



COMMITTEE OF THE WHOLE (CONTINUATION) PUBLIC MINUTES

**Monday, June 14, 2021, 6:00 pm
Zoom Meeting**

Trustees: Justine Bell, Donna Blackburn (Trustee), Christine Boothby, Rob Campbell, Chris Ellis, Lyra Evans, Mark Fisher, Wendy Hough, Jennifer Jennekens, Keith Penny, Sandra Schwartz, Lynn Scott

Staff: Charles Chen (Student Trustee), Joy Liu (Student Trustee), Camille Williams-Taylor (Director of Education), Brett Reynolds (Associate Director), Mike Carson (Chief Financial Officer), Janice McCoy (Superintendent of Human Resources), Michele Giroux (Executive Officer, Corporate Services), Dorothy Baker (Superintendent of Instruction), Shannon Smith (Superintendent of Instruction), Prince Duah (Superintendent of Instruction), Mary Jane Farrish (Superintendent of Instruction), Shawn Lehman (Superintendent of Instruction), Peter Symmonds (Superintendent of Learning Support Services), Nadia Towajj (Superintendent of Programming and Learning K-12), Carolyn Tanner (Human Rights and Equity Advisor), Stacey Kay (Manager of Learning Support Services), Diane Pernari-Hergert (Manager of Communications & Information Services), Richard Sinclair (Manager of Legal Services and Labour Relations), Colin Anderson (System Principal of Safe Schools), Nicole Guthrie (Manager of Board Services), Leigh Fenton (Board/Committee Coordinator)

Guests: Christine Moulaison (OCASC), Christine Lanos (OCEOC), Stephanie Kirkey (OSSTF-District 25), Susan Gardner (ETFO), Troy Cluff (OSSTF-District 25), David Wildman (OCEOTA), Seema Lamba (ACE), Lili Miller (IEAC), Amy Wellings (SEAC)

1. Call to Order -- Vice Chair of the Board

Vice Chair Penny called the public meeting to order at 6:02 p.m. and noted that the meeting is a continuation of the 8 June 2021 Committee of the Whole meeting. He acknowledged that the meeting is taking place on unceded Algonquin Territory and thanked the Algonquin Nation for hosting the meeting on their land.

2. Matters for Discussion

2.1 Report 21-049, Presentation of the Policy and Practice Review of Police Involvement in Schools (M.J. Farrish)

Vice Chair Penny noted that at the time of adjournment at the Committee of the Whole meeting on 8 June 2021, Report 21-049 was being discussed.

Trustee Ellis referred to the section entitled "Dysregulated behaviour and elopement" on folio 19 of the Policy and Practice Review of Police Involvement in Schools (The Review) and sought clarification on how administrators will resume the role of intervening during these specific incidents and how these responses will be documented and reported.

Director Williams-Taylor replied that in the absence of a School Resource Officer (SRO) program, when there are issues in the classroom or on school property, staff will be expected to be competent in both training and practice to support students. Should a child leave the school grounds without the approval of a parent or guardian, enlisting assistance from the Ottawa Police Service (OPS) to locate the child would likely be the expectation from the family and school community. She noted in The Review it is well documented that too often police are called into the school when there are other options to better support the complexity of behaviours enacted by a student.

Trustee Ellis emphasized a need to place a high priority on supporting these students who are accessing special needs support. He expressed concern that students with Autism Spectrum Disorder (ASD) and other special education exceptionalities were subject to interventions by the police force while at school. He stressed that the requirement for other administrative solutions has been raised at the Special Education Advisory Committee regularly.

Trustee Scott noted The Review illustrates the lack of clarity when it comes to roles and responsibilities of staff in the handling of students displaying behaviours for dysregulation and queried the procedure behind a student interview with a police officer. She sought clarity whether the child's parents will be contacted and, should the parent be unreachable, to what extent does the principal act as "loco parentis" (in place of a parent).

Superintendent Farrish confirmed that in current practice, the expectation is that a parent or guardian is notified prior to a student being interviewed by police. If the family cannot be reached, the administrator must remain present for the interview. She highlighted that The Review illustrates that a perceived conflict of interest exists if the administration played the role in the discretionary decision to involve OPS.

In response to a query by Trustee Scott, Superintendent Farrish explained that the District does not have a formal, standardized logging system to

track police involvement in schools. The administrators are required to keep notes on extraordinary activities with families and students and therefore an administrator's log book would typically note a call to the police. All consent calls should be logged and oftentimes an email will be sent to parents or guardians summarizing the reason for consent.

