



BOARD PUBLIC MINUTES

**Tuesday, March 29, 2022, 7:00 pm
Zoom Meeting**

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

Staff: Camille Williams-Taylor (Director of Education), Brett Reynolds (Associate Director), Mike Carson (Chief Financial Officer), Janice McCoy (Superintendent of Human Resources), Prince Duah (Superintendent of Instruction), Mary Jane Farrish (Superintendent of Instruction), Reg Lavergne, Shawn Lehman (Superintendent of Instruction), Shannon Smith (Superintendent of Instruction), Peter Symmonds (Superintendent of Learning Support Services), Nadia Towaij (Superintendent of Program and Learning K-12), Nancy Brady (Superintendent of Instruction), Michele Giroux (Executive Officer, Corporate Services), Carolyn Tanner (Human Rights and Equity Advisor), Kevin Gardner (Manager of Financial Services), Stacey Kay (Manager of Learning Support Services), Pamela LeMaistre (Manager of Human Resources), Sandy Owens (Manager, Business & Learning Technologies), Diane Pernari (Manager of Communications & Information Services), Richard Sinclair (Manager of Legal Services and Labour Relations), Colin Anderson (Systems Principal, Safe Schools), Nicole Guthrie (Manager of Board Services), Darren Gatley (Board/Committee Coordinator)

1. Call to Order -- Chair of the Board

Chair Scott called the public meeting to order at 7:02 p.m. She acknowledged that the meeting is taking place on unceded Algonquin Territory and thanked the Algonquin Nations for hosting the meeting on their land.

2. Approval of the Agenda

Moved by Trustee Blackburn, seconded by Trustee Lyra Evans,
THAT the agenda be approved.

Moved by Trustee Lyra Evans, seconded by Trustee Hough,

THAT the agenda be revised so that item 9.6 OPSBA Policy Resolutions, immediately follows item 9.3 Report 22-026, 2022-2023 Academic Staffing.

Carried

Moved by Trustee Blackburn, seconded by Trustee Lyra Evans,

THAT the agenda be approved, as amended.

Carried

3. Delegations

3.1 Harmon Pope, re Alternate Program Representation in Student Senate

Mr. Pope, a School within a College (SWAC) student and former student of Richard Pfaff Secondary Alternate Program, expressed concern for the lack of Alternate Program representation on the Student Senate. He expressed the view that administration provided little awareness of the Student Senate within the Alternate Program schools. Mr. Pope requested that the Board increase resources to promote the Student Senate within the alternate program and requested that the Board investigate any systemic issues regarding the Alternate Program's lack of involvement within the Student Senate. Mr. Pope noted that the OCDSB student senate website does not mention the alternate program nor indicates the alternate seats as vacant.

Chair Scott advised that there have been student senators in the past from the Alternate Program.

Student Trustee Salam-Alada noted that she and Student Trustee Chen oversee the Student Senate and apologized for not noticing the gap in representation. Mr. Pope agreed that an open house or other question-answer session between Student Senate and the alternate schools could promote interest in the Student Senate. Mr. Pope also agreed that the Student Senate could request that staff be required to promote interest in the Student Senate within the Alternate Programs.

In response to a query from Trustee Bell regarding other avenues for secondary students in the alternate program to have their voice heard, Mr. Pope noted that there are many outlets for voices to be heard such as local organizing groups, political parties, and the Rideau Student's Union.

In response to a query from Chair Scott on how staff will ensure students in the alternate program will receive communication on student senator elections, Superintendent Lavergne noted he had investigated past practices and identified a gap in communications. Superintendents Lavergne and Brady are reaching out to the administration at the alternate

schools and will work to strengthen a communication plan to ensure that all students are aware of this opportunity with particular focus on alternate program students and their understanding that their voices are valued in the student senate.

3.2 Mae Mason, re Equitable Access to Education

Mae Mason, a member of Asilu Collective, noted that their organization's goal is to ensure students have equitable access to education. Mae Mason expressed the view that immigrant students disproportionately experience systemic barriers and administrators who view these students as "troublemakers." They noted that Asilu Collective participated in the removal of the Student Resource Officer (SRO) program and noted that community advocacy can lead to a positive systemic change. Mae Mason suggested that Asilu Collective's connection within the community indicates that minoritized students are targeted by investigative practices by their administrators. Mae Mason noted that Asilu Collective's advocacy, multicultural liaison officers (MLOs), and Asilu Collective's anonymous reporting tool indicate a negative post-SRO infrastructure. Mae Mason expressed the view that principals are failing to notify families of police involvement, knocking on bathroom stalls if students take more than five minutes, failing to notify families of suspensions, failing to support students with the adult of their choosing for police investigations, and principals being instructed to perform daily and random searches of students' personal property without reasonable grounds.

