

YORK CATHOLIC DISTRICT SCHOOL BOARD

POLICY REVIEW COMMITTEE - **AGENDA**

Catholic Education Centre, **Board Room**

Tuesday, April 10, 2018, 6:30 P.M.

We are gathered on the ancestral lands and waters of all Indigenous Peoples, who have left their footprints on Mother Earth before us.

We respectfully acknowledge those who have walked on it, those who walk on it now, and future generations who have yet to walk upon it.

We pray to the Creator for strength and wisdom that all may continue to serve as stewards of the Earth.

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O God
Holy Week has passed.
But how we long to live by
the marvelous story we have
heard.
Let us remain ever beside
you at the table of the Last
Supper.
Give us the courage to offer
bread from your table and
Give us the strength to lift up
the cup of your love.
Most of all show us how to
linger at the table, serving
others – Doing ALL that we
do in remembrance of You.
Amen

IMPORTANT NOTICE

There is an expectation that trustees and all committee members will have read/reviewed reports included in Board/Committee agendas and that they will endeavour, where possible, to seek clarification of questions/concerns with the board/staff resource person prior to the meeting.



YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> Governance	<i>Policy Number</i> 116
<i>Former Policy #</i>	<i>Page</i> 1 of 5
<i>Original Approved Date</i> December 4th, 2012	<i>Subsequent Approval Dates</i>

POLICY TITLE: COPYRIGHT

SECTION A

1. PURPOSE

The York Catholic District School Board (YCDSB) respects and recognizes the copyright property of others. This policy is to clarify the procedures and guidelines to ensure compliance with copyright matters.

This policy applies to all members of the York Catholic District School Board community who reproduce and use copyright protected works in all media and formats in the course of teaching, learning, research, administration, and other activities directly related to or arising out of the operations of the Board.

2. POLICY STATEMENT

It is the policy of the York Catholic District School Board to comply with the Fair Dealing Guidelines as developed by the Council of Ministers of Education Canada (CMEC) Copyright Consortium and all other relevant legislation.

3. PARAMETERS

- 3.1 The York Catholic District School Board will communicate the Fair Dealing Guidelines to the system on an annual basis in order to ensure that all employees understand the obligations of the school board in accordance with the Copyright Modernization Act and all other relevant legislation.
- 3.2 This policy sets out the rules for the copying or use of copyright-protected work. Copyright protected work includes, but is not limited to, books, periodicals, dramatic and musical compositions, digital media publications (i.e.: films, photographs, pictorial illustrations), web sites, and computer software.
- 3.3 Copyright rules apply to the Board of Trustees, all YCDSB employees and students.
- 3.4 The Board of Trustees, employees and students may reproduce/photocopy work that is Copyright protected within the approved Fair Dealing Guidelines.

- 3.5 Copyright violations are contrary to law and may put the Board at risk of legal action by copyright owners. The Board will pursue incidents of non-compliance internally. Students who use a copyright protected work in violation of this policy may be disciplined under the Board's Student Code of Conduct and/or Acceptable use of Technology policies.

4. RESPONSIBILITIES

4.1 Trustee

- 4.1.1 To comply with the Copyright Policy and guidelines.

4.2 Director of Education

- 4.2.1 To oversee compliance with the Copyright Policy and guidelines.
4.2.2 To ensure that the policy and guidelines adhere to the *Copyright Modernization Act* and all other relevant legislation.

4.3 Senior Administration/Central Level Managers

- 4.3.1 To annually communicate the Fair Dealing Guidelines to all schools or departments, as set out in this policy and guidelines.

4.4 Employees

- 4.4.1 To ensure that the Copyright policy and guidelines are reviewed and adhered to when photocopying.

4.5 Principals

- 4.5.1 To annually communicate the Fair Dealing Guidelines to all staff, as set out in this policy.

4.6 Teachers

- 4.6.1 To ensure that students are aware of the Fair Dealing Guidelines informing them of their responsibilities in the use of materials and advocate that students act with this responsibility in mind.

5. DEFINITIONS

5.1 Author

The creator of the work.

5.2 Copyright

A form of intellectual property law, protecting the original works of authorship including literary, dramatic, musical, digital media and artistic works.

5.3 Copyright Infringement

The act of violating any of a copyright owner's exclusive rights granted by the *Copyright Act*. A copyright owner has several exclusive rights in copyrighted works, including the rights:

- 5.3.1 To produce the work;
5.3.2 To prepare derivative works based on the original work;
5.3.3 To distribute copies of the work;
5.3.4 For certain kinds of works, such as sound recordings, to perform the work publicly;
5.3.5 For certain kinds of works, to display the work publicly;
5.3.6 To import into Canada copies acquired elsewhere; and,

5.3.7 To authorize others to exercise any of the rights.

Direct Infringement

Directly violating a right under the *Copyright Act* by doing any of the things or exercising any of the rights that only the copyright owner may do, without the copyright owner's permission.

Indirect Infringement

Dealings with infringing copies by means of sale or rent, distribution, and importation.

5.4 Copyright Owner

One who holds exclusive rights to copyright protected works.

5.5 Copyright Protected Work

A creative work containing the original expression of an idea;

5.5.1 That is fixed by means of recording or expressed in some material form of more or less permanent endurance; and,

5.5.2 The author is a citizen or is ordinarily resident in Canada or another treaty country as defined in the *Copyright Act*.

5.6 Digital Media

Digitized content that can be transmitted over the internet or computer networks.

This can include, but is not limited to, text, audio, video, and graphics. This means that news from a TV network, newspaper, magazine, etc. that is presented on a Web site or blog can be included in this category.

5.7 Fair Dealing

A user's right to make a copy of a work without the copyright owner's permission or payment of royalties. Fair dealing must be for the purpose of research, private study, education, parody, satire, criticism or review, or news reporting. It must also be "fair", taking into account the purpose of the copying, the character of the copying, the amount of the work copied, alternatives to copying, the nature of the work, and the effect of the copying on the work.

6. CROSS REFERENCES

Canadian Copyright Act

Copyright Modernization Act, Bill C-11

Fair Dealing Guidelines – Council of Ministers of Education Canada (CMEC) Copyright Consortium

Approval by Board	<u>December 4th, 2012</u> <i>Date</i>
Effective Date	<u>January 1st, 2013</u> <i>Date</i>
Revision Dates	<u> </u> <i>Date</i>
Review Date	<u>December 2017</u> <i>Date</i>

DRAFT

POLICY TITLE: COPYRIGHT

SECTION B: GUIDELINES

1. INTRODUCTION

The fair dealing provision in the *Canadian Copyright Act* permits use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties. To qualify for fair dealing, two tests must be passed.

First, the “dealing” must be for a purpose stated in the *Copyright Act* i.e.: research, private study, criticism, review, news reporting, education, satire and parody. Educational use of a copyright-protected work passes the first test.

The second test is that the dealing must be “fair”. In landmark decisions in 2004 and in 2012, the Supreme Court of Canada provided guidance as to what this test means in schools. **This provision permits use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties provided that the purpose is intended for research, private study, criticism, review, news reporting, education, satire, and parody.**

These guidelines apply to fair dealing in non-profit K-12 schools and provide reasonable safeguards for the owners of copyright-protected works in accordance with the *Copyright Act* and the Supreme Court decisions.

2. GUIDELINES

- 2.1 **The Board of Trustees**, employees **and students** may communicate and reproduce, in paper or **digital** form, short excerpts from a copyright-protected work for the purposes of, **but not limited to**, research, private study, criticism, review, news reporting, education, satire and parody.
- 2.2 Copying or communicating short excerpts from a copyright-protected work under these Fair Dealing Guidelines for the purpose of news reporting, criticism or reviews should mention the source and, if given in the source, the name of the author or creator of the work.
- 2.3 A single copy of a short excerpt from a copyright-protected work may be provided or communicated to each student enrolled in a class or course:
 - 2.3.1 As a handout;
 - 2.3.2 As a posting to a learning or course management system that is password protected or otherwise restricted to students of a school;
 - 2.3.3 As part of a course pack.
- 2.4 A short excerpt means:
 - 2.4.1 Up to 10% **from any** copyright-protected work (including a literary work, musical score, sound recording, and an audiovisual work);
 - 2.4.2 One chapter from a book;
 - 2.4.3 A single article from a periodical;
 - 2.4.4 An entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works;

- 2.4.5 An entire newspaper article or page;
 - 2.4.6 An entire single poem or musical score from a copyright-protected work containing other poems or musical scores;
 - 2.4.7 An entire entry from an encyclopaedia, annotated bibliography, dictionary or similar reference work.
- 2.5 Copying or communicating multiple short excerpts from the same copyright-protected work, with the intention of copying or communicating substantially the entire work, is prohibited.
- 2.6 Copying or communicating that exceeds the limits in the *Fair Dealing Guidelines* may be referred to **the Curriculum Department** for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.
- 2.7 Any fee charged by the educational institution for communicating or copying a short excerpt from a copyright-protected work must be intended to cover only the costs of the institution, including overhead costs.



YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> Students	<i>Policy Number</i> 204
<i>Former Policy #</i>	<i>Page</i> 1 of 5
<i>Original Approved Date</i>	<i>Subsequent Approval Dates</i>
February 1993	November 2002 May 27, 2014 xxx, 2018

POLICY TITLE: CHILD PROTECTION AND ABUSE

SECTION A

1. PURPOSE

The York Catholic District School Board recognizes the sanctity and dignity of human life and the need of its Trustees and employees to comply with Section 72 of the *Child and Family Services Act*, c. C11 and amendments to this Act proclaimed in March 2000. This Act has addressed itself in strong terms to society's obligations in the protection of children.

2. POLICY STATEMENT

It is the policy of the York Catholic District School Board to support fully the goals of child protection and abuse legislation outlined within the *Child and Family Services Act*. To affect such support, the Board mandates all persons who work and/or have direct contact with students to fulfill their moral and legal obligations, ensuring familiarization of the legislation and reporting procedures, in order to assist Child Protection Agencies (Children's Aid Society and the Jewish Family and Child Services), hereby referred to as "Children's Aid Society (CAS)".

3. PARAMETERS

- 3.1 All Board Employees, students on placement, Volunteers, Third Party Providers and/or any other person in a position of trust or authority who have reasonable grounds to suspect that a child is or may be in need of protection, shall **immediately** report the suspicion and the information on which it is based to a Children's Aid Society.
- 3.2 The individual **shall** make the report **directly** to the Children's Aid Society, in respect of a child up to the age of their **18th birthday**, and shall not rely on any other person to report on his or her behalf.

- 3.3 The **duty to report** is an **ongoing obligation**. If an individual has made a previous report about a child, and has additional reasonable grounds to suspect that a child is or may be in need of protection, that individual shall **immediately** make a further report to a Children's Aid Society. Further, the individual who has the reasonable grounds to suspect that a child is or may be in need of protection shall not rely on anyone else to report on his or her behalf.
- 3.4 All Board Employees, students on placement, Volunteers, Third Party Providers and/or any other person in a position of trust or authority, who have made a report to the Society shall immediately complete the **Confirmation of Report** form and **scan/email** to the personal attention of the Director of Education with a carbon copy to the attention of the Children's Aid Society.
- 3.5 No action for making a report to the Children's Aid Society shall be instituted against a person who makes a report unless the person acts maliciously or without reasonable grounds for the suspicion.
- 3.6 In making a report, with or without the concurrence of the Principal or any other personnel, the individual making the report shall not be criticized or be subject to any form of reprimand by the Board.
- 3.7 In cases where the individual is unsure as to what warrants a report of suspected abuse under the law and/or may be hesitant to assume responsibility of reporting, the individual shall contact the Children's Aid Society **immediately** for consultation.
- 3.8 In cases where the alleged perpetrator is a colleague in the workplace or an employee of the Board, this person shall not be interviewed or communicated with by others aside from the "**Team**" (Children's Aid Society representative or Police Officer).
- 3.9 In the case of indirect disclosure(s) the individual shall, without verifying the information with the victim prior to a consultation with CAS, contact the Children's Aid Society.
- 3.10 The responsibility of investigation shall lie solely with the Children's Aid Society or Police as per the *Child Protection Protocol of York Region*.
- 3.11 The decision to notify parents/guardians/caregivers if Children's Aid Society or Police are involved shall lie with the Children's Aid Society or Police, **not** the Principal or Designate.
- 3.12 Every person is guilty of an offence as defined in *Section 72 of the Child and Family Services Act, c C11*, if a suspicion of abuse and the information on which it was based is not reported.

