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

COMMITTEE OF THE WHOLE **27 October 2020**
REPORT NO. 20-090

CONSULTATION PLAN TO REVIEW POLICE INVOLVEMENT IN OCDSB SCHOOLS

Key Contact: Mary Jane Farrish, Superintendent of Instruction, ext. 8821

PURPOSE:

1. To seek approval of the proposed consultation plan to review the Policy P.043.SCO Police Involvement in Schools, that includes an overall review of the OCDSB practices, outcomes and impacts when involving police in schools.

STRATEGIC LINKS:

2. This review is aligned with the OCDSB Multi-year Strategic Plan 2019-2023 and supports the following goals of the cultures of Caring and Social Responsibility:
   a. Remove barriers to equity of access, opportunity and outcomes;
   b. Prioritize the dignity and well-being of students in inclusive and caring classrooms; and
   c. Build authentic engagement with and among our communities.

   The review is also aligned with the OCDSB's multi-year Indigenous, Equity and Human Rights Roadmap which calls for centering principles of human rights and equity in policies, practices and decision-making and identifying and removing disparity in outcomes. Staff will apply a human rights and equity lens to the review process.

   A strategic link to the OCDSB Mental Health Strategy 2019-2022 exists in the approach to supporting mental health in a shared model of collaboration with community and home to reduce barriers to accessing culturally responsive services.

CONTEXT:

3. The OCDSB has a policy regarding police involvement in schools. The policy is linked to the Protocol to Accompany Safe Schools Policies in the City of Ottawa, which is a protocol developed by all four local school districts and the Ottawa Police Service. Responding to community concerns about police involvement in schools, the Board of Trustees passed a motion on September 22, 2020 directing a review of Policy P.043.SCO Police Involvement in Schools, including the role or

roles of the School Resource Officer (SRO). The motion asked staff to report back to the Board with a consultation plan to support the review.

KEY CONSIDERATIONS:

4. Board Motion

A. THAT the Board Review Policy P.043.SCO Police Involvement in Schools, including (i) the role or roles of the School Resource Officer (SRO) in OCDSB schools, and (ii) all OCDSB commitments identified as legally discretionary within the multilateral protocol governing relations between Ottawa Police Services and Ottawa-area school districts.

B. THAT staff bring forward a report with a plan for Board approval no later than the end of October 2020, which includes: (i) a plan for the overall review of police involvement in OCDSB schools, with milestones; (ii) internal and external consultation plans, per Policy P.110.GOV; and (iii) options for the involvement of external academic or other experts, the creation of an advisory panel, and/or the creation of an ad hoc or steering committee.

5. Legislative Background

In 2000, the Ministry of Education and Ministry of Community Safety and Correctional Services (MCSCS) established the policy direction that called for school boards and police services to work together to develop police/school board protocols, so that both partners would have a clear understanding of the respective roles, procedures, and decision making authority of both police and school personnel as they relate to school safety.

In keeping with this policy direction, the Provincial Model for a Local Police/School Board Protocol was developed to identify the elements that must be included when developing a police/school board protocol or when revising an existing protocol. It sets out mandatory requirements considering relevant legislation that includes, but is not limited to:

- *Canadian Charter of Rights and Freedoms*
- *Child and Family Services Act (CFSA)*
- *Criminal Code*
- Ontario *Human Rights Code*
- *Education Act*
- *Safe Schools Act*
- *Fire Protection and Prevention Act (FPPA)*
- *Freedom of Information and Protection of Privacy Act (FIPPA)*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Occupational Health and Safety Act (OHSA)*
- *Personal Health Information Protection Act (PHIPA)*
- *Police Services Act (PSA)*
- *Provincial Offences Act* (specifically Part VI, “Young Offenders”)
- *Victims’ Bill of Rights*
- *Youth Criminal Justice Act (YCJA)*

To operationalize this provincial direction, the Protocol to Accompany Safe Schools Policy in the City of Ottawa (the Protocol) was developed to provide

school administrators, teachers, and police officers with a procedure for police involvement in schools which is consistent in all school boards in the City of Ottawa. The OCDSB currently maintains a number of safe schools policies that make reference to police involvement in schools in alignment with the Protocol including P.043.SCO and PR.533.SCO Police Involvement in Schools, P.032.SCO and PR.521.SCO Safe Schools and PR 534 SCO - Investigation, Search And Seizure (Students).

