Anti-Racism Policy](#)

[Safe and Respectful Workplace and Harassment Prevention Policy](#)

7.2 Other Documents (Legislation, Provincial Regulations, Etc.)

Ontario Human Rights Code

Education Act, 1990

Ontario Early Years Policy Framework (2014)

[Childcare Modernization Act](#), 2014

[Child Care and Early Years Act, 2014](#)

How Does Learning Happen? Ontario's Pedagogy for the Early Years (2014)

The Ontario Early Years Child & Family Centres Guidelines (2015)

The Renewed Ontario Early Years Policy Framework (2017)

Before- and After-School Programs – Kindergarten - Grade 6: Policies and Guidelines for School Boards (2017)

Policy/Program Memoranda: B6 and B9 Child Care Capital Policies (2016-2017)

Child Care and Schools – Working Together in a Shared Space (2017-2018)

Appendix:

None

Effective Date:

YYYY-MM-DD

Reviewed and Amended:

2006-08-08

2009-06-23

2011-01-10

2017-01-20

Reviewed without Amendment:

YYYY-MM-DD



POLICY

COMMUNITY

Early Years

1.0 The Durham District School Board supports the engagement of parents/guardians and/or care givers and children through the provision of high quality Early Years programming in its schools through partnerships with community and government-based organizations.

Commented [1]: Transferred to 1.1 in policy

2.0 The Durham District School Board recognizes the importance of rich language stimulation prior to coming to school in a variety of environments such as home, Child Care and community settings. These experiences establish the foundation for the acquisition of knowledge and skills that will affect later learning, behaviour and readiness for school.

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Appendix:

None

Effective Date

2009-06-15

Amended/Reviewed



POLICY

NAME OF GROUPING

Child Care, Early Years and After-School Recreation Programs

1.0 Rationale

- 1.1 The Durham District School Board (DDSB) supports the engagement of families and children through the provisions of high quality Child Care, Early Years and After-School Recreation programs -services in its schools through DDSB approved licensed Child Care Operators and partnerships with community and government based organizations.
- 1.2 The Durham District School Board (DDSB) recognizes that rich early learning and child care programs play a pivotal role in supporting children's learning, development, health, and well-being. Responsive, high-quality, and accessible early learning programs and services contribute to children's cognitive, social, emotional, and physical growth, providing a nurturing environment that supports curiosity and exploration while promoting positive interactions with peers and caregivers. Prioritizing early learning and child care underscores the District's commitment to creating inclusive, accessible, and high-quality experiences that set the stage for the youngest learners to reach their full potential, reach optimal health and well-being, and achieve future success.
- 1.3 The DDSB is committed to fulfilling its statutory responsibilities as outlined in the *Education Act* (1990), the *Child Care and Early Years Act* (2014), and the relevant policies established by the Ministry of Education.
- 1.4 The DDSB acknowledges the leadership role it plays in establishing partnerships that facilitate and support the provision of diverse early learning experiences within schools. The DDSB is committed to building strong partnerships with Child Care, Early Years, and After-School Recreation partners to support the implementation of high-quality programs and services that create successful transitions to school for students, families, and communities. The DDSB is also committed to promoting the healthy development of cognitive and social skills required for later school success and promoting healthy childhood growth, development, and overall well-being.
- 4-21.5 The DDSB is committed to providing families and communities with quality early learning, Child Care, and After-School Recreation services within its schools, working in partnership with Early Years partners and school personnel. The District recognizes that where space is available, and the need for service has been identified through community/regional planning processes, these programs will provide continuity for children and consistency for families.

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2.0—Policy Objective

2.1 The Board values the rich diversity of our communities and strives to uphold rights and promote dignity, respect and inclusion for all individuals and communities that access our schools. To meet the DDSB's responsibilities to provide safe and welcoming environments free from discrimination, the DDSB shall not enter into partnerships or permit space to organizations, groups that do not support human rights principles, whose mandates/objectives conflict with DDSB's values and commitments as set out in section 2.2, or who cannot support the DDSB in meeting its responsibilities under the Ontario Human Rights Code and Occupational Health and Safety Act. Wherever possible, the DDSB will partner with groups and organizations that actively demonstrate their support for human rights and anti-discrimination.

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a. Respect for Roles and Responsibilities – Early Years, Child Care, and After-School Recreation partners respect each other's roles, responsibilities, and obligations to the community and education system.

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b. Develop partnerships with external community agencies and DDSB schools. This will help to strengthen early learning.

c. Focus on children and families in Durham Region.

d. Promote the health, safety, and well-being of children from birth to 12 years of age.

e. Provide high quality early learning experiences and positive outcomes for children using "How Does Learning Happen", Ontario's Pedagogy for the Early Years.

f. Provide Child Care, Early Years, and After-School Recreation programs that deliver high-quality programming, inclusive learning environments, and developmentally appropriate care. Child Care, Early Years, and After-School Recreation programs work in partnership with the school in which they are located to support successful transitions to school and healthy well-being.

g. Where appropriate, a high degree of parent/guardian/family involvement and participation in Child Care, Early Years, and After-School Recreation programming is essential, including direct involvement in programs, planning, and decision making.

h. Facilitate a comprehensive and integrated early learning and care program that offers a range of services and support to all families and children, while making the most efficient use of resources.

i. When possible, collaborate with schools to provide integrated services that prioritize the best interests of children and families.

j. Child Care and After-School Recreation programs should prioritize children attending the school in their respective catchment areas during registration.

k. Both elementary and secondary schools can be considered as locations for Child Care programs.

2.1. Ensure that early learning and care programs meet the needs of families and children based on data and demographics. This policy is adopted to develop, foster, and promote healthy, supportive, and equal working relationships with Child Care, Early Years, and After-School Recreation partners for the benefit

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of DDSB students and families. All partners are expected to engage in courteous and respectful conduct, interactions, communications, and relationships.

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2.2—This policy is to be interpreted and applied in accordance with the DDSB'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 Indigenous Education Policy, the Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"), the Safe and Respectful Workplace and Harassment Prevention Policy and related procedures.

3-0 Definitions

In this policy,

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3.1 Board refers to the Board of Trustees for the Durham District School Board.

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3.2 District refers to the corporation entity of Durham District School Board.

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3.3 Staff refers to any individual employed by the Durham District School Board.

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3.4 Early Years Consortium refers to the collection of DDSB Child Care, Early Years, After-School Recreation partners, and school administrators committed to working collaboratively in a mutually beneficial, on-going and supportive relationship that benefits children, families, staff, and communities as transitions occur from an early learning program to school and from school to an early learning program.

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3.5 Before and After-School Programs refers to programs in schools serving children between the ages of 3.8 and 12 years of age before the school day begins, and after it ends, as defined in the *Child Care and Early Years Act (2014)*.

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3.6 After-School Recreation Programs refers to authorized recreational/skill building programs approved by the Ministry for school-aged children six to twelve* years of age (*exceptions are made for four- and five-year-old children who have older siblings in the recreation program and/or if there is no child care on site or the child care is unable to accommodate them). These programs offer learning and recreation activities including sports, outdoor play, special events, creative activities, and homework help.

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3.7 Child Care refers to licensed early learning and care programs for children from birth to 3.8 years of age. In accordance with the *Child Care and Early Years Act (2014)*, child care means the provision of temporary care for or supervision of children in any circumstance other than in exempt circumstances.

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3.8 Early Years refers to programs and services specifically designed for children aged birth to six years of age. These programs involve or relate to the learning, development, health, and well-being of children and families.

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3.9 Consolidated Municipal Service Managers (CMSM) refers to the service delivery agents for social assistance, childcare, and affordable and social housing.

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3.10 Child Care Operator/Partner refers to the designated Administrator with decision-making authority who oversees operations for all the programs/centres and directly participates on the DDSB Early Years Consortium.

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3.11 Families refers to parents/guardians/caregivers and other trusted adults who care for a child outside of the school.

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4.0 Policy

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4.1 The DDSB supports the provision of high-quality Child Care programs and services in its schools through DDSB-approved licensed Child Care Partners.

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4.1 The DDSB supports the provision of high-quality Early Years programs and services in its schools that support children from birth to six and their parents/caregivers that promote and encourage healthy childhood growth and development, facilitate and foster successful early learning and a seamless transition from the early years to kindergarten, improve school readiness and kindergarten achievement levels, and support Ministry of Education directions.

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4.1 The DDSB supports the provision of After-School Recreation programs and services for children from 6 to 12 years of age that promote physical fitness, healthy eating, building resiliency, and fostering the development of life-skills and problem-solving strategies.

4.1 The DDSB supports working in partnership with the Early Years Consortium to provide quality Early Years, Child Care, and After-School Recreation programs and services to meet the needs of Durham's diverse communities.

4.1 An annual analysis and review of community needs, in consultation with the Region of Durham Consolidated Municipal Service Manager (CMSM) will be conducted to support the viable expansion of Early Years and Child Care services within Durham schools.