Trustee Scott queried whether the local protocol exceeds the requirements under the Provincial Protocol, which are the incidents that require mandatory police notification. She sought clarification on the required judgement to be applied for discretionary decisions to involve police at the school, as per current District policy.

Superintendent Farrish reported that local protocol is modelled on the Provincial Protocol. Local agreements exist between the four school boards in the region. The agreements do engage police at a higher level than required and were developed using local information shared between the school boards and OPS and are specific to the communities in which they serve.

Superintendent Farrish shared that at the Regional Safe Schools Committee of Ottawa, discussions about the partnership between schools and police have occurred. At this time, no other District has launched a formal review of police involvement in schools. One District held a campaign to provide the school community with information about the SRO program.

In response to a query by Trustee Boothby, Superintendent Farrish reported that the mandatory notification of police is outlined in the Provincial Protocol. She highlighted the types of mandatory incidents, listed in Table 1 of The Review on folio 13. She specified that mandatory notification does not necessarily result in police response. An imminent risk would merit a 911 call; police respond in-person to the emergency situation. She added that the discretionary notification of police occurs when there is a perceived potential for harm or danger to staff or students. System Principal Anderson explained that the local protocol is simply a framework and school boards develop their own policies and procedures. In District Policy P.046 SCO, the language reflects that the Board shall actively encourage the co-operative development of preventative strategies within the context of progressive discipline with students, staff, parents, and school councils. With regard to discretionary notification, he noted that within the framework, school principals are guided to consider alternatives to police involvement on a case-by-case basis.

Trustee Boothby reflected that as the local protocol is tied to the coterminous boards in the region, a direction forward is required, should the recommendations from The Review be adopted. System Principal Anderson stated that abandoning the local protocol in its entirety is not an

option. The Board of Trustees can decide to remove the discretionary engagement component with OPS. The local protocol governs how the District interacts with police officers; the role of the SRO is not mentioned in the protocols. Trustee Boothby queried information on the extent of officer sensitivity training for interactions with children. Superintendent Farrish responded that the District could make recommendations to OPS as to best practices when interacting with youth in schools; however the SRO program is an OPS initiative. System Principal Anderson validated the concern about a patrol officer response to an incident involving a student. He noted that there is a likelihood of a decreased level of training from responding officers; the SRO program is a unique service tailored to active involvement in schools.

Trustee Hough contributed that she was alarmed by the information in The Review which attested to a lack of monitoring or maintenance surrounding the partnership between the District and OPS. She contended, for the future, the OCDSB cannot operate a program that is not accountable to the school community for decades. She apologized for the harm that was caused over the years to past and present students and expressed regret that the program was not paused in October 2020 when the subject originally was presented to the Board of Trustees for debate.

Trustee Hough noted that under the COVID-19 safety precautions in schools, there were reports of a smaller number of children in each of the schools experiencing dysregulation. This change was attributed to the restrictions in movements and transitions throughout the school day. She observed that from these findings, a preventative approach may include accommodating the needs of children through addressing the environment, rather than to focus solely on re-training staff to encounter adverse behaviours.

In response to a query from Trustee Bell, Human Rights and Equity Advisor Tanner confirmed that the recommendations were crafted from a human rights based, inclusive approach. Human Rights and Equity Advisor Tanner highlighted the absence of an accountability mechanism that was publicly transparent to monitor and evaluate police involvement at OCDSB, including through the SRO program. A mechanism of this nature could have helped to monitor any bias in the discretionary notification of police. A formal checks and balances system would have functioned as a check and balance at the time the decision is being made about whether to involve police, as well as at the time of evaluation to identify any negative impacts and/or discrimination towards particular groups of students protected under the Human Rights Code. This would have helped reduce any bias in decision making and would allow for earlier identification and correction of concerns.

Human Rights and Equity Advisor Tanner spoke about the term "loco parentis" referring to the obligation an Administrator has to take into account the best interests of a particular child and to act towards that child in the way of a careful and prudent parent. For children in the education system, the individual needs and best interests of each child must be considered in every decision made by the District.

Trustee Bell repeated the views expressed by Ms. Miller, the Indigenous Education Advisory Council (IEAC) representative on the Committee of the Whole (COW) at the 8 June 2021 COW meeting.

Trustee Bell reiterated Ms. Miller's contribution that it is imperative that the Board of Trustees, and those working in the schools, educate themselves on the widespread impact of action and inaction in matters of anti-racism. She expressed confidence in her fellow trustees in their ability to move forward in a way that aligned with human-rights and anti-racism.

