**Building Brighter Futures Together at the
Ottawa-Carleton District School Board**

COMMITTEE OF THE WHOLE   **4 April 2023**

Report No. 23-025

MODERNIZING THE POLICY REVIEW PROCESS AT THE OCDSB

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PURPOSE:

1.   To provide, for approval, an approach to facilitate the modernization of the Board's policy review process.

STRATEGIC LINKS:

2.   Modernizing and improving administrative processes is a priority highlighted in the 2019-2023 Strategic Plan. A well defined policy review process will help to ensure policy development is effective and begin to address the backlog of policies in a planned and coordinated manner. A revised and thoughtful approach to policy review better aligns with the Indigenous, Equity, and Human Rights Roadmap - 2020-2023 and seeks to improve and enhance policies at a pace that allows for both an inclusive as well as a democratic approach to the work.

CONTEXT:

3.   The responsibility and authority for approving new policies and revisions to existing policies resides with and is an important function of the Board of Trustees. Staff, through the Director, are responsible for the implementation of policies, including, where applicable, through the development of procedures, practices, guidelines, etc., and remain accountable to the Board for their implementation.

Over the last two years, the Board of Trustees addressed a couple of significant policy areas, both through the creation of new policies as well as through minor and substantial revisions to existing policies. Those experiences revealed a need for the Board to reconsider current practices and look for alternate approaches to policy development.

The [Board/Senior Staff retreat in April 2022](#) was dedicated to a discussion on policy development, including the backlog of policy reviews. The discussion generated some interesting ideas on best practices and an approach for further contemplation as shared in the Aide Memoire (Appendix A). In [May 2022](#), the Board approved revisions to Policy P.001.GOV Policy Development and Management, establishing a tiered approach to policy development. One major change was the delegation of authority to the Director of Education for minor policy revisions (Tier 1) that do not alter any substantive provision, term, intent, or right contained within a policy. Staff were directed to apply the policy changes to tier 1 policies, while also continuing to refine the policy review and development process and its timelines. This report is designed to provide trustees with an update on the policy work completed to date and to present, for approval, one of the possible models.

KEY CONSIDERATIONS:

4. Understanding the Tiered Approach to Policy Review
    To aid in the evaluation of the proposed policy review structures an understanding of the tiered approach, and specifically what each tier means or involves is important.

    Tier 1 Policy Review means: minor revisions that correct inconsistencies; modernize language; harmonize definitions; establish consistency in reference to spelling, capitalization, and punctuation; ensure alignment with, and references to language in statutes, regulations, policy memorandums, or other regulatory directives; and/or insert, add, or delete reference documents.

    Tier 2 Policy Review means: nonsubstantive updates to current policies and new policies required by Board motion, legislation or a Ministry Policy and Program Memoranda (PPM) that do not significantly alter policy direction and therefore do not require wide public consultations.

    Tier 3 Policy Review means developing new policies required by Board motion, legislation, or the Ministry Policy and Program Memoranda (PPM), or revisions to existing policies that lead to substantive change in the direction and require extensive public consultations with stakeholders.

5. Policy Work in 2022-2023
    Following the adoption of Policy P.001.GOV Policy Development and Management, the tiered approach to policy review has facilitated considerable progress. Highlights include:
    ● Updating eleven policies through the tier 1 review process, as evidenced in Memo 22-097 and Memo 23-005;
    ● Undertaking tier 2 policy review processes through the consultations on the Field Trips, Special Education Advisory Committee, and the Trustee Code of Conduct policies (with other policies also under revision, such as Extended Day and Child Care, and School Naming);

- Preparing and applying an [Equity Assessment Tool](#) to aid staff in drafting or revising a policy; and
- Creating a generic policy analyst email account (policyanalysts@ocdsb.ca) to collect community input and feedback; and
- Improving communication channels for input using the website, parent, student and staff update direct mail, District News stories, and social media.

6. <u>Options for a Policy Review Structure</u>

In [Report 22-059](#) Policy Review Update, the merits of three proposed options were presented for discussion. At the time, trustees did not reach a general consensus on a path forward. After further consideration, staff are proposing to remove from consideration the working group model that was included. While this model provided some benefits relative to the current process, concerns were raised that it lacked structure and formality and would not represent a sufficient enough change from the current process.

Below, staff explore two options that better align with current practice to ensure efficiency.