4.1 Any new Child Care centres and Early Years programs established on the property of the Durham District School Board shall follow an approval process and meet the requirements set by the Ministry of Education.

4.1 Pre-qualified Child Care operators, licensed under the *Child Care and Early Years Act* (CCEYA), may apply to provide Child Care services by following the Durham District School Board criteria and approval process. Criteria for the Durham District School Board pre-qualified and the approved process for Child Care Operators Early Years Partners are contained in the Child Care Procedure - Application/Pre-Qualification Process.

4.1 After-School Recreation programs will adhere to legislative requirements set under subsection 6(4) of the Child Care and Early Years Act, 2014 and its General Regulation, Authorized Recreational and Skill Building Programs. Criteria for the Durham District School Board pre-qualified and the approved process for After-School Recreation Programs are contained in the After-School Recreation Program Procedure- Application/Pre-Qualification Process.

4.1 Child Care partners will sign and comply with a partnership agreement that spans over five years. Early Years partners will sign and comply with a partnership agreement that spans over three years. After-School Recreation partners will sign and comply with an annual Memorandum of Understanding (MOU).

5.4—All Early Years, Child Care, and After-School Recreation programs and services shall confirm in any agreement that they will uphold rights and responsibilities and promote equitable, safe, inclusive and welcoming practices consistent with the Provincial Code of Conduct, the Ontario Human Rights Code, and section 2.2. -

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5.02.0 Evaluation

5.1 ~~Text~~ This policy may be reviewed and updated as may be deemed necessary or appropriate, but it shall be reviewed at least every 5 years.

5.4

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5.2 ~~Text~~

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~~5.35.1 This policy may be reviewed and updated as may be deemed necessary or appropriate, but it shall be reviewed at least every 5 years.~~

6.03.0 Reference Documents

7.1 Policies

~~Indigenous Education Policy~~

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

~~Safe and Respectful Workplace and Harassment Prevention Policy <Name of Policy>~~

~~<Name of Policy>~~

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7.2 Other Documents (Legislation, Provincial Regulations, Etc.)

~~Ontario Human Rights Code~~

~~Education Act, 1990~~

~~Ontario Early Years Policy Framework (2014)~~

~~Childcare Modernization Act, 2014~~

~~Child Care and Early Years Act, 2014~~

~~How Does Learning Happen? Ontario's Pedagogy for the Early Years (2014)~~

~~The Ontario Early Years Child & Family Centres Guidelines (2015)~~

~~The Renewed Ontario Early Years Policy Framework (2017)~~

~~Before- and After-School Programs – Kindergarten - Grade 6: Policies and~~

~~Guidelines for School Boards (2017)~~

~~Policy/Program Memoranda: B6 and B9 Child Care Capital Policies (2016-2017)~~

~~Child Care and Schools – Working Together in a Shared Space (2017-2018)~~

~~<Name Other Document>~~

~~<Name Other Document>~~

Appendix:

None

Effective Date:

91-04-22

Reviewed and Amended:

2006-08-08
2009-06-23
2011-01-10
2017-01-20



POLICY

COMMUNITY

After School Early Years Recreation Programs

1. The Durham District School Board supports the engagement of parents/guardians and/or care givers and children through the provision of high quality After School Recreation programming in its schools through partnerships with community and government-based organizations.
2. The Durham District School Board recognizes and supports the importance of healthy development of children and youth in after school recreation programs. High quality after school programs play an important role in helping children to grow up safe, healthy, educated and connected while improving children's personal, social and academic skills.
3. After School programs support the vision of the Ontario Early Years Policy Framework and the Ministry of Educations Modernization of Child Care as part of the quality programs and services available to children and families.

Commented [1]: Carried over into 1.1 of the updated policy

Commented [2]: Consolidated into 1.4 of policy

Commented [3]: Consolidated into 1.1 and key documents referenced in the opening reference to documents

Appendix:
None

Effective Date

2016-11-21

Amended/Reviewed

2016-11-21

REGULATION

COMMUNITY

Early Years

1.0 Guiding Principles

- (a) To promote a higher level of readiness/skill development for successful school entry and a smooth transition to kindergarten.
- (b) To facilitate and foster successful early learning by supporting children and families.
- (c) To develop partnerships with external community agencies and internal district/schools to strengthen early learning.
- (d) To ensure parental/guardian and/or care giver involvement and participation in their children's early learning and development through direct involvement in programs, planning and decision making.
- (e) To ensure that Early Years programs meet the needs of families and children based on data and demographics.
- (f) To facilitate integrated services in an expanded and comprehensive early learning and care program with a continuum of supports and services for all families and children, making the most efficient use of resources.

2.0 Superintendent of Early Years and Child Care

- (a) The Superintendent of Education/Early Years/Child Care will be responsible for liaison between the Durham District School Board and Early Years community agencies and staff allocated to the Early Years programs.
- (b) The Superintendent of Education/Early Years/Child Care will work in collaboration with area Superintendents and other Durham District School Board senior administration to ensure Early Years programs meet the needs of students and families.

Appendix:

None

Effective Date

2009-06-15

Amended/Reviewed

2016-11-21

Child Care

1.0 Guiding Principles

- a) Focus on children and families in Durham Region.
- b) Promote the health, safety and well-being of young children.
- c) Provide high quality experiences and positive outcomes for children using the Provincial framework to guide pedagogy.
- d) Include knowledgeable, self-reflective and qualified professionals and staff, including members of the College of Early Childhood Educators.
- e) Provide Child Care programs which deliver high quality environments and developmentally appropriate care. Child Care programs work in partnership with the school in which they are located, to support school readiness and a smooth/seamless transition to school.
- f) A high degree of parental involvement and participation in the Child Care program is essential.
- g) A Child Care Centre/Program shall incorporate the “*How Does Learning Happen?*” framework and complement the educational philosophy of the school. The Child Care Centre shall provide an integrated service in collaboration with the school.
- h) Child Care facilities should serve the school area in which they are located and shall give first priority in registration to children attending the school.
- i) Both elementary and secondary schools can be considered as locations for Child Care services/programs.

2.0 Child Care Operators/Partners

- (a) The current approved Child Care Operators/Partners shall continue to operate all existing Child Care centres and programs.
- (b) Any new Child Care centres and programs established on the property of the Durham District School Board shall follow an approval process and meet the expectations set by Ministry of Education.
- (c) Pre-qualified Child Care operators, licensed under the Child Care and Early Years Act (CCEYA), may apply to provide Child Care services following the Durham District School Board criteria and approval process.
- (d) Criteria for the Durham District School Board pre-qualification and the approval process for Child Care Operators are contained in Child Care Procedure.

3.0 Child Care Liaison Administration

- (a) A staff member shall be appointed by the Director to lead, plan and administer the Durham District School Board Early Years Department.

Effective Date

91-04-22

Amended/Reviewed

2003-12-10

2006-08-08

2009-05-19

2011-01-10

2017-01-20

REGULATION

COMMUNITY

After School Early Years Recreation Programs

1.0 Guiding Principles

- a) To develop partnerships with external community agencies and schools to strengthen student learning.
- b) All After School recreation providers/partners will be approved by the DDSB and will participate as a member of the Recreation Steering Committee in order to deliver programs to DDSB students.
- c) Recreation Steering Committee members, comprised of leaders from partner agencies, will work collaboratively with the Manager of Early Years to strategically plan for expansion and growth.
- d) To collect data/research to support After School Recreation Programs' participation with future school success and academic achievement.
- e) To ensure that After School Recreation Programs meet the needs of families and children based on data and demographics.
- f) To facilitate integrated services in an expanded and comprehensive recreation and care program with a continuum of supports and services for all families and children, making the most efficient use of resources.
- g) To ensure that Recreation Programs delivered in DDSB schools reflect High Five program standards through the Quest 2 tool and principles of Healthy Child Development or an equivalent measurement tool.
- h) To ensure After School Recreation Programs meet child care and Early Years Licensing Exemption or adhere to legislative requirements in the Child Care and Early Years Act (CCEYA).

2.0 Superintendent of Early Years

- a) The Superintendent of Education, Early Years and Manager of Early Years will work in collaboration with area Superintendents and other Durham District School Board senior administration to ensure After School Recreation Programs meet the needs of students and families.
- b) The Manager of Early Years will be responsible for planning, implementing, organizing and structuring the collaborative work of the DDSB and its partners in delivering recreation programs. This will be done through the Recreation Steering Committee.
- c) The Superintendent and Manager of Early Years will coordinate and work with other DDSB departments/Area Superintendents and the Board during the implementation of establishing and/or expanding recreation programs (e.g. Facility Services, Programs, Operations, Business).