4. RESPONSIBILITIES

4.1 Board of Trustees

- 4.1.1 To comply with Section 72 of the *Child and Family Services Act, c. C11* and amendments to this Act in the protection of children.

4.2 Director of Education

- 4.2.1 To oversee compliance of the Child Protection and Abuse Policy and Independent Procedures.

4.3 Superintendents of Education

- 4.3.1 To support the implementation of the Child Protection and Abuse Policy and Independent Procedures.

4.4 Human Resources

- 4.4.1 To provide Employees with the appropriate training for the implementation of this policy.

4.5 Principals

- 4.5.1 To provide, on an annual basis, a review of this policy to school staff, students on placements, volunteers, and any other individual who has direct contact with students in the school to ensure familiarization of the policy, independent procedures, legislation and reporting procedures on an annual basis.
- 4.5.2 To advise school personnel against conducting any investigations pertaining to any suspicions or any disclosures.
- 4.5.3 To grant permission for the interviewing of a student(s) on school premises when a child protection concern is reported under the *Child and Family Services Act, Section 72*, if requested by the Children's Aid Society, and to provide an appropriate location where the interview can be conducted. Specialized resources and/or information may be required to assist in the investigative interview of a child with special needs in order to facilitate accurate communication. This information will be provided to the Team at the time of the report.
- 4.5.4 To determine, in consultation with the Team, and in acting in the best interest of the child whether to have a support person for the child present during the interview.
- 4.5.5 It is the duty of the Children's Aid Society personnel and/or the Police Officer to inform the caregiver(s) as soon as possible if the child will be detained beyond the usual arrival time to his/her home.
- 4.5.6 In the event the caregiver(s) contacts or attends the school regarding the whereabouts of the child, the Principal or Designate will direct them to the attending Children's Aid Society personnel or Police Officer.
- 4.5.7 Should the caregiver(s) insist on removing the child from the school prior to the arrival of the Team, the Principal shall release the child to the caregiver(s) and immediately advise the Team.
- 4.5.8 To provide support and/or guidance to individuals who make a report.

4.6 Employees

- 4.6.1 To participate in training sessions provided by Human Resources.
- 4.6.2 To familiarize themselves with the legislation governing this policy and to follow appropriate reporting procedures as outlined within the policy and independent procedures.

5. DEFINITIONS

5.1 Caregiver

For the purpose of this policy, a caregiver is someone who is in a permanent or temporary caregiving role including but not limited to, the mother, father, live-in

partner, caregiver exercising access contact, adult with a custody and control order for the child, foster parent, school volunteer, third party providers, child care staff, babysitter, recreational group leader, school bus driver, taxi driver, a family member providing temporary substitute care, or a partner of the caregiver with no legal relationship to the child.

5.2 Child or Society/Crown Wards

A person up to the age of their 18th birthday.

5.3 Child Abuse

A child who has been or is at risk of being physically harmed, neglected, sexually harmed or emotionally abused by a person in a position of trust or authority.

5.4 Child and Family Services Act (CFSA)

Legislation in the Province of Ontario that outlines the roles and responsibilities of a child protection worker, and that governs child protection functions including defining a child in need of protection.

5.5 Child Protection Needs

Situations where there is a risk that the child will suffer physical, sexual or emotional harm or neglect inflicted by a caregiver.

5.6 Designate

For the purpose of this policy, a designate is a School Superintendent, Vice Principal or Teacher in Charge.

5.7 Duty to Report under the *Child and Family Services Act* (CFSA)

If a person has reasonable grounds to suspect that a child is or may be in need of protection, the person must promptly report the suspicion and the information upon which it is based to a Children's Aid Society.

The duty to report is an ongoing obligation.

If a person has made a previous report about a child, and has additional reasonable grounds to suspect that a child is or may be in need of protection, that person must make a further report to a Children's Aid Society.

Further, the person who has the reasonable grounds to suspect that a child is or may be in need of protection shall not rely on anyone else to report on his or her behalf.

Persons who perform professional or official duties with respect to children include, but are not limited to: health care professionals, teachers, school principals, social workers, priests, rabbis and other members of the clergy, operator or employee of a day nursery, youth and recreation worker, peace officers, coroners, solicitors, and service providers and their employees.

If a person who has professional or official duties in their work with children does not report a suspicion of child abuse, then this person can be charged and fined up to \$1,000.

5.8 **Employee**

For the purpose of this policy, an employee is any individual hired by the York Catholic District School Board to perform services in exchange for a salary or an hourly wage on a casual, temporary or permanent basis, including, but not limited to, Centrally Assigned Staff, School personnel, and/or contracted Staff.

5.9 **Position of Trust or Authority**

A person in a position of trust is a person who is in a particular position with respect to the child which imposes on him/her a duty of care in relation to the child.

A person in a position of authority with respect to a child means that the person exercises the power of authority (i.e., the power or right to enforce obedience) over the child.

5.10 **Support Person**

Any person from whom the child wishes assistance during any process related to an investigation.

5.11 **Team**

Refers to those professionals from the Children's Aid Society and/or Police actively engaged in the investigation of the alleged child protection / assault issue.

5.12 **Third Party Provider**

For the purpose of this policy, a Third Party Provider refers to external private or publicly funded professionals/paraprofessionals whose services are provided to assist a student, in collaboration with school personnel, to acquire the knowledge and skills necessary to thrive in the school setting and do so in accordance with the *Education Act*, applicable Board Policies and Protocols.

6. **CROSS REFERENCES**

Child and Family Services Act, R.S.O., 1990, c. C11

Child Protection Protocol for York Region: Guidelines and Procedures for a Coordinated Response, revised January 2010

Ministry of Education Policy / Program Memorandum No. 9: *Reporting of Children in Need of Protection*, 2001

YCDSB Third Party Protocol for External Partnerships, 2012

YCDSB Procedure: *Ours to Protect – Child Protection and Abuse Reporting Procedures*, an addendum to Policy 204 *Child Protection and Abuse*

Approval by Board	<u>November 2002</u> Date
Effective Date	<u>November 2002</u> Date
Revision Date(s)	<u>May 27, 2014</u> Date
Review Date	<u>May 2019</u> Date



YORK CATHOLIC DISTRICT SCHOOL BOARD

PROCEDURE: OURS TO PROTECT - CHILD PROTECTION AND ABUSE REPORTING PROCEDURES

Addendum to Policy 204: Child Protection and Abuse

Effective: May 27, 2014
Reviewed xxxx 2018

PROCEDURES FOR REPORTING CHILD PROTECTION AND ABUSE

PURPOSE

The Ministry of Community and Social Services has issued guidelines to assist agencies such as school boards to develop reporting procedures that are consistent with amendments to the *Child and Family Services Act*. Similarly, the Child Protection Protocol for York Region (revised 2010) provide sections pertaining to school boards. The procedures that follow are based on such guidelines as adapted to our particular perception of the spirit of the legislation. The intent at all times is to facilitate the reporting procedure in the interest of the child, while at the same time making available to the individual appropriate support and back-up.

MAKING THE REPORT

1. When any Board Employee, students on placements, Volunteers, Third Party Providers and/or any individual in a position of trust or authority has reasonable grounds to suspect that a type of child abuse may have occurred or where the child is in need of protection, the individual must **immediately** complete the “**Confirmation of Report**” (Form S13 - Appendix “A”) and report the suspected child abuse, the information on which it is based on and provide information about the child and family as it relates to the alleged incident and/or safety of the child **immediately** by reading the report over the telephone to the appropriate individual of the Children’s Aid Society.
2. The Principal or Designate **must** be notified prior to making a report to the Children’s Aid Society.

If the Principal or Designate is not immediately available, the report shall be made to the Children’s Aid Society, and the Principal or Designate informed immediately thereafter.
3. The “**Confirmation of Report**” form shall **immediately** be scanned and emailed (marked “urgent”) to the attention of the Director of Education with a copy to the attention of the Children’s Aid Society Intake Screener and Assessment Worker. *The original form is to be sent to the attention of the Director in a sealed envelope.*
4. The Principal shall notify the appropriate Superintendent of Schools that a suspicion of a child protection nature has been made to the Children’s Aid Society.
5. If the suspected child abuse is being reported due to the alleged actions of a Board individual, the Principal shall inform the Superintendent of Human Resources immediately.
6. **If the suspected child abuse being reported is due to a concern and/or disclosure of suicidal or self-harm ideations, or the need for protection relating to mental health needs, the appropriate Superintendent of Education: School Leadership shall consult with the Superintendent of Education: Exceptional Learners and the Board’s Chief Psychologist.**

NOTES PERTAINING TO PROCEDURES FOR REPORTING CHILD PROTECTION AND ABUSE

- A. The report to the CAS **must** be made directly by the individual who has reasonable grounds to suspect that a child is in need of protection - **not** by any other individual. The obligation by statute is on the individual. The penalty for failure to report is on the individual.

- B. The report to CAS must be made **immediately** in all cases.
- C. The duty to report is an ongoing obligation. If an individual has additional reasonable grounds to suspect, even if she/he has made a previous report about a child and has further protection concerns regarding the same child, the individual must make a further report to the CAS each time they have new information.
- D. Proof is not required in order to report a concern to the CAS. The responsibility of investigation lies solely with the CAS and/or Police. The individual has **full** protection of the Act, which provides that no action for making the report shall be instituted against an individual who makes a report unless the individual acts maliciously or without reasonable grounds for the suspicion.
- E. In making a report, with or without the concurrence of the Principal or any other personnel, the individual is not and shall not be criticized or subject to any form of reprimand by the Board.
- F. When parents/guardians of the child involved are unaware of a report to the CAS, the CAS and/or Police representative will determine whether, when, how and by whom parent notification will proceed and inform the Principal or Designate.
- G. In cases where the alleged perpetrator is a colleague in the workplace, this individual shall not be interviewed or communicated with by others aside from the Team. A report **must** be made to CAS. The Superintendent of Human Resources and appropriate School Superintendent will be notified **immediately**.
- H. **Appendix A, "Confirmation of Report" Form S13.**
While the legislation does not call for a report to be written, nevertheless it serves these useful purposes:
- (a) It is evidence of making the report.
 - (b) The report must:
 - be factual (including dates and time) and contain no opinions;
 - be brief and to the point; and,
 - *include verbatim, as noted by quotations, anything the child has said with regards to the allegation wherever possible and to the best ability of the author of the report.*
- Copies of the "Confirmation of Report" Form are available in the Main Office of each school or on-line through First Class (Board Forms/ S Forms / S13).

INVESTIGATION ON SCHOOL PREMISES

When a child protection concern is reported to the CAS, the Principal or Designate of the school will grant permission to interview a child on school premises and will provide an appropriate location where the interview can be conducted. The Team (CAS and/or Police), based on the needs and in the best interests of the child, will determine if it is advisable for a Support Person to be present during the interview. The Team will inform the Support Person that they may be subpoenaed as a witness in a court proceeding if they are present during the interview.

Specialized resources and/or information may be required to assist in the investigative interview of a child with special needs in order to facilitate accurate communication. This information will be provided to the Team at the time of the report.



York Catholic District School Board

Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L4G 0M1

Telephone (905) 713-2711, 476-2055, 830-6803, (416) 221-5050, 1 (800) 363-2711, Fax (905) 713-1272

S13

Reviewed March

CONFIDENTIAL

Confirmation of Report Form - Child Protection and Abuse

Pursuant to Section 72, the *Child and Family Services Act*, R.S.O. 1990, c. C11

TO: York Region Children's Aid Society

16915 Leslie Street, Newmarket, Ontario, L3Y 9A1

Fax: (905) 895-2113 Phone No.: Newmarket (905) 895-2318 Toll-Free: 1 (800) 718-3850

The undersigned confirms that on the ____ day of _____, 20__, at approximately ____ o'clock ____ a.m. ____ p.m. pursuant to the provisions of Section 72 of the *Child and Family Services Act*, R.S.O. 1990, c. C11, I made a telephone report to a person at your office who identified herself/himself as:

Name of Intake Screener and Assessment Worker: _____

Email Address of Intake Screener and Assessment Worker: _____

The report concerned the following child:

NAME _____ D.O.B. _____ GENDER M ☐ F ☐
 First Middle Surname

SIBLINGS(specify name and D.O.B.) _____

SCHOOL NAME _____ SCHOOL PHONE NO. _____ GRADE _____

SCHOOL ADDRESS _____

PARENTS/GUARDIANS as per School Records

MOTHER'S NAME _____

ADDRESS _____

PHONE # RES _____ BUS _____ EMERGENCY _____

FATHER'S NAME _____

ADDRESS _____

PHONE # RES _____ BUS _____ EMERGENCY _____

My report was based on the following area of need for protection of the child:

Physical ☐ Sexual Abuse ☐ Emotional Abuse ☐ Neglect ☐ Domestic Violence ☐ Other ☐

Such information or suspicion is based on the following: (Set forth **briefly** the facts of the situation below, including verbatim wherever possible, and if more space is provided use the back of the form. In case of physical abuse, describe in detail the injury you have observed.)

