



AD HOC POLICY REVIEW COMMITTEE

April 4, 2024, 5:30 pm
Zoom Meeting

Members: Donna Blackburn, Lyra Evans, Nili Kaplan-Myrth, Cathryne Milburn, Lynn Scott

Non Voting Members: Monique Manatch (Indigenous Education Council), Ryan Doucette (Advisory Committee on Equity), Calla Barnett (Parent Involvement Committee), Anthony Wong (OCASC)

Staff and Guests Jennifer Jennekens, Amanda Presley, Michèle Giroux (Executive Officer of Corporate Services), Reg Lavergne (Superintendent of Instruction), Richard Sinclair (General Counsel), Desirrea Meney (Policy Analyst), Engy Abdel Masieh (Policy Analyst), Nicole Guthrie (General Manager, Board Services), Darren Gatley (Senior Board Coordinator)

1. Call to Order

Chair Milburn called the meeting to order at 5:30 p.m.

2. Acknowledgement of Territorial Lands

Chair Milburn acknowledged that the meeting is taking place on unceded Algonquin Homelands and thanked the Algonquin Nations for their stewardship of these lands since time immemorial.

3. Declarations of Interest

No declarations of interest were filed.

4. Approval of the Agenda

**Moved by Trustee Blackburn,
THAT the agenda be approved.**

Carried

5. Matters for Action:

5.1 Report 24-013 Approval of New Policy P.143.GOV Risk Management (R. Sinclair)

Your Committee had before it Report 24-013, seeking approval for the proposed Policy P.143.GOV Risk Management.

Moved by Trustee Blackburn,

THAT the proposed Policy P.143.GOV Risk Management, attached as Appendix A to Report 24-013, be approved.

During the discussion and in response to queries, the following information was noted:

- Staff noted that the elementary program review should be reflected in the risk register as well as the opportunities that arise from this review. Staff added that the goal will be for staff and trustees to work through the risk and opportunities and how they relate to the strategic plan to inform and balance decision making;
- Staff acknowledged the risk of artificial intelligence (AI) and the harm that algorithms based on certain definitions can have on the Indigenous community. Staff advised against including a new section titled “Technology Risk” in section 4.3 of the policy as considerations with respect to AI and other software will be factored into the risk assessment when purchasing or using these technologies; and
- The risk register is a confidential document and would only be reviewed in camera. Staff noted the Audit Committee will be able to access the document and that staff would consider how the document is shared in the future.

An amendment moved by Trustee Lyra Evans,

THAT a new section 3.6 be added that reads as follows:

Where a conflict arises between section 3.5 regarding student safety and section 3.4 innovative teaching, learning, or education, and it is not overtly clear which should take precedence, it shall be decided in favour of 3.4.

In introducing the amendment, Trustee Lyra Evans noted that in recognizing the responsibility of student safety and education, where there is subjectivity in the decision-making, the amendment would serve to provide precedence to education.

General Counsel Sinclair noted that the amendment restates the statement of risk and the willingness to accept risk. He noted that the District is legislated and morally obligated to have student safety in mind; however, staff do consider the risk and opportunity factors and how it relates to the curriculum when making these decisions. He added that risk is also considered by level and if it can be controlled through supervision or other operational factors and the District will err on the side of student safety if the risk is significant. General Counsel Sinclair noted that there are high profile examples where students engaged in activities where

student safety was not the priority which led to tragic consequences and that the proposed amendment could put the District into a difficult position.

Trustees speaking against the amendment noted that the policy should avoid creating a hierarchy of risks that create complex challenges for staff. It was also noted that additional details will be provided in the procedure.

Trustee Kaplan-Myrth assumed the chair.

General Counsel Sinclair noted that there are alternative ways to state risk appetite other than the proposed amendment and that he is not aware of other policies where one risk is prioritized over another.

Trustee Milburn resumed the chair.

An amendment moved by Trustee Lyra Evans,

THAT a new section 3.6 be added that reads as follows:

Where a conflict arises between section 3.5 regarding student safety and section 3.4 innovative teaching, learning, or education, and it is not overtly clear which should take precedence, it shall be decided in favour of 3.4.

Defeated

Moved by Trustee Blackburn,

THAT the proposed Policy P.143.GOV Risk Management, attached as Appendix A to Report 24-013, be approved (Attached as Appendix A).

Carried

5.2 Report 24-050 Approval of New Policy P.149.GOV Pregnancy and Parental Leave (M. Giroux)

Your Committee had before it Report 24-050, seeking approval for new Policy P.149.GOV Pregnancy and Parental Leave (Board Trustees).

Moved by Trustee Blackburn,

THAT the new Policy P.149.GOV Trustee Leaves of Absence, attached as Appendix A to Report 24-050, be approved.

Staff noted that trustees would be provided with language and support on notifying the public with regards to pregnancy and parental leave.

