

**YORK CATHOLIC DISTRICT SCHOOL BOARD  
AGENDA  
REGULAR BOARD MEETING  
Tuesday, September 27, 2022  
7:30 P.M.**

Watch the Board Meeting  
STREAM  
event on our YCDSB TV Channel:  
<http://bit.ly/YCDSB-TV>

**LAND ACKNOWLEDGEMENT**

*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.*

<b>1. OPENING PRAYER / LAND ACKNOWLEDGEMENT</b>	Faith Ambassadors	
<b>2. ROLL CALL</b>	D. Scuglia	
<b>3. APPROVAL OF NEW MATERIAL</b>	E. Crowe	
<b>4. APPROVAL OF THE AGENDA</b>	E. Crowe	
<b>5. DECLARATIONS OF CONFLICT OF INTEREST FOR CURRENT MEETING</b>	E. Crowe	
<b>6. DECLARATIONS OF CONFLICT OF INTEREST FROM PREVIOUS MEETING</b>	E. Crowe	
<b>7. APPROVAL OF THE PREVIOUS MINUTES</b>	E. Crowe	
a) Special Board Meeting of June 14, 2022		
b) Regular Board Meeting of June 21, 2022		
c) Special Board Meeting of June 30, 2022		
<b>8. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETING</b>	E. Crowe	
<b>9. CHAIR'S REPORT / UPDATE / INSPIRATIONAL MESSAGES</b>	E. Crowe	<b>3</b>
<b>10. OCSTA BOARD OF DIRECTOR'S UPDATE:</b>	J. Wigston	<b>4</b>
<b>11. DIRECTOR'S REPORT / UPDATE</b>	D. Scuglia	<b>7</b>
<b>12. STUDENT TRUSTEES' REPORT:</b>	A. Peta-Dragos / J. James	
<b>13. RECOGNITIONS / OUTSIDE PRESENTATIONS</b>		
<b>14. DELEGATIONS</b>		
<b>15. JOURNEY TOWARDS OUR VISION – STAFF PRESENTATIONS</b>		
a) Multi-Year Strategic Plan Update	E. Pivato	<b>10</b>
<b>16. ACTION ITEM(S) (including Committee Reports)</b>		
a) 2022-2023 Revised In-Year Deficit Elimination Plan (IYDEP)	C. McNeil	<b>25</b>
b) Chair's Report: Alleged Breach of Code of Conduct by Trustee McNicol	E. Crowe	<b>27</b>
c) Receipt of Report No. 2022:24 Special Committee of the Whole (July 21)	M. Marchese	<b>117</b>
d) Approval of Report No. 2022:25 Committee of the Whole (Sept 27)	M. Marchese	
e) Approval of Report No. 2022:06 Policy Review Committee (Sept 13)	F. Alexander	<b>118</b>
f) Receipt of Report No. 2022:08 York Catholic Parent Involvement Committee (Sept 26)	J. Wigston	<b>208a</b>
g) Receipt of Report No. 2022:04 Audit Committee (Sept 27)	M. Iafrate	
h) Capital Funding Update (POD Exemption)	T. Pechkovsky	<b>209</b>
i) Receipt of Report No. 2022:08 Special Education Advisory Committee (Sept 19)	J. Wigston	<b>211</b>
<b>17. DISCUSSION ITEM(S): NIL</b>		

**18. INFORMATION ITEM(S)**

- |   |               |            |
|---|---------------|------------|
| a) TRUSTEE MOTION: Protecting and Preserving our Catholic Faith and the Symbol of our Faith | F. Alexander  | <b>212</b> |
| b) TRUSTEE MOTION: Creation of a STREAM Centre  | T. McNicol    | <b>213</b> |
| c) Tutoring Supports Program Update   | A. Arcadi     | <b>214</b> |
| d) STREAM Centres of Excellence Report  | A. Arcadi     | <b>221</b> |
| e) YCDSB Continuing Education Summer Programs   | A. Arcadi     | <b>222</b> |
| f) October 2022 Calendar  |               | <b>229</b> |
| g) Promenade Centre Secondary Plan  | T. Pechkovsky | <b>230</b> |
| h) Backpacks for Ukraine Students   | T. Pechkovsky | <b>234</b> |

**19. NOTICES OF MOTION**

*(Notices of Motion are to be submitted in writing and will return to the subsequent meeting as Information, the following meeting as Discussion, and finally Action at the next Board Meeting.)*

**20. FUTURE AGENDA ITEM(S) / REQUEST FOR INFORMATION**

**21. ADJOURNMENT**





## York Catholic District School Board

### Chair's Report

**Memo To:** Board of Trustees

**From:** Elizabeth Crowe, Chair of the Board

**Date:** September 23, 2022

**Re:** Chair's Report

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#### **This Report includes the Chair's Updates:**

##### **St. Monica Institute**

On Saturday September 24th, Director Scuglia and I will have the opportunity to attend the Consecration of the St. Monica Institute for Education and Evangelization at St. Augustine's Seminary. This full day event will include opportunities to learn about the Institute as well as time for spiritual reflection. The St. Monica Institute is an exciting venture that is being launched by the Archdiocese of Toronto, thanks to the leadership of Cardinal Thomas Collins. This will be a sister organization to St. Augustine's Seminary, with a focus on deepening the faith life of the laity. The Institute will form people who can use their faith to make an impact in their careers and communities. Initially, the Institute's work will focus on the following areas: education; parish life; family life; and faith in the public square. In partnership with the seminary, the St. Monica Institute will provide courses, workshops and fellowship opportunities for Catholics who want to live their faith more fully. St. Monica, who is the Institute's patron, was the mother of St. Augustine. She was a patient, loving and devoted Christian who stood by her son throughout his journey to the Lord. She is a perfect example for all of us as we journey on our individual paths to sainthood.

I am sure that we will discuss the work of the St. Monica Institute more in the future, as the Institute is already planning faith resources and programming for educators and trustees.

##### **OCSTA Fall Regional Meeting**

On September 27th, I will be joined by Director Scuglia and Student Trustees Peta-Dracos and James at the OCSTA Fall Regional Meeting hosted this year by Dufferin-Peel Catholic DSB. The agenda includes the President's Report followed by a presentation on Adult Faith Formation. After lunch we will have an update on Central Collective Bargaining followed by group discussions regarding the status of Board finances. The day will conclude with a sharing of Boards' best practices and achievements.

##### **Board Retirement**

On Thursday, September 29, we will honour more than 200 York Catholic employees, from across all job categories, who retired during the 2021-22 school year. Their commitment to Catholic education over their years of service has been an inspiration to us all. Just imagine how many lives were changed for the better because these professionals offered their time and talents in service to our Board.

All these retirees have been invited to a reception, where they will be served a delicious meal and receive a beautiful gift. This year we are especially excited that our reception program will feature short personal messages of gratitude for each of the retirees from people who worked closely with them. We thank all the retirees for sharing their vocations with our school communities. They certainly made the world a more Christ-like place.

# Board Meeting Highlights OCSTA Board of Directors September 17, 2022



The OCSTA Board of Directors' meeting took place on Saturday, September 17, 2022 at 8:30 a.m. Mass was celebrated by Fr. Jim Mockler and the opening prayer for this meeting was led by OCSTA Chaplain Fr. Patrick Fitzpatrick.

OCSTA President Patrick Daly opened the meeting with an acknowledgement of those OCSTA Board members who have discerned not to seek re-election as a Catholic School Trustee.

He recognized and expressed deep gratitude to Linda Ainsworth, Frank Bastone, Leslie Cassidy-Amadio, Sharon Hobin and Todd Lalonde for their faith-filled service and significant contribution in support of the mission of the OCSTA.



Trustees Linda Ainsworth (Peterborough VNC) – at left – and Sharon Hobin (Dufferin-Peel CDSB) receive their Certificates of Recognition from President Patrick Daly and Executive Director Nick Milanetti.

**Meeting with MPPs:** President Daly reported that since the June provincial election, OCSTA has met with a number of Ministry of

Education and government officials including:

- Minister of Education, Stephen Lecce,
- Parliamentary Assistants to the Minister of Education MPPs Patrice Barnes and Matthew Rae;
- Liberal Education Critic, Mitzie Hunter;
- NDP Education Critic, Marit Stiles, and;
- a number of other MPPs, Chief of Staff to the Minister of Education, Blair Haines, Deputy Minister of Education, Nancy Naylor and other Senior Minister of Education officials.

He indicated that during these meetings we have advocated strongly for the priorities of our member boards including matters such as:

- multi-year and increased funding in support of student learning recovery and well-being;
- timely release of Catholic online learning courses as developed by Catholic Virtual Ontario;
- immediate repeal of the regulation freezing increases in Executive Compensation;
- lifting of the moratorium freezing school consolidation;
- reform of the student transportation grant, and;



- action to correct the default “public” mechanism in the province’s property assessment system.

These meetings have been extremely positive and serve to strengthen relationships with our provincial partners.

**Call to Chairs:** President Daly reported that the annual ‘Call to Chairs’ carried out by the President and Vice President each fall were recently completed. These calls are an important opportunity to get a good understanding of the challenges and priorities of Ontario’s 29 Catholic school boards. President Daly expressed appreciation to the Chairs, Vice Chairs and Directors of Education who participated in the calls.

**Student Trustees:** President Daly reported that over the summer OCSTA met several times with the executive of the provincial Catholic Board Council for Student Trustees – President Stephanie De Castro (Toronto CDSB) and Vice President Katie Bowie (Halton CDSB). These meetings between the Council and OCSTA provide opportunities for the Association to offer advice and support to the student trustee provincial executive in addition to gaining information on the kinds of student trustee programming the Council would appreciate at upcoming OCSTA events.

#### **Catholic Virtual Ontario:**

The Board of Directors were informed of the following:

- In a relatively short period of time (8 months), OCSTA with the support of CDSB teachers and staff was able to establish **Catholic Virtual Ontario**, develop and release 35 Catholic online learning courses in time for the start of the school year.
- These distinctly Catholic courses will be made available as a resource and

template for the benefit of all teachers (including those teaching in-person).

- President Daly acknowledged and thanked the outstanding commitment and work of Director of Catholic Education, Anne O’Brien who has led and managed the CVO project.
- Board members were reminded to attend and share information about the Catholic Virtual Ontario Presentation scheduled for September 26<sup>th</sup> at 6:30 p.m. as part of OCSTA’s Catholic Education Leadership Virtual Speaker Series. Registration information was sent to all CDSBs and Catholic education partner groups. This information is also on the OCSTA website at:

<https://www.ocsta.on.ca/event-calendar/catholic-leadership-speaker-series-catholic-virtual-ontario/>

#### **Resolutions:**

The Board of Directors reviewed and approved the following Resolutions:

1. **Resolution 6-22:** OCSTA to issue letters to the Minister of Education and Minister for Seniors and Accessibility stipulating the need for ongoing funding to meet AODA legislative requirements.
2. **Resolution 7-22:** OCSTA to issue a letter to the Minister of Education acknowledging special education funding to date, and advocate for continued funding to specifically address the needs of special education students and their learning recovery requirements.
3. **Resolution 9-22:** OCSTA to capture in the Finance Brief the intent of Resolution 9-22 which calls for OCSTA to advocate for an expedited review of the funding formula for student transportation and request additional funding to address

transportation budget deficits at boards that have demonstrated fiscal responsibility with respect to transportation spending.

**2023 OCSTA AGM & Conference (in-person):**  
April 27 – 29, at the Sheraton Centre Toronto  
Hotel – 123 Queen St. W., Toronto.

### **OCSTA Finance Brief**

The Board of Directors discussed and approved the 2022 Finance Brief.

While the brief was approved, the Board recommended that OCSTA emphasize in the final submission that provincial funding for the construction of new schools is not reflecting actual costs and is creating significant budget shortfalls at many boards.

The recommendation was noted and will be reflected in the brief that is submitted to the government.

### **Labour Relations:**

OCSTA's Central Bargaining teams have been extremely busy having participated in over 20 days of negotiations with our various union partners. President Daly acknowledged and thanked the trustees and school boards, and OCSTA Labour Department Staff who serve on each of the teams. In particular, he recognized and thanked OCSTA Director of Labour Relations Ron McNamara for his leadership and tireless work.

### **Fall Regional Meetings**

OCSTA's fall regional meetings dates are as follows:

**West:** Monday, Sept. 19

**East:** Thursday, Sept. 22

**Central:** Tuesday, September 27

**North West:** Thursday, Sept. 29

**North East:** Saturday, Oct. 1

### **2023 Catholic Trustees Seminar (in-person):**

Jan. 19 – 21, at Delta Hotels by Marriott Toronto  
Airport – 655 Dixon Rd., Etobicoke.



## York Catholic District School Board

# Director's Report

**Memo To:** Board of Trustees

**From:** Domenic Scuglia, Director of Education

**Date:** September 27, 2022

**Re:** **Director's Report**

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### **This Report includes the Director's Updates:**

#### **Appreciation**

I would like to take this opportunity to extend my sincerest gratitude on behalf of myself and our senior team to our staff for preparing our schools to welcome over 50,000 students. As schools returned to pre-pandemic routines, school startup was challenging, but our sensational, dedicated and talented YCDSB staff once again rose to the occasion and were able to safely and effectively open our schools. All our families are grateful for your work.

I would also like to take this opportunity to thank the Religion Team, Nancy Davie, David Pimentel and Francesca Sarcinella. Also, I would like to note that their team has shared the prayers that are used in our schools everyday so they can be posted on the YCDSB website. Prayer is central to our lives as a faith community, so please go to the Board's online calendar whenever you are searching for a prayer.

#### **September School Startup**

As I already mentioned, September was full of beaming smiles with students and staff returning to school. This year, we are noticing an extra abundance of school spirit. Student engagement is tremendous as students are already involved in co-curricular activities such as sports, Terry Fox fundraising, team building, student leadership opportunities, and a variety of outdoor learning experiences. I wish all students a great year of academic learning, and remember that knowledge is like a source of light; the more you learn, the brighter you shine.

#### **Orange Shirt Day**

On Friday, September 30, the York Catholic District School Board schools and Catholic Education Centre will observe Orange Shirt Day to recognize our Indigenous sisters and brothers, and to promote awareness of the need for reconciliation between Indigenous and non-Indigenous people. There will be a variety of prayer services, activities, and events to acknowledge the lasting legacy of the residential school system.

This year many of our schools will also be tying orange ribbons on chain link fences, on school property, as a visible sign of allyship with residential school survivors and those who deal with the intergenerational trauma from the residential school system.

### **High School Open Houses**

High schools are already busy preparing to welcome students for the 2023-2024 school year. A list of high school information nights for Grade 8 students (and Grade 6 students in Our Lady of the Lake CA feeder schools) will be released next week. A parent communication will be sent detailing the dates and times for each school open house.

### **Elementary Curriculum Nights**

Each elementary school hosted a curriculum evening as a means to welcome families back to school and take the opportunity to meet the staff. Each school used their own unique way to showcase their joy and delight for all that will be available throughout the school year.

### **AKOMA Celebration**

This past summer, York Catholic DSB saw tremendous success with our new AKOMA camp. The camp was a wonderful opportunity to provide Africentric learning and affirmation for students in Grades 4 through 8. Everyone who was part of this camp, who I have spoken with, have expressed such amazing joy and excitement for what was offered over the summer.

On Wednesday, September 28, there will be a YCDSB AKOMA Family Celebration at the Catholic Education Centre to recognize their great achievements and to plan for the future. The evening will feature a Caribbean themed dinner. It's sure to be an excellent time for fellowship for all.

AKOMA members often point to the African proverb, "It takes a village to raise a child." They couldn't be more right. And as a Catholic faith community, York Catholic is happy to provide the programming that Black students in our village need to succeed.

### **World Custodian and World Teachers' Day**

This Sunday, October 2, 2022, the York Catholic District School Board will join organizations from around the world in celebrating National Custodial Workers' Recognition Day. We would like to extend our gratitude to our custodians whose daily caring commitment to this Board ensures that our schools and office buildings are clean and sanitized. Although your work often happens behind the scenes, we know that without you, our schools could not function. Thank you for your hard work.

Then, on Wednesday, October 5, 2022, the York Catholic District School Board will join another worldwide celebration: World Teachers' Day. We would like to extend our appreciation to our teachers for their dedication to our students and to Catholic education. Teachers are the foundation of the YCDSB, providing a strong academic curriculum while instilling in students a love of learning and a commitment to making the world a better place based on the teachings of Jesus Christ.

### **Rowan's Law**

As someone who has been very involved in sports, I know how important concussion awareness is. With sports and other co-curriculars returning to our schools, we are putting a special focus on Rowan's Law this year, which increases knowledge of concussions. Rowan's Law Day is on Wednesday, September 28, 2022.

## **Teacher of the Year Award**

I would like to take this opportunity to congratulate Dushani Selvakumar from Father Michael McGivney Catholic Academy on being honoured as the Catholic Teacher of the Year during the Catholic Teachers Guild of Toronto's Annual Education Mass. Her colleagues have noted her joy-filled, faithful commitment to Catholic education. Dushani truly makes a difference in the York Catholic District School Board and I thank her for everything she does.