Appendix:

None

Effective Date



PROCEDURE

NAME OF GROUPING

Child Care, Early Years, and After-School Recreation Programs

Adopted under- Child Care and Early Years Act (2014), Reg 221/11, 137/15 and 138/15

1.0 Objective

- 1.1 The objective of this procedure is to implement the Child Care, Early Years, and After-School Recreation Programs Policy to support high-quality early learning programs and services in Durham District School Board (DDSB) schools through licensed Child Care Operators and community and government-based organizations and partners. These programs are intended to meet the needs of DDSB school communities based on data and demographics and promote the health, safety, and well-being of children and families.
- 1.2 The partnership between the DDSB and the Child Care, Early Years, and After-School Recreation partners shall be beneficial to the students, families, and communities they collectively serve. A successful partnership is based upon the principles of open and honest communication, mutual respect, and an understanding of the complementary philosophies of each partner in the Early Years Consortium, and is reflective of community needs. The partnerships with external community agencies are intended to meet family needs and strengthen student learning and success at school.
- 1.3 This procedure is to be interpreted and applied in accordance with the District's commitment to promoting and upholding Indigenous rights and human rights in all of its learning and working environments. This includes anti-colonial, anti-discriminatory and anti-racist approaches and actions to provide services and employment that are safe, welcoming, respectful, inclusive, equitable, accessible and free from discrimination and harassment consistent with the DDSB's Indigenous Education Policy, the Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"), the Safe and Respectful Workplace and Harassment Prevention Policy and related procedures.

2.0 Definitions

In this procedure,

- 2.1 Board refers to the Board of Trustees for Durham District School Board.
- 2.2 District refers to the corporation entity of Durham District School Board.
- 2.3 Staff refers to any individual who is employed by Durham District School Board.
- 2.4 Child Care refers to licensed early learning and care programs for children from birth to 3.8 years of age. In accordance with the *Child Care and Early Years Act* (2014), child care means the provision of temporary care for or supervision of children in any circumstance other than in exempt circumstances.
- 2.5 Early Years refers to programs and services specifically designed for children aged birth to 6. These programs involve or relate to the learning, development, health and well-being of children and families.
- 2.6 Before and After-School programs refers to programs in schools serving children between the ages of 3.8 -12 years of age before the school day begins, and after it ends, as defined in the *Child Care and Early Years Act* (2014).
- 2.7 After-School Recreation Programs refers to authorized recreational/skill building programs approved by the Ministry for school-aged children six to twelve* years of age (*exceptions are made for four- and five-year-old children who have older siblings in the recreation program and/or if there is no child care on site or the child care is unable to accommodate them). These programs offer learning and recreation activities including sports, outdoor play, special events, creative activities, and homework help.

- 2.8 Early Years Consortium refers to the collection of DDSB Child Care, Early Years, After-School Recreation partners, and school administrators committed to working collaboratively in a mutually beneficial, on-going and supportive relationship that benefits children, families, staff, and communities as transitions occur from an early learning program to school and from school to an early learning program.
- 2.9 Child Care Supervisor refers to the Registered Early Childhood Educator who manages the daily operations of the program/center.
- 2.10 Child Care Operator/Partner refers to the designated Administrator with decision-making authority who oversees operations for all the programs/centres and participates on the DDSB Early Years Consortium.
- 2.11 Exclusive Space refers to a dedicated Child Care, Early Years and After-School Recreation space within the school.
- 2.12 Shared Space refers to space being used jointly by the Child Care, Early Years and After-School Recreation program and the school. This space is determined in consultation with the Principal, Child Care Supervisor, and approved by the Early Years Manager. These spaces are used before and after regular school hours, on non-instructional days, and/or on other days when instruction is not available, cancelled or interrupted.
- 2.13 Alternative Space refers to back-up space accessed by Child Care Partners, as required for licensing. These spaces are included as an alternate licensed space and are accessed when a primary space is unavailable.
- 2.14 Designated Space refers to space designated by the Board to be used for a Child Care/Early Years program.
- 2.15 Agreements refers to a promise or commitment made by the Child Care and Early Years partners and Durham District School Board for access and use of the school facilities and resources.
- 2.16 Memorandum of Understanding refers to an annual promise or commitment made by the After-School Recreation partner and the Durham District School Board for access and use of the school facilities and resources.

3.0 Procedure

3.1 Human Rights and Accommodation

The District supports working in partnership with the Early Years Consortium to provide Early Years, Child Care, and After-School Recreation programs and services to meet the needs of Durham's diverse communities. To meet the District's responsibilities to provide safe and welcoming environments free from discrimination, the District will not enter into partnerships with or permit space to groups or organizations that do not support human rights principles, whose mandates/objectives conflict with DDSB's values and commitments as set out in section 1.3, or who cannot support the DDSB in meeting its responsibilities under the Ontario Human Rights Code and Occupational Health and Safety Act. Wherever possible, the DDSB will partner with groups and organizations that actively demonstrate their support for human rights and anti-discrimination, and who can support the District in meeting its responsibilities related to inclusive design, addressing discriminatory barriers and accommodating diverse needs.

An annual analysis and review of community needs in consultation with the Region of Durham, Consolidated Municipal Service Manager (CMSM) will be conducted to support viable expansion for early learning programs and services within Durham schools.

3.2 Programs/Services Review

Existing Child Care, Early Years, and After-School Recreation programs and services:

- Once a school is designated as a site for a Child Care, Early Years, or After-School Recreation Program, it remains a site until the program ceases to fulfill the community needs or space no longer exists within the school building. The DDSB Early Years Consortium will review Child Care Programs annually in consultation with the Consolidated Municipal Service Manager (CMSM).
- The DDSB Early Years Consortium will review Child and Family Centre Hubs, Preschool/Nursery Schools, After-School Recreation programs, and Early Years Summer School Programs annually.

New Child Care, Early Years, and After-School Recreation programs and services:

- Establishment of a new Child Care Program shall be at the mutual agreement of the Child Care Operator, Superintendent/Manager responsible for Early Years, CMSM, and in consultation with Corporate Services.
- As set out under subsection 6(4) of the *Child Care and Early Years Act, 2014* and its General Regulation, Authorized Recreational and Skill Building Programs, school boards may enter into an agreement with an authorized recreational and skill building program for After-School Recreation programs that serve school-aged children six* to twelve years of age (*exceptions are made for four- and five-year-old children who have older siblings in the recreation program and/or if there is no child care on site or the child care is unable to accommodate them).

3.3 Use of Space

All Child Care, Early Years and After-School Recreation Program Spaces

All Child Care Partners will execute and adhere to a five-term agreement

All Early Years Partners will execute and adhere to a three-year term agreement

All After-School Recreation partners will execute and adhere to an annual Memorandum of Understanding (MOU).

Rent

Early Years programs, including Early Years Community Hub and After-School Recreation programs, will be provided with space from the DDSB as an in-kind contribution during operating school hours prior to six o'clock. Should this need to change based on rising operating costs, the Board will provide a minimum of thirty (30) days' notice to the partner and update the partnership agreement to include a fee schedule as an addendum. When changes to fees or structures are required based on a Ministry directive, the Board cannot provide a timeline for implementation or notice outside of what is given by the Ministry and may result in immediate changes to the agreement.

Child Care partners are responsible for base rent and cost recovery items, as outlined in their five-year partnership agreement with the DDSB.

a) Exclusive Space and/or Purpose-Built Space:

- Cost recovery for the use of space will be evaluated annually.
- Child Care partners will be given 30 days' notice for any rent increase.
- Includes heat/hydro/water.
- Includes repairs and maintenance to building and exterior fencing (all DDSB property).
- At the cessation of the Child Care Program the exclusive space reverts to DDSB property exclusively.
- A review of space shall be conducted by the Board on a regular basis.

b) Shared Space/Combined Space:

- The Child Care partner will be charged at full cost recovery.
- Cost recovery will be evaluated annually.
- Cost includes use of designated or alternate space, as per the times indicated on the permit, as well as access to the washrooms.

Equipment

- a) All equipment for use by the Child Care, Early Years, or After-School Recreation programs will be the responsibility of the Child Care, Early Years, and After-School Recreation Partner.
- b) Every licensee shall ensure that the play materials, equipment, and furnishings in each Child Care centre it operates are maintained in a safe and clean condition and kept in a good state of repair, and that there is adequate storage available for the play materials. (CCEYA).

- c) Shared Equipment is a best practice. This is at the discretion of the Principal and the Child Care Supervisor and/or After-School Recreation Program Lead/Manager. It is strongly recommended that partners and school educators consider sharing resources and materials, always keeping the best interest of the child in mind. Maintaining clear, consistent, and mutually agreed upon expectations for the use of material and equipment is a key factor in successfully sharing spaces. It is strongly encouraged that all educator teams engage in ongoing collaboration and communication to support this expectation.