This form should be scanned /emailed IMMEDIATELY to the Director of Education marked URGENT and copied to the Intake Screener and Assessment Worker. The original form is to be sent to the attention of the Director in a sealed envelope.

DATED this _____ day of _____, 20__.

Name _____ Signature _____



York Catholic District School Board

Secondary Student Attendance Report



SAFE ARRIVAL

STUDENT ABSENCE REPORTING

Before the bell time for the current day,
please call **1-855-856-7862** or visit
yorkcdsb.schoolconnects.com

Planned absences may be reported
in advance.

Example: Elementary Parent Information

Submitted by: Darlene Clapham, Chief Information Officer
Jennifer Sarna, Superintendent of Education, Secondary Schools



Secondary Student Attendance Report

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Secondary Student Attendance Report

Executive Summary

The student attendance and care of our students are of critical importance to York Catholic District School Board (YCDSB).

YCDSB recognizes that a student attendance program would benefit secondary students. Trustees asked that we prepare a report outlining the feasibility of a secondary student attendance program and a recommended approach. This report outlines costs, personnel, and timelines associated to starting a student attendance program for secondary schools.

Background Information

In 2013, YCDSB implemented a student safe arrival attendance program for elementary students. This program provides an opportunity for parents to report their child's full-day absence, late arrival and/or early departures from school. The student attendance program and reporting of absences by parents allows elementary schools to effectively manage student attendance and respond to unexplained student absences and contact parents in a more timely approach. The Information Systems department has 1 FTE supporting the student attendance program for elementary schools. This staff member is also supporting the board/school communication system called SynreVoice and our professional learning platform called Thrive for employees.

Known Pressure Points:

Synrevoice (now called School Messenger) and the elementary student attendance programs are undergoing major updates for September 2018. These updates affect both elementary and secondary schools. Information Systems has one staff member supporting these projects. This staff member is leading the upgrade, training staff and configuring the new environment while supporting existing student attendance and Synrevoice operations.

School secretaries, administrators, and CEC departments who use the Synrevoice and the student attendance systems are scheduled for training in May and June. Our focus for September 2018 will be to support staff and parents with this transition.

Licensing Costs for School Messenger:

- SchoolMessenger License Costs: \$1.00 US per student, per year
- SchoolMessenger Annual Cost: \$18,100 US or approx \$24,000 CDN per year (based on current secondary enrolment)



Secondary Student Attendance Report

Staffing Costs for Secondary School Messenger:

We have 1 FTE assigned to support the elementary student attendance program and our board/school communication system (SynreVoice). The elementary student attendance program and board/school communication systems are undergoing **major upgrades** that will affect every school. The project plan along with school secretary and administration staff training are in progress. The go-live date for both products is scheduled for September 2018. This upgrade is being managed by the 1 FTE. This change will require that IT staff elevate support to schools and work closely with the vendor during the 2018/2019 school year.

Keeping this upgrade in mind, in order to implement secondary student attendance starting January 2019, an additional 1 FTE is required. This 1 FTE will be the project lead to implement the secondary student attendance program during the 2018/2019 school year.

In the 2020/2021 school year, there may be an opportunity to reduce the amount of support needed by 1 FTE. We anticipate that through a combination of attrition and future technology advances, one person can be the primary support for student attendance (elementary and secondary) and SynreVoice for board/school communication.

Note: If we delay the implementation of the Secondary School student attendance project for one year, we can reduce the need for the additional FTE.

<i>Program</i>	<i>Year 1 - 2018/2019 Staffing Requirement</i>	<i>Year 2 - 2019/2020 Staffing Requirement</i>	<i>Year 3 - 2020/2021 Staffing Requirement</i>
Elementary student attendance	1 FTE	1 FTE	1 FTE
Elementary Board/School Communication (Synrevoice)	1 FTE	1 FTE	1 FTE
Secondary student attendance	+1 FTE (additional)	+1 FTE (additional)	(Attrition Opportunity)

Chart shows that 1 FTE is currently supporting all schools for Elementary Safe Arrival & Synrevoice



Secondary Student Attendance Report

Proposed Implementation Plan - Option A

Phase 1: Starting in January 2019 - Implement 1st Period/Home Room attendance for all secondary schools.

Phase 2: Starting in January 2020 - Develop a project plan to enhance period-by-period attendance and expand the secondary student attendance program to report absences by period. This is contingent on developing a technology plan to improve the efficiency of period-by-period attendance by allowing students to scan or check-in to classes.

Timelines: Option A

<i>Month/Year</i>	<i>Task List</i>
July 2018	Develop Project Plan for Secondary student attendance Implementation
September 2018	Purchase School Messenger licenses for secondary
September 2018	Implement a test environment to start the implementation plan
October 2018	Select one secondary school as the pilot school
October 2018	Setup and configure secondary school in test environment
November 2018	Develop/create the Student Administration System (Maplewood) to School Messenger Interface. This interface connects student/parent contact and absence reporting information.
November 2018	Develop and communicate school business process, protocols and documentation
November 2018	Develop and communicate the secondary student attendance plan and process to school community.
December 2018	Train the secondary pilot school January 2019 - Pilot school go live/implementation
September 2019	Student attendance for all secondary schools. (note: This assumes the pilot school is successful)



Secondary Student Attendance Report

Proposed Implementation Plan - Option B

Option B delays the project go-live by 1 year. This option takes into consideration existing projects, software changes and staff workload. This option also provides an opportunity for a committee to develop school procedures and implementation strategies. This option reduces the requirement for an additional FTE.

Phase 1: Starting in September of 2018, a secondary attendance committee will focus on creating a business process, procedures, cost analysis and recommendations for implementing secondary student attendance for January 2020.

Phase 2: Starting in January 2020 - Implement 1st Period/Home Room attendance for all secondary schools.

Phase 3: Starting in January 2021 - Develop a project plan to enhance period-by-period attendance and expand the secondary student attendance program to report absences by period. This is contingent on developing a technology plan to improve the efficiency of period-by-period attendance by allowing students to scan or check-in to classes.

Timelines: Option B

<i>Month/Year</i>	<i>Task List</i>
September 2018	Establish secondary student attendance committee for the purpose of developing procedures, recommendations and implementation strategies
January 2019	Develop Project Plan for Secondary student attendance Implementation & select one secondary school to pilot/test a secondary student attendance program.
February 2019	Develop/create the Student Administration System (Maplewood) to School Messenger Interface. This interface connects student/parent contact and absence reporting information.
September 2019	Purchase School Messenger licenses for secondary
September 2019	Implement a test environment to start the implementation plan
October 2019	Setup and configure secondary school in test environment
October 2019	Develop and communicate school business process, protocols and documentation
October 2019	Develop and communicate the secondary student attendance plan and process to school community.
November 2019	Train the secondary pilot school January 2020 - Pilot school go live/implementation
September 2020	Student attendance for all secondary schools. (note: This assumes the pilot school is successful)



Secondary Student Attendance Report

Option B: Continued...

Secondary Committee Recommendation:

- Secondary Superintendent (Lead)
- CIO (Co-Lead)
- student attendance Project Lead (Project Manager)
- 2 - Principals
- 2 - Secretaries (head and attendance)
- 1 - OECTA Representative
- 1- CUPE Representative

Conclusion

The secondary student attendance report takes into consideration staffing, current project pressure points, training, communication, documentation and licensing costs. The timelines presented in Option A are aggressive and are contingent on a few unknown variables related to staffing. Option A does not provide an opportunity to properly assess the impact at schools in terms of staffing, additional costs or resources needed.

If we decide to move forward with the project in 2018/2019, an additional FTE in the I.T. department would be needed for a period of one year. This person would be at an Exempt Level 6 salary grid. The additional FTE would acquire the necessary skills and experience throughout the year and allow for a transition/succession plan to support student attendance and Synrevoice for all schools in future years. The approximate cost to start the project in 2018/2019 school year would be \$24,000 per year for software licensing and approximately \$70,000 for the additional FTE.

If we decide to start this project in 2019/2020, the cost will be approximately \$24,000 for the software licensing fee.

Please note: Licensing costs are subject to change yearly due to US dollar and inflation. The costs outlined in the project are associated to known I.T. costs. There is a strong possibility that additional costs may be incurred at secondary schools if additional phone lines, technology, staffing or resources are needed.

Recommendation

The student attendance and care of our students is of critical importance to York Catholic District School Board. The **minimal** cost of implementation will be \$24,000 per year for 15 secondary schools.

If the Board of Trustees approves this project, we are recommending that we move forward with ***Option B***. This option provides an opportunity to engage all stakeholders, complete a school cost analysis, and implement a plan with strategies that compliment current projects, staffing and school operating procedures.

Based on this recommendation, we will update the draft policy (appendix A) for Winter of 2019.



YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> Community	<i>Policy Number</i> 605
<i>Former Policy #:</i>	<i>Page</i> 1 of 4
<i>Original Approved Date:</i> xxx, 201x	<i>Subsequent Approval Dates:</i> NEW (DRAFT)

POLICY TITLE: ATTENDANCE – SECONDARY

SECTION A

1. PURPOSE

The York Catholic District School Board recognizes that managing and monitoring student attendance throughout the instructional day is the mutual responsibility of the home and school. When a student is absent from school, late coming to school, needing to leave school early, communication between the home and school is essential. Such communication is especially important in the case of an unexplained failure to arrive at school or attend scheduled classes.

2. POLICY STATEMENT

Arriving on time and attending all classes regularly are key components that contribute directly to student success and achievement. Based on this, the York Catholic District School Board is committed to strong communication between home and school in relation to student arrival and dismissal as well as attendance throughout the instructional day. Such communication is important for the safety of our students, the efficient operation of the school, as well as for ensuring that Parent(s)/Guardian(s) are kept informed. Therefore, in order to promote the safety of our students, it is the policy of the Board to support the development and implementation of effective safe arrival, safe dismissal and attendance procedures which are performed as part of Secondary school attendance taking.

3. PARAMETERS

- 3.1 The safety of students is the collective responsibility of the Parent(s)/Guardian(s), Student(s) and the school.
- 3.2 Parent(s)/Guardian(s) are responsible for communicating a student absence, late arrival to or early leave from the school through the school's automated or online attendance line. (Refer to CIO / Superintendent of Education report discussing potential costs and resources to design and implement a system similar to that of the board's current elementary school safe arrival portal and website application.)
- 3.3 The school is responsible for communicating with the Parent(s)/Guardian(s) on a timely basis in cases of student absence, late arrival or early leave.

- 3.4 School staff is responsible for communicating the non-attendance of any student in their scheduled classes, on a period by period basis, using the school's online or automated attendance reporting system.
- 3.5 The attendance procedures shall be communicated to the school community at a minimum of twice per school year (i.e., September and February), as well as during the registration process of any new student or Parent Information Sessions and posted on the school website.

4. RESPONSIBILITIES

4.1 Director of Education

- 4.1.1 To oversee compliance with the Attendance – Secondary policy.