## **Award Ceremonies**

I would like to extend my congratulations to all secondary students who are receiving achievement awards during the secondary school awards ceremonies scheduled during the month of October. We are proud of your accomplishments and wish you all the best in the upcoming year.

## **Upcoming Events:**

September 28 – Rowan's Day  
September 28 – YCDSB AKOMA Family Celebration  
September 29 – Board Retirement Evening  
September 30 – Orange T-Shirt Day  
October 3 to 7 – Safety Awareness Week  
October 21 – Elementary and Secondary PA Day  
October 24 – Municipal Elections  
November 2 – Take Our Kids To Work Day

## **In Closing**

I would also like to take this opportunity to publicly express my appreciation to all our trustees. With this being our last board meeting before the October 24 municipal election, we know that at least four of you will not be returning, as you have decided not to seek re-election. Trustees play a vital role in Catholic education; you ensure that families are heard and that the schools are governed properly. Being a trustee can also be a difficult role; the hours are long, the work can be thankless and answers are not always clear. But as the Director of Education, I have valued my relationship with all of you and I know your work makes this school board a better place for all. Thank you for your service. And may the Lord guide our voters as we elect the next Board of Trustees.



# **Planning our Future Together: Multi-year Strategic Plan: 2023-2028**

**Board Presentation**  
**September 2022**





**Strategic multi-year plans unite a school board with a shared vision and goals, and promote focused, coherent improvements.**

What is Strategic Planning?	Why is the Board developing a Strategic Plan?
<ul style="list-style-type: none"><li>▪ The process of making fundamental decisions and actions that shape and guide an organization.</li><li>▪ A strategic plan is a high-level statement of an organization's vision and what should be achieved to realize that vision.</li></ul>	<ul style="list-style-type: none"><li>▪ To provide direction and a context for decision making.</li><li>▪ To evaluate the current state of:<ul style="list-style-type: none"><li>- Operating environment &amp; fiscal controls</li><li>- Performance</li><li>- Characteristics</li><li>- Key internal and external stakeholders</li></ul></li><li>▪ To Identify goals to achieve in order to attain the future vision.</li></ul>

**Strategic multi-year plans can be highly beneficial to organizations in attaining their future vision.**



# Strategic Planning

**Strategic planning will allow the Board to:**

- Set priorities and direction
- Focus energy and limited resources
- Strengthen operations
- Unite employees and other stakeholders and ensure they are all working toward common goals
- Establish agreement around intended outcomes/results
- Assess and adjust the Board's direction in response to a changing environment while always focusing on the future



# Where do we start?

- **Creating a successful multi-year plan that can be implemented to deliver meaningful results starts with our VISION, MISSION and VALUES.**
- **A clearly articulated organizational Vision, Mission and Values set the framework for a successful strategic plan.**



# Mission, Vision and Values

Mission	Vision	Values
<ul style="list-style-type: none"><li>▪ An organization's purpose</li><li>▪ Answers the question, "what do we do as a school board?"</li></ul>	<ul style="list-style-type: none"><li>▪ A desired direction over a period of time</li><li>▪ Answers the question, "where do we aim to be in the future?"</li></ul>	<ul style="list-style-type: none"><li>▪ Core beliefs that define an organization's culture</li><li>▪ Answers the question, "what are our guiding principles?"</li></ul>

**The Board is in the process of drafting new Mission and Vision statements and a list of core Values.**



# What's next?

- There are six phases in the Strategic Planning cycle.
- To date, we have completed:

**PHASE 1: PREPARING TO PLAN**

**PHASE 2: CONTEXT SETTING**

Included is the development of draft Vision and Mission statements and a list of Values.

# Phase 3 – Consultation







# Consultation Process

- **As a part of the consultation process, the Board will be inviting ALL of its stakeholders to share their perspectives and provide input.**
- **Stakeholder input will be taken into consideration along with other research to develop the Board's multi-year strategic plan.**



# Who will be consulted?

Internal	External
<b>Administrators</b> <b>C.E.C. Staff</b> <b>S.E.A.C.</b> <b>School Support Staff</b> <b>Senior Administration</b> <b>Student Trustees</b> <b>Teachers</b> <b>Trustees</b> <b>Union Presidents</b> <b>Y.C.P.I.C.</b> <b>Y.S.C.P.C. Student Leaders</b>	<b>Clergy (including K of C, CWL, Bishop)</b> <b>Community at Large</b> <b>Parents</b> <b>Students</b> <b>YRP</b> <b>Advocacy Groups</b>



## **When will we consult?**

**The official consultation period will run from:**

**October to December 2022**



## **How will we consult?**

**Stakeholders will be consulted through one of the following methods:**

- **Focus Group Discussions (Face to Face and Virtual options will be provided)**
- **Online Surveying**



## Draft Survey Questions

- What are the strengths of YCDSB?
- What needs to change in the YCDSB to better prepare students for their future?
- How can YCDSB improve on its range of programs and services to the students and communities we serve?
- What gets in the way of student success and well-being?

# NEXT STEP – Phase 4 – Plan Development







# Vision, Mission, Values

*Trustees and the Senior Board's  
Leadership Team will be meeting on  
October 5th to further develop the Draft  
Vision, Mission, and Values of YCDSB's  
2023-2028 Multi-Year Strategic  
Plan.*

# Questions?

## York Catholic District School Board

**Report to:** Board of Trustees

**From:** Administration

**Date:** ~~August 30, 2022~~ September 27, 2022

**Re:** **2022-23 Revised In-Year Deficit Elimination Plan (IYDEP)**

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### **INTRODUCTION**

By Board Motion on June 21, 2022 the Board approved the submission of the Ministry In-Year Deficit Elimination Plan (EFIS form) which indicated the Board will return to a balanced in-year position by Year 2024-2025.

This report will provide an update to the In-Year Deficit Elimination Plan as directed by the Ministry.

### **BACKGROUND**

As there is no confirmation of a funding change to the EHLT Stabilization Adjustment at this time, the Ministry has requested that the Board amend the In-Year Deficit Elimination Plan for this measure and has requested that the Board find alternate revenue and/or expense measures to address this \$2.2 million gap.

In response to the Ministry request for a revised In-Year Deficit Elimination Plan, the “Phase out of ELHT Stabilization Adjustment (50%)” of \$2.2M is removed and other cost savings have been identified (Table 1). A revised plan will be submitted to the Ministry.

### **RECOMMENDATION**

**THAT** the Board approve the revised submission of the Ministry In-Year Deficit Elimination Plan which indicates the Board will return to a balanced in-year position by Year 2024-2025.

Prepared by: Kim Scanlon, Senior Specialist, Budget Services  
Submitted by: Calum McNeil, Chief Financial Officer & Treasurer of the Board  
Endorsed by: Domenic Scuglia, Director of Education & Secretary of the Board

**Table 1: In-Year Deficit Elimination Plan**

(\$000's)		Approved June 2022	Revised
<b>22/23 Deficit</b>		<b>(5,568)</b>	<b>(5,568)</b>
23/24 Revenue:	Declining Enrolment GSN	(7,900)	(7,900)
	Increase in International Students	1,600	1,600
23/24 Expense:	Staffing related to Enrolment Change	6,060	6,060
	Add back 22/23 General School Budget Reduction (one year only)	(340)	(340)
	Add back One time 22/23 Board Office HVAC System Partial Cost	500	500
	Add back One time 22/23 Board Office Leased Asset Acquisition Cost	310	310
	Net reduction in supply staffing costs	1,200	1,200
	Other Cost Reductions	500	500
<b>23/24 Deficit</b>		<b>(3,638)</b>	<b>(3,638)</b>
24/25 Revenue:	Declining Enrolment GSN	(7,300)	(7,300)
	Increase in International Students	2,400	2,400
	Phase out of ELHT Stabilization Adjustment (50%)	2,200	0
24/25 Expense:	Staffing related to Enrolment Change	5,040	5,040
	Net reduction in supply staffing costs	1,200	2,200
	Other Cost Reductions	500	1,298
<b>24/25 Surplus</b>		<b>402</b>	<b>0</b>

# REPORT

## York Catholic District School Board

**Report To:** Board of Trustees

**From:** Elizabeth Crowe, Chair of the Board

**Date:** ~~August 26, 2022~~ September 27, 2022

**Report:** **Alleged Breach of Code of Conduct by Trustee McNicol**

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### BACKGROUND INFORMATION:

“The Alleged Breach of the Trustee Code of Conduct 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.” Parties are encouraged to resolve the matter informally. If resolution is not achieved the complainants have the ability to lodge a formal complaint. “A Special Committee of the Whole meeting shall be convened to decide, by resolution, whether or not the complaint merits investigation. The Board may decide 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 and such, an inquiry shall not be conducted.”

During a special committee of the whole on March 24, 2022 the following motion was passed:

**That the complaints brought forward by Trustees Marchese, Mazzotta and lafrate with respect to the alleged breach of the Code of Conduct by Trustee McNicol during the public Board meeting of January 25<sup>th</sup>, 2022 have merit and proceed to a formal inquiry.**

Bruce Best from Rubin Thomlinson was retained to conduct the required investigation. “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.”

“Section 207(2) of the Education Act specifies that consideration of an alleged breach of the Trustee Code of Conduct policy must be at a meeting open to the public, unless the alleged breach involves one of the matters listed in section 207(1).”

“Where the proceedings must be held at a public meeting of the Board, the Trustee alleged to have breached the Code of Conduct is entitled to attend the public meeting, but not participate in the discussion, or attempt to influence the outcome, or vote.”

Attached is the finally report dated July 29, 2022 by Bruce Best of Rubin Thomlinson.

Possible Motion:

That Trustee McNicol breached the Code of Conduct during the January 25<sup>th</sup>, 2022 Board meeting, specifically the provisions in 3.3.3 and 3.3.4 as well as the Trustee Code of Ethics.

“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.”

Prepared and Submitted by: Elizabeth Crowe, Chair of the Board



**PRIVATE & CONFIDENTIAL**

Report to:  
**York Catholic District School  
Board**

Per: **Elizabeth Crowe, Chair**

Final Report - June 29, 2022

*Revised July 29, 2022\**

**RE:** Trustee Code of Conduct Complaints raised by  
**Maria Iafrate, Maria Marchese, and Dominic Mazzotta**  
towards  
**Teresa McNicol**

Prepared by:

**Bruce Best**  
RUBIN THOMLINSON LLP  
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*\* The June 29, 2022 report included consideration of complaints involving incidents that occurred at a public Board meeting, as well as a complaint involving confidential subject matter under section 207(2) of the Education Act, and which, pursuant to Board policy, may be addressed only in meetings closed to the public.  
At the request of the Chair, the original report has been split in two reports. The content is otherwise unchanged from the June 29, 2022 joint report.  
To avoid confusion, the Appendix letters have not been changed from the original joint report, though only relevant appendices are included in each of the split reports.*

## Table of Contents

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1. Introduction and Mandate .....	2
2. The Parties .....	2
a) Maria Marchese.....	2
b) Dominic Mazzotta .....	3
c) Maria Iafrate.....	3
d) Theresa McNicol.....	3
3. Conduct of the Investigation .....	3
a) Interviews .....	4
4. Rules of Procedure.....	5
5. The Evidence and Findings of Fact .....	10
a) Historical relationship .....	10
b) Trustee McNicol's conduct at the January 25, 2022 Board Meeting .....	11
i. November 30, 2021 Meeting .....	12
A. Trustee McNicol.....	12
B. Trustee Mazzotta .....	16
ii. Minutes of the November 30, 2021 Meeting .....	17
iii. January 25, 2022 Public Board Meeting.....	19
iv. Comment later in meeting.....	24
v. Factual Findings .....	25

## **Appendices**

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Policy 118 – Trustee Code of Conduct .....	A
Addendum to Policy 118: Trustee Code of Conduct “Procedure: Alleged Breach of the Trustee Code of Conduct.” .....	B
Complaint from Trustee Maria Iafrate.....	C
Complaint from Trustee Maria Marchese .....	D
Complaint from Trustee Domenic Mazzotta.....	E
YCDSB By-Law No. 1 - Operational By-Law .....	F
November 30, 2021 Regular Board Meeting - Attendance Report .....	H
November 30, 2021 – Draft Board Meeting Minutes (excerpt) .....	I
January 23, 2022 – Text messages between T McNicol and D Scuglia .....	J
January 24, 2022 – Emails between T McNicol and E Crowe .....	K

## ***1. Introduction and Mandate***

On April 5, 2022, the York Catholic District School Board (the “Board”) retained Rubin Thomlinson LLP to conduct an impartial investigation into complaints lodged by Trustees Maria Marchese, Dominic Mazzotta, and Maria Iafrate alleging that Trustee Theresa McNicol had contravened the Trustee Code of Conduct.<sup>1</sup>

Specifically, we were asked to make findings of fact in relation to the allegations, and to prepare a report in accordance with the provisions of the Trustee Code of Conduct and the Addendum to Policy 118: Trustee Code of Conduct, “Procedure: Alleged Breach of the Trustee Code of Conduct”<sup>2</sup> (“the Procedure”). In accordance with the Procedure, this Report does not contain a recommendation or opinion as to whether or not the Trustee Code of Conduct has been breached.

We confirm that we carried out the investigation impartially and that we reached the findings in this report independently, without interference from the client.

## ***2. The Parties***

### **a) Maria Marchese**

Maria Marchese is an elected Trustee and Vice-chair of the Board.

<sup>1</sup> Appendix A – Policy 118 – Trustee Code of Conduct

<sup>2</sup> Appendix B – Addendum to Policy 118: Trustee Code of Conduct “Procedure: Alleged Breach of the Trustee Code of Conduct”

**b) Dominic Mazzotta**

Dominic Mazzotta is an elected Trustee of the Board. He was Chair of the Board until December 2021.

**c) Maria Iafrate**

Maria Iafrate is an elected Trustee of the Board. She was Chair of the Human Resource Committee in January 2022.

**d) Theresa McNicol**

Theresa McNicol is an elected Trustee of the Board.

***3. Conduct of the Investigation***

Three complaints were filed under the Trustee Code of Conduct respecting Trustee McNicol's conduct at the January 25, 2022 Board of Trustees meeting. The complaints were filed by Trustees Iafrate,<sup>3</sup> Marchese,<sup>4</sup> and Mazzotta.<sup>5</sup>

I understand from Trustee Crowe, Chair of the Board, that Trustee McNicol was provided copies of the complaints in accordance with the Procedure.

On March 24, 2022, the Board of Trustees voted that the three complaints be dealt with together, and that they proceed to a formal inquiry. We were subsequently retained on April 5, as noted above.

<sup>3</sup> Appendix C – Complaint from Trustee Maria Iafrate.

<sup>4</sup> Appendix D – Complaint from Trustee Maria Marchese.

<sup>5</sup> Appendix E – Complaint from Trustee Domenic Mazzotta.

The Board provided me with copies of the three written complaints and the recordings of the November 30, 2021 and January 25, 2022 board meetings, which I reviewed prior to conducting interviews.

Trustee McNicol also provided me with copies of correspondence between herself and Trustee Crowe, and with Director of Education, Domenic Scuglia, prior to the January 25, 2022 Board meeting. I make reference in this report to the documents that I found to be relevant to the investigation.

#### **a) Interviews**

I interviewed Trustee Iafrate on April 13, 2022 via Zoom videoconference.

I interviewed Trustee Mazzotta on April 13, 2022 via Microsoft Teams videoconference.

I interviewed Trustee Marchese on April 13, 2022 via Microsoft Teams videoconference.

I interviewed Trustee McNicol on April 27 and 29, and May 20, 2022 via Microsoft Teams videoconference.

I interviewed Director Scuglia on May 2, 2022 via telephone.

I interviewed Trustee Crowe on May 2, 2022 via Microsoft Teams videoconference.

I interviewed Trustee Wigston, another elected Trustee of the Board, on May 16, 2022 via Microsoft Teams videoconference.

I also reached out to the other trustees, as they were witnesses to the above events, but did not receive a response or was unable to schedule an interview.

I did not seek to interview any Board staff, other than Director Scuglia, in the interests of maintaining confidentiality.

In accordance with the Procedure,<sup>6</sup> on June 10, 2022, I provided a draft copy of this Report to the parties for review. I received comments from two of the parties. I sought clarification from the parties where necessary, and have made some edits to the final Report arising from the comments received.

During the course of all of my interviews, as is my practice, I advised all individuals of their obligation to maintain the confidentiality of all matters discussed, including not only the information they communicated to me, but also the subject-matter of my questions.

#### ***4. Rules of Procedure***

Given that the complaints arise from events that occurred during Board and Committee meetings, my mandate includes making factual findings on whether the applicable rules of order were followed, as such findings may assist the Trustees in making their determination as to whether or not the Trustee Code of Conduct has been breached.

Procedure at Board and Committee meetings is governed by its Rules of Order, as set out in York Catholic District School Board Operational By-Law No. 1, Section 6.0.<sup>7</sup>

The Rules provide, in part,

<sup>6</sup> Appendix B – Procedure – Section B. Formal Inquiry and Decision by Board, paragraph iv).

<sup>7</sup> Appendix F – YCDSB By-Law No. 1 - Operational By-Law.