6. Board Motion - Part A - Scope of Policy Review

The review is intended to consider the following in order to identify best practice, lessons learned and make informed recommendations for policy revision and changes to practice. Response will be disaggregated by identity, where possible to look at disparity between groups protected under the Ontario Human Rights Code:

a. An overview of the Ministry of Education's directive in The Provincial Model for a Local Police/School Board Protocol 2015, including an assessment of the objectives and impacts, including any unintended impacts, as well as identification of mandatory and discretionary police involvement.
b. An overview of the Protocol to Accompany Safe Schools Policies in the City of Ottawa, 2016, including an assessment of the objectives, outcomes, and impacts, including any unintended impacts as well as identification of mandatory and discretionary police involvement.
c. A review of the OCDSB governance documents and related Acts that stipulate the Board partnership with OPS as well as identification of mandatory and discretionary police involvement.
d. An assessment of how and when administrators are involving the police in schools, including how they utilise the School Resource Officer and the outcomes, impacts, including any unintended impacts.
e. Recommendations for the way forward to create schools that are safer for all students and that result in equality of experiences and outcomes for Indigenous, Black, minoritized, 2SLGBTQ+, students in special education programs and/or who experience mental health challenges, students who are English language learners and students experiencing poverty.

7. Board Motion - Part B (i) Plan for Overall Review of OCDSB Involvement of Police in Schools

The review will be overseen by the Superintendent of Instruction and Safe Schools. OCDSB is committed to undertaking a consultation that is human rights-centred, trauma-informed and minimizes harm. To ensure these principles are embedded, technical oversight to the review will be provided by the arms-length Human Rights and Equity Advisor.

The design of this plan sets out a path for a review of OCDSB policy and practices for police involvement in schools and will represent a departure from the typical consultation process as it will extend beyond a policy revision. The intention of this review of OCDSB practices is to provide a report of findings intended to educate stakeholders and inform recommendations to improve and enhance safe school practices, experiences and cultures in our schools. Although this consultation plan is separate and distinct from the current review of

the Safe Schools and School District Code of Conduct policies, we recognize the intersections that exist, and that both consultation processes will present findings that will inform our OCDSB safe schools strategic actions to improve conditions and outcomes for students and staff in schools.

The initial stages of the review includes both a literature and practice review. By beginning with a focus on the foundational documents and policies, relevant academic research and studies, as well as existing documentation of youth voices and experiences we will be able to provide pertinent, accurate, current as well as historic, information with respect to this policy and the ways that it is manifested in OCDSB programs, practices, outcomes and impacts. We understand that defining pieces of the OCDSB policy and the local Protocol, such as provincial requirements for mandatory notification of police, is a part of the review as there are different levels of knowledge, understanding and interpretation amongst school-based staff as well as community. This review will examine the ways in which the OCDSB practices both the mandatory requirements to involve police and also the discretionary engagement with, or notification of, police.

Essential elements of the literature review will be provided to internal and external stakeholders who are participating in phase 1 of the consultation process, to help them make informed inputs into the consultation process. This process is described more fully in the Consultation Plan attached. After phase 1 of the consultation process is complete, the findings of the review will be summarized in a public report that includes human rights-based recommendations for changes to policy and practice involving police in schools. The report of the findings and recommendation following phase 1 of the consultation will be presented to the steering group (outlined in section 9), Ottawa Police Service, Advisory Committees, board of trustees during a COW meeting in April 2021 and posted on the OCDSB website. This report will be shared widely with stakeholders through a media release. The revised policy will be presented to the board of trustees in September 2021.The proposed revised draft policy on police involvement in OCDSB schools will be consulted with internal and external stakeholders during Phase 2 of the consultation. This is more fully described in the Consultation Plan attached.

8. <u>Board Motion - Part B (ii) internal and external consultation plans, per Policy P.110.GOV;</u>

The modes of consultation, during phase 1 of the plan, will aim to create safer spaces, both public and private, that allow people who have been most impacted by the use of police in schools to come forward and share their perceptions and experiences. The identification of individuals and groups will be informed through the literature review findings and through the steering group guidance. The OCDSB will provide interpretation and translation services where needed. Facilitation of these sessions will be conducted by third parties who are experienced facilitators, and who understand human rights and equity issues including the principle of ‘do no harm’, and are trusted by the groups they will be facilitating. The OCDSB will engage with service providers who can provide psycho-social support to participants in order to reduce trauma.