Holidays

Use of space and custodial services as outlined in the Child Care and Early Years partnership agreements and After-School Recreation Memorandum of Understanding:

- a) Child Care and Early Years programs may continue to run during school designated holidays, non-instructional days, and professional development days, excluding the Board's ten statutory holidays, and as determined by community need and approved by the Early Years Department.
- b) After-School Recreation programs may continue to run during school-designated holidays, non-instructional days, and professional development days, as approved by the Early Years Department.
- c) The school building will be fully operational with heat, hydro, and water.
- d) Where possible, sites will be combined.
- e) Additional overtime fees may apply.

Security

Shared Space and Exclusive Space:

- a) The school custodian is responsible for securing the building.
- b) Designated drop-off and pick-up doors to be assigned by the Early Years Manager in consultation with the Facilities Services Manager, Custodial Services, and School Administrations.
- c) Child Care exclusive space will ensure doors remain locked during school hours.
- d) Exclusive office space for Child Care/Early Years partners (not including purpose-built Child Care centres) cannot be guaranteed, and will only be designated based on unavailability within the school.

Child Care, Early Years, and After-School Recreation programs will inform the Manager of Early Years, who will inform Facilities Services in writing, of the operations of each centre/program on non-instructional days and/or on other days when instruction is not available or interrupted. Child Care, Early Years, and After School Recreation Programs will work in collaboration with school administration to identify primary shared spaces on days when DDSB staff may continue to be operating within the building (i.e., Professional Activity days).

3.4 Agreements/Memorandums of Understanding

Agreements will be issued for a five-year period for all Child Care partners, a three-year period for all Early Years (i.e., Community Hub) partners, and MOU's will be reviewed annually for After-School Recreation partners. Agreements and MOUs will include requirements to adhere to DDSB's policies and procedures.

Shared space agreements will be issued for a five-year period for all Child Care shared spaces, including appropriate backup rooms.

3.5 Emergency Procedures

Child Care, Early Years, and After-School Recreation Staff and children are occupants of the building and must be included in school evacuation plans and emergency procedures.

In the case of an emergency closing of schools before the start of the school day due to weather conditions, all Child Care, Early Years, and After-School Recreation programs will be closed. Information regarding school and program closures will be posted on social media and the board website by 6:30 am.

In case of an emergency, where custodians do not arrive on site for Child Care partners to enter the premises, Child Care partners are provided with an emergency contact number which will investigate the individual scenarios and ensure programs can open and operate as quickly as possible under the individual circumstances.

In the event of a disruption to regular school operations, Child Care programs will operate where community needs are determined.

No person shall operate a premise where Child Care is provided except under the authority of a licence to operate a Child Care centre (CCEYA).

3.6 Communication

The Child Care, Early Years, and After-School Recreation partners and school Principals shall be advised of policies and changes of system directives by a member of the Early Years Department.

The Child Care, Early Years, and After-School Recreation Supervisor/Program Leader shall be advised of policies and changes of school directives by the Principal of the school.

The first line of communication about any Child Care, Early Years, or After-School Recreation issues at a site shall be between the Principal and the Supervisor/Program Leader. The Supervisor/Program Leader is responsible for communicating with parents/families/communities. Any communication linked to the DDSB operations must be approved by the Manager of Early Years prior to being distributed.

Issues that cannot be resolved at the school shall be directed to the Child Care, Early Years, or After-School Supervisor/Program Lead and Manager responsible for Early Years.

The Child Care Early Years, and After-School Supervisor/Program Lead shall communicate/inform the Principal and the Manager of Early Years regarding issues related to day-to-day operations.

The Principal shall communicate/inform the Child Care, Early Years, or After-School Supervisor/Program Lead and the Manager of Early Years regarding issues related to day-to-day school operations.

The Family of Schools Superintendent shall be responsible for informing new administrative staff of the existence of Child Care, Early Years, and After-School Recreation programs in their schools.

The Manager responsible for Early Years shall inform the DDSB Early Years Consortium of a change in school Principal.

The DDSB Early Years Consortium members shall be responsible for informing their Supervisor/Program Lead of the new Principal.

3.7 Establishment of New Before- and After-School Child Care and After-School Recreation Programs Using Shared Spaces

If the Principal or Family of Schools Area Superintendent is approached by the SCC or the community at large that a Child Care or After-School Recreation program is needed, the following steps shall be taken:

- The Principal or family of Schools Area Superintendent contacts the DDSB Superintendent or the Manager responsible for Early Years.
- The DDSB Superintendent or the Manager responsible for Early Years contacts the Region of Durham's Consolidated Municipal Services Manager (CMSM) at the Regional Municipality of Durham Manager for Children's Services. Approval to proceed with expanding/opening a new Child Care program will be provided by the CMSM.
- The DDSB Superintendent or Manager responsible for Early Years contacts the DDSB Early Years Consortium to inform them of the request.
- Any existing Child Care/After-School Recreation program/partnership located within the school, or within a neighbouring location, will be provided with the first right of refusal for the new/additional program, depending on program capacity and/or expansion capability.
- The Principal conducts a Child Care or After-School Recreation needs-survey for the school created in consultation by the Early Years Department and identified partner.
- The survey results are compiled and reviewed by the DDSB Manager of Early Years.
- The Early Years Consortium reviews the survey data and makes a recommendation to the Manager of Early Years.
- The DDSB Manager of Early Years coordinates the implementation of the Child Care or After-School Recreation program.

3.8 Roles and Responsibilities

The Durham District School Board (DDSB) will:

- Develop policies and procedures to support the collaborative efforts of education and Child Care, Early Years, and After-School Recreation.
- Establish annual rent/lease agreements.

- Designate a Superintendent and staff responsible for Early Years.
- Facilitate activities of the Early Years Consortium and ensure quarterly meetings.
- Provide training and orientation to DDSB personnel to support effective partnerships between schools and Child Care, Early Years, and After-School Recreation partners.
- Support the day-to-day operations in the schools.
- Mediate any major dispute or conflicts that arise in relation to Child Care, Early Years, or After-School Recreation programs in DDSB schools.
- Mediate any dispute between Child Care, Early Years, and After-School Recreation and school officials in conjunction with the Superintendent/Manager of Early Years.
- Provide the facility and space that is conducive to a quality Child Care, Early Years, and After-School Recreation program and meets legislation requirements, as detailed in the Child Care and Early Years Act (CCEYA).

School Administrator will:

- Ensure that Child Care, Early Years, and After-School Recreation partners abide by the policies and procedures of the Board as defined in their agreement and the Ministry of Education Shared Space document.
- Facilitate communication between the school and Child Care, Early Years, and After-School Recreation program.
- Be responsible for ongoing communication with the Child Care, Early Years, and After-School Recreation Supervisor/Program Lead.
- Advise the Child Care Supervisor of school circumstances or events that impact or enhance the day-to-day operations of the Child Care program.
- Advise the Early Years/After-School Recreation Program Lead of school circumstances or events that impact or enhance the day-to-day operations of the program.
- Communicate space changes to the Child Care, Early Years, and After-School Recreation Supervisor/Program Lead 20 school days in advance of the anticipated temporary change, due to an event or report card meetings with parents for example. Space changes must comply with back up spaces as indicated in the Shared Space Agreement.
- Establish a professional relationship with the Child Care, Early Years, and After-School Recreation personnel.
- Provide leadership in order to develop a purposeful, positive partnership that supports and promotes open communication and collaboration between the school staff and Child Care staff.

Child Care, Early Years, and After-School Recreation Partners will:

- Manage the Child Care, Early Years, and After-School Recreation operations in all designated/assigned board locations.

- Ensure compliance with all necessary licensing regulations of the Ministry of Education, Child Care and Early Years Act, and/or Ministry of Heritage, Sport, Tourism and Culture.
- Ensure compliance with all other regulatory bodies.
- Comply with applicable legislation, DDSB policies and procedures, and section 1.3.
- Maintain a Purchase of Service Agreement for fee subsidy in good standing with the Regional Municipality of Durham - Children's Services Division, when required/appropriate.
- Ensure vulnerable sector screening is completed for all staff, student placements and volunteers and submit employee criminal reference check indemnification letters to ensure compliance to Board policy.
- Inform the Manager of Early Years and the Principal regarding operational issues that impact the DDSB.
- Facilitate communication with appropriate Board personnel.
- Pay rent, leases, etc., when required/appropriate.
- Provide proof of insurance.
- Work in conjunction with Durham District School Board Administration in fulfilling requirements of all procedures (i.e., Facilities Services, Operations, Health and Safety).
- Recommend policy changes and develop procedures for the establishment and operation of Child Care programs with the Early Years Department.
- Conduct an annual review of existing programs with the Early Years Department.
- Submit the hours of operation, subject to approval by the Board. When operating on Board approved non-operational days, Child Care and Early Years partners must pay for services provided by the Board.
- Communicate with the school Principal on a regular basis.
- Provide semi-annual enrollment stats to the DDSB, Early Years Department.
- Provide documentation on an annual basis as listed in their agreement with the DDSB.
- Work with the Early Years Manager and Early Years Consortium to ensure the consistency of quality programs through the use of best practice tools and professional learning.
- Promote and protect the overall health, safety, and well-being of each child in care.
- Attend regular Early Years Consortium meetings as an engaged participant.
- Submit all communication pieces that relate to the DDSB to the Early Years Department for approval prior to distribution.