In response to a query from Trustee Campbell, Mae Mason noted that the District needs transparency and accountability. They added that all incidents and suspensions should be reported monthly and include data on race to ensure that systemic issues could be addressed on a more frequent basis.

In response to a query from Trustee Blackburn regarding Asilu Collective's view if police provide positive support to students within the OCDSB, Mae Mason noted that police can provide positive support to school administrators. They added that during consultations during the SRO program, most positive accounts came from Caucasian families and most negative accounts came from minoritized families.

3.3 Hailey Dash, re Equitable Access to Education

Ms. Dash, a co-founder of Asilu Collective, noted that her organization has been working with families who were subject to investigative and racist discrimination from senior administration in a post-SRO environment. She noted that Asilu Collective has been working with the Advisory Committee on Equity (ACE) regarding the safe schools policy implementation. Ms. Dash noted that policy guidelines are being overlooked and suggested that accountability is needed for the safety and well-being of marginalized

OCDSB students. She noted that the infractions that Mae Mason listed in her delegation violate the following OCDSB policies: section 3.3 (k) of the Human Rights Code, section 4.4 of the Investigation Search under Seizure Policy, and the provincial model and Safe Schools Policy statements on considering mitigating factors. Ms. Dash requested that identity-based data on police involvement, suspensions, and expulsions be reported on a quarterly basis and be made available for public review. She suggested that more frequent reporting will ensure additional accountability of administration and senior staff.

4. Advisory Committee Presentation

4.1 Alternative Schools Advisory Committee (Emily Addison, Chair)

Ms. Addison, along with Co-chair Webb, highlighted that the alternative program is entirely separate from the alternate program and is for students in junior kindergarten (JK) to grade 8. She added that any JK to grade 8 student can enter into the alternative program at any grade.

Ms. Addison advised that there are five alternative schools within the OCDSB: Churchill Alternative, Lady Evelyn Alternative, Riverview Alternative, Regina Alternative (grade K-6), and Summit Alternative at Fisher Park Public School (grade 7-8). She noted that these schools offer the same class sizes and learning supports as other OCDSB schools; however, the difference is that educators apply the Ontario Curriculum through seven core alternative tenants.

The seven core tenets of the Alternative Program are as follows:

1. Cooperation & Teamwork;
 - Children who are motivated from within instead of by rewards, will become lifelong learners, eager to take on challenges.
2. Innovative Approaches;
 - Innovative teaching and learning happens through a shared responsibility among staff, students, and parents.
3. Balanced Student-directed & Teacher-directed Learning;
 - The teacher acts as a facilitator/mentor/guide of the child's learning; this enhances self-concept, enthusiasm for learning, and personal responsibility.
4. Multi-age Groupings;
 - Interaction among children of different ages and at different stages of development provides an environment wherein students learn from each other as well as from the teacher.

5. Integrated Curriculum;

- This provides a natural progression from whole to parts and stresses the interrelation of all learning and subjects

6. Family & Community-centered School Environment; and

- Parental involvement is essential for the partnership between the home and school which fosters self-respect, respect for the ideas and the opinions of others, and appreciation for people's differences.

7. Ongoing Assessment & Evaluation

- Multiple strategies of assessment and evaluation are ongoing with a primary focus on Personal growth, student goal setting, growth and assessment.

Ms. Addison advised that there were impediments to the Alternative Program including a lack of effective communication/promotion of the Program and noted that families do not have adequate information to make an informed decision for their children. She advised that there are various Board and provincial impediments, such as rigid rules around timetabling, stifling innovative approaches, and limited team teaching. Ms. Addison added that families choose to enroll their children in the Alternative Program for many reasons; however, if the reasoning for attending the Alternative Program differs or contradicts the Alternative tenet model, there could be unintended consequences. Ms. Addison pointed out that the COVID-19 pandemic has significantly limited the implementation of the seven tenets that could have been offered.

Ms. Addison noted that through community consultation, it was suggested that the Board could provide further support to the program by providing learning and collaboration opportunities for educators across Alternative schools to share ideas. She also noted that staff could be hired and trained to directly support the alternative model. Ms. Addison added that the Alternative Program could be further promoted through improving information on the OCDSB website and improving staff understanding of the program for better communication to families.