## **6.1 Protocol for Debate**

...

### **6.1.3 Conduct of Member in Debate**

After recognition by the Chair, a Member shall at all times during debate:

- (a) Respect the Trustee Code of Conduct;
- (b) Address all debate, remarks, questions and the like to the Chair; and
- (c) Confine all remarks, questions and the like to the motion/issue which is the subject of debate.

...

### **6.1.6 Rulings of the Chair**

Whenever the Chair is called upon to decide a point of order or procedure, the Chair shall, before deciding, state the rule applicable to the case, without comment, and the ruling of the Chair shall, subject to the right of appeal provided in 6.1.11 be final and binding.

### **6.1.7 Challenges to Rulings of the Chair**

Any person entitled to vote on the main motion on the floor may move a motion appealing any ruling of the Chair on a point of order or procedure; such a motion must be seconded and may not be amended; the vote on such motion shall be taken without debate, and the result shall be final and binding.

## **6.2 Voting**

### **6.2.1 Right to Vote/Board of Trustees**



Every member present, including the Chair, but excluding those who declare a conflict of interest as required by the Municipal Conflict of Interest Act, shall vote on all questions on which the Member is entitled to vote. . . . An abstention is not considered a vote. Only Members present at a meeting or participating via teleconference call when a vote is taken shall have the right to vote.

. . .

#### 6.2.3 Voting (Public Session)

Every vote shall be so conducted that the Chair and all other persons present may observe or hear (as repeated by the Chair from those attending via teleconference call) how each member votes.

. . .

#### 6.2.5 Method of Voting

Unless otherwise specified herein, all votes at any meeting of the Board shall be by simple majority of the votes cast. Unless otherwise specified herein, all votes at any meeting of the Board shall be called by a show of hands or expressed verbally by those attending via teleconference, unless a secret ballot is demanded, in which case such vote shall be by secret ballot in the same manner as is provided for in the election of the Chair and the Vice Chair.

When the vote is taken by a show of hands or expressed verbally by those attending via teleconference call, any member has a right to require a division of the assembly by having the affirmative raise their hands and then the negative, a second time, so that all may know how members vote.

A majority vote is required to order a vote by secret ballot (with number of votes on both sides officially entered in the

minutes). A member's vote shall be recorded upon the member's request.

#### 6.2.6 Recorded Votes

Any Trustee may, at any time, request that a vote be recorded by entering the names of those voting on both sides into the Minutes and, upon such a request being made, the vote shall be so recorded. For certainty, a request for a recorded vote shall not be subject to a vote. . . .

. . .

#### 6.5 Debatable Motions to be in Writing

No motion or amendment shall be debated or put to a vote unless the same be in writing and distributed to all trustees present or attending by teleconference and seconded, except:

(a) Where a date, time, single figure or single word is to be added/changed;

(b) Where one or more words are to be deleted, but without substitution;

(c) For Motions to:

- Adjourn
- Fix the time of adjournment
- Convene a recess
- Limit or extend limits of debate
- Receive and/or Refer
- Hear delegations
- Adopt reports/minutes
- Postpone
- Convene into private session
- Rise and report

(d) Or such verbal motions as the Chair may accept.

The specific provisions of the Trustee Code of Conduct (including the Trustee Code of Ethics), raised in the complaints are as follows;

### 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:

...

3.3.2 Uphold and abide by all Board policies, procedures, protocols and the York Catholic District School Board Trustee Code of Ethics (Appendix “A”);

...

3.3.4 Treat others fairly and with dignity and respect at all times, especially when there is disagreement;

...

### 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.

...

. . . 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.

The above passages are relevant to the context of the findings of fact, below.

### ***5. The Evidence and Findings of Fact***

When making findings of fact in this investigation, the standard of proof I have used is the balance of probabilities, which is the standard used in human rights and civil matters. Essentially, I have determined what is more likely than not to have occurred.

I reviewed the video and audio recordings of the November 30, 2021<sup>8</sup> and January 25, 2022<sup>9</sup> Board of Trustees meetings, as these meetings were directly relevant to the allegations raised in the complaints.

#### **a) Historical relationship**

It was apparent, from the complaints and from the interviews, that at least some of the complaints that are the subject of this report did not arise in isolation. I did not specifically ask the parties about their previous professional interactions or about previous complaints, though Trustees McNicol, Iafrate, and Mazzotta did raise their historical relationship in their complaints, or in the interviews, and as such I consider that it is appropriate to raise this in the report to provide context.

<sup>8</sup> November 30, 2021 Board of Trustees Meeting, video recording at <https://youtu.be/UvPiKsos5vI>.

<sup>9</sup> January 25, 2022 Board of Trustees Meeting, video recording at <https://youtu.be/Wyi-DI5M9QU>.

Trustee Mazzotta indicated in his complaint, and again during our interview, that he felt Trustee McNicol continued to badger and publicly humiliate him at Board meetings, and that January 25, 2022 was a particularly blatant example. Trustee Iafrate indicated that this was an “ongoing issue,” and felt that “Trustee McNicol, at every turn, every meeting is constantly putting up these barriers and these doubts in the public mind.”

Trustee McNicol, for her part, also indicated that she felt she had been unfairly targeted for some time, and that any time she disagreed with certain other trustees, she would be sanctioned. She advised that she feels she is not respected, and that other trustees talk down to her, and dismiss anything she says.

This investigation report is, however, based only on the specific incidents raised by the complainants, and cannot address any previous conflict between Trustee McNicol and some of the complainants.

I do note that everyone I interviewed recognized that these underlying issues were affecting the efficacy of the Board, and hoped for a way that they could be resolved.

#### **b) Trustee McNicol’s conduct at the January 25, 2022 Board Meeting**

Trustees Marchese, Mazzotta, and Iafrate filed complaints respecting Trustee McNicol’s conduct at the January 25, 2022 Board meeting, specifically with respect to her motion to amend the Minutes of the November 30, 2021 Board meeting.

The complaints alleged that Trustee McNicol had, improperly, “demanded” an apology from Trustee Mazzotta during a public Board meeting, and improperly asked that the Minutes reflect that Trustee Mazzotta had made a

procedural error, which embarrassed him and disrupted and delayed the Board meeting. The complaints alleged that her doing so was unacceptable and disrespectful.

The complainants took the position that, if Trustee McNicol had concerns respecting Trustee Mazzotta's conduct, the appropriate action would have been to bring a complaint pursuant to the Procedure under the Trustee Code of Conduct. The complainants also claimed that the normal practice, if seeking an amendment to the minutes, was to raise the issue in advance of the meeting, rather than doing so without advance notice.

The complaints allege that, by raising the issues in a public board meeting, she had acted contrary to sections 3.3.2 and 3.3.4 of the Trustee Code of Conduct, and contrary to the Trustee Code of Ethics.

As the subject of Trustee McNicol's motion which gave rise to these complaints was based on what occurred at the November 30, 2021 meeting, I also reviewed the video of that meeting for context.

i. November 30, 2021 Meeting

A. *Trustee McNicol*

Trustee McNicol indicated that she had been hospitalized in November 2021. She was discharged on or about November 21, 2021. She indicated she was in constant pain at the time, and was given a number of prescriptions to address her condition.<sup>10</sup> She was given a medical note excusing her from work for medical reasons.

<sup>10</sup> Trustee McNicol provided me with copies of her discharge prescription and medication plan which, for privacy reasons, I have not included with the report.

She did, however, make a specific effort to attend part of the November 30, 2021 public Board meeting, as she was putting forward a motion which she stated was important to her and her constituents, and which she had been working on for some months.

Under the Operational By-law,<sup>11</sup> the first item on the agenda for public Board meetings is the Opening Prayer, and the second item is the Land Acknowledgment. Trustee McNicol's motion proposed that the Board change the order of the agenda, placing the Land Acknowledgment first, followed by the Opening Prayer.

She connected to the November 30, 2021 meeting virtually at 8:16pm,<sup>12</sup> approximately 45 minutes after the start, shortly before her motion was tabled.

The Chair of the Board of Trustees at the time was Trustee Mazzotta. When asked by Trustee Mazzotta to present her motion,<sup>13</sup> Trustee McNicol proposed that she be the last to speak. This was accepted by Trustee Mazzotta. Several trustees spoke to the motion.

There was also a discussion on whether the rules permitted abstention. Trustee Mazzotta indicated that a trustee could avoid voting on a motion by leaving the room or disconnecting from the video conference, but that if a trustee was present at the time the vote was taken, they could not abstain, and were required to vote. There appeared to be a consensus on this interpretation of the rules.

<sup>11</sup> Appendix F - YCDSB By-Law No. 1 - Section 3.1.10 "Agenda for Board Meetings"

<sup>12</sup> Appendix H – November 30, 2021 Regular Board Meeting - Attendance Report. See also November 30, 2021 Board meeting video recording, at 00h48m15s.

<sup>13</sup> November 30, 2021 Board meeting video recording, at 00h52m10s.

Trustee Marchese requested<sup>14</sup> that Trustee Mazzotta specifically ask, during the vote, for all those in favour and all those opposed, which she suggested was necessary for clarity given many trustees were attending the meeting virtually. Trustee Mazzotta later indicated that there would be a "recorded vote," which he stated was to make it clear to those watching how each trustee had voted.<sup>15</sup>

After hearing from several trustees, Trustee Mazzotta called on Trustee McNicol.<sup>16</sup> She spoke in support of her motion.

Once she had finished, Trustee Iafrate indicated that she had earlier raised her hand and wanted to speak, but had not been called on. Trustee Mazzotta asked Trustee McNicol if she objected to Trustee Iafrate speaking, given that he had earlier said Trustee McNicol could speak last. Trustee McNicol objected. Trustee Mazzotta also asked Trustee McNicol if she would object to him saying something further. Trustee McNicol again objected. Trustee Mazzotta accepted her objections, noting that he had earlier agree to let her speak last.

Three trustees, Crowe, Cotton, and Wigston, left the meeting at this point, and as such were not required to vote on the motion.

Trustee Mazzotta called the vote and read the motion, asking who was opposed.<sup>17</sup> Trustees Cantisano, Iafrate, Marchese, Alexander, Giuliani, and Mazzotta all indicated they were opposed. The Chair noted that this was six

<sup>14</sup> *ibid*, at 01h05m15s.

<sup>15</sup> I note that what Trustees Marchese and Mazzotta were describing at the November 30, 2021 meeting was not actually a "recorded vote" under Rule 6.2.6 of the Rules of Order (which specifies that the votes for and against by each trustee be set out in the Minutes), but was a "division of the assembly" under Rule 6.2.5 which determines how a vote is actually taken during a meeting.

<sup>16</sup> November 30, 2021 Board meeting video recording, at 01h14m15s.

<sup>17</sup> *ibid*, at 01h17m15s.



opposed, and asked if there was anyone else. There was no response. Trustee Mazzotta stated "It's a recorded vote. That motion fails. It does not pass. We go on to the next item on the agenda."<sup>18</sup> Trustee McNicol then left the meeting, at 8:46pm.<sup>19</sup>

Trustee McNicol did not raise a point of order with respect to the fact that Trustee Mazzotta had not called on every trustee to state their vote, as he had been asked to do by Trustee Marchese, and which he had indicated he would do. Trustee McNicol indicated that she was expecting him to proceed to ask who was in favour, but instead of doing so he immediately moved on to the next matter. She said she felt very hurt and disrespected as a trustee for not being called on to vote on her own motion, which, as noted above, she considered to be an important matter.

Trustee McNicol acknowledged that raising a point of order would have been the procedurally correct way to address the issue. She believed, however, based on previous experience, that even if she had, she would have been criticized or sanctioned by those Board members who opposed her motion. She also noted that given her health issues at the time, she was not up to engaging in what she anticipated would become a conflict.

She also acknowledged that she could have made a complaint under the Code of Conduct, based on her belief that Trustee Mazzotta had deliberately excluded and showed her disrespect by not calling on her to vote. She indicated that she did not do so, in part because of her ongoing health issues.

<sup>18</sup> *ibid*, at 01h18m20s.

<sup>19</sup> Appendix H – November 30, 2021 Regular Board Meeting - Attendance Report. See also November 30, 2021 Board meeting video recording, at 01h18m35s.

Trustee McNicol's health did not improve after the meeting. She had emergency surgery less than two weeks later, on December 13, 2021, and remained off work until mid-January 2022. She did not participate in any Board or committee meetings during this time. She indicated, however, that she watched the video of the November 30, 2021 meeting many times over, which she felt confirmed her belief that she had been deliberately excluded and disrespected.

*B. Trustee Mazzotta*

Trustee Mazzotta claimed that he was somewhat flustered during the discussion of Trustee McNicol's motion on November 30, 2021, and that by the time he called the vote, he was not sure who was or was not still in attendance. He was in the boardroom at the school board offices for the meeting, and he saw Trustees Crowe and Wigston physically walk out of the room. He claims he could not see either Trustees Cotton or McNicol, who were connected via videoconference. He claims that he had signaled to Silvana Greco, Administrator to the Director of Education, intending to inquire whether there was anyone else, and that she had indicated "no." Trustee Mazzotta told me that the next morning, Ms Greco advised him that she had been mistaken, and that Trustee McNicol was, in fact, still connected virtually during the vote.<sup>20</sup>

He specifically denied that he had deliberately excluded or disrespected Trustee McNicol.

<sup>20</sup> In the interest of maintaining confidentiality, and as the events of the November 30, 2021 Board meeting were not central to the complaints, I did not interview Ms Greco.

ii. Minutes of the November 30, 2021 Meeting

It was common ground that prior to the January 25, 2022 Board meeting, the trustees were all sent the agenda and items for approval. This included the minutes for a number of meetings in November and December, including the Minutes of the November 30, 2021 Board meeting.

In their interviews, the complainants all indicated that, if a trustee noted that approval of minutes may require amendment, the informal practice would be to raise the issue in advance of the next Board meeting with the Chair, the Director, or with the Director's Administrator, Ms Greco. They were critical of the fact that Trustee McNicol had raised this issue without any forewarning.

Trustee McNicol indicated that, when she saw the Minutes of the November 30, 2021 meeting respecting her motion, she was upset that it did not include a record of her vote, but rather only listed the names of the six trustees who were opposed, and indicated that the motion failed.<sup>21</sup> She said during our interviews that the fact that her vote was not recorded in the Minutes contributed to her feeling that she was being ignored or dismissed. She said she was unsure what to do.

She decided to contact Director Scuglia by text message,<sup>22</sup> noting her concern that there had been a procedural error at the November 30, 2021 meeting, and expressing concern about how the vote had been recorded in the Minutes. She spoke with him the following day, and he advised that she should speak with the Chair, now Trustee Crowe. She further spoke with Trustee Wigston, who also recommended she contact Trustee Crowe.

<sup>21</sup> Appendix I – November 30, 2021 – Draft Board Meeting Minutes (excerpt).

<sup>22</sup> Appendix J – January 23, 2022 – Text messages between T McNicol and D Scuglia.

Trustee McNicol emailed Trustee Crowe on January 24, 2022, raising her concern that there was a procedural error at the November 30, 2021 meeting, specifically that she was never asked to vote on her own motion. She asked Trustee Crowe for advice.<sup>23</sup>

Trustee Crowe advised me that, after she received this email, she contacted Ms Greco, and reviewed the draft minutes being put forward for approval. Trustee Crowe then responded to Ms McNicol, and confirmed that Trustee McNicol had not been asked for her vote. Trustee Crowe proposed that, in order to address this, Trustee McNicol would need to attend the Board meeting on January 25, 2022 and bring up the fact that her vote on the Land Acknowledgment motion was not recorded in the Minutes. Trustee Crowe then indicated that she would then ask if Trustee McNicol wanted the Minutes amended to reflect how she had voted.

In the email, Trustee Crowe asked Trustee McNicol to let her know if this is how she wanted to proceed. She indicated that, if so, she would ensure that hard copies of the Minutes were available, and she would notify the trustees in advance that there would be a motion to make a change to the Minutes.

Trustee McNicol responded, expressing her concern that bringing up the issue would only cause more problems. She further suggested putting the approval of the November 30, 2021 Minutes over until the investigation of a separate complaint<sup>24</sup> was complete. Trustee Crowe responded that the Minutes had already been delayed, and noted that the other complaint had been withdrawn.

<sup>23</sup> Appendix K – January 24, 2022 – Emails between T McNicol and E Crowe.

<sup>24</sup> There was apparently another investigation underway at the time, unrelated to the current matter.

Trustee Crowe advised me that Trustee McNicol never got back to her to confirm that she wanted to pursue the issue, so Trustee Crowe did not take any further action on the matter. She indicated that it was a surprise to her when Trustee McNicol did raise the issue at the January 25, 2022 Board Meeting.

iii. January 25, 2022 Public Board Meeting

Trustee McNicol advised me that she was quite stressed about what she should do to address her concerns over what had occurred at the November 30, 2021 Board meeting, and how the vote was reflected in the Minutes.