Ms. Moulinson highlighted that one of the ways forward mentioned in The Review was to ensure that the OCDSB was accountable for communicating the rights of students and their families, and in particular on children's rights if they are in conflict with the law. She noted the potential benefit of rights-based training for elected officers of the school councils. Some parents have displayed a greater level of comfort connecting with fellow parents rather than school administrators. She offered the assistance of the Ottawa-Carleton Assembly of School Councils (OCASC) to commence this work.

Student Trustee Liu queried the ability to complete the renegotiation of the local protocol by the fall. Superintendent Farrish noted that Safe Schools is committed to making revisions to the District's local protocol by the fall. She noted that she was not able to make a definitive comment on timelines for OPS or the other school boards that are a part of the local protocol agreement. She maintained that a comprehensive review by all parties simultaneously would serve as a valuable exercise.

In response to a query from both Student Trustee Liu and Trustee Campbell, Superintendent Farrish stated that significant modifications are due to approximately 20 foundational policy documents, illustrated in Appendix 2 of The Review. For a fall consultation period, a new Human Rights Policy is being drafted, along with revisions to P. 043.SCO Police Involvement in Schools and PR.533.SCO Police Involvement in Schools. In the Human Rights Policy, a mechanism will be outlined for lodging complaints for District response.

In response to a query from Student Trustee Liu, Superintendent Farrish confirmed that on 4 June 2021, with the public release of Report 21-049, the SRO program at the OCDSB was suspended. Principals and Vice Principals at all school sites, along with OPS were notified. She noted that

there is an opportunity to reframe the relationship with OPS to achieve productive intersections in service for youth and families.

Trustee Campbell expressed concern about the information on folio 25 surrounding staff-initiated wellness checks at student homes. System Principal Anderson stated that outside of pandemic reasons, wellness checks by police were done in connection with mental health concerns or a perceived risk to students within their home. He confirmed that under the local protocol, it is permissible for police to conduct the wellness checks. For attendance reasons, where families could not be reached by phone or email, the District partnered with the Red Cross to conduct home visits.

In response to a query from Trustee Campbell, Superintendent Farrish noted as the SRO program is suspended, and in the event there are discretionary concerns about the potential need to involve police, the administrators should contact the Superintendent of the School, who will make the next decision. In addition, principals have been encouraged to reach out to System Principal Anderson. If the matter is urgent, he will liaise with the designated school Superintendent.

Trustee Ellis submitted that one of the benefits provided by the SRO program was the consultation and guidance of the Youth Intervention/Diversion Unit. He inquired about the targeted support for Indigenous students in a scenario where the police arrive after a mandatory notification incident. He asked whether a member of the Indigenous Education Team could accompany the student for an interview. Superintendent Farrish noted that in the new draft version of Policy P.032.SCO Safe Schools Policy (Managing Student Behaviour), there are provisions to formally introduce the provision of Indigenous healing opportunities for those students who are deemed in contravention of the school policies with the support and advocacy of a member of the Indigenous Education Team, a councillor or an elder. The intention of the new policy is to reflect the objective of creating a whole school positive climate. Through the application of "progressive discipline", principals and senior administration determine appropriate responses and supports to help students adjust conduct.

In response to a query from Trustee Ellis, Superintendent Farrish distinguished that there is a legislative requirement, under the *Child, Youth and Family Services Act*, for professionals who work with children, to immediately report to a Children's Aid Society (CAS) should a child be deemed in need of protection.

Trustee Scott indicated the need to reform the curriculum in terms of the portrayal of the police. Superintendent Farrish referred to the District's Indigenous, Equity and Human Rights Roadmap 2020-2023 (The Roadmap), where there are commitments to reforming the curriculum. She

noted that the work has already begun. The current inventory of reading material is undergoing assessment using an anti-discriminatory lens. During professional development (PD) sessions, teaching staff will participate in exercises which place an inclusive lens on the individual programs that they are leading. The Planning and Learning K-12 (PAL) department is engaged in cross-collaboration with several departments to meet the milestone outcomes included in The Roadmap.

In response to a query from Trustee Scott, Superintendent Farrish emphasized that the objective of Safe Schools is to promote pro-social behaviours, build feelings of student self-efficacy and well-being, and to better engage students to partner with community and society. As a whole, the District is focused and intentional about learning about the students as individuals and delivering learning experiences which are relevant to them.

In response to a query from Trustee Boothby, System Principal Anderson explained that the District is not necessarily obligated to permit a student interview with police unless 911 was called. If an emergency does not exist, a meeting with a student, at the school, is not required by law. Trustee Boothby advised that this communication be shared with parents in a clear and direct way. Superintendent Farrish confirmed that key messages will be harmonized and directed to families with an explanation of Indigenous rights, human rights and children's rights and survivor-centred practices.