ASAC achievements for the 2021-2022 school year include strong representation from all five of the alternative schools with purposeful recruitment and consistent communication, participation from families, educators, administrators, superintendents, and trustees. It was noted that ASAC meetings have been active and action-oriented, which addressed items such as ASAC terms of reference, promotion of the Alternative Program, and strengthening collaboration and communication across alternative school communities.

Future meetings of the ASAC anticipate finalizing the terms of reference to be brought to the Board, continuing work on promotion and communications of the Alternative Program, examining barriers that families may face in accessing the program, and to identify other topics of focus from the community consultation relating to the terms of reference.

In response to a query from Trustee Lyra Evans as to whether ASAC has considered changing the name of the Alternative Program to another name as there is confusion within the community between the Alternative and Alternate Program, Ms. Webb noted that rebranding under a new name is something that ASAC would consider and that this topic will be further discussed with ASAC members.

In response to a query from Trustee Fisher regarding the identified barriers of communication, Ms. Addison noted that the 29 November 2021 ASAC meeting focused on communications and staff have updated the main information on alternative schools on the OCDSB website. She noted that ASAC also worked with the kindergarten team to update and inform family enrolment decisions.

In response to a query from Trustee Campbell regarding the lack of policy to provide a framework for the ASAC, Ms. Addison noted that the terms of reference being developed would address the lack of policy to provide guidelines for the committee and that ASAC members are working with Superintendent Brady to bring this forward for the Board's consideration.

Chair Scott advised that ASAC and the Advisory Committee on the Arts fall under an existing policy relating to non-statutory advisory committees and that the Board will update this policy in the future.

5. Report from the Board (In Camera)

Vice-Chair Penny reported that the Board met in camera this evening and there were no recommendations.

6. Briefing from the Chair of the Board

Chair Scott reported that the District annually recognizes the contributions of community members, parents, and businesses through the OCDSB Community Recognition Awards. She noted that nominations can be submitted through the OCDSB website until 22 April 2022. She noted that additional information on award recipients and their accomplishments will be shared later in the year.

Chair Scott reported the passing of Mark Wylie. She noted that Mr. Wylie was a passionate and dedicated advocate for the Down's Syndrome Association and represented this organization on the District's Special Education Advisory Committee for more than ten years and noted that he will be missed.

Chair Scott reported that Ramadan, Passover, and Easter will occur in April and extend her best wishes to those who observe these religious events.

7. Briefing from the Director

Director Williams-Taylor reported that the OCDSB is pleased that the federal and provincial government reached an agreement on child care. She noted that staff are working with the Ministry of Education to understand the impact on District programs. She added that updates will be provided to the Board as more information becomes available.

Director Williams-Taylor reported that the OCDSB will be conducting a School Climate Survey for students in grades 4-12 in April 2022. She advised that this survey is conducted every two years and focuses on issues including engagement, the school environment, and safety and well-being. She noted that additional information on this voluntary survey has been shared with families.

Director Williams-Taylor reported that there are a number of virtual events for students and families in the upcoming weeks, including:

- Transition planning for families and caregivers of students with developmental disabilities;
- Career development workshops for students;
- Information on international opportunities with the OCDSB; and
- CRA-led sessions about taxes and financial planning.

More information including dates and how to participate can be found on the OCDSB website.

8. COVID-19 Update

Associate Director Reynolds reported that the OCDSB continues a gradual approach in lifting COVID-19 measures to align with provincial guidance. He noted that the OCDSB continues to encourage the following:

- The use of masks;
- The distribution of Rapid Antigen Test kits to students and staff;
- Continuing the enhanced cleaning measures in schools;
- Supporting the use of High Efficiency Particulate Air (HEPA) filters in schools;
- Reporting and monitoring daily student and staff absence rates; and
- Daily self-screening; and support of Ottawa Public Health's (OPH) vaccination clinics.

Associate Director Reynolds reported that some of the opportunities that are being reintroduced are extracurricular clubs and athletics for elementary students; limited day field trips; increased issuing of community use of school permits; and the planning of in-person commencement and school-leaving celebrations. Associate Director Reynolds noted that the OCDSB will continue to meet routinely with OPH and the three coterminous boards to monitor the COVID-19 situation.

Associate Director Reynolds noted that the District is no longer able to identify individual illnesses related to COVID-19 and this information is no longer shared by OPH. He noted that there have been some class closures, mostly at the elementary level, but that this is due to staff shortages and not necessarily due to COVID-19. He noted that there is an additional level of reporting when a school reaches a 30% total absence rate. Associate Director Reynolds advised that since March break of 2022, there has only been one school that reported this absence rate and the Infection Prevention and Control Team (IPAT) of OPH were notified. OPH is following the provincial health guidelines and should the Chief Medical Officer of Health or Ministry of Health identify that local school districts need to implement additional safety measures in an evolving situation, the District would comply. Associate Director Reynolds noted that there is currently no indication that these measures are of concern to health authorities.