She decided that she should raise the issue when the Minutes came up for approval at the beginning of the January 25, 2022 Board meeting. Approval of the Minutes was one of the first items on the agenda. Trustee McNicol raised a concern about the November 30, 2021 Minutes.<sup>25</sup> There were minutes of several other meetings to address on the agenda, and Trustee Crowe suggested these be addressed first. After approval of the other minutes, the following exchange occurred:<sup>26</sup>

**Trustee Crowe (Chair):** Trustee McNicol, can you make your comments about the November 30th minutes? I'm not sure the trustees have them in front of them, but if you could explain what your issue is please?

**Trustee McNicol:** Yes, thank you. There was a procedural error made at this meeting. Regards to the process and recording of my vote on my own motion. Actually, I was not even given the opportunity to vote on my own motion. So, it should be noted that Chair Mazzotta failed to follow the

<sup>25</sup> January 25, 2022 Board Meeting video recording, at 00h20m38s.

<sup>26</sup> *ibid*, at 00h21m35s to 00h23m16s.

voting process in an appropriate manner. I want a public apology from the former Chair. Thank you.

**Trustee Crowe:** Sorry, can you please clarify what happened?

**Trustee McNicol:** Chair Mazzotta only counted the against votes and quickly moved on to the next item on the agenda, failing to ask "is there anyone in favour?"

**Trustee Crowe:** So - thank you very much for the clarification, so I can't . . .

**Trustee McNicol:** Madam Chair, the only reason I figured this out was because I had emergency surgery and during my recovery I watched the tape over a hundred times. So it's clearly defined and in his own voice and I encourage my colleagues to take the time and review the tape yourselves. It is so blatant. Thank you.

As reflected in the recording of the meeting, Trustee Crowe then stated that she had no power to ask Trustee Mazzotta for an apology. She further noted that this had been a recorded vote, and that the draft Minutes only indicated who was opposed. She gave her understanding of what had occurred at the November 30, 2021 meeting, including whether trustees could abstain. Given that trustees present were required to vote, she noted that she and two other trustees had specifically left the room. She indicated her understanding that if she remained in the room, and if she had not responded to the question of whether anyone was opposed, the implication was that she was therefore in favour.

Trustee Crowe then asked Trustee McNicol for a clarification of her position, and whether she would agree to an amendment to the Minutes to

expressly state that Trustee McNicol had voted for the motion. Trustee McNicol responded as follows:<sup>27</sup>

**Trustee McNicol:** No, madam chair, what I want noted at the bottom of that section is to have it noted that there was a procedural error made at this meeting, because when you ask people are you for and you put your hands up or you are against, I'm ignored.

**Trustee Crowe:** I'm sorry . . .

**Trustee McNicol:** I want a footnote at the bottom of the minutes stating that there was a procedural error made at this meeting. I mean, we can watch the tape now. I would love to watch it again.

Based on the recording, Trustee Crowe clarified during the meeting that there were two parts to Trustee McNicol's motion; one, for the minutes to reflect that she had voted in favour of her motion, and two, for the minutes to note that there was a procedural error made at the meeting in that she was not asked whether she was for the motion. Trustee McNicol confirmed this.<sup>28</sup>

According to the recording of the meeting, Trustee Crowe accepted this as a motion by Trustee McNicol, and asked for a seconder. No other trustee seconded the motion.

Trustee Crowe then ruled that the two parts of the motion should be addressed separately. The first motion was for the Minutes to reflect that Trustee McNicol was in favour of the motion at the November 30, 2021 Board meeting. This motion was put forward by Trustee Wigston, and

<sup>27</sup> *ibid*, at 00h25m00s to 00h25m45s.

<sup>28</sup> *ibid*, at 00h26m15s.

seconded by Trustee Iafrate. The second motion was to include a note in the Minutes that there was a procedural error by then-Chair Mazzotta at the November 30, 2021 meeting.<sup>29</sup>

According to the recording of the meeting, Trustee Cotton suggested that this second motion be deferred until an opinion could be obtained on whether the second motion was in accordance with the rules of order. Trustee McNicol agreed to deferral of the second motion.

Trustee Crowe then put forward the first motion to amend the Minutes to reflect Trustee McNicol's vote. Trustee McNicol indicated she was opposed. She stated her reasons for voting against the motion as "I just don't feel that I had the opportunity to vote, and I don't want to lie or commit fraud."<sup>30</sup> Three other trustees voted against the motion. The motion carried to amend the minutes to reflect Trustee McNicol's vote in favour of her motion.

Based on the recording, there was further discussion on the procedural issues respecting how votes should be taken, and on whether the matter should be deferred.

Trustee Mazzotta then responded specifically to Trustee McNicol's claim that she had been deliberately excluded. He stated:<sup>31</sup>

First of all, there was no intent on my part to exclude anyone from voting. But for all those people who are out there listening to this and don't know exactly what happened, we were debating the prayer land acknowledgment, and there were trustees who, I didn't press these, who decided not to support it, and then some trustees who decided to walk out of the room, and walking out of the room means that you can't vote and you don't

<sup>29</sup> *ibid*, at 00h29m05s.

<sup>30</sup> *ibid*, at 00h31m45s.

<sup>31</sup> *ibid*, at 00h36m56s to 00h39m25s.



vote and its not recorded. I was at the board at the time so I didn't know who the trustees were who walked out of the room. The only two I saw leaving the room was Trustee Crowe and Trustee Wigston that were in the boardroom with me. I did not know, Trustee Cotton had expressed her opinion that she was going to leave, and then I don't know if she left or not, but checking the minutes and checking the actual minutes of the meeting, she left. And Trustee McNicol left a couple minutes later.

Now, it is true that I forgot to mention who were the "For" for the motion. However, the important piece in all of this is that there were six trustees who voted for prayer first and not land acknowledgment. I was a little flustered, and I'll tell you why – because I found it very, very distasteful that we were putting an issue of that importance to our Catholicity as prayer in a debate of that sort.

So - did I forget to call on her? Yes. Could she have mentioned immediately to say "Chair Mazzotta, you did not ask me if I am for my motion." She said nothing, she left. So, I found out after that she had left the meeting. Now, if it was prior, or during, or before, I don't know, cause I wasn't timing it. However, as I said at the beginning of my statement, there was no intent on my part to exclude her from voting, and I'll leave it at that. So you know what my [unclear] would be here, it would be that we have more important matters to deal with tonight than an issue of this sort, where we are wasting a lot of time on a procedural issue that wasn't done by intent, and was done by accident more than anything else. Will leave it at that.

There was some further discussion on the procedural issues. Chair Crowe then closed discussion on the issue, and proceeded to the Director's report.<sup>32</sup>

<sup>32</sup> *ibid*, at 00h42m45s.

iv. Comment later in meeting

Towards the end of the January 25, 2022 Board meeting, there was a vote on a motion to send a letter to the Minister of Education. Trustee McNicol stated:<sup>33</sup>

**Trustee McNicol:** My question Madame Chair is if we are going to have a recorded vote, how are we going to do it, are we going to do it like last time, or are we going to follow Robert's Rules?

**Trustee Crowe:** Trustee McNicol, let's just do it then, OK? We are going to have a recorded vote.

Trustee Mazzotta, in his complaint, considered this to be a snide comment, referring back to his error at the November 30, 2021 Board meeting, and that it demonstrated a lack of respect towards him, and towards Trustee Crowe. Trustee Iafrate called the comment, in her complaint, "sarcastic and unwelcome."

Trustee McNicol denies that she was being sarcastic. She claims that, because of how the "recorded vote" was done by Trustee Mazzotta on November 30, 2021, she was simply asking for clarification on how the vote would be taken, given what had occurred previously.

Trustee Crowe proceeded to take a vote by having both those opposed and those in favour separately raising their hands, so it was clear how each Trustee had voted, in accordance with Rule 6.2.5 of the Operational By-Law.

<sup>33</sup> *ibid*, at 03h16m15s.

v. Factual Findings

I find, based on her evidence and medical documentation, that Trustee McNicol was experiencing poor health and was in significant pain in November and December 2021. I accept her claims, based on her evidence, and based on my listening to the recording of her speaking in favour of her motion, that, despite her health issues, she nonetheless considered her motion respecting the order of the Land Acknowledgment and Prayer to be sufficiently important that she attended part of the November 30, 2021 Board meeting to speak to the matter.

I also find, based on listening to the submissions of the other trustees, and based on Trustee Mazzotta's evidence, that Trustee McNicol's motion was controversial, and elicited strong emotions on both sides of the debate.

As acknowledged by Trustee Mazzotta at the January 25, 2022 Board meeting, I find that there was in fact a procedural error at the November 30, 2021 Board meeting. Though a request had been made for each Trustee's vote to be counted, as provided in Rule 6.2.5 (division of the assembly), this was not followed by Trustee Mazzotta, and Trustee McNicol was not asked how she wished to vote.

I find, based on her evidence that she had watched the video numerous times, based on her communications prior to the January 25, 2022 Board meeting, and based on her statements at that meeting, that Trustee McNicol believed she had been deliberately excluded and ignored by Trustee Mazzotta at the November 30, 2021 Board meeting.

I find, as it is not disputed, that Trustee McNicol did not address the procedural error as a point of order at the November 30, 2021 Board

meeting, nor did she file a Code of Conduct complaint against Trustee Mazzotta on the issue.

Based on her evidence and medical documentation, I also find that her health issues contributed to her not addressing the procedural error at, or shortly after, that meeting, in accordance with the rules of order and the Code of Conduct.

I also find, however, that Trustee Mazzotta's failure to call on Trustee McNicol at the November 30, 2021 Board meeting was not intended to exclude or ignore her. I find, rather, based on his evidence, the review of the video, and his statement at the January 25, 2022 Board meeting, that his actions were because he was flustered as he found the subject of the motion, which put into question the importance of prayer in a Catholic organization, to be "distasteful."

I find that Trustee McNicol's vote in favour of her motion during the November 30, 2021 Board meeting was not recorded in the draft Minutes in accordance with Rule 6.2.6 (recorded vote). I find that, when Trustee McNicol received the draft Minutes shortly before the January 25, 2022 Board meeting, the fact that her vote was not recorded in the Minutes contributed further to her feeling excluded and ignored.

I find, based on the evidence of Trustees McNicol, Crowe, and Wigston, and Director Scuglia, and on the documentary evidence provided, that Trustee McNicol, shortly after receiving the draft Minutes of the November 30, 2021 meeting, and prior to the January 25, 2022 Board meeting, did raise the issue and seek guidance on how to address the error, by contacting Director Scuglia, Trustee Wigston, and Trustee Crowe for advice.

I similarly find that Trustee Crowe gave advice to Trustee McNicol that the best way to proceed to have the Minutes amended was to raise it at the Board meeting. I also find that Trustee Crowe asked Trustee McNicol to let her know if she wished to do this, so Trustee Crowe could advise the Board in advance that an amendment would be put forward.

I find, based on my review of the video evidence, that Trustee McNicol raised three issues during the approval of the Minutes at the January 25, 2022 Board meeting which she wished to have addressed:

- First, she asked to have the November 30, 2021 Minutes amended to record her own vote on her motion;
- Second, she asked to have the November 30, 2021 Minutes explicitly reflect the fact that there had been a procedural error during the taking of the vote.
- Third, she asked for a public apology from Trustee Mazzotta.

I find that her request to have the Minutes amended was a proper motion in the circumstances, as the vote on the motion was intended to be a “recorded vote,” and her own vote was not properly reflected in the draft Minutes.

I find that her request that the Minutes be amended to explicitly reflect that there had been a procedural error, was accepted by the Chair, Trustee Crowe, and was as such in accordance with 6.5 (d) of the Operational By-Law.

I find that the appropriate procedure for Trustee McNicol to seek an apology from Trustee Mazzotta was through the Trustee Code of Conduct

and Procedure, rather than raising the issue during her motion to amend the Minutes.

After listening to the recording, I cannot find that Trustee McNicol “demanded” an apology, as alleged in the complaints. She asked once, firmly but calmly, stating “I want a public apology from the former Chair.” I find that she was expressing a desire for, rather than demanding, an apology.

I further find, based on my review of the video evidence, that Trustee McNicol made a comment near the end of the January 25, 2022 Board meeting, referring back to the procedural error of the November 30, 2021 Board meeting, respecting whether the “recorded vote” would be taken in accordance with the rules of order.

I find, based on my review of the recording, that the comment was not simply, as Trustee McNicol maintained, for clarification on how the vote would be taken, but was rather to again express her concern respecting the procedural error at the November 30, 2021 Board meeting.

Date: June 29, 2022

A handwritten signature in black ink, appearing to be 'B. Best', with a long horizontal stroke extending to the right.

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Per: Bruce Best  
**RUBIN THOMLINSON LLP**

# **APPENDIX A**



## YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> <b>Governance</b>	<i>Policy Number</i> <b>118</b>
<i>Former Policy #</i>	<i>Page</i> <b>1 of 5</b>
<i>Original Approved Date</i> <b>January 27, 2015</b>	<i>Subsequent Approval Dates</i> <b>January 27, 2015 November 27, 2018</b>

**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, including Student 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 (oral and written) including email, social media, telephone and face-to-face meetings with staff, parents, other stakeholders and members of the community at large.

### **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.

- 3.5.1 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*.
- 3.5.2 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.
- 3.5.3 A Trustee's duty of confidentiality survives their term of office.

### **3.6 ENFORCEMENT**

- 3.6.1 Trustees will at all times conduct themselves in a manner consistent with the Code of Conduct outlined in this policy.
- 3.6.2 Only a Trustee can allege that the Board's Code of Conduct has been breached by another Trustee.
- 3.6.3 Trustees may, in some circumstances, want to respond to inappropriate statements or behavior at a meeting at which the inappropriate conduct takes place. Roberts Rules of Order may assist as Trustees can call for a point of order. The Chair of the Meeting may also call a recess, or caution a Trustee or Trustees about conduct which is contrary to the expectations outlined in the Trustee Code of Conduct.
- 3.6.4 If a Trustee also, or instead, wishes to preserve his or her right to subsequently make a complaint in accordance with the Procedures, it may be appropriate to ask the Secretary of the Board to note a particular comment or action in the minutes, or to give the Trustee notice at the meeting that a formal complaint will be forthcoming, noting the conduct and/or comments which are believed to be a breach of the Trustee Code of Conduct.
- 3.6.5 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.
- 3.6.6 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*:
  - 3.6.6.1 Criminal matters
  - 3.6.6.2 *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA): the complainant will be referred to the Board's Privacy Manager if appropriate.
  - 3.6.6.3 *Municipal Conflict of Interest Act*.
  - 3.6.6.4 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.
- 3.6.7 The Board of Trustees does not have the authority to impose sanctions other than those specifically defined by the *Education Act*.

#### 4. RESPONSIBILITIES

##### 4.1 Board of Trustees

4.1.1 To oversee the compliance with the Trustee Code of Conduct Policy.

##### 4.2 Student Trustee

4.2.1 To abide by the parameters of this policy in the fulfilment of their elected duties.

##### 4.3 Trustee

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

#### 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 Student Trustee

A full-time student enrolled in the senior division of a school of the board elected by the students of the board.

##### 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 for Employees](#)

YCDSB Procedure *Alleged Breach of the Trustee Code of Conduct*

[Education Act](#)

[Municipal Conflict of Interest Act](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Ontario Regulation 7/07 Student Trustees](#)

Approval by Board	<u>November 27, 2018</u> Date
Effective Date	<u>November 28, 2018</u> Date
Revision Date(s)	<u>November 27, 2018</u> Date
Review Date	<u>November 2023</u> 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 Core 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.

# **APPENDIX B**



**YORK CATHOLIC DISTRICT SCHOOL BOARD**

## **PROCEDURE: ALLEGED BREACH OF THE TRUSTEE CODE OF CONDUCT**

**Addendum to Policy 118: Trustee Code of Conduct**

Effective: November 2018

## **ALLEGED BREACH OF THE TRUSTEE CODE OF CONDUCT: PROCEDURE AND ENFORCEMENT**

### **PURPOSE**

The *Alleged Breach of the Trustee Code of Conduct* 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 trustees 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.

The Board may wish to seek legal advice as to whether the particular proceedings or part of the proceedings can be held in the absence of the public.

### **A. ALLEGATION OF A BREACH OF THE TRUSTEE CODE OF CONDUCT**

In the spirit of collegiality, the Board of Trustees, including Student 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 more than fifteen (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 fifteen (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 ten (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.
- iv) The grounds for the belief by the Trustee 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 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 five (5) calendar days. The Trustee who is alleged to have breached the code of Conduct shall have ten (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 fifteen (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, by resolution, whether or not the complaint merits investigation. The Board may decide 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 and such, an inquiry shall not be conducted. The resolution shall be by recorded vote with no discussion and/or debate. 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 five (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 five (5) calendar days of the decision.

### **B. 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 (1) 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 ten (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, by way of a recorded vote, in the minutes of the meeting. Both the determination of a breach and the decision on sanction shall require a vote of a simple majority (50% + 1) of the Trustees present and eligible to vote. The Trustee alleged to have breached the Code of Conduct shall not participate in the voting.

Section 207(2) of the *Education Act* specifies that consideration of an alleged breach of the Trustee Code of Conduct policy must be at a meeting open to the public, unless the alleged breach involves one of the matters listed in section 207(1) outlined below.