- Ensure WHMIS information is shared with staff and that staff are trained annually.
- Ensure the programs implement Ministry mandated requirements.
- Ensure Child Care programs have a program statement that details “*How Does Learning Happen?*” as the framework to guide programming and pedagogy.

Early Years Board Personnel will:

- Ensure or foster/facilitate a positive relationship between the Child Care, Early Years, and After-School Recreation partners and the Principals.
- Facilitate partnerships with agencies and various levels of government and the community to achieve equitable access to Child Care, Early Years, and After-School Recreation programs and services in DDSB schools.
- Mediate any major dispute between Child Care, Early Years, and After-School Recreation personnel and school staff in conjunction with the partner.
- Inform Principals with Child Care facilities or Early Years/After-School Recreation programs of changes to policy and procedure.
- Conduct an annual review of existing programs with the Child Care, Early Years, and After-School Recreation partners.
- Recommend policy changes and develop procedures for the establishment and operation of Child Care, Early Years, and After-School Recreations programs in consultation with the Early Years Consortium.
- Provide information and necessary documentation to the Child Care, Early Years, and After-School Recreation partners, as required.
- Support the incorporation of purpose-built Child Care Centres in new schools under a lease agreement with cost recovery to the Board.
- Ensure that Child Care, Early Years, and After-School Recreation Partners meet all administrative and operational requirements and relevant legislation including documentation that is required for leasing/licensing.
- Respond to community needs by opening programs in schools, subject to space availability, CMSM approval, and local community support.

Child Care, Early Years, and After-School Recreation Program Supervisors/Leaders will:

- Report serious occurrences to the school Principal and the Early Years Department and Manager of Health & Safety.
- Manage the day-to-day operations of high-quality programming.
- Be responsible for ongoing communication with the School Principal.
- Be responsible for adhering to section 1.3 and applicable school policies and procedures, including Code of Conduct.

- Advise the Principal of Child Care, Early Years, and After-School Recreation program circumstances or events that impact or enhance the day-to-day operations of the school.
- Ensure respectful use of the building and equipment.
- Establish a professional relationship with the school personnel.

3.9 Relationships

The Early Years Department, School Leads, and Child Care, Early Years, and After-School Recreation Programs and service staff will work collaboratively in service of students, families, and the school community.

The key to a good working relationship and strong partnership between the school and Child Care, Early Years, and After-School Recreation partner is ongoing communication and cooperation. Continuous communication encourages consistency and continuity for children as they transition from an early learning program to school, and from school to an early learning program. Working in partnership with Child Care, Early Years, and After-School Recreation partners and school personnel is key to providing continuity for children and consistency for families. School Administrators, program Supervisors/Manager/Leads, and classroom educators are responsible for collaboratively establishing the conditions essential for fostering positive working relationships among diverse early years professionals and staff who operate within both exclusive and shared spaces within schools.

Before- and after-school and After-School Recreation programs occur in shared spaces, necessitating collaboration between staff in Recreation programs, Child Care, and school-based educators to jointly create shared environments. Consideration for each group is crucial when scheduling the use of multi-purpose rooms. It is expected that school Administration, Child Care Supervisors, After-School Recreation program leaders, and staff collaborate to ensure ongoing availability of shared space and high-quality programs and experiences for students and families. Shared planning between the school, Child Care, Early Years, and After-School partners helps to support the development of a good relationship and strong partnership.

4.0 Reference Documents

4.1 Policies

Indigenous Education Policy
Human Rights, Anti-Discrimination and Anti-Racism Policy
Safe and Respectful Workplace and Harassment Prevention Policy

4.2 Procedures

Human Rights, Anti-Discrimination and Anti-Racism Procedure
Human Rights Inclusive Design and Accommodation Procedure
Human Rights Roles, Responsibilities and Accountability Framework

4.3 Other Documents

Ontario Human Rights Code
Occupational Health and Safety Act
Education Act
How Does Learning Happen? Ontario's Pedagogy for the Early Years (2014)

Ontario Early Years Child & Family Centres Guidelines (2015)
The Renewed Ontario Early Years Policy Framework (2017)
Before and After School Programs - Kindergarten - Grade 6: Policies and Guidelines for School Boards (2017)
Policy/Program Memoranda: B6 and B9 Child Care Capitol Policies (2016-2017)
Child Care and Schools - Working Together in a Shared Space (2017-2018)
Child Care Modernization Act (2014)
Child Care and Early Years Act (2014)

Appendix:

None or

Effective Date

2004-02-26

Amended

2006-08-08

2011-04-10



PROCEDURE

NAME OF GROUPING

Child Care Operator Application/Pre-Qualification Process

Adopted under - Child Care and Early Years Act (2014), Reg 221/11, 137/15 and 138/15

1.0 Objective

- 1.1 The Durham District School Board (DDSB) supports working in partnership with the DDSB Early Years Consortium in providing quality Child Care and Early Years services to meet the needs of the community within Durham schools.
- 1.2 An annual analysis and review of community needs in consultation with the Region of Durham Consolidated Municipal Service Manager (CMSM) will be conducted to support the viable expansion of Child Care services within Durham schools.
- 1.3 This procedure is to be interpreted and applied in accordance with the District's commitment to promoting and upholding Indigenous rights and human rights in all 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 Indigenous Education Policy, the Human Rights, Anti-Discrimination and Anti-Racism Policy (the "Human Rights Policy"), the Safe and Respectful Workplace and Harassment Prevention Policy and related procedures.

2.0 Definitions

In this procedure,

- 2.1 Child Care refers to licensed early learning and care programs for children from birth to 3.8 years of age. In accordance with the Child Care and Early Years Act (2014), child care means the provision of temporary care for or supervision of children in any circumstance other than in exempt circumstances.
- 2.2 Early Years refers to programs and services specifically designed for children birth to six years of age. These programs involve or relate to the learning, development, health and well-being of children and families.
- 2.3 Before- and- After School Programs refers to programs in schools serving children between the ages of 3.8 and 12 years of age before the school day begins, and after it ends, as defined in the *Child Care and Early Years Act* (2014).
- 2.4 Child Care Supervisor refers to the Registered Early Childhood Educator who manages the daily operations of the program/centre.

- 2.5 Child Care Operator/Partner refers to the designated Administrator with decision-making authority who oversees operations for all the programs/centres and participates in the DDSB Early Years Consortium.
- 2.6 Early Years Consortium refers to the collection of DDSB Child Care, Early Years, After-School Recreation partners, and school administrators committed to working collaboratively in a mutually beneficial, on-going and supportive relationship that benefits children, families, staff, and communities as transitions occur from an early learning program to school and from school to an early learning program.
- 2.7 Exclusive Space refers to a dedicated Child Care, Early Years, and After-School Recreation space within the school.
- 2.8 Shared Space refers to space used jointly by the Child Care, Early Years, and After-School Recreation program and the school. This space is determined in consultation with the Principal and approved by the Early Years Manager. These spaces are used before and after regular school hours, on non-instructional days, and/or on other days when instruction is not available, cancelled or interrupted.
- 2.9 Alternative Space refers to back-up space accessed by Child Care Partners, as required for licensing. These spaces are included as an alternate licensed space and are accessed when a primary space is unavailable.
- 2.10 Designated Space refers to space designated by the Board to be used for a Child Care/Early Years program.

3.0 Procedure

3.1 Child Care Operator Program Application

- a) History and mandate of organization (i.e. non-profit/charitable/incorporation papers – minimum 2 years in operation).
- b) Statement of philosophy and goals.
- c) Overview of program and curriculum framework.
- d) Current program locations - including addresses and phone numbers.
- e) List of current Board of Directors, contact information and governance structure.
- f) Examples of community partnerships.
- g) Two letters of reference from community partners that demonstrate collaboration.
- h) A plan, with examples, of how the Child Care program will develop collaboration and partnerships with the school program and the other early learning programs within the community.
- i) A description of tools the agency uses to ensure quality assurance and provision of a recent sample of results.
- j) A description of the Child Care policy on Parent Involvement (i.e., Parent Advisory Committee).