4.2 Principal

- 4.2.1 To ensure the communication and implementation of the Board's automated attendance reporting procedures for the managing and monitoring of student attendance.
- 4.2.2 To inform the school community of the attendance procedures a minimum of twice per school year or during the registration of any new student or at Parent Information Sessions and post on the school website.
- 4.2.3 To implement procedures for monitoring and recording student attendance each period of every school day.
- 4.2.4 To maintain an effective system that will receive messages outside of school hours. (Dependent on the results of the CIO's research.)
- 4.2.5 To implement a procedure that addresses a situation if/when the automated attendance reporting system has notified a Parent/Guardian of their child's absence and the Parent/Guardian has reported back to the school that to their knowledge their child should be in attendance.
- 4.2.6 To obtain from the Parent(s)/Guardian(s), at the beginning of every school year, information on how and where they may be contacted by the school during the school day (Form S2 – Contacts/Emergency & Consent).
- 4.2.7 To ensure that current and accurate student attendance information is recorded and available at all times.
- 4.2.8 To ensure that staff filling in for absent teachers are familiar with the school's attendance procedures as well as attendance taking throughout the instructional day.
- 4.2.9 To ensure that the Parent(s)/Guardian(s) is contacted as soon as possible and informed of the student's absence when an unexplained absence is recorded.
- 4.2.10 To notify the Police of a student's absence when all other procedures have been implemented. (Due to age range of the students this will be discussed with Administration and YRP)
- 4.2.11 To address a student's repetitive pattern of absences/late arrivals (i.e. meetings with Parent(s)/Guardian(s) and Student; assignment of detention and/or suspension; referral to the Board's Attendance Counselling Services, etc.)

4.3 Human Resources

- 4.3.1 To provide appropriate training related to the Board's automated attendance procedures to relevant employee groups.

4.4 Parent(s)/Guardian(s)

- 4.4.1 To provide current and accurate 'emergency contact' information to the school (Form S2 – Contacts/Emergency & Consent).
- 4.4.2 To inform the school through the automated attendance reporting system when their child will be absent or late or in need of early leave.
- 4.4.3 To provide the school with a reason for their child's absence, lateness or early leave through the automated attendance reporting system or a written note.
- 4.4.4 To provide a note to the school or make direct contact with Administration authorizing permission for another adult to pick up their child.

4.5 Teachers & Instructors

- 4.5.1 To record attendance after the beginning of each of the four (4) periods during the instructional day.
- 4.5.2 To send hard copies of student attendance to the office immediately after period-by-period attendance is recorded, even if there is a nil absence report in situations where the automated attendance reporting system is unavailable (i.e.: supply teachers, physical education teachers and any time when the network or server is unavailable).
- 4.5.3 To contact Parents/Guardians when a student has accumulated multiple absences/late arrivals to explain the impact of absenteeism/late arrivals on the student's success. (Committee to define "multiple" by a specific number of days.)
- 4.5.4 To submit a conduct report to the appropriate Vice Principal outlining the steps that have been taken to address a student's repetitive pattern of absences/late arrivals. (The appropriate "steps" to be implemented will be discussed & determined by the Committee)

4.6 Other Staff (including but not limited to teaching staff, educational assistants, educational intervenors and custodians)

- 4.6.1 To be vigilant in ensuring that each student is in their respective classroom during the times school is in session.
- 4.6.2 To report to the Principal when a student is not attending class as required.

4.7 Students

- 4.7.1 To arrive at school on time each day.
- 4.7.2 To sign in at the Attendance Office if arriving late or leaving early.
- 4.7.3 To return from the lunch period on time.
- 4.7.4 To attend school and classes each day.

4.8 School Secretary

- 4.8.1 To complete the "Student Information System" data entry from information contained in Form S2 – Contacts/Emergency & Consent as expeditiously as possible.
- 4.8.2 To update the school's Attendance line as required.
- 4.8.3 To complete attendance responsibilities as efficiently and expeditiously as possible.
- 4.8.4 To alert an Administrator immediately if/when the automated attendance reporting system has notified a Parent(s)/Guardian(s) of their child's absence and the Parent(s)/Guardian(s) has reported back to the school that their child should be in attendance.

5. DEFINITIONS**5.1 Attendance Procedures**

An automated reporting series of steps which are performed in conjunction with daily, period-by-period school attendance taking to ensure student safety and to account for any student's absence, late arrival or early leave.

6. CROSS REFERENCES

Education Act

Ontario Regulation 298 – Operation of Schools

Ministry of Education Policy/Program Memorandum No. 123 – Safe Arrivals

Police & School Board Protocol

YCDSB Secondary School Attendance Reporting Procedure (To be drafted)

7. RELATED FORMS

YCDSB S2 Contacts/Emergency & Consent Form

Approval by Board

_____ *Date*

Effective Date

_____ *Date*

Revision Dates

_____ *Date*

Review Date

_____ *Date*



YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> Community	<i>Policy Number</i> 606
<i>Former Policy #</i> 706	<i>Page</i> 1 of 11
<i>Original Approved Date</i> December 19, 1995	<i>Subsequent Approval Dates</i> January, 1997 February 12, 2002 June 4, 2013 June 21, 2016

POLICY TITLE: CATHOLIC SCHOOL COUNCILS

SECTION A

1. PURPOSE

The York Catholic District School Board, as per the *Education Act, Ontario Regulation 612/00, School Councils and Parent Involvement Committees*, requires that a Catholic School Council will assist the school in engaging parents, developing positive communication links with home, church and the broader school community. The Catholic School Council will also assist the school in realizing its goals and mission as well as the Board's vision.

2. POLICY STATEMENT

It is the policy of the York Catholic District School Board that each school will establish a Catholic School Council.

3. PARAMETERS

General

- 3.1 A Catholic School Council is an advisory body to the Principal and the Board whose primary means of achieving its purpose is by making recommendations in accordance with *Ontario Regulation 612/00 [s.2(1)]*.
- 3.2 Schools will make every attempt to reflect the diversity of the school community within the membership of the Catholic School Council in order to encourage Parent/Guardian engagement and include the voices of all stakeholders. (*Ministry of Education: School Councils: A Guide for Members, s. 3.1*).
- 3.3 Catholic School Council elections shall be held within the first thirty (30) calendar days of the each school year, on a date that is fixed by the Chair or Co-Chairs of the Catholic School Council in consultation with the Principal (*Ontario Regulation 612/00, s. 4(4)*).

- 3.4 The Board shall solicit the views of the Catholic School Council with respect to Board matters as outlined in the *Ontario Regulation 612/00 (s.19)*.
- 3.5 Where there is a particular concern that is broader in scope or not related to a matter that the Board is soliciting the view of the Catholic School Council, the Catholic School Council may also make a delegation to the Board in accordance with Policy 106 *Delegations to the Board and Input to Agenda Items*.
- 3.6 The school community may be invited to provide input to the Catholic School Council. It is the responsibility of the (elected/appointed) members of Catholic School Council, **in its role as an Advisory body**, to come to a final decision/position with respect to the issue/topic being addressed. **The Principal shall make the final determination once input from the Catholic School Council has been reviewed.**
- 3.7 The Catholic School Council shall establish goals, priorities and procedures (i.e.: Constitution/Operating By-Laws) [*Ontario Regulation 612/00 s.15*]. **The Catholic School Council Constitution/Operating By-Laws should be reviewed at the first meeting of the newly elected Catholic School Council.**
- 3.8 All Catholic School Council members, who have direct and regular contact with students shall provide proof of Vulnerable Sector Screening obtainable from the York Regional Police at www.yrp.ca.
- 3.9 **All Catholic School Council members who have direct and regular handling of Catholic School Council finances shall utilize risk management practices that promote safety, accountability and due diligence in the handling and management of fundraising activities and the proceeds raised from fundraising activities in an effort to minimize related risks and exposure to liability in accordance with YCDSB Policy 603A School Fundraising.**
- 3.10 All Catholic School Council members are mandated to keep student information confidential.
- 3.11 There will be no honorarium paid to any person serving as a member of the Catholic School Council [*Ontario Regulation 612/00, s.11(1)*].
- 3.12 Catholic School Councils shall ensure that staff, students and parents are not exposed to partisan information and that any such information is not distributed on school premises.
- 3.13 Board personnel and the York Catholic Parent Involvement Commitment (YCPIC) will organize information and training sessions to enable Catholic School Council Members to develop their skills.
- 3.14 The York Catholic District School Board reserves the right to disband the Catholic School Council in the event of a conflict that cannot be resolved, and/or behaviour contrary to Council's role and responsibilities. Elections to reconstitute a new Catholic School Council will be held in accordance with *Ontario Regulation 612/00*.

Membership: Composition & Term of Office

- 3.15 All members on a Catholic School Council are valued and equal partners. Each elected or appointed member receives one vote, with the exception of the Principal.
- 3.16 Membership on the Catholic School Council shall be determined in the following manner:
- 3.16.1 Parent/Guardian representatives shall be elected by parents and guardians of students enrolled in the school;
 - 3.16.2 Elementary and Secondary Student representatives shall be elected by students enrolled in the school;
 - 3.16.3 One teacher representative shall be elected by members of the teaching staff assigned to the school;
 - 3.16.4 One non-teaching representative employee shall be elected by non-teaching employees assigned to the school (i.e.: Secretaries, Custodians, Educational Assistants, Educational Intervenors, Designated Early Childhood Educators, Lunch Time Supervisors, Office Support Workers);
 - 3.16.5 One School Community representative shall be appointed by the Catholic School Council;
 - 3.16.6 One Ontario Association of Parents in Catholic Education (OAPCE) representative. Parent/Guardian of a student currently enrolled in the school.
 - 3.16.7 Parish Representative(s) designated by the Parish or Parishes affiliated with the school.
 - 3.16.8 The Chair of the Catholic School Council shall be a member who is a Parent/Guardian of a student enrolled at the school, and shall be elected by the Catholic School Council [Ontario Regulation 612/00 s8(2)];
 - 3.16.9 The Principal shall be a designated, non-voting member.
- 3.17 It is recommended that the membership of a Catholic School Council not exceed 21.
- 3.18 Parents/Guardians shall form the majority of members on the Catholic School Council.
- 3.18.1 Where the number of persons running for positions on Catholic School Council exceeds the number of positions available; there shall be a limitation imposed of only one person per household being allowed to hold the position.
 - 3.18.2 Where the number of members is fewer than 21 persons or less than the required number of members, two members of the same household may run, hold the position and exercise their right to vote.
- 3.19 A person who is employed by the board cannot be the Chair of the Catholic School Council [Ontario Regulation 612/00 s.8(3)].
- 3.20 The Principal will communicate with the Pastor of the Parish or Parishes affiliated with the school to confirm a Parish Representative who will be designated as a member of the Catholic School Council. In a situation where a school is affiliated with more than one Parish, representation must be sought from all Parishes concerned. If more than one Parish Representative is designated from the affiliated Parishes, it must be understood that only one vote is allocated to this position.

- 3.21 A person is not qualified to be a parent member of the Catholic School Council if he or she is employed at the school his or her child attends, and may only be elected as either the teaching or non-teaching staff representative (i.e.: An Office Support Worker is a Board employee, part of a Union and has a permanent position. Therefore, this person would qualify for election only as a non-teaching representative).
- 3.21.1 A person who fulfills a staff's absence on an emergency basis, is classified as a non-employee, is not part of a Union, nor holding a permanent position may be elected to the CSC as a parent member.
- 3.22 A parent, who is employed by the board but does not work at the school their children attend, may be elected as a parent member as long as they declare to other parents that they are employed by the school board prior to their election. This information shall be recorded in the minutes of the first Catholic School Council meeting.
- 3.23 The term of office for elected and appointed positions on a Catholic School Council shall not exceed one year. **A member of a Catholic School Council may be re-elected or reappointed (Ontario Regulation 612/00, s.6).**
- 3.24 **A vacancy in the membership of the Catholic School Council shall be filled by election or by appointment, in accordance with the by-laws set by the individual Catholic School Council. Catholic School Councils that want the option of filling a vacancy by appointment must ensure that a by-law is in place to provide for that option. Otherwise, the vacancy must be filled by election. If an election is to occur to fill a vacancy, then the election rules set out in Ontario Regulation 612/00 apply (Ontario Regulation 612/00 s.7)**

Meetings

- 3.25 All Catholic School Councils shall hold a minimum of four meetings per year [Ontario Regulation 612/00, s.12(1)].
- 3.26 All Catholic School Council meetings, Executive meetings and Subcommittee meetings shall be in person, on school premises or at a location accessible to the public and open to all members of the school community [Ontario Regulation 612/00,s.12(6)].
- 3.27 All Catholic School Councils shall make every reasonable effort to avoid scheduling Catholic School Council meetings on evenings of scheduled Board Meetings to enable Trustees the opportunity to attend.

Committees

- 3.28 A Catholic School Council may, in accordance with its by-laws, establish committees to make recommendations to the Catholic School Council [Ontario Regulation 612/00, s.13(1)].