Executive Officer Giroux noted that the proposed changes to Ontario Regulation 463/97 Electronic Meetings and Meeting Attendance, may add more specificity on trustee absence from meetings. She noted that this regulation change could come into effect as early as the fall of 2024. Executive Officer Giroux noted that staff anticipate that the Ministry will receive significant feedback on the matter and that other types of leave should not be considered until more information is known.

An amendment moved by Trustee Scott,

THAT the word “Member” replace “Trustees” throughout the entirety of the policy.

Staff clarified that in policies, “trustees” are understood to include student trustees in which the policy would also apply.

In introducing her amendment, Trustee Scott noted that the term “board members” are what is used in legislation and that student trustees would also need to be referenced to clarify the distinction between trustees and student trustees.

Executive Officer Giroux clarified that these changes would be reflected in the title and within the policy.

Moved by Trustee Presley,

THAT debate be closed.

Carried

An amendment moved by Trustee Scott,

THAT the word “Member” replace “Trustees” throughout the entirety of the policy.

Carried

An amendment moved by Trustee Scott,

THAT the addition of a reference to the inclusion of student trustees be included in the policy.

Carried, friendly

Moved by Trustee Blackburn,

THAT the new Policy P.149.GOV Pregnancy and Parental Leave (Board Members), attached as Appendix A to Report 24-050, be approved, as amended (Attached as Appendix B).

Carried

5.3 Report 24-046, Approval of Revisions to Policy P.024.HR, Employee Conflict of Interest (P. Hall)

Your Committee had before it Report 24-046, seeking approval for the proposed revisions to Policy P.024.HR Employee Conflict of Interest.

Moved by Trustee Lyra Evans,

THAT the proposed revisions to Policy P.024.HR Employee Conflict of Interest, attached as Appendix A to Report 24-046 be approved (Attached as Appendix C).

Carried

5.4 Report 24-051 Approval of Changes to the Student Transfer Appeal Process (B. Reynolds)

Your Committee had before it Report 24-051, seeking approval of the proposed changes to the student transfer appeal process as prescribed by Policy P.077.PLG Designated Schools/Student Transfers and to rescind Policy P.126.SCO Appeals Hearing Panel (Student Transfers).

Moved by Trustee Kaplan-Myrth,

- A. THAT Policy P.126.SCO Appeal Hearing Panel (Student Transfers), attached as Appendix A to Report 24-051, be rescinded; and
- B. THAT the revisions to Policy P.077.PLG Designated Schools/Student Transfers, attached as Appendix B to Report 24-051, be approved.

An amendment moved by Trustee Lyra Evans,

THAT former section 4.6 be reinstated to read as follows:

Any late transfer requests received after the regular student transfer application period which continue to meet the criteria [as outlined in the Student Transfer section of the policy], may be reviewed by the receiving principal, in consultation with the sending principal(s), in June and/or in September, to determine whether any additional transfer approvals are possible within the approved staffing arrangements at receiving and sending schools, and fall within the receiving school's transfer cap. Any additional transfer approvals shall be subject to there being no changes to the approved staffing allocations at receiving or sending schools or to the approved accommodation arrangements at receiving schools.

In introducing the amendment, Trustee Lyra Evans noted that the reintroduction of this text would clarify to families that late applications could also have the option to appeal.

Staff noted that language was removed from the policy and is provided in the procedure. Staff suggested that the language "as outlined in the policy" be added to the amendment.

A sub-amendment moved by Trustee Scott,

THAT the language after "reviewed" be struck and replaced with "in accordance with the related procedures".

Carried, friendly

A sub-amendment moved by Trustee Lyra Evans,

THAT the language “[as outlined in the Student Transfer section of the policy]” be struck.

Carried, friendly

An amendment moved by Trustee Lyra Evans,

THAT former section 4.6 be reinstated to read as follows:

Any late transfer requests received after the regular student transfer application period which continue to meet the criteria may be reviewed in accordance with the related procedures.

Carried

Staff noted that students who face exceptional personal circumstances that affect their learning and who request a cross boundary transfer (CBT) will be supported. Staff added that these circumstances are factored into the decisions made on CBT's, and recognized the well-being of students as part of the decision making process which is further outlined in the procedure.

An amendment moved by Trustee Scott,

THAT the language "or their ability to access the designated school" be added at the end of the Exceptional Personal Circumstances definition.

In introducing the amendment, Trustee Scott noted that exceptional personal circumstances can impact students outside of academic performance and that the language is broad enough to address other personal circumstances.

Those speaking against the amendment noted that definitions should not be added or expanded as there are some situations or community groups that may not be addressed and that it may be more effective to have a broader definition.

Staff expressed concern in providing too many details in the definition of personal exceptional circumstances and would prefer to remove the definition rather than expand it. Staff clarified that if the definition was removed, families would still have the ability to appeal based on personal exceptional circumstances.

An amendment moved by Trustee Scott,

THAT the language "or their ability to access the designated school" be added at the end of the Exceptional Personal Circumstances definition.