Associate Director Reynolds noted that there are approximately two class closures per day in the District which is lower than prior to March break 2022. He noted that the District still faces operational challenges in finding replacement staff.

In response to a query from Trustee Boothby regarding tracking student absences and any increase of students accessing asynchronous learning at their school through their class Learning Management System (LMS), Associate Director Reynolds noted that he would provide a more detailed update at the 12 April 2022 Committee of the Whole (COW) meeting.

In response to concerns that the same schools, classes, and students are facing consistent class closures, Associate Director Reynolds noted that schools have allocated staff so that one particular class would not be repeatedly affected by class closures. The District has engaged in the hiring of “floater” educational assistants (EAs) and the District is taking steps to increase the number of educators that can be dispatched.

9. Matters for Action

9.1 Confirmation of Board Minutes:

9.1.a 22 February 2022

Moved by Trustee Jennekens, seconded by Trustee Penny,

THAT the 22 February 2022 Board minutes be confirmed.

Carried

9.1.b 14 March 2022

**Moved by Trustee Lyra Evans, seconded by Trustee Campbell,
THAT the 14 March 2022 Special Board minutes be confirmed.**

Carried

9.2 Business Arising from Board Minutes

There was no business arising from the 22 February 2022 Board minutes or the 14 March 2022 Special Board minutes.

9.3 Report 22-026, 2022-2023 Academic Staffing (J. McCoy)

Your committee had before it Report 22-026, seeking approval of the proposed academic staffing plan for the 2022-2023 school year, as set out in the attached Addendum.

Director Williams-Taylor introduced the report and noted that approval of the academic staffing report provides direction in allocating staff within the budget.

Moved by Trustee Blackburn

Seconded by Trustee Hough

THAT the Academic Staffing Plan for 2022-2023, as set out in the Addendum and Appendices A, B and C to Report 22-026, be approved, subject to adjustments related to fluctuations in projected and actual enrolment (Attached as Appendix A).

For (12): Trustee Scott, Trustee Penny, Trustee Bell, Trustee Blackburn, Trustee Boothby, Trustee Campbell, Trustee Ellis, Trustee Lyra Evans, Trustee Fisher, Trustee Hough, Trustee Jennekens, and Trustee Schwartz

Carried (12 to 0)

9.4 OPSBA Policy Resolutions

9.4.a Notice of Motion, Trustee Fisher

Moved by Trustee Fisher, seconded by Trustee Bell,

WHEREAS, the province's 72 District School Boards play a vital role in supporting a world-class public education system in Ontario;

WHEREAS, the duties and powers of District School Boards and their Boards of Trustees are critical for advancing student achievement and well-being, among other responsibilities;

WHEREAS, the move to centralized bargaining and the increasing centralization of public education in Ontario generally, as well as the pandemic, have raised questions about the authorities of District School Boards and Boards of Trustees;

THEREFORE BE IT RESOLVED,

THAT the Ottawa-Carleton District School Board of Trustees ask the Ontario Public School Board Association (OPSBA) to commission an authoritative, independent study to clarify the duties and powers of District School Boards and Boards of Trustees, particularly with respect to ensuring the health and well-being of employees and students.

In introducing the motion, Trustee Fisher noted that there has been confusion regarding the role and responsibilities of the Board from a compliance perspective. He expressed the importance of receiving clarity of the Board's role and contended that if the resulting report indicates that the power of trustees and the Board has changed then that information should be made public, following any appropriate or necessary changes within the Board.

Trustee Penny queried what the mover would expect to receive from an authoritative independent study of trustee authorities within a school board. He expressed concern that the Board may receive extensive regulations or other restricting direction and noted that the Ontario Public School Board's Association (OPSBA) compiled a comprehensive package outlining the duties and powers of a trustee which also relate to the Board. Trustee Penny suggested that if the recommendation is carried that the executive who makes the decision on what is presented to the directors at OPSBA would be asking these questions as well. He noted that trustee authorities are outlined within the *Education Act* and queried if the mover would prefer to receive a response regarding trustees' authority regarding the *Health Act*.