Establishing By-Laws/ Review of Constitution

- 3.29 The Catholic School Council must review its constitution and operating by-laws on an annual basis, as soon as possible after the Catholic School Council meets for the first time to address the following as outlined in Ontario Regulation 612/00 s.15:
- 3.29.1 Election procedures;
- 3.29.2 Filling vacancies; and,

- 3.29.3 Conflict of interest and conflict resolution procedures
- 3.30 By-laws governing other areas of operation may also be developed but must be in accordance with applicable Board policies and *Ontario Regulation 612/00*.
- 3.31 In the event of a school closure/consolidation as a result of a Pupil Accommodation Review, the first order of business for the newly elected Executive shall be to review/revise the Catholic School Council's existing constitution and by-laws.

Fundraising

- 3.32 All fundraising activities shall be conducted in accordance with Board Policies and Guidelines (Policy 603A *School Fundraising* and Policy 603B *Fundraising for External Charitable Purposes*).
- 3.32.1 Funds raised are to be used for a purpose approved by the Board and/or Principal. Catholic School Councils shall ensure that Catholic School Council funds and school resources are not used to promote a particular viewpoint (*Ontario Regulation 612/00 s. 22*).
- 3.32.2 Any funds and assets generated through fundraising activities assisted by the Catholic School Council are the property of the Board.
- 3.32.3 In the event of a school consolidation/closure, the following will be adhered to as outlined in the Board's Procedure: *Transition Process for School Consolidation/Closure, Addendum to Policy 713 Pupil Accommodation Review of School* as follows:
- 3.32.3.1 Any residual fundraising monies shall be proportionately distributed, based on student enrolment, to the affected schools; and,
- 3.32.3.2 All school assets purchased through fundraising or General School Budget (GSB), shall be distributed equitably based on a needs assessment completed by Board staff, in consultation with the appropriate School Superintendent(s) and Principals of the affected schools:
- i) First, to the affected schools; and,
- ii) Second, to other schools as identified by Board Staff.
- 3.33 **Accurate accounting shall be maintained by the Principal and the Treasurer of the Catholic School Council to comply with the requirement of accountability and transparency to the the school community.**
- 3.34 All fundraising activities conducted by a Catholic School Council shall be included in the Annual "Year-End" Report prepared by the Catholic School Council.

Annual "Year End" Report

- 3.35 An Annual "Year End" Report, due by 3rd week of September, which outlines the Catholic School Council's goals, activities, achievements, and financial statements, including fundraising activities, shall be submitted to the Board and posted to the Catholic School Council section of the School Website. The Principal shall ensure that the Annual "Year End" Report is provided to all parents. Catholic School Councils should use the template provided by the Board and available at <https://goo.gl/PfAiCx>.

Electronic Mail Communication & Social Media

- 3.36 Only York Catholic District School Board staff, using a Board email address, can create, update and moderate information that is shared on the Board's endorsed social media platform (i.e.: Twitter).
- 3.37 Catholic School Council members, and parents at large, are encouraged to follow Board/School social media accounts, and share or re-Tweet positive achievements and school-related information.
- 3.38 All Catholic School Council communication must be hosted on the school website.
- 3.39 All Catholic School Council content must be approved by the Council and the Principal before being published on the School website.
- 3.40 In accordance with the *Municipal Freedom of Information and Privacy of Privacy Act* only the Board/Schools have the authority to collect personal information and parental consent for the posting or sharing of student information, photos and videos.
- 3.41 Catholic School Councils may provide content to the social media account administrator (i.e.: Principal), but may not have access to post to the school social media account.
- 3.42 Catholic School Council members shall promote and practice strong digital citizenship/discipleship when communicating. When posting on the internet or emailing, do not disclose any information that is confidential.

York Catholic Parent Involvement Committee (YCPIC)

- 3.43 The purpose of the York Catholic Parent Involvement Committee is to support, encourage and enhance parent engagement at the board level in order to improvement student achievement and well-being (*Ontario Regulation 612/00, s.27*)
- 3.44 The York Catholic Parent Involvement Committee shall work with Catholic School Councils of the Board and, through the Director of Education as per *Ontario Regulation 612/00, s. 27 & 28* to:
 - i) Share effective practices to help engage parents;
 - ii) Identify and reduce barriers to parent engagement;
 - iii) Help ensure that schools of the board create a welcoming environment for parents of its pupils;
 - iv) Develop skills and acquire knowledge that will assist the parent involvement committee and councils of the board with their work; and,
 - v) Determine, in consultation with the Director of Education and in keeping with Board's policies, how funding, if any, provided under the *Education Act* for parent involvement is to be used.

Ontario Association of Parents in Catholic Education (OAPCE)

- 3.45 The Ontario Association of Parents in Catholic Education is the local affiliate of the Provincial Parents' Association, established to,
 - i) Respond to and represent the interests and concerns of Parents/Guardians who have children enrolled in publicly funded Catholic schools with a focus on all aspects of student education: spiritual, academic, health and safety, as well as other issues which may arise from parent communication with the organization;

- ii) Collaborate with local and provincial education partners to strengthen the voice of Parents/Guardians.

4. RESPONSIBILITIES

4.1 Director of Education

- 4.1.1 To oversee compliance with the Catholic School Council policy and related guidelines.

4.2 Senior Administration

- 4.2.2 To support school communities with the implementation of and compliance with the Catholic School Council policy and related guidelines.

4.3 Principal

- 4.3.1 To perform the duties as outlined in Ontario Regulation 612/00 *School Councils and Parent Involvement Committees* and Ontario Regulation 613/00 *Operation of Schools*.
- 4.3.2 To ensure compliance with the Catholic School Council policy and related guidelines.
- 4.3.3 To make every effort to engage parents who reflect the diversity of the school community to be members of the Catholic School Council.
- 4.3.4 To facilitate the establishment of the Catholic School Council and assist in its operation.
- 4.3.5 To attend Catholic School Council meetings.
- 4.3.6 To support and promote Catholic School Council's activities that are consistent with the board's policy statement dealing with Catholic School Councils.
- 4.3.7 To seek input from the Catholic School Council in areas for which it has been assigned advisory responsibility.
- 4.3.8 To consult with the Catholic School Council on fundraising expenditures.
- 4.3.9 To Act as a resource on laws, regulations, board policies, and collective agreements.
- 4.3.10 To obtain and provide information required by the Catholic School Council to enable it to make informed decision.
- 4.3.11 To communicate with the Chair of the Catholic School Council, as required.
- 4.3.12 To ensure that all Catholic School Council meeting dates are posted on the Catholic School Council section of the School Website and in the School Calendar, and that all agendas and minutes are posted on the school website in a timely manner.
- 4.3.13 To ensure that the Catholic School Council's Annual "Year End" Report is submitted to the Board and posted to the Catholic School Council section of the School Website in a timely manner.
- 4.3.14 To ensure that copies of the agenda and minutes of all Catholic School Council meetings including Executive and Subcommittee meetings are kept at the school for a minimum of 10 years.
- 4.3.15 To ensure that copies of all Catholic School Council, Executive and any Subcommittee Agendas, Minutes and the Annual "Year End" Report are shared with the Catholic School Council, all Parents/Guardians, local Trustee(s) and School Superintendent electronically, if possible, and in a timely manner.

- 4.3.16 To assist the Catholic School Council in communicating with the school community.
- 4.3.17 To contact the wider school community, local Trustee(s) and School Superintendent to notify of any change or cancellation of Catholic School Council meetings.
- 4.3.18 To present to the Catholic School the General School Budget and the School Bank Account allocations as well as all fundraising expenditures on an annual basis.
- 4.3.19 To maintain the authority to end and/or terminate the meeting, should inappropriate discussions about individual Parent/Guardians, students, staff, Trustees or other Catholic School Council members arise.

4.4 Catholic School Council

- 4.4.1 To fulfill the role of an advisory body to the school and board as follows:
 - 4.4.1.1 To respect the confidentiality of all information that may be received regarding any pupils or staff while a volunteer and/or Catholic School Council member and refrain from releasing that information to any person in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*;
 - 4.4.1.2 To coordinate the election procedures for Catholic School Councils to be held within the first thirty calendar days of the start of the school year;
 - 4.4.1.3 To promote the best interests of the school community;
 - 4.4.1.4 To communicate regularly, **via the School Website or School Newsletters**, with parents and other members of the school community seeking their views and preferences with regard to matters being addressed by the Catholic School Council; and,
 - 4.4.1.5 To report on the activities of the Catholic School Council to the school community and Board as required.
- 4.4.2 To maintain a school-wide focus on all issues **with sensitivity to the school's needs, culture and demographics**.
- 4.4.3 To respect that Catholic School Council meetings are not a forum for discussion about individual parents/guardians, students, staff, trustees or other Catholic School Council members.
- 4.4.4 To respond to Board requests regarding policies under review in a timely manner.

5. DEFINITIONS

5.1 Advisory Body

A group established to provide advice and recommendations. An advisory body does not have final decision-making powers.

5.2 By-Laws

The rules developed and adopted by the Catholic School Council for the regulation of its operation and proceedings. By-laws must not conflict with Board policies or provincial legislation by which a Catholic School Council is established.

5.3 Constitution

A document that defines the structure of the Catholic School Council and sets out the principles according to which the council is governed. Catholic School Councils are

not required to develop lengthy Constitutions, since *Ontario Regulation 612/00* sets out the mandate and roles and responsibilities for School Councils.

5.4 Digital Citizenship/Discipleship

The norms of appropriate, responsible behaviour with regard to technology use. It encompasses digital literacy, ethics, etiquette, online safety, rights, culture, wellness and copyright.

5.5 Diversity

The presence of a wide range of human qualities and attributes within a group, organization or society. The dimensions of diversity include, but are not limited to, age, ancestry, culture, ethnicity, gender identity, gender expression, language, physical and intellectual ability, race, religion, sex, sexual orientation and socio-economic status.

5.6 Electronic Communication & Social Media

Any software, application(s), e-mail, SMS (Texting) and website(s) which enable users to access, create, download, exchange and store information online.

5.7 Personal Information

In accordance with Ontario's *Personal Information Protection and Electronic Documents Act (PIPEDA)*, personal information includes:

- Name, race, ethnic origin, religion, marital status, educational level
- E-mail address and messages, Internet Protocol (IP) address
- Age, height, weight, medical records, blood type, DNA code, fingerprints, voiceprint
- Income, purchases, spending habits, banking information, credit/debit card data, loan or credit reports, tax returns
- Social Insurance Number (SIN) or other identification numbers

5.8 School Community

All Parents/Guardians who have children enrolled in the school as well as stakeholders within the designated school boundary including, but not limited to staff, local pastor(s), parish representative, community representative **and/or residents**.