- k) A copy of the Child Care Parent Manual.
- l) A copy of the Child Care program statement.
- m) A description of the Child Care human rights, anti-discrimination, or equity and inclusion (or similar or related) policy(ies).
- n) A description of how the Child Care will include/support children with special needs and partner with Resources for Exceptional Children.
- o) Proof of possession of a Purchase of Service Agreement and submission of a copy of the regional Compliance Certificate.
- p) Proof of compliance with the Child Care and Early Years Act (CCEYA) (Clear License for each current site).
- q) A copy of the food menu to ensure compliance with Healthy Living/Canada's Food Guide, and that the child care operator can accommodate a variety of medical, religious, and other dietary restrictions and requirements to meet the needs of Durham's diverse communities.
- r) The qualifications of a child care provider are deemed to include provision that all staff are members of the Ontario College of Early Childhood Educators.
- s) Proof of Criminal Reference Checks for all staff, volunteers, and students at licenced child care centres and agencies as follows:
 - i. Criminal Reference Checks must be submitted to the DDSB with a letter of indemnification.
 - ii. Vulnerable Sector Screenings must be updated every five (5) years.
 - iii. Offence declarations must be provided every year that Vulnerable Sector Checks are NOT required.
- t) A description of the agency's Professional Development Policy and the agency's staff training and development commitment.
- u) The Agency's system of on-call staff support to maintain consistent staff/children ratios.
- v) A copy of the Fee Policy (including: daily fee, full-time, part-time, before only, after only, registration fee).
- w) A copy of the annualized operating budget for all Durham Child Care programs.
- x) A copy of the audited financial statements and the Auditor's Reports for the past two years.
- y) A description of the organization's capacity to commit the necessary financial funds associated with expansion and start-up in a new school.
- z) Three letters of reference (i.e. parents/financial institutions/regulatory bodies/funders).
- aa) Proof that all child care supervisors and employees have valid standard first aid certification including infant and child cardiopulmonary resuscitation (CPR).

3.2 Child Care Operator Program Application/Pre-Qualification Process Steps:

All applications will be submitted to the Manager of Early Years.

The submission will be reviewed by Business/Finance, Facilities Services, Early Years Manager, and the CMSM.

The Manager of Early Years will notify the Child Care Operator of the decision.

Note: All submitted information is subject to review and verification by the Durham District School Board.

At any time during the Application/Pre-qualification Process an applicant's submission may be denied if it does not meet the outlined requirements.

Once approved, the Child Care Operator will sign an agreement with the DDSB that requires participation on the Durham District School Board Early Years Consortium. Membership in the Early Years Consortium must be maintained by the individual who has authority to make decisions on behalf of the organization. In the case of non-profit organizations who are run by a volunteer board of directors, it is expected that a senior manager sits on the committee. As a member of the Consortium, the Child Care operator will participate in regular meetings and abide by section 1.3 and other policies and procedures of the Durham District School Board.

4.0 Reference Documents

4.1 Policies

Indigenous Education Policy

Human Rights, Anti-Discrimination and Anti-Racism Policy
Safe and Respectful Workplace and Harassment Prevention Policy

4.2 Procedures

Human Rights, Anti-Discrimination and Anti-Racism Procedure
Human Rights Inclusive Design and Accommodation Procedure
Human Rights Roles, Responsibilities and Accountability Framework

4.3 Other Documents

Ontario Human Rights Code
Occupational Health and Safety Act

Education Act

How Does Learning Happen? Ontario's Pedagogy for the Early Years (2014)

Ontario Early Years Child & Family Centres Guidelines (2015)

The Renewed Ontario Early Years Policy Framework (2017)

Before and After School Programs- Kindergarten- Grade 6: Policies and Guidelines for School Boards (2017)

Policy/Program Memoranda: B6 and B9 Child Care Capitol Policies (2016-2017)

Child Care and Schools- Working Together in a Shared Space (2017-2018)

[Childcare Modernization Act](#), 2014

Child Care and Early Years ACT, 2014

Appendix:

None

Effective Date

2011-01-10

Amended

2017-01-20

DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

REPORT TO: Governance and Policy Committee

DATE: March 27, 2024

SUBJECT: Update and Recommendations:
Human Rights Advisory Committee

PAGE: 1 of 9

ORIGIN: Camille Williams-Taylor, Director of Education and Secretary of the Board
Jim Markovski, Associate Director of Equitable Education
Devika Mathur, Human Rights and Equity Advisor
Jacqueline Williams-Leacock, System Lead, Secondary Curriculum

1.0 Purpose

The purpose of this report is to:

- Provide Trustees with an update on actions taken to establish the Human Rights Advisory Committee.
- Seek approval of the recommended committee selection criteria, recruitment strategy and number of committee members.

2.0 Background

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

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

During the Board Meeting on January 22, 2024, the Board of Trustees approved amendments to the Consolidated By-Laws to provide a more robust structure for non-statutory Advisory Committees established by the Board of Trustees.

The process for setting up an Advisory Committee established by the Board of Trustees is described in section 4.5 of the updated DDSB By-Laws. Section 4.5 states:

The Director of Education shall engage appropriate community members to inform a recruitment and selection strategy, including selection criteria, for each Advisory Committee and shall make recommendations to the Board in that regard. The recommendations shall include the proposed number of Advisory Committee members. The Board shall, by ordinary resolution, approve the recruitment and

selection strategy, and number of members, for each Advisory Committee. Following such approval, and subject to the Board of Trustees appointing the 2 Trustee non-voting members, the Director or delegate(s) will form the committee.

In all cases, Advisory Committees are to include 2 Trustees and 1 staff person as non-voting members of the Committee. The Director has the discretion to assign one additional staff person as a non-voting member. Trustee members will be selected annually at the Organizational Meeting, failing which they may be selected at any regular or special meeting of the Board.

Section 4.5.1 of the Consolidated By-Laws established the Human Rights Advisory Committee.

On January 30, 2024, the Board of Trustees received a memorandum with a critical path/implementation plan for the Human Rights Advisory Committee.

To support the development of the Advisory Committee, District staff:

- Conducted a review of selection criteria and structures of similar non-statutory advisory committees established in other Ontario school boards;
- Spoke with staff leads for Advisory Committees in school districts;
- Engaged with external expertise and community members to seek recommendations for the proposed recruitment strategy and selection criteria for the Human Rights Advisory Committee;
- Considered the DDSB's Multi-Year Strategic Plan's guiding principles and strategic priorities and objectives.

3.0 Analysis

The critical path has been adjusted to highlight and reflect:

- Actions completed to date;
- Proposed new steps and corresponding revised timelines, based on external feedback on the recommended recruitment strategy and selection criteria (outlined below), for the Board of Trustees' consideration and approval.

Critical Path/Implementation Plan

Red text indicates completed actions.

Blue text indicates revisions to the critical path.

Timeline	Action Item
January 2024	<p>Revised Consolidated By-Laws brought to Board for approval on January 22, 2024. Completed</p> <p>Memo on proposed Critical Path to move forward with the advisory committee is delivered to Trustees. Completed</p>
February 2024	<p>The Director of Education designates a senior staff member or members, to the advisory committee. The Director has the discretion to appoint more than one staff member. Completed - Refer to Completed Actions chart below</p> <p>In alignment with the Consolidated By-Laws, the Director of Education and appointed staff will develop a recruitment and selection strategy, including selection criteria, for the Human Rights Advisory Committee - with a view to coming to the March Governance Committee Meeting for approval. Completed - Refer to Completed Actions chart below</p>
March 2024	<p>Recommendations on the Recruitment and Selection Strategy, including the selection criteria, are presented for approval at the March Governance Committee Meeting. Completed - Refer to Recommendations chart below</p> <p>Pending approval of the recommended recruitment strategy, selection criteria and corresponding adjusted timelines, staff will proceed with the establishment of the committee with a target completion date of the end of June. (REVISED)</p>
April 2024 (NEW)	<p>Staff will invite expressions of interest for the Advisory Committee through an open “call out.” Post for a period of three weeks. (NEW)</p> <p>Staff will review and shortlist applications based on recommended selection criteria. (NEW)</p>
May 2024 (NEW)	<p>Engage in conversational interviews with shortlisted applicants based on selection criteria. (NEW)</p>

Timeline	Action Item
June 2024 (REVISED)	<p>Select committee members based on proposed selection criteria. (NEW)</p> <p>It is proposed that Trustee membership be determined at the June Board Meeting (REVISED). The Trustees will serve the respective committee in an interim capacity until the November 2024 annual Organizational meeting. During the Organizational meeting, Trustee representatives for the advisory committee will be nominated and selected annually.</p> <ul style="list-style-type: none"> To help guide each committee (NEW), develop the Code of Conduct for Advisory Committee members. <p>Seek input from committee members on the Statement of Principles. (NEW)</p> <p>Community Members recruited for the advisory committee will be expected to commit to the Code of Conduct.</p>
September to October 2024 (REVISED)	<p>Mandatory Training session(s) for recruited members. The training sessions will place focus on:</p> <ul style="list-style-type: none"> Indigenous Education Policy/Procedure; Human Rights, Anti-Discrimination and Anti-Racism Policy/Procedures; Anti-Oppression/Anti-Bias; Ontario Human Rights Commission's competing human rights analytical framework. (NEW) <p>Training sessions will also include a facilitated discussion on the scope, role, and mandate of each Advisory Committee, including the Statement of Principles and Terms of Reference. (NEW)</p>
November 2024 (REVISED)	First formal meeting of the Human Rights Advisory Committee.
Spring of 2025 (REVISED)	The Human Rights Advisory Committee will be requested to bring forward a report to the Board of Trustees in the spring of 2025.