Where the proceedings must be held at a public meeting of the Board, the Trustee alleged to have breached the Code of Conduct is entitled to attend the public meeting, but not participate in the discussion, or attempt to influence the outcome, or vote.

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):

- 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.

## **C. LEGAL EXPENSES**

In circumstances where a legal or procedural issue arises in the course of a complaint, a Trustee may find it necessary to retain legal counsel.

The Board may, at its discretion, approve for reimbursement in whole or in part such legal costs.

#### **D. 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 of Trustees do not have the authority to impose sanctions other than those specifically defined by the *Act*.

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 alleged to have breached the Board's Code of Conduct shall not vote on a resolution to determine the breach, or to impose a sanction, or to reconsider either finding [*Education Act*, s. 218.3(12)]. The Trustee who made the allegation of a breach is entitled to vote on any resolution disposing of the complaint.

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.

#### **E. 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 fifteen (15) calendar days after the notice is received by the Trustee.
- iii) Consider any submissions made by the Trustee and shall confirm by resolution, vary or revoke the determination or sanction within fifteen (15) 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 or the imposition of a sanction. The decision shall require a vote of a simple majority (50% + 1) 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.

The imposition of any sanction(s) shall be stayed pending notification of the Board's final decision.

## TRUSTEE CODE OF CONDUCT

### ALLEGED BREACH BY A TRUSTEE WITH RESPECT TO ANOTHER TRUSTEE

Alleged Breach of the Trustee Code of Conduct brought to the attention of a Trustee



15 days

Trustee notifies Chair of alleged breach.  
Informal Complaint Procedure commences.



15 days

Chair facilitates a private meeting with the complainant and the  
Trustee alleged to have breached Code of Conduct.

Matter Resolved



10 days

Matter Not Resolved



Trustee making complaint initiates Formal Complaint Procedure



5 days

Chair forwards copy of written complaint to Trustee alleged to have breached Code of Conduct for review.



10 days

Yes

Trustee asks Chair if complainant will return to Informal Process.

10 days



No



Complaint sent to entire Board.  
Board decides by resolution whether or not to proceed to Formal Inquiry.



5 days

Board provides written response and initiates Formal Inquiry if so deemed.

# **APPENDIX C**

Good evening Chair Crowe,

Please accept this email as my formal submission to enter a Code of Conduct for Trustee Theresa McNicol

### **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:**

#### **3.3.2 Uphold and abide by all Board policies, procedures, protocols and the York Catholic District School Board Trustee Code of Ethics**

As a board member Trustee McNicol should "recognize that trustees occupy positions of public trust and confidence and are dedicated to serving the community in a professional, impartial and Catholic manner."

Trustee McNicol has not demonstrated these qualities and her actions have tarnished the entire board and the good work it is doing for the betterment of our students and our communities. Trustee McNicol grandstanded at the public meetings which has brought the question of transparency, integrity and legitimacy of this board as a whole.

On January 25, 2022 at a Regular Board Meeting, Trustee McNicol once again held the trustees, staff and the community on hold while she fixated on an agenda item with regards to Minutes that were ready for approval. Trustee McNicol wanted an amendment to the minutes, however the way in which she was demanding this was unacceptable, disrespectful and not becoming of a Catholic School Trustee. This went on for 22:20 minutes while the audience including students and parents from St Brother Andre CHS waited patiently for their children's teacher Ms. Jessica Leung to present the OCSTA winning submission. "The Chance", needless to say, this display by Trustee McNicol left a very bad impression on everyone in attendance. At this time it was recorded that YCDSB had 832 viewers.

I received telephone calls from families as well as staff expressing their disappointment with this type of display that they witnessed. They expressed how it overshadowed the student presentation while leaving them confused as to what was "really going on". Trustee McNicol's very sarcastic and unwelcome comments that she made (3:16:10) towards the chair which was, "if we are going to have a recorded vote are we going to do it like last time"? This questioned the ethics and integrity of our chair and ultimately our entire board of trustees.

Trustee McNicol's actions have embarrassed the board and placed a shadow on the work we are doing.

#### **3.3.4 Treat others fairly and with dignity and respect at all times, especially when there is disagreement.**

On January 25, 2022 at a Regular Board Meeting Trustee McNicol's words clearly disrespected another trustee. Trustee Mazzotta's voting process while sitting as chair was questioned in public. I believe it was a way for her to embarrass him and question his integrity. This is a clear violation of our Trustee Code of Ethics

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

I don't believe that trustee McNicol's actions can continue any further as it is very disruptive and non productive. Trustee McNicol's behaviour is unbecoming of a Catholic trustee. I would like Trustee McNicol to apologise to trustee Mazzotta, chair Crowe and all trustees at the next Public Regular Board Meeting. [REDACTED]

[REDACTED]  
[REDACTED]

Maria Iafrate

# **APPENDIX D**

## **CONFIDENTIAL AND WITHOUT PREJUDICE**

Dear Chair Crowe,

This email is to lodge a breach of the Trustee Code of Conduct of the YCDSB against Trustee McNicol. Trustee McNicol continues to badger and publicly humiliate me at Board meetings. The cornerstone of our Code of Conduct and Ethics is that of respect and collegiality among fellow colleagues, "I will work with other Board members and Staff in a spirit of respect, collaboration and proper decorum." How has Trustee McNicol shown a personal commitment to high ethical standards when she interrupted the January 24<sup>th</sup>, 2022 Board meeting to demand a public apology of me? I stated that there was no intent to disenfranchise her on the motion of the Land Acknowledgement. However, when the vote occurred, why did she not intervene/interrupt to cast her vote? I contend that her motive was solely to embarrass and underestimate my competency in the public forum. All that would have been required of her would be to ask that her vote be recorded.

I am enclosing the timesheet of the above Board meeting. One can see that Trustee McNicol entered the meeting late, and then left immediately after the vote without giving any notice of her departure. Since I was present in the Board Room for this meeting, I was unaware, and would not be privy to whether she, Trustee Cotton, or others had left the meeting virtually. In fact, I asked Silvana Greco if everyone had left. She affirmed it with a nod. However, the following morning, Ms. Greco called me to correct herself stating that Trustee McNicol was present. Our Board Policy states that if a Trustee is present in the Board Room or virtually, he/she must vote. There were six Trustees who opposed the motion. Given that she did not oppose the motion, the inference is that she supported the motion. Once again, I reiterate that all she had to do was ask that her vote be recorded. She deliberately wasted more than half an hour of invaluable Board and Staff time in her quest to publically humiliate me.

Trustee McNicol is inured to showing a lack of respect and ethical behaviour for fellow colleagues. At this same meeting, when Chair Crowe called the question for a vote regarding the Ministry Letter (3 hrs:16min.), Trustee McNicol stated, "If we're going to have a recorded vote, are we going to do it like last time?..." You, as the Chair of the Board quickly dismissed the comment and proceeded to the vote. Her statement, once again was clearly directed to the proceedings at the beginning of the meeting, and demonstrated a lack of respect and integrity towards me and that of the Chair.

In conclusion, Trustee McNicol has disseminated negativity through her comments and actions. Thus, she has purposely sought to discredit the Board's Public Image and my reputation. It is fitting to quote the Trustee Code of Conduct 3.3, "Trustees share in the responsibility of creating a positive working and learning environment that is safe, harmonious, comfortable, inclusive and respectful."

I seek redress under our Code of Conduct Policy. I await your response.

Best Regards,

Dominic Mazzotta

Trustee

Richmond Hill



# **APPENDIX E**

Dear Chair Crowe,

Please accept this email as my formal complaint against Trustee McNicol for breaching the Trustee Code of Conduct Policy 118 on January 25, 2022.

During the January 25, 2022 public Board meeting Trustee McNicol publicly proclaimed that Trustee Mazzotta had, on November 30, 2021, made a procedural error during the voting process of her motion dealing with the positioning of the Land Acknowledgment before Prayer at the YCDSB's monthly public Board meeting, and she demanded a public apology, then and there, from the then Chair Mazzotta and demanded that the Minutes of the November 30, 2021 meeting be amended to include a note that Trustee Mazzotta made a procedural error.

The York Catholic District School Board Code of Conduct Policy provides as follows: "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."

I submit that Trustee McNicol's public personal proclamation, on January 25, 2022, that Trustee Mazzotta had made a procedural error during the November 30, 2021 voting process, and her demand for an immediate public apology, amounted to a blatant disregard and breach of the Procedures under the Trustee Code of Conduct, including the process, by engaging in the very public display of behaviour that the Trustee Code of Conduct Policy was created to prevent.

The accompanying procedures to the Policy clearly set out the process to be followed should a Trustee feel that another Trustee has breached the Trustee Code of Conduct, or any other YCDSB By-Law, Policy or the Education Act:

**"ALLEGED BREACH OF THE TRUSTEE CODE OF CONDUCT:  
PROCEDURE AND ENFORCEMENT  
PURPOSE**

The Alleged Breach of the Trustee Code of Conduct 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.

**ALLEGATION OF A BREACH OF THE TRUSTEE CODE OF CONDUCT**

In the spirit of collegiality, the Board of Trustees, including Student 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 more than fifteen (15) calendar days after the alleged breach comes to the attention of the Trustee reporting the alleged breach".

I believe that Trustee McNicol breached the Trustee Code of Conduct by both circumventing its prescribed process, and also by formally making accusations and demands of another Trustee in a public forum, which is contrary to the Trustee Code of Conduct Procedures. Trustee McNicol failed to follow any of the steps in the Trustee Code of Conduct Procedures and had no individual power nor right to censure another member of the Board of Trustees in the absence of any informal or formal review process of an alleged Trustee Code of Conduct complaint conducted under the Trustee Code of Conduct Policy. It is only after the collective Board of Trustees has decided that a breach of the Trustee Code of Conduct has occurred, that a public censure of any Trustee may take place. Trustee McNicol decided, without due process being followed, that Trustee Mazzotta had breached the YCDSB's process or By-laws and imposed her own public censure on Trustee Mazzotta. Having been a member of this Board for over 20 years, Trustee McNicol is well aware of the Trustee Code of Conduct Policy and the process to be followed. Her blatant disregard for due and proper process, in a public forum, can only have been done so as to publicly embarrass another Trustee.

Trustee McNicol had ample opportunity to file a complaint if she felt Trustee Mazzotta had breached the YCDSB's voting provisions of its Operating By-Law immediately following the alleged incident on November 30, 2021, but did not do so. As Trustee McNicol herself stated at the January 25, 2022 Board meeting, she had listened to the recording of the November 30, 2021 meeting over 100 times. If Trustee McNicol had the time to listen to a recording over 100 times, she therefore had the time to file an alleged code of conduct breach complaint against Trustee Mazzotta as well, but did not do so. Having failed to follow due process, Trustee McNicol must not be allowed to publicly make accusations or censure another Trustee.

I await your acknowledgment of this complaint and next steps.

Regards,

Maria Marchese  
Vice-Chair  
Trustee Vaughan, Area 3, Ward 3  
York Catholic District School Board  
Cell: 647-960-3165  
E-mail: [maria.marchese@ycdsb.ca](mailto:maria.marchese@ycdsb.ca)

# **APPENDIX F**

**YORK CATHOLIC DISTRICT SCHOOL BOARD**

**OFFICE CONSOLIDATION OF**

**BY-LAW NO. 1**

**OPERATIONAL BY-LAW**



**As of: October 26, 2021**

# **OPERATIONAL BY-LAW 1**

## **INDEX**

<b>1.0 INTERPRETATION</b>	<b>3</b>
<b>2.0 FIRST MEETING OF THE YEAR - INAUGURAL MEETING</b>	<b>3</b>
2.1 First Meeting of the Year	3
2.2 Election Procedure	4
<b>3.0 ORGANIZATION OF BOARD MEETINGS</b>	<b>4</b>
3.1 Regular Pubic Meetings	4
3.2 Special Board Meetings	9
<b>4.0 COMMITTEE SYSTEM</b>	<b>10</b>
4.2 Executive Committee	13
4.3 Joint Board (YRDSB/YCDSB) Consortium	13
4.4 Statutory Committees	14
4.5 General Committees	15
4.6 Board Referral Power	15
<b>5.0 AMENDMENTS TO BY-LAWS</b>	<b>15</b>
<b>6.0 RULES OF ORDER</b>	<b>15</b>
6.1 Protocol for Debate	15
6.2 Voting	16
6.3 Exception to Policy	17
6.4 Reconsideration	17
6.5 Debatable Motions to be in Writing	17
<b>7.0 GENERAL</b>	<b>18</b>
7.1 Procedure for Appointment of Committees by the Board	18
7.2 Recommending Membership to Committees:	18
7.3 Vacancy on the Board	18
<b>8.0 DUTIES OF THE CHAIR OF THE BOARD</b>	<b>18</b>
<b>9.0 DUTIES OF THE VICE CHAIR OF THE BOARD</b>	<b>19</b>
<b>10.0 OFFICERS AND OFFICIALS</b>	<b>19</b>
<b>11.0 EXECUTION OF DOCUMENTS</b>	<b>19</b>
<b>12.0 BANKING</b>	<b>20</b>
<b>13.0 REPEAL OF PRIOR BY-LAWS</b>	<b>21</b>
<b>Revisions to By-Law 1 (former 99):</b>	<b>22</b>

## BY-LAW 1

Being a By-law relating generally to the transaction of the business and affairs of The York Catholic District School Board.

### 1.0 **INTERPRETATION**

In this By-law, unless the context otherwise requires:

- 1.1 The singular includes the plural.
- 1.2 The masculine includes the feminine.
- 1.3 "BOARD" means The York Catholic District School Board.
- 1.4 "TRUSTEE" means 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*.
- 1.5 "CHAIR" means the Chair of the Board.
- 1.6 "VICE CHAIR" means the Vice Chair of the Board.
- 1.7 "DIRECTOR" means the Director of Education.
- 1.8 "YEAR" means, unless modified by the word "calendar", the period commencing on the first day of December and ending on the last day of November next following.
- 1.9 "MEMBER" means a person who is a member of the Board or Committee as the case requires who is entitled to vote at the relevant Board or specific Committee meeting.
- 1.10 "STUDENT TRUSTEE" means a student who has been elected by his/her peers as per *Policy 107 Student Trustees* to serve as a student trustee on the Board.
- 1.11 "AD HOC" committee means a committee formed for a specific task or objective, and dissolved after the completion of the task or objective.
- 1.12 "EXTERNAL MEMBERS" are members of the committee who are not Trustees but appointed to the Committee pursuant to the provisions of Ontario Regulations.

### 2.0 **FIRST MEETING OF THE YEAR - INAUGURAL MEETING**

#### 2.1 **First Meeting of the Year**

- (a) The Board shall, at or before the last regular meeting in October in each calendar year, fix a day and time for the inaugural of the Board for the following year in keeping with S280(2) of the *Education Act*.
- (b) At the first meeting in each year, the Director of Education shall preside until the election of the Board Chair and the Vice Chair, or in the absence of the Director of Education, the members shall designate who shall preside until the election of the Chair and the Vice Chair.
- (c) The presiding officer shall thereupon call to order a meeting of the trustees, and in the event that the trustees are taking their seats for the first time, introductions will be made.



## **2.2 Election Procedure**

- (a) With the Director of Education or alternate presiding, the Board shall proceed to elect by separate vote a Chair and a Vice Chair, such election to be upon nomination and by secret ballot. A seconder is not required for a nomination.
- (b) Trustees joining the meeting via telephone conference call will be permitted to be nominated as Chair and Vice Chair of the Board.
- (c) Trustees joining the meeting via teleconference may participate in the secret ballot process.
- (d) All nominees will be permitted to address the board members before voting commences for a maximum of 2 minutes.
- (e) All nominators will be permitted to introduce the nominee for a maximum of 1 minute.
- (f) Votes will be e-mailed to the Board's legal counsel who join the meeting to oversee the voting process. Legal Counsel will follow the process outlined in (g), (h), (i).
- (g) Election shall require a clear majority of the votes cast.
- (h)
  - (i) In the event of three or more candidates, the candidate receiving the lowest number of votes will be eliminated, and another vote will be held until there is a clear majority.
  - (ii) In the event that there are three or more candidates, and that as a result of the vote there is no clear majority but there is a tie between the candidates receiving the lowest vote so that no candidate can be eliminated, a second vote will be held.
  - (iii) If there is still a tie, the Director of Education will draw lots between the candidates that have a tie vote, and the candidate whose name is drawn will be eliminated.
- (i)
  - (i) In the event of two candidates, and an equality of votes at the election of a Chair and/or Vice Chair a second vote, by secret ballot, will be held.
  - (ii) If there is still a tie, the Director of Education will draw lots between the candidates that have a tie vote, and the candidate whose name is drawn will be eliminated.
- (j) At the first meeting of the trustees following a municipal election, the Board shall proceed in like manner to appoint the Archbishop of the Archdiocese as Honorary Chair and the Bishop of the Archdiocese as Honorary Trustee, who shall hold office until the expiry of the term of which the members of the Board were elected.

The above process is to be followed for all Board Committees except for Section 2.2(d) and (e). The Use of Legal Counsel may be waived for Committee elections, See 4.1.5.