Trustee Boothby queried who would be inquiring about this as the recommendation would be an Ontario-wide initiative. She queried who would carry out the study and why a study rather than a legal review of trustee authorities relating to imposing certain health restrictions.

Trustee Lyra Evans expressed her concern with the recommendation as trustees could potentially receive negative or unfavorable responses. Trustee Lyra Evans noted that if there is a legal opinion that the Board could receive a narrow definition of trustee roles and responsibilities. She noted that she did not want to receive feedback pertaining to a lack of authority in implementing

vaccine or equity initiatives/policies due to a lack of educational focus.

An amendment moved by Trustee Campbell, seconded by Trustee Boothby,

THAT the word “particularly” be struck.

Trustee Campbell noted that the recommendation is too broad and that the amendment would narrow the scope of the recommendation.

Trustee Lyra Evans contended that if the recommendation is carried that it would be better to receive a full report on the total abilities of trustees.

Trustee Bell noted that if there is a full report that it could be lengthy and that narrowing the focus would highlight the trustees’ roles within the context of health and well-being of staff and students.

An amendment moved by Trustee Campbell, seconded by Trustee Boothby,

THAT the word “particularly” be struck.

Carried

Trustee Bell noted that it would be favourable for trustees in the province to have a common understanding of their duties and powers. She hoped that OPSBA would have a list of consultants that could undertake this review.

Trustee Fisher noted that the intent of the motion pertains to schools boards being corporations under the *Education Act*, and trustees having certain responsibilities, authorities, duties, and powers. He suggested that trustees have a fiduciary responsibility to the OCDSB, a duty of care to students and staff, and duty of loyalty to the corporation. He noted that there has been an increase in questions and confusion regarding the roles of school boards with the view of the Ministry of Education and Director of Education’s compared to the views of trustees regarding their authority to implement protective health and well-being measures for students and staff. He advised that OPSBA could lead the independent review to address and clarify any concerns and confusion in the Board’s role and powers so that trustees have a clear understanding of their responsibilities beyond the *Education Act*.

Moved by

Trustee Fisher

Seconded by Trustee Bell

THAT the Ottawa-Carleton District School Board of Trustees ask the Ontario Public School Board Association (OPSBA) to commission an authoritative, independent study to clarify the duties and powers of District School Boards and Boards of Trustees, with respect to ensuring the health and well-being of employees and students.

For (7): Trustee Scott, Trustee Bell, Trustee Campbell, Trustee Lyra Evans, Trustee Fisher, Trustee Jennekens, and Trustee Schwartz

Against (5): Trustee Penny, Trustee Blackburn, Trustee Boothby, Trustee Ellis, and Trustee Hough

Carried (7 to 5)

9.4.b Notice of Motion, Trustee Lyra Evans

Moved by Trustee Lyra Evans, seconded by Trustee Fisher,

WHEREAS the province has passed legislation requiring accessibility standards to be developed as well as objectives for each class of organizations, including school boards which would provide access to services, by 2025 under the Accessibility for Ontarians with Disabilities Act (AODA);

WHEREAS the province has not yet published a Regulation proving clear, comprehensive guidelines for school boards; and

WHEREAS school boards have limited build capacity year-over-year given the limited nature of time, funding and available contractors;

THEREFORE, BE IT RESOLVED:

THAT the OCDSB submit the following policy resolution to the Ontario Public School Boards' Association (OPSBA); and

THAT OPSBA request the provincial government to undertake the following commitments under the Accessibility for Ontarians with Disabilities Act (AODA):

- A. Publish, as soon as possible, clear final guidelines on the built environment for the K-12 sector;
- B. Provide capital funding to equal that required for school boards to meet these provincially-mandated requirements; and

- C. Work with school boards to ensure compliance with the legislation, and should meeting the deadline not be possible due to logistical constraints, provide explicit, short term, time limited, exemptions to the existing legislation for districts to meet these needs.

In introducing the motion, Trustee Lyra Evans noted that the intention is to ask the province to meet their obligations under the AODA. She noted that obligations will not be able to be met by 2025 and this was in part due to the lack of clear guidelines from the province. She added that staff previously noted that funding and capacity issues may not allow obligations to be met which may be a similar issue at other school districts. Trustee Lyra Evans noted that the motion would remind the province, through OPSBA, that there is an obligation and would ask to provide direction for school boards to meet these obligations.

Trustee Hough noted that AODA compliance is a significant issue and many buildings are not expected to meet requirements by 2025.