The participant engagement part of the consultation will provide opportunities for voices from schools (students and staff), community, Advisory Committees, central equity and Indigenous networks (students and staff) and will include group and individual sessions as well as anonymized survey feedback. Consultation methods, tools and approach will be piloted at 2 schools, using group and one-on-one meetings, as well as a targeted survey tool, OCDSB will initiate direct contact with a diverse range of students and staff. Findings from the pilot sessions will inform the broader engagement activities. Students and staff in schools with priority school resource officer support will be consulted as well as the school resource officers assigned to those schools as part of the pilot phase.

Moving from the pilot phase into the broader engagement phases we hope to learn and better understand the impacts of current OCDSB policies and practices involving police in schools. Students and staff of all identities will be invited to participate. Through trusted student and staff networks including equity focal points within schools, Indigenous and Black Graduation Coaches, Coordinators of student support for First Nation, Métis and Inuit students, Multicultural Liaison Officers, Youth Outreach workers (Boys and Girls Club), Diversion Counsellors, the Student Senate and equity seeking and Indigenous staff affiliate groups, we will encourage the participation of Indigenous, Black, racialized and people who are minoritized and marginalized. The consultation will also leverage student networks such as the Rainbow Youth Network, the Black Youth Network, Original Voices as well as any other groups affiliated with racialized and minoritized students to seek their input.

In addition to students, parents, guardians, caregivers and community groups, the consultation will also engage principals, vice principals,and staff to better understand how police are used within their schools and their perceptions and experiences of how police involvement in schools impacts on them, their practices and their work with students. We will also engage with the police, including school resource officers to learn and consider their perceptions and experiences of police involvement in schools.

The anonymity of the respondents will be preserved in the report to maximize safety and encourage participation. Barriers to participation will be anticipated and addressed. Barriers connected to full participation in virtual forums are acknowledged and will create accessibility limitations for this review's engagement. We will try to overcome them by supporting costs of telephone or internet engagement if required, and supporting interpretation through the use of MLOs.

9. <u>Board Motion - Part B (iii) options for the involvement of external academic or other experts, the creation of an advisory panel, and/or the creation of an ad hoc or steering committee.</u>

To support engagement with a broad range of impacted stakeholders, a representative steering group will be appointed by the staff leads of the review. This group will guide and support the staff leading the review.

This steering group will include approximately 20 members made up of student, parent/guardian/caregiver, staff and community representatives; and ACE, IEAC, and SEAC (non-staff and non-Trustee members) representatives, and will include local experts.
To ensure that student voice is centered, efforts will be made to ensure that at least 50% of the steering group's members are students. Members of the steering group will be inclusive of First Nations, Métis, Inuit, Black, Muslim, 2SLGBTQ+, newcomers and people receiving mental health support or in special education programming.
The steering group will support the identification of sources of scholarship and study for the literature review, identification of people and groups to be consulted, review of the consultation tools. The steering group will also be consulted on, interpretation of the results of the consultation, development of the consultation's recommendations, and the revised policy draft.

Engagement with the steering group will include virtual meetings and email communication for updates and input throughout the consultation process. Updates to ACE, IEAC and SEAC will be made through their member representatives. .The steering group is an informal mechanism. Quorum is not required for meetings or engagement to proceed.

RESOURCE IMPLICATIONS:

10. Facilitation of the participant forums will be conducted by third party facilitators with expertise in youth facilities and experience in and knowledge of equity and human rights work. Estimated budget for this service is $15,000 and will come out of existing department budgets.

COMMUNICATION/CONSULTATION ISSUES:

11. Pre-consultation for the design of this consultation included discussions with Student Trustees, Liu and Chen, and current and past students in schools with priority SROs. Input was solicited from staff leads for youth equity networks, system principal for Safe Schools, the Advisory Committee for Equity, Indigenous Education Advisory Committee, human rights and equity advisors from other schools boards, and representatives of the Equity Secretariat at the Ministry of Education. The North American Center for Threat Assessment and Trauma Response's June 2020 document, Police in Schools assessment guidelines were reviewed.

    The District is currently undertaking phase 2 of the consultation on P.032. Safe Schools and P.125.SCO School District Code of Conduct. The revised Safe Schools policy amalgamates a number of other policies related to the District response to misconduct by students. Staff will take under advisement any feedback from the consultation on police involvement in schools that may affect the revised Safe School policy and make necessary modifications at a later date.

    In addition, school districts undergoing current reviews, or with experience of past reviews, related to police involvement in schools were consulted along with a review of resultant reports.

RECOMMENDATIONS:

THAT the proposed Consultation Plan, attached as Appendix A to Report 20-090, be approved.

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

APPENDICES

Appendix A - Police Involvement in Schools Consultation Plan