## **3.0 ORGANIZATION OF BOARD MEETINGS**

### **3.1 Regular Public Meetings**

Regular Public Meetings of the Board and start time for those meetings shall be held as determined

By the Board and shall be communicated to the public prior to the meetings on the Board website, but no later than the date that Trustees receive the agenda. If in any month there is no regular meeting(s), there shall be a regular meeting in the next following month, or as otherwise decided by the Board or Executive Committee.

#### **3.1.1 When and Where Held**

Regular meetings of the Board shall be held in the BoardRoom of the Catholic Education Centre, Aurora, Ontario, unless otherwise determined by the Board or Executive Committee.

- 3.1.1.1 All public Board and committee meetings shall be live streamed.
- 3.1.1.2 The Board shall provide members of the public with electronic means to make Delegations to Board and Committee meetings.

**3.1.2 Attendance**

Attendance at meetings shall be in person or via teleconference call. Advance notice for Trustee participation via teleconference shall be communicated to the Secretary of the Board at least, but no less than, one hour before the commencement time of the meeting.

3.1.2.1 At all meetings of the Board and of the Committee of the Whole Board, in addition to the usual requirements for quorum, the personal presence in the meeting room at the Catholic Education Centre shall be required of:

- (a) The Chair or designate of the Board;
- (b) Not less than one other Trustee, other than the Student Trustee; and,
- (c) The Director of Education or his/her designate.

3.1.2.2 The Chair of the Board may participate in a meeting of the Board or of a Committee of the Whole Board by electronic means if:

- (a) Weather conditions do not allow the Chair to travel to the meeting location safely; or,
- (b) The Chair cannot be physically present at a meeting due to health related issues.

3.1.2.3 (a) If the Chair is not physically present then the Vice Chair will act as designate (3.1.2.1a).

**NOTE:** At all times at least 2 trustees must be physically present.

**3.1.3 Notice and Delivery of Agenda**

Notice of all regular meetings shall be given, with such notice to be accompanied by the agenda and any background material for the meeting. All agendas and associated materials shall be delivered electronically by Board email 72 hours prior to the meeting taking place. Any new material submitted after 72 hours needs to be received by motion of the board or committee.

**3.1.4 Trustees Absence**

A member of the Board vacates his or her seat if he or she absents himself or herself without being authorized by resolution entered in the minutes, from three consecutive **regular** public meetings of the board.

**3.1.5 Notice of a Trustee's Late Arrival or Early Leave**

Notice of a Trustee's late arrival or early leave from a Board meeting, whether participation is in the form of face-to-face or via teleconference, will be recorded in the minutes of the meeting.

**3.1.6 Quorum**

A majority of all the members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. Members declaring a Conflict of Interest as per the Municipal Conflict of Interest Act, will not count towards the calculation of quorum.

3.1.6.1 **Lack of Quorum**

If a quorum is not present within thirty {30} minutes (or such longer time as may be agreed upon by the voting members then present) after the time appointed, the recording secretary shall record the names of the members present and the meeting shall be called anew within seven days, at the call of the Chair. In the event that at the called anew meeting a quorum is not present within thirty minutes (or such longer time as may be agreed upon by the voting members then present) after the time appointed, the recording secretary shall record the names of the members present and such meeting shall stand adjourned. No further meeting need be called or held until the next scheduled regular meeting.

3.1.6.2 **Quorum Lost**

Whenever a quorum is no longer present at a meeting, the meeting will be terminated.

3.1.7 **Private Sessions (Committee of the Whole Board)**

Private Session shall be held either before or after the Regular Public Meeting of the Board as determined by the Executive Committee.

3.1.8 **Matters in Private Session**

A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves:

- (a) The security of the property of the Board;
- (b) The acquisition or disposal of a school site;
- (c) Decisions in respect of negotiations with employees of the Board;
- (d) Litigation affecting the Board;
- (e) The disclosure of intimate, personal, or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board, or a student or his parent or guardian;
- (f) Privileged communications when seeking legal advice or giving instructions to its solicitor.

In accordance with the *Education Act*, a student Trustee may attend a closed meeting that deals with items a,b,c and d above, but may not attend a closed meeting that deals with item e or f above. Therefore, to allow a student Trustee the same opportunities for participation at meetings of the Board, and of its committees as a member, the private session will be conducted in such a manner that student Trustees may participate in matters prior to the recess noted on the agenda (i.e., items a-d) and then be excused for matters included after the recess on the agenda (i.e., items e and f).

All Committee or staff reports prepared in support of an item on the agenda for the Private Session shall be received in confidence and the materials and discussion shall be treated as confidential. Generally, these reports shall be printed on goldenrod paper reserved for this purpose, and shall be made public only by a resolution of the Board in Private Session. Matters discussed during the Private Session shall not be communicated to any person who is not in attendance at the time of the Private Session, with the exception of a Trustee, unless disclosure is expressly authorized by the Board. The duty of confidentiality survives a Trustee's

term of office. An unauthorized breach of confidentiality shall be considered to be improper conduct.

3.1.9 Motion to Rise and Report (Committee of the Whole)

A motion to rise and report shall specify the resolutions, reports, or records of votes, and other information which is to be brought into the public meeting. Resolutions, discussions, opinions, records of votes, and material which are not specified to be brought into the public meeting shall continue to be confidential.

3.1.10 Agenda for Board Meetings

Minutes of the Public and Private Session, Board and Committee meetings will note when Trustees leave and return to the meeting.

**Public Session**

1. Opening Prayer
2. Land Acknowledgement
3. Roll Call
4. Approval of New Material
5. Approval of the Agenda
6. Declarations of Conflict of Interest for Current Meeting
7. Declarations of Conflict of Interest from Previous Meeting
8. Approval of the Previous Minutes
9. Business Arising from Minutes of Previous Meeting
10. Chair's Report/Update/Inspirational Messages
11. OCSTA Board of Director's Update
12. Director's Report/Update
13. Student Trustees' Report
14. Recognitions/Outside Presentations
15. Delegations
16. Journey Towards Our Vision – Staff Presentations
17. Action Items including committee reports
18. Discussion Items
19. Information items
20. Notices of Motion
21. Future Agenda Items/Requests for Information
22. Adjournment

Any items under "presentations", "discussions", "information" or "Notices of Motion" may be dealt with as action items at the discretion of the Board.

**Private Session**

1. Opening Prayer
2. Roll Call

**PART A**

3. Approval of New Material
4. Approval of the Agenda
5. Declarations of Conflict of Interest for Current Meeting PART A
6. Declarations of Conflict of Interest from Previous Meeting PART A
7. Approval of the Previous Minutes PART A
8. Business Arising From the Minutes PART A
9. (a) Outside or (b) Staff Presentations
10. Action Items (PART A) including Committee Reports
11. Discussion Items
12. Information Items
13. Notices of Motion

## **RECESS (Student Trustees Excused)**

### **PART B**

14. Approval of New Material
15. Approval of the Agenda
16. Declarations of Conflict of Interest for Current Meeting PART B
17. Declarations of Conflict of Interest from Previous Meeting PART B
18. Approval of the Previous Minutes PART B
19. Business Arising from the Minutes PART B
20. Staff Presentations
21. Director's Staffing Report
22. Action Items (PART B), including Committee Reports
23. Discussion Items
24. Information Items
25. Notices of Motion
26. Rise and Report (if no PART C)

## **RECESS (Sr. Admin Excused as determined by the Director of Education)**

### **PART C - Optional**

27. Approval of New Material
28. Approval of the Agenda
29. Declarations of Conflict of Interest for Current Meeting PART C
30. Declarations of Conflict of Interest for Previous Meeting PART C
31. Approval of the Previous Minutes PART C
32. Business Arising from the Minutes PART C
33. Action Items (PART C)
34. Discussion Items
35. Information Items: including Whistleblower and HREA reports
36. Trustee Input to Senior Staff/Requests for Information
37. Rise and Report

#### **3.1.11 Variations to Agenda**

No amendment to the foregoing agenda will be permitted unless decided by the Board pursuant to motion, which motion shall be non-debatable.

#### **3.1.12 Adjournment of Board Meetings**

Meetings of the Board shall endeavour to adjourn by 11:00 p.m., unless the Board decides by an affirmative vote of at least a majority of those present to extend the meeting to a specified time or until a specific piece of business is completed. If no motion to extend the meeting is decided by an affirmative vote the Chair shall adjourn the meeting. In the event that the Chair has not yet adjourned the meeting but no motion to extend has been passed pursuant to this by-law, the business of the Board conducted after 11:00 p.m. shall be deemed to be regular and valid.

#### **3.1.13 Agenda Not Completed**

Notwithstanding 3.1.12, if the Board is unable to complete the agenda within the required time, the Chair, with the approval of the Board, shall adjust the order of business so as to complete urgent business before the time of adjournment.

If an approved agenda is not completed within the required time, the meeting shall recess and be reconvened within seven days at the call of the Chair; provided that questions that are not urgent may be postponed to the next regular meeting of the Board, otherwise a meeting is adjourned and a new meeting called.

#### **3.1.14 New Business Brought Forward by Trustee(s) – Notices of Motions**

All notices of motion must be provided in writing to all Trustees prior to start of the meeting.

- (a) Matters of new business or action items need to be processed by the Board in an efficient, fair and timely manner. There needs to be sufficient time to allow

for information gathering, report writing and discussion prior to Board action. As such, items submitted in writing as notices of motion by a Trustee, either through Executive Committee or at a Board meeting, will return to the subsequent meeting as an information item, the following meeting as a discussion item, and finally as an action item on the next Board meeting agenda. Trustees are encouraged to ask questions to help staff write a report relating to the matter, so that once the matter comes for action, all Trustees understand the matter at hand and its implications.

- (b) The process described in (a) can be expedited by a motion to amend the Board agenda at the beginning of a Board meeting.
- (c) In the case of a time-sensitive matter, a Trustee can bring a motion forward for action through Executive, or if time does not permit, through the discretion of the Chair at any time prior to the start of a Board meeting.
- (d) The Trustee bringing forward the request to expedite the process {(b) and/or (c)} shall give reason for action, provided that, requested information from staff has been supplied and considered before action takes place.
- (e) All Trustee motions are to be dealt with, [as outlined in (a), (b), (c)], in a three (3) month timeframe. It is understood that the Board does not generally meet during school holidays and breaks, specifically - March Break, Holy Week, Christmas Break and during the summer months (July/August), and that this would be taken into consideration when applying the three (3) month timeframe.
- (f) A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the board or one of its committees on which the student trustee sits. When student trustees have an item/proposal that they would like discussed at the board table, they are advised to request that an elected trustee bring the item forward as a motion at the board meeting, with a notation, e.g., "*Submitted by Trustee XXX on behalf of Student Trustees XXX*". If no member of the board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion. (*Education Act* s 2.6)

#### 3.1.15 Presiding Officer at Board Meetings

Subsequent to the Inaugural meeting of the Board each year, the Chair of the Board, or in his/her absence the Vice Chair, shall call all meetings of the Board, and shall be responsible for the conduct of the meetings in accordance with accepted rules of procedure as per bylaw 6.0.

#### 3.1.16 Cancellation of a Board Meeting

The Chair may cancel a regular Board meeting under extenuating circumstances such as imminent bad weather where quorum is not expected.

#### 3.1.17 Minutes

Approved minutes from all Regular Public Board Meetings and Private Sessions (Committee of the Whole) will be signed by the Secretary of the Board and the Chair of the Board, as Official Records of said meetings, on a quarterly basis and filed in a secure area of the Director's Office.

### 3.2 Special Board Meetings

#### 3.2.1 How Called

A special meeting of the Board shall be called forthwith by the Secretary as instructed by Board resolution, or on the instructions of the Chair, or on the written instructions of one-half of the trustees of the Board, such instructions to contain a concise statement of the matters to be dealt with at such meeting.

#### 3.2.2 Notice

Notice to the trustees of such meeting and notice of the matters to be dealt with shall be effected by verbal notification to the trustees, or by electronic 48 hours in

advance. Given the short timeline, an agenda and all related materials are to be emailed as soon as possible.

### 3.2.3 Notice Waived

Provided however that the restrictions as to 48 hours' notice shall not apply to any special meeting of the Board for which the Secretary obtains approval of at least two thirds of the trustees to the holding of such meeting, and to the subject matter to be dealt with thereat.

### 3.2.4 Agenda

Special meetings shall be restricted to the items set out in the notice. No other business shall be considered unless all trustees are present at the meeting and unanimously agree thereto.

### 3.2.5 Cancellation

The Chair of the Board may cancel a special meeting by notice of cancellation given verbally in writing or by electronic means:

- (a) in the case of a meeting called by the Chair, if the Chair in his/her sole and absolute discretion deems that the need for such special meeting no longer exists; and
- (b) in the case of a meeting called by a majority of the trustees if one half or more of the trustees at whose request the special meeting was called give a further request that such special meeting be cancelled.

3.2.6 By-laws 3.1.1, 3.1.2, 3.1.5, 3.1.6, 3.1.7, 3.1.8, 3.1.9, 3.1.15, 3.1.17 apply to all Special Board Meetings.

## 4.0 **COMMITTEE SYSTEM**

<b>Standing Committees</b>	<b>Statutory Committees</b>
Corporate Services Executive Human Resources Joint Board Consortium YCDSB/YRDSB) Policy Review Student Success & Pathways Surplus Asset Committee	Audit Safe Schools Special Education Advisory Committee (SEAC) Supervised Alternative Learning (SAL) York Catholic Parent Involvement Committee (YCPIC)

### 4.1 **General Committee Information**

4.1.1 Trustees are to be appointed to all Standing/Statutory Committees at first meeting in December of each year of the Trustee term.

4.1.2 Trustees are to be appointed to Ad Hoc Committees as required, to serve for the duration of the Committee.

4.1.3 Chair of the Board is ex-officio to all Board Standing Committees.

#### 4.1.4 Terms of Reference

Annually, all established Committees shall, at their first meeting, review their terms of reference and forward to the Board for approval. The terms of reference of other committees shall be approved by the Board at the time the committee is established. All Statutory Committees shall include in the terms of reference, the requirements for quorum and voting procedures. Terms of reference for all committees shall be kept on file in the Director's Office.

#### 4.1.5 Election of Committee Chair/Vice Chair

- (a) The staff resource shall call the first meeting of the committee and conduct the election of the Chair as well as the Vice Chair if required. The election will follow the guidelines as set out in Section 2.2(d) and 2.2(e).
- (b) In lieu of using legal counsel to count emailed votes for committee elections i.e., 2.2(f), trustees may choose to email votes to a trusted third party, such as the recording secretary for the meeting.

#### 4.1.6 Meetings

Committee meetings shall be held on dates selected by the committee, the committee Chair or the Executive committee of the Board. Notice of meetings will be circulated to all Trustees.

#### 4.1.7 Attendance

Attendance at meetings shall be in person or via teleconference call. Advance notice for Trustee participation via teleconference shall be communicated to the Secretary of the Board at least, but no less than one hour before the commencement time of the meeting.

4.1.7.1 At all committee meetings, in addition to the usual requirements for quorum, the personal presence in the meeting room at the Catholic Education Centre shall be required of:

- (a) The Chair or designate of the committee
- (b) The Director of Education or his/her designate

4.1.7.2 The Chair of a Committee may participate in a meeting by electronic means if:

- (a) Weather conditions do not allow the Chair to travel to the meeting location safely; or,
- (b) The Chair cannot be physically present at a meeting due to health related issues.

4.1.7.3 (a) If the Chair is not physically present then the Vice Chair will act as the designate (4.1.7.1a)

- (b) If neither the Chair nor the Vice Chair are physically present, then the members present at the Catholic Education Centre may elect one of themselves as Chair designate.

#### 4.1.8 Notice and Delivery of Agenda

The resource staff in consultation with the Committee Chair shall be responsible for preparing an agenda for the committee meetings. Notice of all regular meetings shall be given, with such notice to be accompanied by the agenda and any background material for the meeting. All agendas and associated materials shall be delivered electronically by Board email 72 hours prior to the meeting taking place. Any new material submitted after 72 hours needs to be received by motion of the board or committee.

#### 4.1.9 Notice of a Committee Member's Late Arrival or Early Leave

Notice of late arrival or early leave from a meeting, whether participation is in the form of face-to-face or via teleconference, will be recorded in the minutes of the meeting.

#### 4.1.10 Quorum

##### 4.1.10.1 Standing Committees

- (a) Trustees are welcome at all standing and/or sub-/ad hoc committee meetings, and **will count towards quorum, and have the right to vote.**
- (b) For a Committee meeting to be duly constituted, a quorum (as per the stated number of Trustees in that committee) of Trustees must be



present in person or by teleconference.

4.1.10.2 Statutory Committee

- (a) Trustees are welcome at all statutory committee meetings, but will **not** count towards quorum and will **not** have the right to vote.
- (b) Only Trustees appointed to Statutory Committees are eligible voting members of that committee. If a Trustee is appointed as an alternate and attends a meeting, they are only eligible to vote if the regular Trustee member is absent. This is to ensure that the Trustee/non-Trustee balance on these committees is preserved. Other Trustees are welcome at public statutory committee meetings as guests. (i.e.: SEAC, YCPIC, Audit)
- (c) For a Committee meeting to be duly constituted, a quorum (as per the stated membership of that committee) must be present in person or by teleconference.