CFO Carson noted that the District is subject to the general provisions of the AODA that relate to the built environment which are embedded in the Ontario Building Code. He noted that the District meets these requirements when constructing a new building or when significant renovations of an existing building occur. He noted that specific standards for the education sector are missing; however, a draft was published in the summer of 2021 which examines the standards in accessibility to education services in general. He added staff anticipate specificity on standards for the built environment of schools and any determination for retroactivity for requirements but these are not yet published.

Trustee Penny expressed concern that language must be carefully chosen when presenting before OPSBA as directive language to members of OPSBA may unintentionally invoke a negative response.

Trustee Fisher noted the importance in seeking guidance on Ministry requirements. He noted that significant funding will be required to meet compliance and noted that this is a favourable motion to bring to OPSBA.

Trustee Lyra Evans noted that previous staff estimates suggested that it would require \$60-70 million to meet compliance within OCDSB schools.

Following a break at 9:00 p.m. the meeting was called to order at 9:05 p.m.

Moved by Trustee Lyra Evans

Seconded by Trustee Fisher

THAT the OCDSB submit the following policy resolution to the Ontario Public School Boards' Association (OPSBA); and

THAT OPSBA request the provincial government to undertake the following commitments under the Accessibility for Ontarians with Disabilities Act (AODA):

- A. Publish, as soon as possible, clear final guidelines on the built environment for the K-12 sector; and**
- B. Provide capital funding to equal that required for school boards to meet these provincially-mandated requirements; and**
- C. Work with school boards to ensure compliance with the legislation, and should meeting the deadline not be possible due to logistical constraints, provide explicit, short term, time limited, exemptions to the existing legislation for districts to meet these needs.**

For (12): Trustee Scott, Trustee Penny, Trustee Bell, Trustee Blackburn, Trustee Boothby, Trustee Campbell, Trustee Ellis, Trustee Lyra Evans, Trustee Fisher, Trustee Hough, Trustee Jennekens, and Trustee Schwartz

Carried (12 to 0)

9.5 8 March 2022

Moved by Trustee Penny, seconded by Trustee Blackburn,

THAT the Committee of the Whole report, dated 8 March 2022, be received.

Carried

9.5.a Approval of Exclusion Policy Consultation Plan

Moved by Trustee Blackburn

Seconded by Trustee Penny

THAT the Board approve the consultation plan for new Policy P.144.SCO, Student Exclusions, attached as Appendix A to Report 22-006, as amended (Attached as Appendix B).

For (11): Trustee Scott, Trustee Penny, Trustee Bell, Trustee Blackburn, Trustee Boothby, Trustee Ellis, Trustee Lyra Evans, Trustee Fisher, Trustee Hough, Trustee Jennekens, and Trustee Schwartz

Abstain (1): Trustee Campbell

Carried (11 to 0)

9.6 Receipt of Committee of the Whole Budget Report

9.6.a 1 March 2022

**Moved by Trustee Schwartz, seconded by Trustee Boothby,
THAT the Committee of the Whole Budget report, dated 1
March 2022, be received.**

Carried

9.7 Receipt of Committee of the Whole Reports

9.7.a 22 February 2022 (Continuation)

**Moved by Trustee Penny, seconded by Trustee Lyra Evans,
THAT the Committee of the Whole Continuation report, dated
22 February 2022, be received.**

Carried

9.7.b 1 March 2022 (Continuation)

Moved by Trustee Penny, seconded by Trustee Blackburn,

THAT the Committee of the Whole Continuation report, dated 1
March 2022, be received.

Trustee Campbell requested a revision to section 2.1 of the minutes
on page 5 to more accurately capture his amendment.

Moved by Trustee Penny, seconded by Trustee Blackburn,

**THAT the Committee of the Whole Continuation report, dated 1
March 2022, be received, as amended.**

Carried

9.7.c 8 March 2022 (Continuation)

Moved by Trustee Penny, seconded by Trustee Lyra Evans,

THAT the Committee of the Whole Continuation report, dated 8 March 2022, be received.

Trustee Lyra Evans noted that page 5 of the minutes should include her rationale regarding her request to separate the vote on section 5.15 of *Policy P.125.SCO, School District Code of Conduct*.

Moved by Trustee Penny, seconded by Trustee Lyra Evans,

THAT the Committee of the Whole Continuation report, dated 8 March 2022, be received, as amended.

Carried

9.7.c.a Approval of Safe Schools Policies

This was a non-consent item and when dealt with later in the meeting, the following discussion ensued.