6. CROSS REFERENCES

YCDSB Policy 106	Delegations to the Board and Input to Agenda Items
YCDSB Policy 201	Healthy Schools
YCDSB Policy 201A	Healthy Schools – Eating & Nutrition
YCDSB Policy 205	Student Government
YCDSB Policy 317	Electronic Communications & Social Media
YCDSB Policy 603A	School Fundraising
YCDSB Policy 603B	Fundraising for External Charitable Purposes
YCDSB Policy 608	Volunteers in Schools
YCDSB Policy 713	Pupil Accommodation Review of Schools
YCDSB Policy 803	Funds Generated in Elementary and Secondary Schools

YCDSB School Generated Funds Administrative Procedure

YCDSB Transition Process for School Consolidation/Closure Procedure

Education Act: Ontario Regulation 612/00 School Councils and Parent Involvement Committees
(<https://www.ontario.ca/laws/regulation/000612>)
Education Act: Ontario Regulation 613/00 Operation of Schools
Municipal Freedom of Information and Protection of Privacy Act
Ontario Ministry of Education School Councils: A Guide for Members, 2001, Revised 2002
<http://www.edu.gov.on.ca/eng/general/elemsec/council/guide.html>

Approval by Board	June 21, 2016 _____ <i>Date</i>
Effective Date	June 22, 2016 _____ <i>Date</i>
Revision Date	June 21, 2016 _____ <i>Date</i>
Review Date	June 2021 _____ <i>Date</i>

POLICY TITLE: CATHOLIC SCHOOL COUNCILS

SECTION B: GUIDELINES

1. Role of Catholic School Council Members

- 1.1 Provide informed advice to the Principal on matters related to student achievement, well-being and continuous school improvement
- 1.2 Maintain a school-wide perspective on issues
- 1.3 Participate in Catholic School Council meetings
- 1.4 Participate in information and training programs
- 1.5 Act as a link between the Catholic School Council and the school community
- 1.6 Encourage the participation of all Parents/Guardians and of other people within the school community
- 1.7 Respect the confidentiality of all information that may be received regarding any pupils or staff while a volunteer and/or Catholic School Council member and refrain from releasing that information to any person in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

2. Role of Catholic School Council Chair/Co Chair

- 2.1 Call Catholic School Council meetings; (minimum of four per year – first meeting to be held within 35 days of the start of the school year)
- 2.2 New members to the Catholic School Council Executive should attend the Catholic School Council Orientation Workshop offered by the York Catholic Parent Involvement Committee held annually in the Fall
- 2.3 Prepare in concert with the Principal the agenda for Catholic School Council, Executive or Subcommittee meetings
- 2.4 Chair Catholic School Council meetings
- 2.5 Ensure that the minutes of Catholic School Council, Executive or Subcommittee meetings are recorded, maintained and kept for 10 years
- 2.6 Participate in information and training programs
- 2.7 Communicate with the school Principal as required
- 2.8 Ensure that there is regular communication with the school community **posted on the Catholic School Council section of the school website**
- 2.9 Consult with senior board staff and Trustees, as required, and submit annually a written report of the Catholic School Council activities to the Principal and the Board. This Year-End Report will be posted on the school website
- 2.10 Respect the confidentiality of all information that may be received regarding any pupils or staff while a volunteer and/or Catholic School Council member and refrain from releasing that information to any person in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*

3. Role of Catholic School Council Secretary

- 3.1 Ensure that the minutes of the Catholic School Council meetings are recorded and maintained for a minimum of ten (10) years
- 3.2 Keep a record of the proceedings of all other Catholic School Council meetings (i.e.: Executive or Sub-Committee meetings) for a minimum of ten (10) years
- 3.3 Attend to all official correspondence and communication, posting of notices and filing of records as directed by the Catholic School Council in collaboration with the Chair and Principal, and in accordance with Board policies and procedures

4. Role of Catholic School Council Treasurer

- 4.1 Be entrusted with the receipt, care and management of all Catholic School Council funds in accordance with Board policies and procedures
- 4.2 Prepare all deposits and ensure that they are signed by both the Treasurer and Chair or Co-Chair
- 4.3 Ensure that all deposits are prepared by a minimum of two (2) Catholic School Council members, one being the Treasurer, to confirm deposit amounts
- 4.4 Prepare all documentation for the payment of invoices authorized by the Catholic School Council
- 4.5 Provide an account of all transactions and a current financial statement (budget vs. actual analysis) at regular Catholic School Council meetings, or whenever required
- 4.6 Ensure that all financial records of the Catholic School Council remain at the School and are available for audit purposes
- 4.7 Prepare a full Financial Statement prior to the Catholic School Council's Annual General Meeting
- 4.8 Develop budget proposals based on Catholic School Council approved expenditures
- 4.9 Maintain all financial records for seven (7) years



YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> Governance	<i>Policy Number</i> 118
<i>Former Policy #</i>	<i>Page</i> 1 of 5
<i>Original Approved Date</i> January 27, 2015	<i>Subsequent Approval Dates</i> January 27, 2015

POLICY TITLE: TRUSTEE CODE OF CONDUCT

SECTION A

1. PURPOSE

The York Catholic District School Board confirms that the role of Trustee is one where public trust and confidence is essential because Trustees are elected to represent all stakeholders in the Board. The York Catholic District School Board believes that personal commitment to high ethical standards is required by all individuals elected to the role of Trustee. This will ensure that the Board can responsibly fulfill its obligations and discharge its duties in a manner motivated by the spirit of the Gospel and modeled on the examples of Jesus Christ.

Trustees of the York Catholic District School Board are expected to fulfill their duties and responsibilities consistent with Gospel Values, the teachings of the Catholic Church, the Board's By-Laws and the *Education Act*.

2. POLICY STATEMENT

It is the policy of the York Catholic District School Board that the Board of Trustees will, at all times conduct themselves in a manner consistent with the Mission and Vision of the York Catholic District School Board. Furthermore, Trustees commit themselves to ethical, professional, respectful and lawful conduct in the promotion of Gospel values and the provision of quality faith-based Catholic education for its students.

3. PARAMETERS

3.1 Trustees shall support a shared commitment to excellence in Catholic education that promotes the integration of our Catholic faith as well as the continuous improvement of student achievement and well-being through the delivery of effective and appropriate education programs, services and effective stewardship of the Board's resources and engagement of our communities.

3.1.1 Trustees shall demonstrate a public commitment to the York Catholic District School Board Trustee Code of Ethics at each Inaugural Meeting of the Board.

3.2 CATHOLIC FAITH, COMMUNITY AND CULTURE

Trustees acknowledge that Catholic schools are an expression of the teaching mission of the Church and shall, within the duties prescribed in the *Education Act* and its Regulations:

- 3.2.1 Provide an example to the Catholic Community that reflects the teaching of the Church;
- 3.2.2 Ensure the Board provides the best possible Catholic education according to the programs approved by the Canadian Conference of Catholic Bishops and the Provincial Minister of Education;
- 3.2.3 Recognize and rigorously defend the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- 3.2.4 Respect the confidentiality of the Board;
- 3.2.5 Ensure the affairs of the Board are conducted with openness, justice and compassion;
- 3.2.6 Work to improve personal knowledge of current Catholic educational research and practices;
- 3.2.7 Affirm a strong sense of Christian Catholic Community; and,
- 3.2.8 Provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education.

3.3 RESPECT, CIVILITY AND COMMUNICATION

Trustees share in the responsibility of creating a positive working and learning environment that is safe, harmonious, comfortable, inclusive and respectful. Trustees shall:

- 3.3.1 Respect and comply with all applicable federal, provincial and municipal laws;
- 3.3.2 Uphold and abide by all Board policies, procedures, protocols and the York Catholic District School Board Trustee Code of Ethics (Appendix "A");
- 3.3.3 Demonstrate honesty and integrity;
- 3.3.4 Treat others fairly and with dignity and respect at all times, especially when there is disagreement;
- 3.3.5 Employ appropriate language and professionalism in performing their duties as Trustees, and in all matters of communication including email, telephone and face-to-face meetings with staff, parents and other stakeholders.

3.4 COMPLYING WITH LEGISLATION

Trustees shall comply with all Federal and Provincial legislation and any contractual obligations of the Board in conducting the business of the Board. Trustees shall:

- 3.4.1 Familiarize themselves and comply with the duties of Board members as set out in Section 218.1 of the *Education Act* including any applicable regulations.
- 3.4.2 Familiarize themselves with duties and/or requirements applicable to them in the *Municipal Freedom of Information and Protection of Privacy Act*, the *Municipal Conflict of Interest Act*, and YCDSB by-laws and policies.

3.5 CONFIDENTIALITY

Trustees acknowledge that as part of their duties they may be privy to private, confidential and/or legally privileged financial, business and/or commercial information. Such information may include, but is not limited to, information relating to the Board's organizational structure, operations, business plans, technical projects, business costs, research data, inventions, trade secrets or other work produced,

developed by or for the Board, confidential student and personnel information, legal matters and opinions.

- 3.4.1 Except as required by law, all Trustees and former Trustees agree not to use, directly or indirectly, for the Trustee's benefit or the benefit of any person, organization, form, or other entity, the Board's proprietary or confidential information disclosed or entrusted to that Trustee. Trustees recognize that such inappropriate use of confidential information for their benefit may constitute a breach of trust contrary to Section 122 of the *Criminal Code*.
- 3.4.2 The confidentiality of personal information received in the course of duties shall be respected and protected. Trustees shall keep all information received, including but not limited to, in camera discussions and actions in complete confidence. Information received shall not be discussed in public where another person not privy to the information could accidentally overhear or read such information.
- 3.4.3 A Trustee's duty of confidentiality survives their term of office.

3.5 ENFORCEMENT

- 3.5.1 Trustees will at all times conduct themselves in a manner consistent with the Code of Conduct outlined in this policy.
- 3.5.2 A complaint of trustee conduct that is contrary to this policy shall be addressed in a timely manner according to the Procedure: *Disposition of Complaints against a Trustee*, an addendum to this Policy.
- 3.5.3 If the complaint, including any supporting documentation, is not, on its face, a contravention of the Board's Code of Conduct, or more applicable to other legislation, then the complainant shall be informed in writing. The following matters shall not be dealt with through the Procedure: *Disposition of Complaints against a Trustee*:
 - 3.5.3.1 Criminal matters
 - 3.5.3.2 *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA): the complainant will be referred to the Board's Privacy Manager if appropriate.
 - 3.5.3.3 *Municipal Conflict of Interest Act*.
 - 3.5.3.4 Outstanding complaints under another process such as civil litigations or a matter at the Human Rights Tribunal, in which case timelines outlined within the procedure will be suspended pending the outcome of the other proceeding.

4. RESPONSIBILITIES

4.1 Trustee

- 4.1.1 To make the declaration and oath of office prior to commencing his/her role as Trustee.

4.2 Board of Trustees

- 4.2.1 To oversee the compliance with the Trustee Code of Conduct Policy.

5. DEFINITIONS

5.1 Conflict of Interest

All Trustees must abide by the rules and regulations defined within the *Municipal Conflict of Interest Act*. It is solely the personal responsibility of the individual Trustee to make any declaration of a conflict.

5.2 Trustee

A person elected or acclaimed to the office of trustee of the Board pursuant to the provisions of the *Municipal Elections Act* or appointed to the office of trustee pursuant to the provisions of the *Education Act*.

6. CROSS REFERENCES

YCDSB Policy 423 Conflict of Interest

YCDSB Procedure Disposition of Complaints Against a Trustee

Education Act

Municipal Conflict of Interest Act

Municipal Freedom of Information and Protection of Privacy Act

Approval by Board

January 27, 2015

Date

Effective Date

January 28, 2015

Date

Revision Date(s)

Date

Review Date

January 2020

Date

TRUSTEE CODE OF ETHICS

Preamble:

The Trustees of the York Catholic District School Board believe that personal commitment to high ethical standards is required to ensure that the board can responsibly fulfill its obligations and discharge its duties in a manner motivated by the spirit of the Gospel and modeled on the examples of Jesus Christ. Board members recognize that trustees occupy positions of public trust and confidence and are dedicated to serving the community in a professional, impartial and Catholic manner.

Accordingly, as a Catholic School Trustee:

- I will strive to serve my local electorate while maintaining a system-wide perspective that upholds the principles of equity and fairness.
- I will accept that authority rests with the board and that I have no individual authority outside of the board. I will abide by the majority decisions of the board once they are made, but shall be free to explain the position that I upheld when the decision was made provided it does not undermine the authority of the board.
- I will strive to develop and implement Board policies that are equitable and consistent with the YCDSB Mission, Vision and Values.
- I will act with integrity and work to ensure that all business of the board is conducted with openness, fiscal accountability and compassion.
- I will accept my obligation to attend and prepare for all board and assigned committee meetings. I will work with other board members and staff in a spirit of respect, collaboration and proper decorum in spite of any differences of opinion that arise during debate.
- I will respect and nurture the human and divine nature of each individual without judgment or reproach and will strive to reflect Gospel values in all that I say and do.
- I will not discuss confidential information obtained in my capacity as a board member. I will not discuss those matters outside the meetings of the board or the board's committees. I will not use privileged information for either personal gain or to the detriment of the board.
- I will report to the Board alleged breaches, frauds, improprieties and/or conflicts which come to my attention.
- I will accept my responsibility for understanding legislation pertaining to the *Municipal Conflict of Interest Act*. I will not use my position for personal advantage or to the advantage of any other party not representing the total interest of the YCDSB. I will resist outside pressure to make such use of my position.
- I will endeavour to participate in professional development opportunities which enrich my faith life and/or enhance my ability to serve our Catholic school communities.