4.1.11 Change or Cancellation of Meeting

Members of Committee(s) shall be notified of any change or cancellation of a meeting of the Committee(s), by verbal notification or electronic means (with respect to such trustees as cannot be contacted personally or by telephone for verbal notice) in accordance with the provisions of Section 7.4 hereof.

4.1.12 Resource Staff

The Director of Education will act or appoint a supervisory officer as resource official for each committee. The Director shall be ex-officio staff resource of all committees. Committees shall have access to all Board information and the assistance of appropriate staff. The allocation of staff resources is the responsibility of the Director and is monitored by him/her. Where services require more staff time than can be made available, the matter will be brought to the Executive Committee.

4.1.13 Matters in Private Session

Committees shall meet in private session under those circumstances identified in 3.1.8.

4.1.14 Minutes

The minutes shall be the responsibility of the resource official and shall be distributed to all members within one month of the meeting date (i.e., for those meetings that occur every other month or committee meetings that may be convened even fewer times throughout the year).

As an aid to produce accurate minutes any public meeting of the board may be recorded. Upon final approval of the minutes at a Regular Board Meeting, the recording will be destroyed thereafter.

PROVIDED that the minutes of a meeting held in Private Session shall be kept separate and apart from other minutes, and except as otherwise permitted by the Chair or Director of Education, access thereto restricted to a Trustee, and the Director of Education or designate.

4.1.15 Committee Procedures

Subject to the provisions of this by-law, the committee shall be responsible for the establishment of internal procedures. The committee(s) may:

- (a) Request and receive reports from the department concerned. The Trustee will request the format of the requested information;
- (b) Hear delegations; and,
- (c) Receive and consider communications and petitions addressed to the Board on any subject within the terms of reference of such committee, as processed

through the Executive Committee of the Board.

#### 4.1.16 Sub-Committees

Sub-committees may be established by a Committee(s) to consider any matter within the terms of reference of the committee. A sub-committee is dissolved upon submission of its final report to the committee.

#### 4.1.17 Reporting Procedure

- (a) A committee's report to the Board will identify action items first, with recommendations, followed by information items.
- (b) The report will be included with the agenda of the Board meeting.
- (c) The report will be attached as an integral part of the minutes of the Board meeting.
- (d) The report of a committee's in-camera session will be submitted to the Executive Committee for inclusion in the agenda for Committee of the Whole.
- (e) A committee shall submit a Report as outlined above for each area of jurisdiction dealt with by the Committee.
- (f) SAL (Supervised Alternative Learning) and the Board Safe Schools Committee do not regularly report to the Board, but will produce an annual Committee report summarizing their work.

### 4.2 Executive Committee

#### 4.2.1 How Constituted

The Executive Committee shall be constituted as follows:

- (a) The Chair of the Board
- (b) The Vice Chair of the Board
- (c) Minimum of One (1) Trustee-at-large

The Chair of the Board shall be the Chair of the Executive Committee.

The Director of Education shall be a resource to the Committee.

#### 4.2.2 Right of Attendance

All trustees may attend the meetings of the Executive Committee.

#### 4.2.3 Responsibilities of Executive

To:

- (a) Set Board agendas;
- (b) Set Board calendars;
- (c) Organize retreats and Trustee faith development; and,
- (d) Organize Trustee professional development and/or training sessions.

#### 4.2.4 Meetings

The Executive Committee shall meet approximately one week prior to a Board meeting, or at the call of the Chair, at the Catholic Education Centre, in Aurora.

### 4.3 Joint Board (YRDSB/YCDSB) Consortium

The Joint Board Consortium is created by agreement with an outside body, and its terms of reference are constructed by consensus with that outside body (the co-terminus Board).

#### 4.3.1 Membership

The core membership of the consortium shall be two trustees from each Board plus the Chair from each Board. The quorum shall be three members, which shall include at least one trustee from each Board.

#### 4.3.2 Responsibilities

The Joint Board Consortium shall have the following responsibilities:

- (a) To govern and direct the operation of common services for the York Catholic District School Board and its Coterminous Board;
- (b) To report and provide recommendations to each Board relating to areas within

its mandate;

- (c) To administer policies as approved by each Board;
- (d) To make recommendations to each Board on the following topics with regard to transportation:
  - General policy and communications
  - Procurement of service and establishing rates
  - Annual budget estimates
  - Cost allocation formula
  - Financial controls
  - Operational reviews

#### 4.3.3 Co-Chairs

The members shall at the first meeting elect from among themselves a Co-Chair. The consortium shall have two co-Chairs, one representing each Board.

#### 4.3.4 Meetings

Unless otherwise determined by a motion of the respective Boards (YRDSB/YCDSB), the regular meeting of the Joint Board Consortium shall be held no less than 3 times per year, and alternating yearly between the offices of the York Catholic District School Board and the York Region District School Board, in Aurora on such day and at such time as the YRDSB/YCDSB shall from time to time determines.

### 4.4 Statutory Committees

#### 4.4.1 How Established

At the first meeting of a newly elected Board, the Board shall establish the following statutory committees in accordance with the terms of the *Education Act* and the regulations there under:

- (a) Audit Committee
- (b) Safe Schools Committee
- (c) SAL (Supervised Alternative Learning)
- (d) SEAC (Special Education Advisory committee)
- (e) YCPIC (York Catholic Parent Involvement Committee)

#### 4.4.2 Composition of Statutory Committees

The composition of statutory committees shall be for:

- (a) The Special Education Advisory Committee, the persons prescribed and selected in the manner set out in *Ontario Regulation 464/97*, as amended from time to time;
- (b) The Supervised Alternative Learning Committee, the persons prescribed and selected in the manner set out in *Ontario Regulation 308*, as amended from time to time;
- (c) The Safe Schools Committee, three (3) trustees selected by the Board as set out in the *Education Act* and *YCDSB Policy 202 Safe Schools – Student Discipline* as amended from time to time;
- (d) The York Catholic Parent Involvement Committee, two (2) trustees prescribed and selected in the manner set out in *Ontario Regulation 612/00*, as amended from time to time;
- (e) The Audit Committee, three (3) trustees selected by the Board, and 2 external members identified by the selection committee as per *Ontario Regulation 361/10*, as amended from time to time, and selected/appointed by the Board.

#### 4.4.3 Membership

4.4.3.1 Trustee membership on Statutory Committees will be as per 4.4.2. The names of Trustee members for all committees shall be recommended to the Board on an annual basis.

4.4.3.2 Non-Trustee members on Statutory Committees shall be appointed by the

#### **4.5 General Committees**

##### **4.5.1 How Constituted**

The Board will establish the membership and role of other Committees as required.

##### **4.5.2 Right of Attendance**

All Trustees may attend meetings of other Committees.

##### **4.5.3 Chair and Vice Chair**

The members of the committee shall, at their first meeting, elect from among themselves, a Chair and if required a Vice Chair.

##### **4.5.4 Joint Committees With Other Organizations**

The Board may establish committees with other organizations. Trustee membership on these committees shall be approved by the Board.

##### **4.5.5 Trustee Membership on Staff Committee**

Trustee participation on staff committees may be requested by the Director of Education, but must be approved by the Chair and reported to the Board.

#### **4.6 Board Referral Power**

Notwithstanding anything contained in this By-Law, the Board shall have the power to refer any matter to any committee or Ad Hoc Committee it deems necessary/appropriate.

### **5.0 AMENDMENTS TO BY-LAWS**

#### **5.1 Amendment to By-laws**

By-laws of the Board may be amended at a regular meeting of the Board upon the affirmative vote of a majority of all the trustees present, provided that a notice with the proposed text of the proposed amendment has been presented at a previous Board meeting. By-Law No. 1 shall be reviewed once per trustee (4-year) term or when there are changes to any pertinent legislation. Such changes shall be referred to the Board for public notice and approval.

#### **5.2 Suspension of a Rule**

A provision or rule of this by-law may be suspended by a vote of a two-third majority of all the trustees eligible to vote whether present or absent.

### **6.0 RULES OF ORDER**

In all cases not provided for by this By-Law, the rules and practice of Robert's Rules of Order shall govern as far as applicable at meetings of the Board and committees.

#### **6.1 Protocol for Debate**

##### **6.1.1 Address of the Chair**

As much as possible, the Chair of any meeting shall be addressed in accordance with the preferences of the person occupying the position.

##### **6.1.2 Member to Await Recognition**

When any Member wishes to speak in debate, the Member shall raise a hand and await recognition by the Chair.

##### **6.1.3 Conduct of Member in Debate**

After recognition by the Chair, a Member shall at all times during debate:

- (a) Respect the Trustee Code of Conduct;
- (b) Address all debate, remarks, questions and the like to the Chair; and
- (c) Confine all remarks, questions and the like to the motion/issue which is the subject of debate.

#### 6.1.4 Interruption of Speaker by another Member

No Member who does not have the floor shall interrupt a Member who does have the floor except:

- (a) On a point of order;
- (b) On a question of privilege;
- (c) To request permission to withdraw a motion;
- (d) To appeal a ruling of the Chair;
- (e) On a motion to extend the time limit; and
- (f) In the event that a Member interrupts a speaker pursuant to the authority given in this section, the Member shall confine all remarks to the particular point.

#### 6.1.5 Motion May Be Read

Any Member may require a question under discussion to be read at any time in the debate, but not so as to interrupt any Member while speaking.

#### 6.1.6 Rulings of the Chair

Whenever the Chair is called upon to decide a point of order or procedure, the Chair shall, before deciding, state the rule applicable to the case, without comment, and the ruling of the Chair shall, subject to the right of appeal provided in 6.1.11 be final and binding.

#### 6.1.7 Challenges to Rulings of the Chair

Any person entitled to vote on the main motion on the floor may move a motion appealing any ruling of the Chair on a point of order or procedure; such a motion must be seconded and may not be amended; the vote on such motion shall be taken without debate, and the result shall be final and binding.

### 6.2 Voting

#### 6.2.1 Right to Vote/Board of Trustees

Every member present, including the Chair, but excluding those who declare a conflict of interest as required by the *Municipal Conflict of Interest Act*, shall vote on all questions on which the Member is entitled to vote (noting the specific restrictions on statutory committees, (i.e.: Audit Committee, Safe Schools Committee, Special Education Advisory Committee, Supervised Alternative Learning Committee, YCPIC Committee). An abstention is not considered a vote. Only Members present at a meeting or participating via teleconference call when a vote is taken shall have the right to vote.

#### Right of Vote/Student Trustees

Student Trustee votes do not count, however, a Student Trustee has the right to have their vote recorded in the minutes.

#### 6.2.2 Declaration of Conflict of Interest

Where a trustee identifies a direct, indirect or deemed conflict of interest in a matter and is present at a meeting of the board or committee of the board in which the matter is being discussed, he or she must take the following measure to recuse themselves:

1. Publicly declare the conflict of interest before any discussion of the matter begins, stating the general nature of the interest and having the declaration recorded in the minutes of the meeting.
2. File a written statement of the interest and its general nature with the secretary of the committee or board.
3. Do not vote on any question in respect to the matter.
4. Do not take part in any discussion of the matter.
5. Do not attempt to influence the voting on any question related to the matter; and
6. In a closed (i.e., in camera) session of a committee or board of trustees meeting, the trustee with conflict should leave the room for as long as the matter

is discussed and have that fact recorded in the minutes.

**6.2.3 Voting (Public Session)**

Every vote shall be so conducted that the Chair and all other persons present may observe or hear (as repeated by the Chair from those attending via teleconference call) how each member votes.

**6.2.4 Equality of Votes**

Any motion on which there is an equality of votes is lost [*Education Act*, s. 208 (12)]

**6.2.5 Method of Voting**

Unless otherwise specified herein, all votes at any meeting of the Board shall be by simple majority of the votes cast. Unless otherwise specified herein, all votes at any meeting of the Board shall be called by a show of hands or expressed verbally by those attending via teleconference, unless a secret ballot is demanded, in which case such vote shall be by secret ballot in the same manner as is provided for in the election of the Chair and the Vice Chair.

When the vote is taken by a show of hands or expressed verbally by those attending via teleconference call, any member has a right to require a division of the assembly by having the affirmative raise their hands and then the negative, a second time, so that all may know how members vote.

A majority vote is required to order a vote by secret ballot (with number of votes on both sides officially entered in the minutes). A member's vote shall be recorded upon the member's request.

**6.2.6 Recorded Votes**

Any Trustee may, at any time, request that a vote be recorded by entering the names of those voting on both sides into the Minutes and, upon such a request being made, the vote shall be so recorded. For certainty, a request for a recorded vote shall not be subject to a vote. A student trustee is entitled to require that a matter before the board or one of its committees on which the student trustee sits be put to a recorded vote as follows:

- (a) A recorded non-binding vote that includes the student trustee's vote; and
- (b) A recorded binding vote that does not include the student trustee's vote (*Education Act* s.6).

**6.3 Exception to Policy**

The Board may pass a motion that makes an exception to a policy provided that the exception is clearly delineated and is passed by a vote of a majority of all trustees eligible to vote whether present or absent.

**6.4 Reconsideration**

Any question when once decided by the Board shall not be reconsidered during the ensuing 60-day period unless otherwise determined by two-thirds vote of all the trustees eligible to vote whether present or absent.

**6.5 Debatable Motions to be in Writing**

No motion or amendment shall be debated or put to a vote unless the same be in writing and distributed to all trustees present or attending by teleconference and seconded, except:

- (a) Where a date, time, single figure or single word is to be added/changed;
- (b) Where one or more words are to be deleted, but without substitution;
- (c) For Motions to:
  - Adjourn
  - Fix the time of adjournment
  - Convene a recess

- Limit or extend limits of debate
- Receive and/or Refer
- Hear delegations
- Adopt reports/minutes
- Postpone
- Convene into private session
- Rise and report

(d) Or such verbal motions as the Chair may accept.

## **7.0 GENERAL**

### **7.1 Procedure for Appointment of Committees by the Board**

The list of committees shall be circulated to all trustees of the Board in the middle of November of each year, with a request to indicate preference of Standing Committees, Statutory Committees and other Committees. Based on the preferences indicated, the Chair of the Board will recommend committee appointments to be made at the first board meeting in December. Terms of Reference for ALL committees will be provided to all newly elected Board members at the time the selection preference form is provided and to any other trustees upon request.

### **7.2 Recommending Membership to Committees:**

The Chair of the Board shall recommend all committee appointments to the Board.

### **7.3 Vacancy on the Board**

If the office of a member of a board become vacant before the end of the member's term:

7.3.1 The remaining elected members shall appoint a qualified person to fill the vacancy within 60 days after the office becomes vacant, if a majority of the elected members remain in office; or

7.3.2 A by-election shall be held to fill the vacancy, in the same manner as an election of the board, if a majority of the elected officers do not remain in office.

7.3.3 Where the Board is appointing a qualified person to fill a vacancy:  
Applications will be invited from separate school electors within the Region of York.

7.3.4 Advertisements will be placed in a newspaper having circulation within the Region of York; and announcements will be made through parish churches.

7.3.5 Candidates will be requested to submit written applications with background information and qualifications, to the Secretary of the Board for inclusion in the Board agenda.

7.3.6 All applicants will be interviewed by the Board as to their reasons for wishing to become a trustee on the Board.

7.3.7 Election shall be by secret ballot in the same manner as for the election of the Chair and Vice Chair of the Board, with the Chair of the Board presiding.

## **8.0 DUTIES OF THE CHAIR OF THE BOARD**

### **8.1 The Chair Shall:**

In addition to those duties assigned under provincial legislation:

1. Preside at all meetings of the Board and the Executive Committee and conduct them according to the by-laws of the Board.
2. Be an ex-officio member of all Board Standing Committees, and when present at Standing Committee meetings count as a member of quorum.
3. Recommend all committee appointments to the Board.
4. Be a signing officer of the Board.
5. Approve the agenda of Board meetings.
6. Establish good relations with the public served by the Board.
7. Maintain good relations between Board and staff.
8. Maintain official relationships with the Ministry of Education and Training, municipal councils, the clergy, planning boards, and other organizations or groups.
9. Be authorized to appoint trustees to interview teams when the approval of the Board cannot be obtained.

10. Act as official spokesperson for the Board.
11. Cede the Chair to a designate if they are presenting a motion of their own for the boards consideration or if they are in a position of conflict on an agenda item.

8.2 The Chair May:

1. Vote on all questions before the Board.
2. Call special meetings of the Board.
3. Delegate to the Vice Chair or other trustees such duties as deemed appropriate.
4. Delegate the Vice Chair to act in his/her stead as ex-officio member at committee meetings.
5. Represent the Board at official functions or meeting with the Ministry of Education and Training, other boards, organizations and groups.
6. Issue statements to the public media on behalf of the Board.