	OPTION 1 Ad Hoc Policy Review Committee	OPTION 2 Committee of the Whole (Policy)
Format	An Ad Hoc Committee (as provided in section 9.6 of the OCDSB By-Laws and Standing Rules) of appointed trustees	A regular, permanent Standing Committee (a second Committee of the Whole per month, as provided in section 9.1 of the OCDSB By-Laws and Standing Rules) of all trustees with a focus on policy review and development
Mandate	- define and create the terms of reference for a Standing Committee on Policy and Governance - review and provide input on the annual policy work plan - provide input on new and revised policies - make recommendations to Committee of the Whole with respect to the approval or revocation of new or revised policies	- provide input on new and revised policies, - make recommendations to Board with respect to the approval or revocation of new or revised policies
Membership	- Board determines the composition and manner of selecting members, as provided in section 9.1 of the Board's By-Laws and Standing Rules (i.e., 5-7 trustee members) - Trustee members appointed annually at Board organizational meeting - Trustees who have not had an	- All trustees - non-voting representatives as provided in policy P.010.GOV Community Involvement on Board Standing Committees

	opportunity to serve on the committee during the current term of the Board will be given first consideration at the next organizational meeting ● Chair of the Board is ex-officio member	
Quorum	A majority of voting members present (see section 12.2 of OCDSB By-Laws and Standing Rules)	A majority of voting members present (see section 12.2 of OCDSB By-Laws and Standing Rules)
Meeting Frequency	At the call of the Chair. It is anticipated that the committee will meet at least once a month during the 2023-2024 school year.	Monthly
Staff Support	● Director or delegate (ex-officio) ● Executive Officer, Corporate Services ● Subject Expert(s) ● Board Services	● Director of Education ● All Senior Staff ● Subject Expert(s) ● Manager and staff of Board Services ● Communications Staff (Audio-Visual support)
Reporting	Report and recommend to the Committee of the Whole following each meeting on the activities undertaken at the meeting.	Report and recommend to the Board following each meeting on the activities undertaken at the meeting.
Resourcing	Moderate time and staff support required.	Significant time and staff support required.
Pros	● May be able to address more issues per meeting than at Committee of the Whole (Policy). ● More policy-focused members could yield 'deeper' conversations; more actionable results. ● More individual accountability for the committee's work. ● More scheduling flexibility. ● Increased chance of reaching consensus on issues. ● Better climate for expressing dissenting ideas, respectfully challenging others. ● More time efficient (less procedural), easier for staff to manage. ● Less workload for staff re: minutes; tech support. ● Provides a full-school year cycle to review and work on policies, and	● Non-voting committee members would provide more diversity of input. ● Lends itself to higher-level discussions with respect to direction, aspiration, and a focus on principles. ● All trustees are members and able to contribute equally.

	analyze the review/development process to assess effectiveness.	
Cons	● Less diverse viewpoints than full COW ● More work for individual members (burnout is a concern if a Trustee is on too many committees) ● Requires more engagement from individuals - one or two uncommitted members can undermine the committee's effectiveness ● Membership of the committee becomes political; i.e., a 'clique' may stack the committee	● Less scheduling flexibility ● May not be enough work ready for public debate to warrant a monthly meeting dedicated solely to policy review ● Members with less of an interest in the policy process may not attend which could result in a lack of quorum (see note below) ● Additional COW meetings could impact effectiveness and lead to burnout ● Larger groups are more susceptible to being dominated by one or two strong members ● Larger groups require stricter rules of order which could reducing the fluidity of debate, participation, and group problem-solving ● Live streamed public meetings require additional staff management and production ● More work for staff to manage

It has been suggested that the quorum for a Committee of the Whole (Policy) could be significantly reduced to permit a meeting to proceed if fewer than seven (7) trustee members are present. This change would require an amendment to section 9.3 (e) of the Board's By-Laws and Standing Rules which require a quorum to be a majority of voting members for standing committees.

7. Policy Review Process Flow
Staff have prepared flow charts (Appendices B, C) which help to illustrate and define the tier 2 and a tier 3 review process. Both the tier 2 and tier 3 review processes have common project phases: drafting, consultations, approvals and implementation. A tier 3 review also features a rationale as well as a final revision phase.

In a tier 3 review, a report outlining the rationale for the policy development or review would be shared with the Ad Hoc Committee prior to the development of the draft policy. At this early rationale phase, the Ad Hoc Committee may also consider and make recommendations on the scope and duration of the required consultation through the use of the Equity Assessment Tool. From the input received from the Ad Hoc Committee, a draft policy will be prepared by the Policy Analyst and circulated internally for review by the General Counsel and the Human Rights and Equity Advisor. The draft will be further developed and presented to the Ad Hoc Committee for consideration prior to release to the public and the consultation phase.

Tier 2 or tier 3 policy review consultations will always include public postings and opportunities to solicit and receive public input. A tier 3 review may also feature a fulsome review by Advisory Committees, focus groups, and surveys. Using the input received from the consultation phase the final draft will be shared with the Director's Executive Council and the Ad Hoc Committee for discussion and review. The Ad Hoc Committee will make a recommendation which will be tabled at the Committee of the Whole through the report from the committee.