Moved in substitution by Trustee Boothby, seconded by Trustee Penny,

A. THAT the following policies be approved:

- i. P.125.SCO School District Code of Conduct, attached as Appendix A to Report 22-017, as amended (Attached as Appendix A);
- ii. P.032.SCO Safe Schools (Managing Student Behaviour), attached as Appendix B to Report 22-017, as amended (Attached as Appendix B); and
- iii. P.145.SCO Safe Schools (Emergency Preparedness and Response), attached as Appendix C to Report 22-017, as amended (Attached as Appendix C).

B. THAT the following policies be rescinded:

- i. P 043 SCO - Police Involvement in Schools
- ii. P 033 SCO - Smoking and Vaping on Board Premises
- iii. P 104 SCO - Student Dress Code
- iv. P 034 SCO - Substance Abuse

- v. P 040 SCO - Withdrawal of Transport Privileges
- vi. P 011 SCO - Emergency School Evacuations/School Closings
- vii. P 092 SCO - Crisis Prevention Intervention and Response

An amendment moved by Trustee Lyra Evans, seconded by Trustee Campbell,

THAT in section A (i) of the motion, that the words "absent section 5.16" be inserted after the word "amended"

Trustee Lyra Evans noted that she supports the majority of the policy with the exception of section 5.16 of Policy *P.125.SCO School District Code of Conduct*.

Trustees speaking against the amendment expressed concern that voting on a motion line-by-line could set an unfavourable procedural precedent.

Trustee Penny assumed the chair.

Trustee Scott expressed concern regarding the validity of the amendment, noting her understanding within Kerr and King was that an item that has been settled cannot be brought back for further discussion and this amendment would be in a "grey area."

Trustee Scott resumed the chair.

Trustee Lyra Evans contended that the Committee of the Whole made a decision on this and not the Board.

An amendment moved by Trustee Lyra Evans, seconded by Trustee Campbell,

THAT in section A (I) of the motion that the words "absent section 5.16" be inserted after the words "Report 22-017,"

Defeated

An amendment moved by Trustee Lyra Evans, seconded by Trustee Ellis,

THAT a new section 4.12 be added to Policy *P.032.SCO Safe Schools (Managing Student Behaviour)* that reads as follows:

“Barring active emergencies, in all instances where police request to speak to a student on district property, the district shall:

- a. ensure the delay of such interactions until the arrival of a trusted adult of the student’s choice, who is available within a reasonable timeframe; and
- b. confirm, through the provision of an advocate, that the student’s legal rights and human rights are not violated, and that the student is safeguarded against any possibility of the abuse of power and authority during the interaction.

This advocate shall:

- a. be familiar with students’ legal and human rights;
- b. ensure that the student is informed of said rights; and
- c. be in the room with the student at all times when an officer is present, provided the student consents.

This advocate will not:

- a. be a staff member or anyone who was involved in the decision to escalate the matter to the police.”

Moved by Trustee Lyra Evans, seconded by Trustee Ellis,

THAT the Board adopt rules of committee.

Carried

Associate Director Reynolds recognized the concern of students being interviewed by police on school property and noted the importance of the student having a trusted adult present in such cases. He expressed concern with the amendment that the advocate is undefined and advised that there would be extra challenges in having an advocate that was also not an employee. He also queried how this amendment would be applied in the event that a

student wants to speak to police because they were the victim of a crime and other similar scenarios.

Trustees speaking against the amendment raised the following concerns:

- The advocate is not well defined in terms of credentials and work conditions;
- The advocate not being a staff member could present additional challenges if the advocate provided bad advice and it is unclear who would be responsible;
- The intent of the amendment could go beyond the scope or role of the Board and could have budget implications;
- Providing legal advice appears to go beyond the role of an advocate and could lead to numerous negative legal implications; and
- As the advocate would be a third party, there could be challenges of receiving services within a reasonable timeframe.

Trustee Campbell noted that the amendment would pertain to police requests, not student requests. He suggested that a legal firm could be on-call in the rare circumstance that these interviews occur. He added that the Board could encourage that police requests for interviews never occur on school property to provide reassurance to the community.

System Principal Anderson advised that the proposed amendment is too broad and cannot be operationalized. He noted that schools are required to contact police regarding mandatory notifications and to speak to the students who are the victims under these circumstances. He expressed the view that the amendment could create barriers for the police and that an advocate would need to be prepared at a moment's notice.

Superintendent Farrish noted that staff follow the provincial template that requires consent from the family before any conversation happens between students and police within schools and that the student has the option to have a trusted adult present. Staff work to coordinate and encourage these meetings to occur away from school property to

reduce police presence at schools. In the event that a family member or trusted adult is not available then the principal would attend the meeting to witness. She added that the provincial template does not include provisions or language requiring an advocate or familiarity of student's rights that could be impacted by "any possibility of the abuse of power and authority during the interaction", as outlined in the amendment. She added that the Ontario College of Teachers direction of ethical standards of care and the duty of care of the *Education Act* help maintain safeguards for students.