Defeated

An amendment moved by Trustee Scott,

THAT the language after “control” be struck in the Exceptional Personal Circumstances definition.

Carried, friendly

Trustee Lyra Evans assumed the chair.

In response to a query, Executive Officer Giroux noted that staff understand that advocates and interpretation services can still be utilized by families and that these changes to the policy would not affect these supports. Staff will monitor if there are any impacts and report back to the Committee if needed.

Trustee Milburn resumed the chair.

Moved by Trustee Kaplan-Myrth,

- A. **THAT Policy P.126.SCO Appeal Hearing Panel (Student Transfers), attached as Appendix A to Report 24-051, be rescinded (Attached as Appendix D); and**
- B. **THAT the revisions to Policy P.077.PLG Designated Schools/Student Transfers, attached as Appendix B to Report 24-051, be approved, as amended (Attached as Appendix E).**

Carried

6. Matters for Discussion:

6.1 Report 24-049, Tier 1 Revisions to Policy P.112.CUR, Prior Learning Assessment and Recognition for Mature Students (R. Lavergne)

Your Committee had before it Report 24-049, seeking input on the proposed revisions to Policy P.112.CUR Prior Learning Assessment and Recognition for Mature Students.

In response to a query from Trustee Scott regarding the removal of the General Educational Development (GED) examination and how this intersects with Alberta’s development of the Canadian Adult Education Credential as a replacement for the GED, staff noted that more research would need to occur before staff could comment. Staff added that the opportunity provided by the Ministry to focus on lived experiences and not traditional examination, allows for more diverse learning.

In response to a query, staff noted that the District is flexible in reporting attempted challenges for credit for grade 11 and 12 courses as the District reports to the Ministry several times in a school year, and added that this would not impact credit accumulation or graduation.

6.2 Report 24-047, Tier 2 Revisions to Policy P.102.CUR, Cooperative Education and Experiential Learning (R. Lavergne)

Your Committee had before it Report 24-047, seeking input on the proposed revisions to Policy P.102.CUR Cooperative Education and Experiential Learning.

During the discussion and in response to queries, the following information was noted:

- Land based learning would be part of experiential learning and that the land based learning program in Gloucester High School falls into this category. Staff added that they are working with the Indigenous education team to further understand how land based learning can be applied to experiential learning opportunities;
- Staff noted that they can work with the Indigenous Education Council (IEC) to help determine how the Indigenous community can be involved with land based learning;
- The Board's commitment to equity and inclusivity is encompassed in the policy through a new statement outlined in section 3.4; and
- The District would cover required costs for students to participate in a cooperative education program, such as purchasing personal protective equipment (PPE), to ensure that the learning experience can be provided and that there is no barrier to participation.

6.3 Report 24-045 Revisions to Policy P.005.GOV Board Member and Student Trustee Expenses and Support Services (R. Gerrior)

Your Committee had before it Report 24-045, seeking input on the proposed revisions to Policy P.005.GOV - Board Member and Student Trustee Expenses and Support Services.

During the discussion and in response to queries, the following information was noted:

Trustee Blackburn assumed the chair.

- Staff indicated they would explore the potential to include parameters for ineligible expenses in the policy and/or the procedure;

Trustee Milburn resumed the chair.

- Trustee Scott expressed concern that there is a lack of clarity in the policy that is provided for in other school boards policies and that the policy makes it difficult to determine what expenses are covered, such as attending professional development (PD) conferences. She added that currently, the only mechanism for trustees to dispute the eligibility of an expense is through the Audit Committee and expressed concern that politics may influence the

certification of expense claims. She suggested that the chief financial officer (CFO) should make the final decision;

- Staff agreed that the CFO could make the final decision on expense claims but cautioned that the language in the policy must be carefully considered to avoid situations where staff become involved in an oversight role between trustees. Staff will consider rephrasing this section;
- Staff recommend removing the option for the carry forward of unspent amounts;
- Unspent amounts from trustee allocations would typically be reallocated to the surplus funds within the District;
- Currently, trustee's who elect to carry forward unspent amounts typically use the funding for professional development opportunities;
- The staff policy for vehicle kilometerage allowances would also apply to trustees. Staff added that language in the trustees expense policy and other related policies and procedures may need to be reviewed to accommodate electric vehicles; and
- All student trustees, including the Indigenous student trustee have a budget allowance of \$8,500 each year.

7. New Business -- Information and Inquiries

In response to a query from Trustee Kaplan-Myrth regarding the development of a policy to address medical, mental health, and disability leave for trustees, Executive Officer Giroux noted that this could be included in the 2024-2025 school year policy/procedure work plan.

In response to a query from Monique Manatch on whether the Indigenous student trustee position could be a two year term, staff noted that a key factor in this would be the current grade of the student trustee and if they would be available for a two year term.

8. Adjournment

The meeting adjourned at 7:45 p.m.

Cathryne Milburn, Chair, Ad Hoc Policy Review Committee