Completed Actions and Recommendations

As noted above, actions have been completed and District staff engaged external expertise to develop a recommended recruitment strategy and selection criteria. The external parties or organizations were chosen because of their:

- Strong knowledge and experience related to human rights;
- Understanding of human rights issues affecting school boards and/or education.

Completed Actions

	Human Rights Advisory Committee
Completed action: Director of Education appoints staff to Advisory Committee	Jim Markovski, Associate Director Jacqueline Williams-Leacock, System Lead (and pool listed candidate for Superintendent of Equitable Education) Devika Mathur, Human Rights and Equity Advisor (non-member advisor to the Committee)
Completed action: The Director of Education engages appropriate community members to inform a recruitment and selection strategy, including selection criteria	Human rights legal expertise Njeri Damali Sojourner-Campbell Human Rights Lawyer and Trainer, Hicks Morley (has provided human rights professional development for OPSBA, Trustees and Senior Leaders across Ontario school districts, and to DDSB System Leadership) Dr. Jewel Amoah Human Rights Commissioner (Ontario Human Rights Commission), Assistant Dean (University of Toronto), Lawyer, and former Human Rights and Equity Advisor (Halton District School Board) <i>Note that District staff also engaged other organizations but were not able to connect with them directly for input.</i>
Purpose	The purpose of the Human Rights Advisory Committee is to act in a strategic advisory role to the Board of Trustees to support the DDSB in upholding commitments, objectives and responsibilities under the Human Rights, Anti-Discrimination and Anti-Racism Policy.

Recommendations Chart

	Human Rights Advisory Committee
For Trustee Approval: Recommended recruitment strategy	<p>Post open “call out” for expressions of interest for a period of three weeks.</p> <p>Review and shortlist applications based on recommended selection criteria (to be completed by the Director (or designate) or staff members of Advisory Committee as appointed by the Director).</p> <p>Engage in conversational interviews with shortlisted applicants based on recommended selection criteria (to be completed by the Director (or designate) or staff members of Advisory Committee as appointed by the Director).</p> <ul style="list-style-type: none"> •
For Trustee Approval: Recommended selection criteria	<ul style="list-style-type: none"> • Ongoing learning and growth, including participating in an onboarding process (which may include learning sessions on topics such as Indigenous rights, human rights, competing rights and anti-oppression) coordinated by DDSB staff; • Providing collaborative, intersectional and solutions-focused strategic advice to the DDSB in alignment with the DDSB’s Multi-Year Strategic Plan priorities and objectives, with a focus on meaningful learning, connected communities, well-being and accountability. • Exemplary communications skills to engage in sensitive group discussions with empathy and care. • Demonstrated knowledge and understanding of the Ontario Human Rights Code, human rights principles and related analytical frameworks (including and not limited to intersectionality, power, balance, analyzing and addressing systemic barriers and discrimination, and competing rights). • Experience applying human rights principles and/or addressing systemic discrimination through professional and/or community service work (for example, in legal, public policy, educational, non-profit and/or community organizations, etc.). • Understanding of human rights issues and institutional barriers in public school boards and/or the education system to advise the Board of Trustees on effective ways to fulfill its commitments and responsibilities under the Human Rights, Anti-Discrimination and Anti-Racism Policy.

	Human Rights Advisory Committee
	<ul style="list-style-type: none"> • Upholding the DDSB's Indigenous Education Policy, Human Rights, Anti-Discrimination and Anti-Racism Policy and Safe and Respectful Workplace Policy; • Adhering to the DDSB's Code of Conduct and a jointly developed statement of principles to guide the committee's processes and work;
For Trustee Approval: Recommended selection criteria	<ul style="list-style-type: none"> • Ongoing learning and growth, including participating in an onboarding process (which may include learning sessions on topics such as Indigenous rights, human rights, competing rights and anti-oppression) coordinated by DDSB staff; • Providing collaborative, intersectional and solutions-focused strategic advice to the DDSB in alignment with the DDSB's Multi-Year Strategic Plan priorities and objectives, with a focus on meaningful learning, connected communities, well-being and accountability. • Exemplary communications skills to engage in sensitive group discussions with empathy and care. • Demonstrated knowledge and understanding of the Ontario Human Rights Code, human rights principles and related analytical frameworks (including and not limited to intersectionality, power, balance, analyzing and addressing systemic barriers and discrimination, and competing rights). • Experience applying human rights principles and/or addressing systemic discrimination through professional and/or community service work (for example, in legal, public policy, educational, non-profit and/or community organizations, etc.). • Understanding of human rights issues and institutional barriers in public school boards and/or the education system to advise the Board of Trustees on effective ways to fulfill its commitments and responsibilities under the Human Rights, Anti-Discrimination and Anti-Racism Policy. • Upholding the DDSB's Indigenous Education Policy, Human Rights, Anti-Discrimination and Anti-Racism Policy and Safe and Respectful Workplace Policy; • Adhering to the DDSB's Code of Conduct and a jointly developed statement of principles to guide the committee's processes and work;

	Human Rights Advisory Committee
For Trustee Approval:	Maximum of 12 members (inclusive of staff and Trustee members).
Proposed number of committee members	Additional consideration: Membership should include community members and organizations with demonstrated expertise in advancing and protecting human rights.

The revised critical path and recommended recruitment strategy, selection criteria and number of committee members are subject to approval by the Board of Trustees pending consideration of the Governance and Policy Committee.

4.0 Financial Implications

Costs may be incurred as the Advisory Committee is formed and begins to undertake the prescribed work. Potential budget items might include consultant fees, training, and purchase of discretionary resources.

5.0 Evidence of Impact

The Human Rights Advisory Committee is formed following the recommended revised critical pathway as outlined, and fulfills the prescribed mandate to act in a strategic advisory role to the Board of Trustees to support the DDSB in its work.

6.0 Communication Plan

Pending approval of the recommended recruitment strategy and criteria:

- District staff will develop and implement a communications strategy for the open invitation for expressions of interest, including (and not limited to) sharing information through social media, Board committees and relevant community partners and organizations.
- The Advisory Committee may consider appropriate communications plans and strategies as part of their respective Terms of Reference and work plans.

7.0 Conclusion and/or Recommendations

It is recommended that the Governance and Policy Committee recommend to the Board of Trustees that the committee selection criteria, recruitment strategy and number of committee members as outlined in the Recommendations Chart be approved, and that the matter proceed to the next meeting of the Board of Trustees for consideration.

Report reviewed and submitted by:



Camille Williams-Taylor, Director of Education and Secretary of the Board



Jim Markovski, Associate Director of Equitable Education

**DURHAM DISTRICT SCHOOL BOARD
ADMINISTRATIVE REPORT****REPORT TO:** Governance and Policy Committee**DATE:** March 27, 2024**SUBJECT:** Update and Recommendations:
Anti-Black Racism Advisory Committee**PAGE:** 1 of 8**ORIGIN:** Camille Williams-Taylor, Director of Education and Secretary of the Board
Margaret Lazarus, Superintendent of Equitable Education
Devika Mathur, Human Rights and Equity Advisor
Quincy James, System Lead, Family of Schools and School Operations**1.0 Purpose**

The purpose of this report is to:

- Provide trustees with an update on actions taken to establish the Anti-Black Racism Advisory Committee.
- Seek approval of the recommended committee selection criteria, recruitment strategy and number of committee members.

2.0 Background

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

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

During the Board Meeting on January 22, 2024, the Board of Trustees approved amendments to the Consolidated By-Laws to provide a more robust structure for non-statutory Advisory Committees established by the Board of Trustees.

The process for setting up an Advisory Committees established by the Board of Trustees is described in section 4.5 of the updated DDSB By-Laws. Section 4.5 states:

The Director of Education shall engage appropriate community members to inform a recruitment and selection strategy, including selection criteria, for each Advisory Committee and shall make recommendations to the Board in that regard. The

recommendations shall include the proposed number of Advisory Committee members. The Board shall, by ordinary resolution, approve the recruitment and selection strategy, and number of members, for each Advisory Committee. Following such approval, and subject to the Board of Trustees appointing the 2 Trustee non-voting members, the Director or delegate(s) will form the committee.

In all cases, Advisory Committees are to include 2 Trustees and 1 staff person as non-voting members of the Committee. The Director has the discretion to assign one additional staff person as a non-voting member. Trustee members will be selected annually at the Organizational Meeting, failing which they may be selected at any regular or special meeting of the Board.

By resolution dated December 4, 2023, the Board of Trustees established an Anti-Black Racism Advisory Committee.