Superintendent Farrish noted that staff work with police to minimize police presence in schools; however, many mandatory calls to police are to facilitate support to students. She added that the provincial template does not require that a police response must happen on school property, although it is often in the student's best interest to have a timely response as the safety of a student must be addressed.

Trustee Boothby expressed concern that an advocate would replace the voice of a student's family and that an advocate and family may have different views.

Trustee Lyra Evans suggested that the advocate could work for the District centrally and that a reasonable response time frame could be detailed in the procedure. She noted that an advocate is not a lawyer and having them prepared to visit OCDSB schools around the City of Ottawa would be expected. She added that families need to be the central voice and that an advocate would not replace but rather supplement this.

Trustee Campbell requested that the amendment be voted on separately as part a. and part b.

An amendment moved by Trustee Lyra Evans, seconded by Trustee Ellis,

THAT a new section 4.12 be added to Policy P.032.SCO Safe Schools (Managing Student Behaviour) that reads as follows:

“Barring active emergencies, in all instances where police request to speak to a student on district property, the district shall:

- a. *ensure the delay of such interactions until the arrival of a trusted adult of the student’s choice, who is available within a reasonable timeframe.*

Carried

An amendment moved by Trustee Lyra Evans, seconded by Trustee Ellis,

b. confirm, through the provision of an advocate, that the student’s legal rights and human rights are not violated, and that the student is safeguarded against any possibility of the abuse of power and authority during the interaction.

This advocate shall:

- a. be familiar with students’ legal and human rights;
- b. ensure that the student is informed of said rights; and
- c. be in the room with the student at all times when an officer is present, provided the student consents.

This advocate will not:

- a. be a staff member or anyone who was involved in the decision to escalate the matter to the police.”

Defeated

The 10:30 p.m. vote received the required 2/3 majority to continue

An amendment moved by Trustee Schwartz,

THAT section 9.3 of Policy *P.125.SCO, School District Code of Conduct* be worded as follows:

“All allegations of Bullying, Harassment, Sexual or Gender-based Harassment, and Hate-related behaviour must be acknowledged upon receipt, be taken seriously and dealt with in a timely, sensitive, and supportive manner as set out in procedure.”

Trustee Schwartz noted that she spoke with staff regarding timeframes and the challenges to implement the previous wording of section 9.3 of Policy *P.125.SCO*. She noted that it is the regular practice of Human Resources staff to inform those involved in an allegation as part of their due diligence. She added that it would be important to have this in procedure and not the policy.

In response to a query from Trustee Lyra Evans regarding the previously worded section 9.3 of Policy *P.125.SCO*, where the 20 day timeline could not be implemented, Superintendent Farrish noted that the timeline of 20 days falls within several procedures and may not be achievable in all scenarios, and could be further impacted due to other circumstances such as staff changes and other factors.

A sub-amendment moved by Trustee Lyra Evans,
THAT "as set out in procedure" be struck.

Trustee Lyra Evans noted that she does not like referencing procedures that could be subject to change.

A sub-amendment moved by Trustee Lyra Evans,
THAT "as set out in procedure" be struck.

Defeated

Trustee Lyra Evans suggested that it is important to have a specific number in the policy to provide clear language for the community and requested that section 9.3 of *Policy P.125.SCO* be separated from the vote.

Chair Scott ruled that a specific section of a policy is not separable for the vote.

In response to a query from Trustee Campbell regarding how this would be reflected in the procedure, Superintendent McCoy noted that the procedure would be more detailed in setting out the process for victims and complainants. She advised that procedures often include timelines that are prescriptive or aspirational in the event that a timeline cannot be met. She noted that given the complexity of

concerns on the matter, it would be unusual to resolve this within 20 days.

Superintendent McCoy noted that specific steps and staff commitments in the process of notifying complainants could bring reassurance to the community, although she highlighted that moving complaints forward can be beyond staff control due to extenuating circumstances.

The 11:00 p.m. vote did not receive the unanimous consent to continue

10. Adjournment

The meeting adjourned at 11:02 p.m.

At the time of adjournment, Approval of Safe Schools Policies was under discussion. All matters for discussion, the Board work plan, matters for information, and new business were not dealt with.

Lynn Scott, Chair of the Board