YORK CATHOLIC DISTRICT SCHOOL BOARD

PROCEDURE: DISPOSITION OF COMPLAINTS AGAINST A TRUSTEE

Addendum to Policy 118: Trustee Code of Conduct

Effective: xxx 2018

DISPOSITION OF COMPLAINTS AGAINST A TRUSTEE PROCEDURE AND ENFORCEMENT

PURPOSE

The *Disposition of Complaints Against a Trustee* procedure is designed in conjunction with YCDSB Policy 118 *Trustee Code of Conduct* and outlines the complaint resolution process that is to apply to any alleged breach of the Code of Conduct.

All participants in an investigation of an alleged breach of the code of conduct, including persons who make a report, witnesses, and the trustee alleged to be responsible for the breach, shall keep the details and results of the investigation confidential, and shall not discuss the matter with anyone other than those conducting the investigation.

A. COMPLAINT BY A MEMBER OF THE PUBLIC

It is recognized that from time to time a contravention of the Code of Conduct may occur that is committed through inadvertence or an error of judgement made in good faith. In the spirit of collegiality and in the best interests of the board, the purpose of alerting a Trustee to a breach of the Code of Conduct is to assist the Trustee in understanding their obligations under the Code of Conduct. Only serious and/or reoccurring breaches by a Trustee should be investigated following the Formal Complaint Procedure.

In the case of an allegation of a breach of the Code of Conduct by the Chair of the Board, this process shall be modified to read Vice-Chair of the Board.

FORMAL COMPLAINT PROCEDURE

If a member of the public believes that a Trustee has breached the Board's Code of Conduct they may initiate the Formal Complaint Procedure by providing to the Chair of the Board a written, signed complaint that includes the following:

- i) The name of the Trustee who is alleged to have breached the Code of Conduct.
- ii) The alleged breach(es) of the Code of Conduct.
- iii) Information as to when the alleged breach occurred and when it came to the attention of the person making the allegation.
- iv) The grounds for the belief that an alleged breach has occurred.
- v) The names and contact information of any witnesses to the alleged breach or any other persons who have relevant information regarding the alleged breach.

Any person who files the Formal Complaint always has the right to withdraw the complaint.

A member of the public has 30 calendar days after the alleged breach comes to their attention to file a Formal Complaint.

The Chair of the board shall provide a copy of the written complaint to the Trustee who is alleged to have breached the Code of Conduct within 5 calendar days. The Trustee who is alleged to have breached the Code of Conduct shall have 10 calendar days to review the complaint before it is forwarded to the entire Board of Trustees.

The Trustee who is alleged to have breached the Code of Conduct may choose to ask the Chair of the Board if the person making the allegation wishes to meet with the Trustee in an attempt to resolve the matter informally. At this point the timeline is suspended and the

party making the allegation will have 10 calendar days to respond to the request to meet with the Trustee. The decision to meet informally rests solely with the person making the allegation. At no time will this request to meet informally be used as a delay tactic. If the parties agree to meet informally, the Trustee may request that the Chair of the Board be present. The person alleging the breach of the Code of Conduct may bring a third party to the meeting, as long as all agree to the need to maintain confidentiality. The meeting shall occur at a mutually convenient time, if at all possible, within 30 calendar days of the Trustee receiving the written complaint.

If the complainant is not satisfied with the outcome of the informal meeting, then the written complaint will be forwarded to the Board of Trustees within 10 calendar days of the meeting.

The Chair of the Board shall provide to all Trustees a confidential copy of the complaint. If necessary, a Special Committee of the Whole meeting shall be convened to decide whether or not the complaint merits investigation. If the Board decides by resolution that the complaint is out of time (i.e. past the 30 calendar days from the date upon which the alleged breach of the Code of Conduct came to the attention of the party alleging the breach), trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, such an inquiry shall not be conducted.

The Trustee involved in the complaint shall not be present, therefore, will not vote on the matter before the Board. If the Board decides that an inquiry is not warranted, then a confidential letter stating the reasons for not doing so shall be provided to both the complainant and Trustee within 5 calendar days of the meeting.

If the Board chooses to proceed with a formal inquiry both parties will be notified in writing within 5 calendar days of the decision. The Trustee that is alleged to have breached the Code of Conduct has the right to secure legal counsel with costs covered by the Board.

B. COMPLAINT BY AN EMPLOYEE OF THE BOARD

It is recognized that from time to time a contravention of the Code of Conduct may occur that is committed through inadvertence or an error of judgement made in good faith. In the spirit of collegiality and in the best interests of the board, the purpose of alerting a Trustee to a breach of the Code of Conduct is to assist the Trustee in understanding their obligations under the code of Conduct. Only serious and/or reoccurring breaches by a Trustee should be investigated following the Formal Complaint Procedure.

An employee of the Board who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Director of Education (who will notify the Chair of the Board) or directly to the Chair of the Board no later than 15 calendar days after the breach comes to the attention of the employee. This operational procedure provides employees with a framework for the reporting and investigation of an alleged breach as well as protection from reprisal or threat of reprisal for those who make a such a report.

In the case of an allegation of a breach of the Code of Conduct by the Chair of the Board, this process shall be modified to read Vice-Chair of the Board.

INFORMAL COMPLAINT PROCEDURE

The Chair of the Board shall meet informally with a Trustee who is alleged to have breached the Code of Conduct to discuss the breach. This meeting will occur as soon as

possible after the alleged breach has been brought to the attention of the Chair and/or Director of Education. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss measures to resolve the concern.

The Chair and Director of Education will then facilitate and attend a meeting between the employee and the Trustee so as to discuss remedial measures to resolve the concern. The intent of this process is to address the alleged breach in a timely manner. The meetings shall occur at a mutually convenient times. If at all possible, the timeline from the receipt of an allegation of a breach to the face to face meeting shall be less than 15 calendar days.

If the employee bringing the allegations of a breach of the Code of Conduct is not satisfied with the outcome of the Informal Complaint Procedure they have 10 calendar days after the date of the face to face meeting to initiate the Formal Complaint Procedure.

FORMAL COMPLAINT PROCEDURE

An employee initiates the Formal Complaint Procedure by providing to the Chair of the Board a written, signed complaint, and copying the Director of Education, that includes the following:

- i) The name of the Trustee who is alleged to have breached the Code of Conduct.
- ii) The alleged breach of the Code of Conduct.
- iii) Information as to when the alleged breach occurred and when it came to the attention of the employee making the allegation.
- iv) The grounds for the belief by the employee that a breach has occurred.
- v) The names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

The employee who files the Formal Complaint always has the right to withdraw the complaint or to return to the Informal Complaint Procedure at any point in the process.

The Chair of the Board shall provide a copy, within 5 calendar days, of the written complaint to the Trustee who is alleged to have breached the Code of Conduct. The Trustee who is alleged to have breached the Code of Conduct shall have 10 calendar days to review the complaint before it is forwarded to the entire Board of Trustees. The Trustee who is alleged to have breached the Code of Conduct may choose to ask the Chair of the Board if the employee making the allegation wishes to return to the Informal Complaint Procedure. The decision to return to the Informal Complaint Procedure rests solely with the employee making the allegation. At no time will this request to return to the Informal Complaint Procedure be used as a delay tactic.

Within 15 calendar days of receiving a formal written complaint, the Chair of the Board shall provide to all Trustees a confidential copy of the complaint. If necessary, a Special Committee of the Whole meeting shall be convened to decide whether or not the complaint merits investigation. If the Board decides by resolution that the complaint is out of time (i.e.: past the 15 calendar days after the breach comes to the attention of the employee), trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, such an inquiry shall not be conducted. If the complaint is frivolous or vexatious, the employee making the allegations will be subject to Policy 412, *Progressive Discipline of Employees*.

The Trustee involved in the complaint shall not be present, therefore, will not vote on the matter before the Board. If the Board decides that an inquiry is not warranted, then a

confidential letter stating the reasons for not doing so shall be provided to both the employee and Trustee within 5 calendar days of the meeting.

If the Board chooses to proceed with a formal inquiry, the employee making the allegation and the Trustee that is alleged to have breached the Code of Conduct will be notified in writing within 5 calendar days of the decision. Both the Trustee and employee have the right to secure legal counsel with costs covered by the Board.

C. COMPLAINT BY A TRUSTEE WITH RESPECT TO ANOTHER TRUSTEE

In the spirit of collegiality, the Board of Trustees strongly encourages Trustees to resolve any conflict between Trustees by engaging in open, respectful dialogue. When a Trustee feels that another Trustee may have breached the Code of Conduct, it is hoped that the Trustees will meet to discuss the concern thereby possibly resolving the situation. It is recognized that in certain circumstances the Trustee alleging the breach may not be comfortable approaching the other Trustee and instead will initiate the Informal Complaint Procedure without notifying the Trustee that is alleged to have breached the Code of Conduct.

It is recognized that from time to time a contravention of the Code of Conduct may occur that is committed through inadvertence or an error of judgement made in good faith. In the spirit of collegiality and in the best interests of the board, the purpose of notifying a Trustee of an alleged breach of the Code of Conduct is to assist the Trustee in understanding their obligations under the Code of Conduct. Only serious and/or reoccurring breaches by a Trustee should be investigated following the Formal Complaint Procedure.

A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Chair of the Board no later than 15 calendar days after the alleged breach comes to the attention of the Trustee reporting the alleged breach.

In the case of an allegation of a breach of the Code of Conduct by the Chair of the Board, this process shall be modified to read Vice-Chair of the Board.

INFORMAL COMPLAINT PROCEDURE

The Chair of the Board shall meet informally with a Trustee who is alleged to have breached the Code of Conduct to discuss the alleged breach. This meeting will occur as soon as possible after the alleged breach has been brought to the attention of the Chair. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss measures to resolve the concern. The Chair will facilitate a meeting between the two Trustees so as to discuss remedial measures to resolve the concern. The Chair may invite the Vice-Chair to attend the meeting. The intent of this process is to address alleged breaches in a timely manner and meetings shall occur at mutually convenient times. If at all possible the timeline from receiving an allegation of a breach to the face to face meeting shall be less than 15 calendar days.

If the Trustee bringing the allegations of a breach of the Code of Conduct is not satisfied with the outcome of the Informal Process, they have 10 calendar days after the date of the face to face meeting to initiate the Formal Complaint Procedure.

FORMAL COMPLAINT PROCEDURE

A Trustee initiates the Formal Complaint Procedure by providing to the Chair of the Board a written, signed complaint that includes the following:

- i) The name of the Trustee who is alleged to have breached the Code of Conduct.

- ii) The alleged breach of the Code of Conduct.
- iii) Information as to when the alleged breach occurred and when it came to the attention of the Trustee making the allegation.
- vi) The grounds for the belief by the Trustee that a breach has occurred.
- vii) The names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

The Trustee who files the Formal Complaint always has the right to withdraw the complaint or to return to the Informal Complaint Procedure at any point in the process.

The Chair of the Board shall provide a copy of the written complaint to the Trustee who is alleged to have breached the Code of Conduct within 5 calendar days. The Trustee who is alleged to have breached the code of Conduct shall have 10 calendar days to review the complaint before it is forwarded to the entire Board of Trustees. The Trustee who is alleged to have breached the Code of Conduct may choose to ask the Chair of the Board if the Trustee making the allegation wishes to return to the Informal Complaint Procedure. The decision to return to the Informal Complaint Procedure rests solely with the Trustee making the allegation. At no time will this request to return to the Informal Complaint Procedure be used as a delay tactic.

Within 15 calendar days of receiving a formal written complaint, the Chair of the Board shall provide to all Trustees a confidential copy of the complaint. If necessary, a Special Committee of the Whole meeting shall be convened to decide whether or not the complaint merits investigation. If the Board decides by resolution that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, such an inquiry shall not be conducted. The Trustees involved in the complaint shall not be present therefore will not vote on the matter before the Board. If the Board decides that an inquiry is not warranted, then a confidential letter stating the reasons for not doing so shall be provided to both Trustees within 5 calendar days of the meeting.

If the Board chooses to proceed with a formal inquiry, then Trustee making the allegation and the Trustee that is alleged to have breached the Code of Conduct will be notified in writing within 5 calendar days of the decision. Both Trustees have the right to secure legal counsel with costs covered by the Board.

D. FORMAL INQUIRY AND DECISION BY BOARD

The formal inquiry of an allegation of a breach of the Code of Conduct shall be conducted by an independent third party and shall be completed in a timely manner, preferably less than one month after the special Board meeting decision to launch the formal inquiry.