On January 30, 2024, the Board of Trustees received a memorandum with a critical path/implementation plan for the Anti-Black Racism Advisory Committee.

To support the development of the Advisory Committee, District staff:

- Conducted a review of selection criteria and structures of similar non-statutory advisory committees established in other Ontario school boards;
- Spoke with staff leads for Advisory Committees in some school districts;
- Engaged with external expertise and community members to seek recommendations for the proposed recruitment strategy and selection criteria for the Anti-Black Racism Advisory Committee;
- Considered the DDSB's Multi-Year Strategic Plan's guiding principles and strategic priorities and objectives.

3.0 Analysis

The critical path has been adjusted to highlight and reflect:

- Actions completed to date;
- Proposed new steps and corresponding revised timelines, based on external feedback on the recommended recruitment strategy and selection criteria (outlined below), for the Board of Trustees' consideration and approval.

Critical Path/Implementation Plan

Red text indicates completed actions.

Blue text indicates revisions to the critical path.

Timeline	Action Item
January 2024	<p>Revised Consolidated By-Laws brought to Board for approval on January 22, 2024. Completed</p> <p>Memo on proposed Critical Path to move forward with the advisory committee is delivered to Trustees. Completed</p>
February 2024	<p>The Director of Education designates a senior staff member or members, to the advisory committee. The Director has the discretion to appoint more than one staff member. Completed - Refer to Completed Actions chart below</p> <p>In alignment with the Consolidated By-Laws, the Director of Education and appointed staff will develop a recruitment and selection strategy, including selection criteria, for the Anti-Black Racism Advisory Committee - with a view to coming to the March Governance Committee Meeting for approval. Completed - Refer to Completed Actions chart below</p>
March 2024	<p>Recommendations on the Recruitment and Selection Strategy, including the selection criteria, are presented for approval at the March Governance Committee Meeting. Completed - Refer to Recommendations chart below</p> <p>Pending approval of the recommended recruitment strategy, selection criteria and corresponding adjusted timelines, staff will proceed with the establishment of the committee with a target completion date of the end of June. (REVISED)</p>
April 2024 (NEW)	<p>Staff will invite expressions of interest for the Advisory Committee through an open “call out.” Post for a period of three weeks. (NEW)</p> <p>Staff will review and shortlist applications based on recommended selection criteria. (NEW)</p>
May 2024 (NEW)	<p>Engage in conversational interviews with shortlisted applicants based on selection criteria. (NEW)</p>

Timeline	Action Item
June 2024 (REVISED)	<p>Select committee members based on proposed selection criteria. (NEW)</p> <p>It is proposed that Trustee membership be determined at the June Board Meeting (REVISED). The Trustees will serve the respective committee in an interim capacity until the November 2024 annual Organizational meeting. During the Organizational meeting, Trustee representatives for the advisory committee will be nominated and selected annually.</p>
September to October 2024 (REVISED)	<p>Mandatory Training session(s) for recruited members. The training sessions will place focus on:</p> <ul style="list-style-type: none"> • Indigenous Education Policy/Procedure; • Human Rights, Anti-Discrimination and Anti-Racism Policy/Procedures; • Anti-Oppression/Anti-Bias; • Ontario Human Rights Commission's competing human rights analytical framework. (NEW) <p>Training sessions will also include a facilitated discussion on the scope, role, and mandate of each Advisory Committee.</p>
November 2024 (REVISED)	First formal meeting of the Anti-Black Racism Advisory Committee.
Spring of 2025 (REVISED)	The Anti-Black Racism Advisory Committee will be requested to bring forward a report to the Board of Trustees in the spring of 2025 .

Completed Actions and Recommendations

As noted above, actions have been completed and District staff engaged external expertise to develop a recommended recruitment strategy and selection criteria. The external parties or organizations were chosen because of their:

- Strong knowledge and experience related to anti-Black racism;
- Understanding of anti-Black racism issues affecting school boards and/or education.

Completed Actions

	Anti-Black Racism Advisory Committee
Completed action: Director of Education appoints staff to Advisory Committee	Margaret Lazarus, Superintendent of Equitable Education Quincy James, System Lead (and pool listed candidate for Superintendent of Equitable Education) Devika Mathur, Human Rights and Equity Advisor (non-member advisor to the Committee)
Completed action: The Director of Education engages appropriate community members to inform a recruitment and selection strategy, including selection criteria	Ontario's Anti-Racism Directorate (Andre Lyn, Director, Capacity and Transformation) Government of Canada's Department of Canadian Heritage (Michael Aguchelo, Senior Advisor) Justice Donald McLeod (former co-Chair of the DDSB's Anti-Black Racism Action Team and the Equity and Advisory ad hoc Committee) DDSB's Anti-Black Racism Action Team (comprised of community representatives, parents/guardians, and staff) <i>Note that District staff also engaged other organizations but were not able to connect with them directly for input.</i>
Purpose	The purpose of the Anti-Black Racism Advisory Committee is to act in a strategic advisory role to the Board of Trustees to support the DDSB in addressing intersectional anti-Black racism and to support student achievement and well-being for Black students, as is required under the DDSB's Human Rights, Anti-Discrimination and Anti-Racism Policy.

Recommendations Chart

	Anti-Black Racism Advisory Committee
For Trustee Approval: Recommended recruitment strategy	Post open "call out" for expressions of interest for a period of three weeks. Review and shortlist applications based on recommended selection criteria (to be completed by the Director (or designate) or staff members of Advisory Committee as appointed by the Director).

	Anti-Black Racism Advisory Committee
	Engage in conversational interviews with shortlisted applicants based on recommended selection criteria (to be completed by the Director (or designate) or staff members of Advisory Committee as appointed by the Director).
For Trustee Approval: Recommended selection criteria	<ul style="list-style-type: none"> • Self-identifies as Black. Commitment to: <ul style="list-style-type: none"> • Upholding the DDSB's Indigenous Education Policy, Human Rights, Anti-Discrimination and Anti-Racism Policy and Safe and Respectful Workplace Policy; • Adhering to the DDSB's Code of Conduct and a jointly developed statement of principles to guide the committee's processes and work; • Ongoing learning and growth, including participating in an onboarding process (which may include learning sessions on topics such as Indigenous rights, human rights, competing rights and anti-oppression) coordinated by DDSB staff; • Providing collaborative, intersectional and solutions-focused strategic advice to the DDSB in alignment with the DDSB's Multi-Year Strategic Plan priorities and objectives, with a focus on meaningful learning, connected communities, well-being and accountability. • Demonstrate exemplary communications skills to engage in sensitive group discussions with empathy and care. • Demonstrate an understanding of the diverse and intersectional: <ul style="list-style-type: none"> • Black identities and communities that the DDSB serves and employs; • Experiences of and systemic barriers and adverse impacts for Black students and staff in the DDSB or in the education system. • Demonstrate a working knowledge of what anti-Black racism is and the synergies between anti-Black racism and human rights. <ul style="list-style-type: none"> • Demonstrate awareness of or experience with effective strategies, policies and programming to combat anti-Black racism. • Demonstrate willingness to promote, increase awareness of, and advocate for the rights of DDSB Black students, staff and families.

	Anti-Black Racism Advisory Committee
For Trustee Approval: Proposed number of committee members	Maximum of 15 members (inclusive of staff and Trustee members). Additional considerations: <ul style="list-style-type: none"> • Membership should include a combination of DDSB family/parent members and community members (not solely staff and Trustees); • The Anti-Black Racism Advisory Committee should also include a representative from the Anti-Black Racism Action Team for appropriate linkages between the committee and the action team.

The revised critical path and recommended recruitment strategy, selection criteria and number of committee members are subject to approval by the Board of Trustees pending consideration of the Governance and Policy Committee.

4.0 Financial Implications

Costs may be incurred as the Advisory Committee is formed and begins to undertake the prescribed work. Potential budget items might include consultant fees, training, and purchase of discretionary resources.

5.0 Evidence of Impact

The Anti-Black Racism Advisory Committee is formed following the recommended revised critical pathway as outlined and fulfills the prescribed mandate to act in a strategic advisory role to the Board of Trustees to support the DDSB in its work.

6.0 Communication Plan

Pending approval of the recommended recruitment strategy and criteria:

- District staff will develop and implement a communications strategy for the open invitation for expressions of interest, including (and not limited to) sharing information through social media, Board committees and relevant community partners and organizations.
- The Advisory Committee may consider appropriate communications plans and strategies as part of their respective Terms of Reference and work plans.

7.0 Conclusion and/or Recommendations

It is recommended that the Governance and Policy Committee recommend to the Board of Trustees that the committee selection criteria, recruitment strategy and number of committee members as outlined in the Recommendations Chart be approved, and that the matter proceed to the next meeting of the Board of Trustees for consideration.

Report reviewed and submitted by:



Camille Williams-Taylor, Director of Education and Secretary of the Board



Margaret Lazarus, Superintendent of Equitable Education