If at any time it is determined that a policy requires further review or consultation, the flow would resume at the appropriate point.

8. <u>Planning for 2023-2024</u>
   Section 3.6 of Policy P.001.GOV notes that staff will provide the Board a list of the policies that will be reviewed in the coming year. In April, with the support of the policy analysts, every supervisory officer will review the list of policies in their area of responsibility, classify the proposed work based on the tiered policy review model, and compile a short list for submission to the Director's Executive Council (DEC) in May.

   DEC will review the lists to prioritize the policy work for the 2023-2024 school year taking into account known legislation, PPM, or Board motion requirements, significant changes in practice, the strategic plan, annual goals and the date of the last review. The Director of Education will present to the Board, for information, a list of policies recommended for revision or development during the school year, accompanied by a brief rationale. This will enable trustees and staff to better structure the work for the coming year and ensure alignment with the strategic plan.

   Unanticipated factors, such as operational and legislative changes may inevitably add to the schedule, but having a clear and focused plan should allow for an average of 15 policies to be updated under tier 1, up to five policies under tier 2, and two policies to be updated under the tier 3 process. In the latter case, each policy analyst would support a supervisory officer throughout the process through to approval. This process, if successful, would allow the Board to review upwards of 25 policies a year, which is a significant increase and gets the Board closer to a review of all of its policies in a term.

9. <u>Ad Hoc Policy Review Committee</u>
   As outlined in the chart above, the creation of an Ad Hoc Policy Review Committee structure will help the Board advance its policy review initiatives and work towards the adoption of a longer term policy and governance standing committee model with greater efficiency. Should the Board elect to proceed with the Ad Hoc Committee structure it is anticipated that they will work through a one year cycle and stand down after the completion of their mandate.

   During the 2023-2024 school year, the Ad Hoc Committee will:

- Evaluate and monitor the effectiveness of the proposed policy review model based on the following key performance indicators as the committee works through a one year cycle:
  - number of policies reviewed
  - number of new policies developed
  - number of groups consulted
  - number of emails received per policy
  - number of surveys (if used) completed
  - length of the approval process
  - number of amendments in COW or Board
  - duration of the process through to Board approval
- Draft the terms of reference for the permanent standing committee on policy and governance;
- Identify and bring forward changes required to the OCDSB By-laws and Standing Rules to accommodate the standing committee; and
- Review and make suggestions on the policy review work plan for 2023-2024.

RESOURCE IMPLICATIONS:

10.   The ongoing staffing and adequate resourcing of a policy committee should be a consideration when determining which approach the Board would like to take. Currently, there are two permanent committee coordinators to support the Board and its existing committees. Similarly, there are two permanent policy analysts to support the policy owners and the review process. The demands on Board meeting time and staff time are currently not sustainable and may create additional risk to the organization.

COMMUNICATION/CONSULTATION ISSUES:

11.   The tools used to consult with the community have evolved over the past two years and have recently yielded success in the most recent tier 2 reviews. The policy analysts have a dedicated email address policyanalysts@ocdsb.ca which has been used to gather input related to policy reviews and can be used to provide feedback on any Board policy at any time. The Communications team has also increased the promotion of policy reviews and highlighted opportunities for engagement on the District website, through focused news items, social media, the school council newsletter and the weekly parent, student and staff updates. Staff have also recently completed a request for proposal (RFP) process for an additional online consultation software tool to facilitate broader community engagement and conversations with parents/guardians, employees, students and community members.

The nature of the consultation will vary, depending on the subject matter and scope of the policy (tier 2, 3). The best practice for community consultation is to give the highest level of consideration to the people most impacted. In these cases, the group most impacted would be closely consulted. This can mean

engagement with either formal groups (like advisory committees, school councils or community groups) or informal groups. Robust community-wide consultation phases are a feature of the renewed policy review program.

RECOMMENDATIONS:

A. THAT the Board establish an Ad Hoc Policy Review Committee as set out in Appendix D to Report 23-025;

B. THAT the Ad Hoc Policy Review Committee continue to meet until October 2024 or until the completion of the mandate.

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Janice McCoy   Michele Giroux
Executive Officer   Director of Education and
                                         Secretary of the Board

APPENDICES

Appendix A: Trustee and Senior Staff Retreat: Aide Memoire 2022
Appendix B: Tier 2 Policy Review Flow Chart
Appendix C: Tier 3 Policy Review Flow Chart
Appendix D: Ad Hoc Policy Review Committee Terms of Reference