The following shall guide the inquiry:

- i) The *Statutory Powers Procedures Act* does not apply, i.e. no formal trial-type hearing shall occur.
- ii) Procedural fairness and the rules of natural justice shall govern the formal inquiry and all matters shall be conducted in private.
- iii) The formal inquiry may involve written statements by those involved as well as written statements made by any witnesses.
- iv) The parties involved shall have an opportunity to review the draft report of the investigator to make sure there are no errors of fact. The parties shall have 10 calendar days from the receipt of the final draft to make final submissions in writing.
- v) If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in their absence.

- vi) The final report shall outline the finding of facts but not contain a recommendation or opinion as to whether or not the Code of Conduct has been breached.
- vii) If the investigator discovers that the subject matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the formal inquiry shall be suspended until the police investigation, charge, or matter under another Act has been finally disposed. This reason for the suspension shall be reported to the Board of Trustees.

The final report shall be delivered to the Board of Trustees and the Board will make the decision as to whether or not the Code of Conduct has been breached and the sanction assigned. Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation in the matter.

If the Board of Trustees determines that there has been no breach or that the contravention occurred but that the Trustee took all reasonable measures to prevent the alleged breach or that the contravention that occurred was trivial or committed through inadvertence or an error of judgement made in good faith, then no sanction shall be imposed.

The determination of a breach of the Code of Conduct and the imposition of a sanction must be conducted by resolution of the Board in a public session. The resolution **shall** be recorded in the minutes of the meeting. Both the determination of a breach and the decision on sanction shall require a vote of 2/3 of the Trustees present and eligible to vote. The Trustee alleged to have breached the Code of Conduct shall not participate in the voting. If a Trustee is the one making the allegation of the Breach, they shall not participate in the voting.

Despite s. 207(1) of the *Education Act*, the part of the meeting during which the alleged breach is considered may be closed to the public when the alleged breach involves any matters described below, 207(2) (a) to (e):

- i) The security of the property of the board.
- ii) The disclosure of intimate, personal, or financial information in respect of a member of the board or committee, an employee or prospective employee, or a pupil or his parent/guardian.
- iii) The acquisition or disposal of a school site.
- iv) Decisions in respect of negotiations with employees of the board.
- v) Litigation affecting the board.

E. SANCTIONS

If the Board determines that a Trustee has breached the Board's Code of Conduct, the board may impose one or more of the following sanctions as per the *Education Act* S218.3:

- i) Censure of the Trustee.
- ii) Barring the Trustee from attending all or part of a meeting of the Board and/or a meeting of a committee of the Board.
- iii) Barring the Trustee from sitting on and/or attending one or more committees of the Board for a period of time specified by the Board.

The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous, such as a warning, a formal apology in writing, or a

requirement that the Trustee successfully complete specified professional development courses at the expense of the board.

A Trustee who is barred from attending all or part of a meeting is not entitled to receive any materials that relate to that meeting that are not available to members of the public.

The Board has no power to declare the Trustee's seat vacant for a breach of Code of Conduct. The imposition of a sanction barring a Trustee from attending a Board meeting shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore not in violation of the *Education Act* regarding absences from meetings.

F. NOTIFICATION AND RECONSIDERATION OF DECISION BY BOARD

If the board determines that a Trustee has breached the Board's Code of Conduct, the Board shall:

- i) Give the Trustee written notice of the determination, the reasons for the decision, and any sanctions imposed by the Board.
- ii) Inform the Trustee that they may make a written submission to the Board in respect of the determination or sanction by the date specified in the notice that is at least 14 calendar days after the notice is received by the Trustee.
- iii) Consider any submissions made by the Trustee and shall confirm, vary or revoke the determination or sanction within 14 calendar days of receiving the submission from the Trustee.

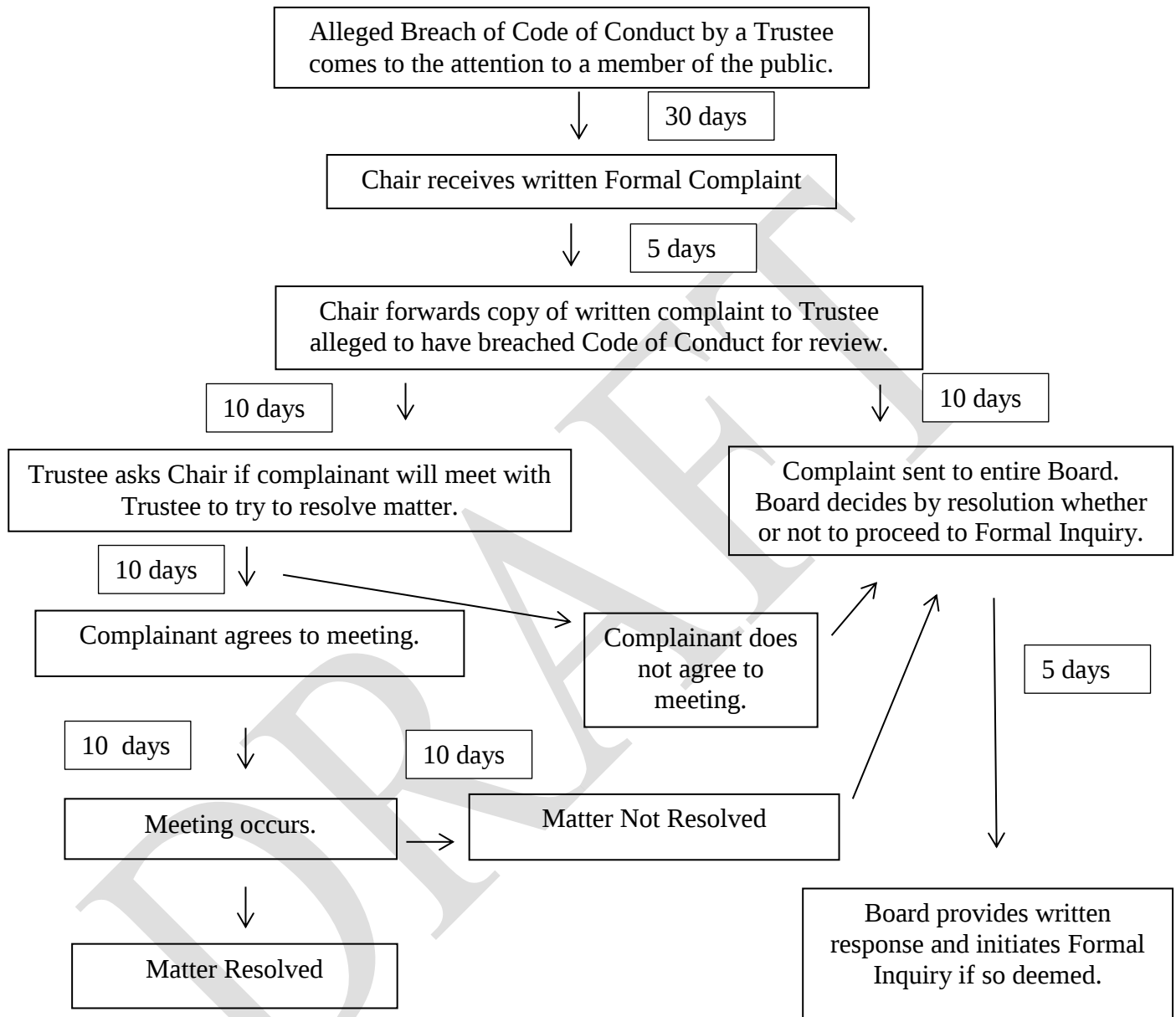
If necessary a Special Board meeting will be held to meet the above deadlines, unless there is agreement from the Trustee to extend the timeline to deal with the matter at a regularly scheduled meeting.

The Board's decision to confirm, vary, or revoke a determination of a breach of the Code of Conduct and the imposition of a sanction must be conducted by resolution of the Board in a public session. The resolution shall be recorded in the minutes of the meeting together with the reasons for confirming, varying, or revoking the previous determination. The decision shall require a vote of 2/3 of the Trustees present. The Trustee requesting the reconsideration shall not participate in the voting.

The Board shall provide to the Trustee requesting the reconsideration written notice and reasons for the decision to confirm, vary or revoke the earlier determination of a breach of the Code of Conduct.

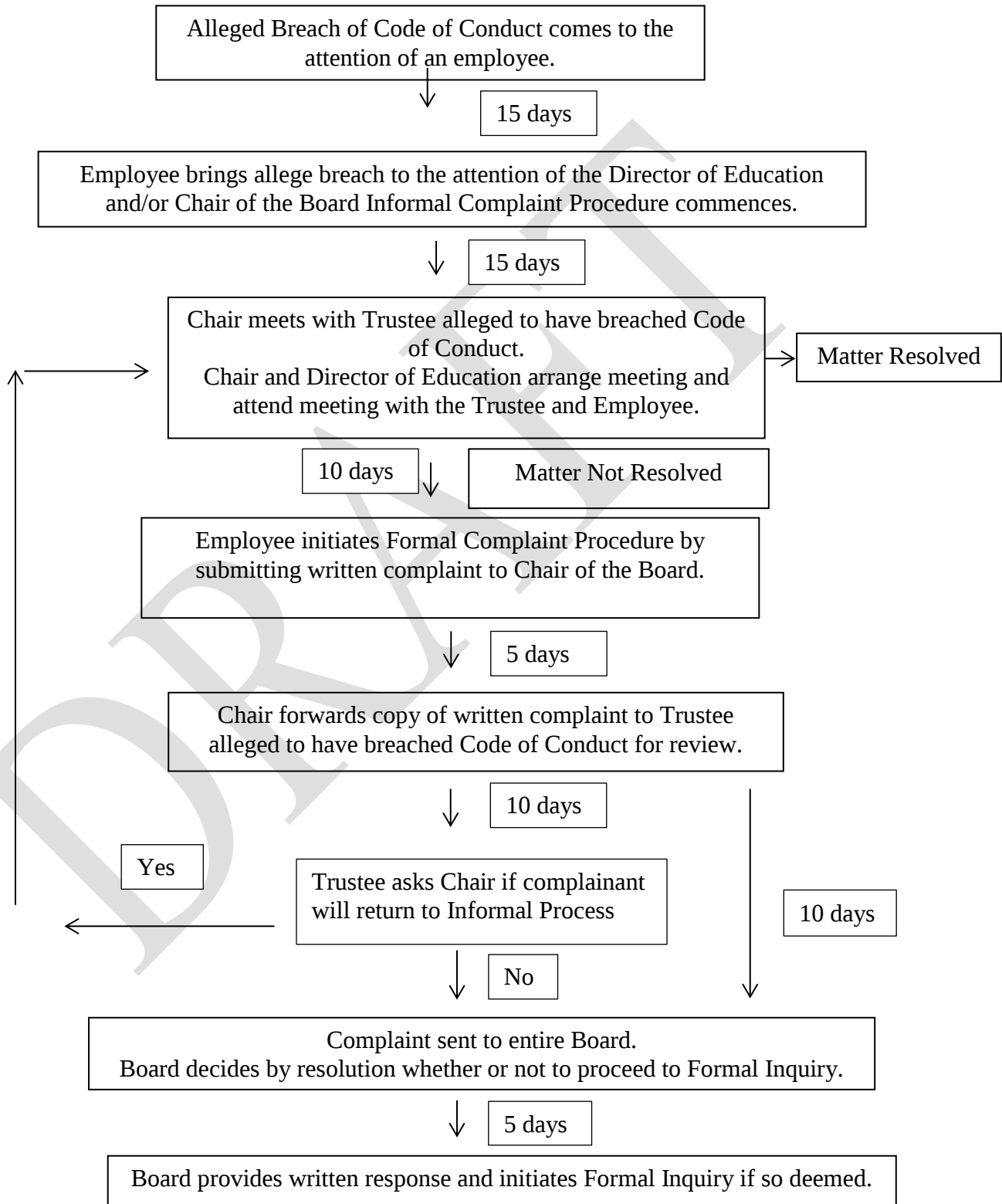
If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination and/or sanction.

TRUSTEE CODE OF CONDUCT COMPLAINT BY A MEMBER OF THE PUBLIC



TRUSTEE CODE OF CONDUCT COMPLAINT BY AN EMPLOYEE OF THE BOARD

PROCESS B



TRUSTEE CODE OF CONDUCT **COMPLAINT BY A TRUSTEE WITH RESPECT TO ANOTHER TRUSTEE**

PROCESS C