Trustee Boothby noted that both the steering committee and Board's advisory committees significantly contributed to The Review. She suggested that in advance of tabling new drafts for P. 043.SCO Police Involvement in Schools and PR.533.SCO Police Involvement in Schools, the aforementioned committees be consulted for revisions. She asserted that should a healing fund be established, a fulsome discussion opportunity must be provided to the parties who requested the fund. Superintendent Farrish concurred that any response for a group of people will be done in collaboration with that same group of people. She noted that the "examination of practice" phase is complete. Communities who participated in The Review were caused harm through the retraumatization in the re-telling of events during the original consultation and will not be asked to participate further. The policy revision will be informed by the consultation that has taken place within the 2020-2021 school year. The Board's advisory committees will be consulted on policy during the 2021-2022 school year.

Ms. Lamba queried the application of an equity or human rights lens during the process where a school administrator has contacted a superintendent when there are discretionary notification concerns about the potential to involve police. She noted that The Review highlighted

several types of bias exercised in the past by administrators, unconscious or otherwise.

Superintendent Farrish stated that the District is invested in student achievement and well-being. The point of convergence for all work occurring now in schools involves a human rights and anti-oppression stance. Human Rights and Equity Advisor Tanner continually guides the major initiatives and operations of the District, using an equity or human rights lens, in the Office of Human Rights and Equity. The role that she plays, as an arm's length advisor to the District, is significant; however it is not feasible that the advisor stand as that lead contact for principals when there are discretionary notification concerns about the potential to involve police. The senior administration team continues to participate in PD to mentor and lead from an anti-oppressive practice. Through the analysis of the identity-based data collection, the District is currently publishing a series of reports. When scrutinizing the reports, trustees and senior administration are constantly considering ways to address the gaps in student achievement and well-being, along with identifying those students who are advantaged and disadvantaged in the education system. She added that a primary goal of the District is to threaten racism and discrimination in its practices.

Ms. Lamba contributed that the District can serve in a leadership role when revising the expectations contained in the local protocol agreement. She expressed the view that the current local protocol agreement is not human-rights based or child centered. Language can be included that refers specifically to equity-deserving groups. The District has an opportunity to work with OPS to do better when engaging with students to maintain school safety. She rejected System Principal Anderson's statement noting the validity of the concerns about patrol officers responding to calls at school in the absence of an SRO program, featuring the specially trained officers.

In response to a query from Trustee Lyra Evans, System Principal Anderson responded that in the Provincial Protocol there is no language that indicates a specific timeframe for reporting possession of drugs to OPS. Trustee Lyra Evans urged staff to consider the notion of delaying the notification to OPS, regarding "simple possession" until after the student has sought addiction treatment, through a guidance counselor or a social worker. She suggested the possibility of delaying notification until after students had graduated and only then providing a list to OPS, containing the names of students who struggled in-year with addiction. Superintendent Farrish committed to researching the timelines for this sort of reporting, and to show flexibility in the policies, and to deliver personalized responses, with the caveat that limited risks exist for students or others in the school community.

3. Information Items

3.1 Report from OPSBA Representatives (if required)

Trustee Boothby reported that the following items were approved in the Ontario Public School Boards' Association meeting on 11 June 2021:

- The anti-racism research funding motion;
- The Waterloo Region District School Board's mandatory Black heritage in social studies and history curriculum; and
- The Limestone District School Board (LDSB) funding for Indigenous trustee positions. The LDSB is a school board that falls outside of O. Reg 462/97 in the *Education Act* which establishes First Nations representation on school boards where there is a reservation or a reciprocal education agreement between a Band Council and the school board.

3.2 New Ministry Initiatives Update (if required)

There were not any new Ministry of Education updates.

3.3 OSTA Update (if required)

A Ottawa Student Transportation Authority (OSTA) update was not required.

4. New Business -- Information and Inquiries

Trustee Campbell advised that he has asked staff for information on what constitutes a "program delivery structure", as the elementary and secondary framework policies state that changes to any program delivery structure require the approval of the board of trustees.

Student Trustee Liu stated that the Executive Director of the Toronto Youth Cabinet has requested a letter to be written to the Ministry of Education by the OCDSB Board of Trustees, supporting government funding initiatives for menstrual hygiene products in Toronto School Boards. Trustee Scott, with consensus of the Board, agreed to prepare a letter.

5. Adjournment

The meeting adjourned at 7:42 p.m.

Keith Penny, Chair