**9.0 DUTIES OF THE VICE CHAIR OF THE BOARD**

9.1 The Vice Chair Shall:

In addition to those duties assigned under provincial legislation and these by-laws:

1. In the absence of the Chair, or in the event of the inability of the Chair to act, assume any or all of the duties of the Chair except those which are precluded by law, regulation, or by-law
2. Be a signing officer of the Board.
3. Chair the Private Session (Committee of the Whole) of the Regular Board Meeting.
4. Cede the Vice Chair to a designate if they are presenting a motion of their own for the boards consideration or if they are in a position of conflict on an agenda item.

9.2 The Vice Chair May:

In the absence of the Chair and at the request of the Chair, act as ex-officio member of committees, and, when present, count as a member of the quorum.

9.3 Board or Committee Chair Vacated

In the case of the Board or committee Chair being vacated, the Vice Chair shall become the Chair for the unexpired term.

**10.0 OFFICERS AND OFFICIALS**

10.1 Officers Named

The officers of the Board shall be the:

- a) Chair;
- b) Vice Chair;
- c) Secretary; and,
- d) Treasurer.

**11.0 EXECUTION OF DOCUMENTS**

11.1 Materially Significant Document

For the purposes of this Article 11, "Materially Significant Document" shall mean:

- 11.1.1 A deed or transfer of land, or a permanent interest therein;
- 11.1.2 A lease of land or building, or an interest therein, for a period of not less than seven (7) full years, and a renewal or extension thereof for period of not less than seven (7) full years;
- 11.1.3 A debenture or the renewal of a debenture; or,
- 11.1.4 Any document expressly prescribed by the Board as a Materially Significant Document.

11.2 Board Seal

The Seal in the form affixed in the margin hereof shall be the Corporate Seal of the Board.



11.3 Affixing Board Seal

The Seal of the Board shall be in custody of the Secretary, or delegate, who shall be responsible for affixing it to such documents as may be required.

11.4 Minutes

Approved minutes from all Board Meetings will be signed by the Secretary of the Board and the Chair of the Board on a quarterly basis and filed in a secure area of the Director's Office as Official Records of said meetings.

11.5 By-laws

Every by-law, upon adoption, shall be signed by the Chair of the Board or the Chair of the meeting at which it is adopted, and by the Secretary.

11.6 Execution of a Materially Significant Document

A Materially Significant Document that has received approval by Board motion for execution by the Corporation may be signed by any two persons:

11.6.1 Chair;

11.6.2 Vice-Chair;

11.6.3 Director of Education and Secretary;

11.6.4 Associate Director;

11.6.5 Chief Financial Officer and Treasurer;

Or, by any of the foregoing together with an Assistant Secretary. Any document so signed is binding upon the Board without any further authorization or formality.

11.7 Signing Authority

The Board shall establish an Approval Authority Schedule (AAS). This schedule will outline the signing and approval authorities on behalf of the Board.

11.8 Additional Authority

In addition to the authority provided by Section 11.6 and 11.7, the Board may from time to time appoint any Officer or Officers or any person or persons on behalf of the Board, either to sign documents generally or to sign a specific document.

11.9 Certification of Documents

The Chair of the Board or the Director of Education is authorized to:

(a) Sign any certificates authenticating any By-laws, resolutions or extracts of minutes, any other document; and,

(b) Affix the seal to any such certification.

**12.0 BANKING**

12.1 Bank Signing Officers

The signatures of two signing officers are required when making, drawing, accepting, endorsing, negotiating, lodging, depositing or transferring all or any cheques, promissory notes, drafts, acceptances, bills of exchange, order for payment of money, contracts for letters of credit and forward exchange; issuing cheques, drafts or orders for payment drawn on the bank accounts of the Board; acquisition of short-term investments (e.g., GIC) permitted under the *Education Act*.

Bank Signing Officers

Director of Education & Secretary

Associate Director

Chief Financial Officer & Treasurer

Senior Manager, Budget, Payroll and Benefit Services

Manager, Accounting and Financial Services

12.2 Endorsement for Deposit

The Treasurer, by signature or by rubber stamp endorsement, may negotiate or deposit with or transfer to the bankers for the Board, but for the credit only of the account of the Board, all or any cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money.

12.3 Signatures by Reproduction

Signatures of persons authorized to sign may be printed, lithographed or otherwise mechanically reproduced as provided by the *Education Act*.

**13.0 REPEAL OF PRIOR BY-LAWS**

13.1 Repeal of Prior By-laws

Subject to the provisions of 13.2 [exception] and 13.3 [proviso] hereof, all prior by-laws, resolutions and other enactments of the Board heretofore enacted or made are repealed.

13.2 Exception

The provisions of 13.1 [repeal] shall not extend to any by-law or resolution heretofore enacted for the purpose of providing to the Board the power or authority to borrow.

13.3 Proviso

The repeal of prior by-laws, resolutions and other enactments shall not impair in any way the validity of any act or thing done pursuant to any such repealed by-law, resolution or other enactment.

**REVISED this 15<sup>th</sup> day of June**

Dominic Mazzotta, Chair of the Board

Mary Battista, Interim Director of Education

## Revisions to By-Law 1 (former 99):

October 26, 2021	To update section 3.2 Special Board Meetings, 3.2.3 Notice Waived, removing unanimous approval of all trustees and replacing it with approval of at least two thirds of the trustees.
June 15, 2021	To update the following sections: Removing CEO with Director of Education throughout the document, 2.2 Election Procedure; 3.1.10 Agenda for Board Meetings, Public and Private; 3.1.14 New Business Brought Forward by Trustee(s) – Notices of Motion; 3.2.2 Special Board Meetings Notice and section 4.1.5 Election of Committee Chair/Vice Chair.
January 26, 2021	To incorporate electronic meetings and attendance as per 3.1.1.1 and 3.1.1.2.
December 10, 2019	To incorporate legislative changes for student trustees, attendance by electronic means,
May 28, 2019	To update to Bank Signing Officers, 12.1.
June 6, 2017	To incorporate changes to 2.2 Election Procedures; 3.1.12 Agenda for Board Meetings; 4.1.12 Minutes
January 31, 2017	Update Statutory and Standing Committees
June 21, 2016	Review and update of By-Law No. 1: Operational By-Law
February 25, 2014	To incorporate a change to 3.1.11 Agenda for Board Meetings: <i>Presentations of Input Related to an Item on the Agenda</i>
November 2013	To incorporate changes to Committee System; Amendment to By-laws
April 2012	Revisions to Bank Signing Officers
February 2012	Revisions to election procedure and signing authority
December 2011	To incorporate By-law 76 Execution of Documents – revised to incorporate changes to: Committee System; New Business brought forward by Trustee; Statutory Committees and other Committees; Rules of Order
June 2011	To incorporate changes in Board meeting structure
September 2009	To re-number By-Law 99 to By-Law 1
September 2009	To incorporate revisions of practice
January 15, 2002	To incorporate changes to voting rights, quorum and presiding Chairs at committee meetings
August 29, 2000	To incorporate change in organization and start time of board meetings
June 8, 1999	To incorporate change in Board organization structure and other revisions
Dec. 16, 1997	Interim By-Law 99
Nov. 24, 1997	To consolidate amending By-laws 114-117-118-123
July 6, 1994	To incorporate amending By-Laws 167 and 169
June 30, 1992	To incorporate amending By-Law 159
October 22, 1991	To incorporate amending By-Law 149
November 1990	To incorporate amending By-Law 139
August 1990	To incorporate amending By-Law 124
February 1990	To incorporate amending By-law 1

[Return to Top](#)

# **APPENDIX H**

### 30-Nov-21

First name	Last name	Email	Duration	Time joined
YorkCatholicTV		youtube@ycdsb.ca	1 hr 45 min	7:25 PM
Frank	Alexander	frank.alexander@ycdsb.ca	1 hr 37 min	7:32 PM
Rocchina	Antunes	rocchina.antunes@ycdsb.ca	1 hr 40 min	7:29 PM
Anthony	Arcadi	anthony.arcadi@ycdsb.ca	1 hr 40 min	7:29 PM
CEC	BoardRoom	boardroom@ycdsb.ca	1 hr 45 min	7:25 PM
Diana	Candido	DIANA.CANDIDO@ycdsb.ca	1 hr 38 min	7:31 PM
Rose	Cantisano	rose.cantisano@ycdsb.ca	1 hr 45 min	7:24 PM
Alessandro	Casbarro	alessandro.casbarro22@ycdsb.ca	1 hr 43 min	7:25 PM
Joel	Chiutsi	joel.chiutsi@ycdsb.ca	1 hr 41 min	7:25 PM
Carol	Cotton	carol.cotton@ycdsb.ca	1 hr 29 min	7:27 PM
Elizabeth	Crowe	elizabeth.crowe@ycdsb.ca	1 hr 33 min	7:24 PM
Wally	Easton	wally.easton@ycdsb.ca	1 hr 44 min	7:25 PM
Khaled	Elgharbawy	khaled.elgharbawy@ycdsb.ca	1 hr 38 min	7:31 PM
Dino	Giuliani	dino.giuliani@ycdsb.ca	1 hr 38 min	7:31 PM
Michael	Gray	michael.gray@ycdsb.ca	1 hr 44 min	7:14 PM
Silvana	Greco	silvana.greco@ycdsb.ca	1 hr 40 min	7:30 PM
Maria	Iafrate	maria.iafrate@ycdsb.ca	1 hr 45 min	7:23 PM
Jennifer	LaGrandeur-Wigston	jennifer.wigston@ycdsb.ca	1 hr 29 min	7:32 PM
Tim	Laliberte	tim.laliberte@ycdsb.ca	1 hr 45 min	7:24 PM
Maria	Marchese	maria.marchese@ycdsb.ca	1 hr 44 min	7:25 PM
Dominic	Mazzotta	dominic.mazzotta@ycdsb.ca	1 hr 36 min	7:36 PM
Calum	McNeil	calum.mcneil@ycdsb.ca	1 hr 39 min	7:30 PM
Theresa	McNicol	theresa.mcnicol@ycdsb.ca	30 min	8:16 PM
Thomas	Pechkovsky	tom.pechkovsky@ycdsb.ca	1 hr 45 min	7:24 PM
Anthea	Peta-Dragos	anthea.petadragos23@ycdsbk12.ca	1 hr 41 min	7:28 PM
Eugene	Pivato	eugene.pivato@ycdsb.ca	1 hr 46 min	7:22 PM
Jennifer	Sarna	jennifer.sarna@ycdsb.ca	1 hr 38 min	7:31 PM
Laura	Sawicky	laura.sawicky@ycdsb.ca	1 hr 39 min	7:30 PM
Domenic	Scuglia	domenic.scuglia@ycdsb.ca	1 hr 35 min	7:30 PM
Shannon	Ulgati	shannon.ulgiati@ycdsb.ca	9 min	7:37 PM
Siobhan	Wright	siobhan.wright@ycdsb.ca	1 hr 40 min	7:29 PM

Time exited

9:10 PM  
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# **APPENDIX I**

**YORK CATHOLIC DISTRICT SCHOOL BOARD****MINUTES  
of the Regular Board Meeting**

Tuesday, November 30, 2021

**PRESENT:**

Members:

In Person:	E. Crowe*, D. Mazzotta, J. Wigston*
Virtual:	F. Alexander, R. Cantisano, C. Cotton*, D. Giuliani, M. Iafrate, M. Marchese, T. McNicol (8:16 pm to 8:46 pm) Student Trustees A. Casbarro, A. Peta-Dracos (* Not present between 8:39 pm to 8:47 pm)

Administration:

In Person:	D. Scuglia, D. Clapham, C. McNeil
Virtual:	E. Pivato, A. Arcadi, R. Antunes, D. Candido, J. Chiutsi, W. Easton, M. Gray, K. Elgharbawy, T. Laliberte, T. Pechkovsky, J. Sarna, L. Sawicky, S. Wright

Absent with Notice: All Present

Recording Officer: S. Greco (In Person)

Presiding: D. Mazzotta, Chair of the Board



**j) TRUSTEE MOTION: LAND ACKNOWLEDGEMENT (T. McNicol)**

- Whereas** *the YCDSB Office and schools are situated upon the traditional lands of the Anishinaabe, Haudenosaunee and the Huron-Wendat people;*
- Whereas** *this Board believes in the importance of recognizing Indigenous people and their traditional territories;*
- Whereas** *the Board believes that prayer is the ultimate expression of worship towards God;*
- Whereas** *at Mass it is common practice to offer words of welcome and make announcements prior to the start of the celebration of the Eucharist so that nothing should interfere with prayer;*
- Whereas** *Fr. Roy Roberts, Master of Liturgy, University of Notre Dame has stated that the proper placement of the Land Acknowledgement is in advance of prayer;*
- Whereas** *the YCDSB Indigenous Pillar Committee and their community partners have requested that the Land Acknowledgement be offered at the start of every YCDSB gathering as part of our response to the Calls to Action of the Truth and Reconciliation Commission;*
- Whereas** *we believe that as Catholic Institutions we have a role to play in responding to the 94 Calls to Action of the Truth and Reconciliation Commission.*

**MOTION: McNicol/Wigston**

**LET IT BE RESOLVED:**

**THAT** the Land Acknowledgment recited at all Board meetings and events, be offered prior to the start of Catholic prayer or reflection.

Trustee McNicol asked to be the last speaker on her Motion and welcomed comments from her fellow Trustees.

Trustee Jennifer Wigston commented as follows:

*"One exciting benefit of being one of the 10 Trustees at York Catholic, is that we as individuals and as a group are able to bring a wide array of viewpoints, opinions, perspectives, thoughts and questions to the table - often a combination of our own lived experiences and those of our stakeholders. In doing so, it is not always possible to achieve perfect congruency of thought - nor would we want that to be the case. God has not pre-programmed us all like robots. Instead, he has gifted us with the ability to learn and grow by examining issues from one another's viewpoints. But we then also have a great responsibility - as Justice Peter Lauwers reminded us last night, when groups see things from different perspectives, it is paramount to maintain respectful dialogue, careful attention and honest listening as the cornerstones to prayerful discussion. On the surface, this issue appears to be simple. In reality, the determination of where and how the Land Acknowledgement is positioned relative to prayer is nuanced and complex. How much easier this would be if we had some precedence, but I have done some research and learned that there is no consistent practice among school boards or other institutions. Some school boards and OCSTA begin with prayer. Yet we have seen events, as recent as the Cardinal's Dinner last week, begin with the land acknowledgement. In that case it was offered by Elder Rosella Kinoshameg. She said that Land Acknowledgement need not only be a symbolic gesture, it's an ongoing opportunity to always keep Indigenous people at the forefront as Catholics and children of God, as we journey together on the path to healing and reconciliation. I share this with you not to demonstrate that one way is correct and one way is incorrect, rather to offer that neither is wrong nor right, and to consider that the Indigenous community and the Catholic community are not separate self-contained groups living in disparate bubbles - we are all part of an integrated community, all children of God, and part of His family. Last month I said that it is of paramount importance for those of us at the table to use our voices: to lift others up; to recognize our responsibilities in terms of the 94 Calls to Action of the Truth and Reconciliation Commission; to support those whose voices have been ignored or unheard; and to set the example that we want our students to be proud of and want to follow; In reviewing those thoughts - it is apparent that there are voices missing from this discussion: our students and families, especially those who are Indigenous AND Catholic. These voices are unheard. Which brings me to the crux of the matter, while I understand this issue is coming to a vote tonight, I wish that we had additional time to survey those missing voices, to continue with prayerful discernment, reflection, respectful discussion..., and request direction from the Archdiocese to help guide us as we balance our responsibilities in terms of the Truth and Reconciliation while upholding our oaths to serve as advocates and representatives of the YCDSB. Thank you."*

Vice-Chair Carol Cotton commented as follows:

*"I have been personally reflecting upon the words of Mr. Lauwers that we heard last night... that a primary mandate for Catholic Trustees should be "first, do no harm". I have come to the conclusion that by placing this motion on the table again there is very little accomplished other than to do harm. Further debate only strengthens animosity rather than fostering better partnership. Requiring me, in my role of Trustee, to consider that the order of board meeting agenda items somehow equals a ranking of importance or a level of significance is wrong... and is completely non-reflective of my total sincerity...my sincerity both in my prayers to God and in my acknowledgement of the indigenous people who have walked upon this land before us. My wish is that our time at this table be NOT spent focused upon an arbitrary sequence on a printed agenda but rather on how as faith-filled Catholic Trustees we can better model for our staff and students our true commitment to the calls to action made in the Truth and Reconciliation documents. I will borrow from a colleagues' comments to state that I find it morally repugnant to act in disrespect of my core beliefs and therefore I will not debate or vote upon this Motion."*

Trustee Elizabeth Crowe stated that Vice-Chair Cotton spoke eloquently and that in having to be forced to make a vote that evening, that she had considered abstaining to vote on the matter as well for the reasons identified by Trustees Wigston and Cotton. It was noted that as per By-Law 6.2.1, every member shall vote on the matter, and those that chose not to, would have to leave the room (or disconnect). It was made clear that the vote will take place with only the Trustees that remain present.

Trustee Frank Alexander commented as follows:

*"When I got down on my knees this morning, to send God my usual KNEE MAIL, he responded by reminding me of two things: He reminded me of how much He loves us and how much He loves the world. He reminded me of the expression of His love, through His love offering. He then reminded me of what we did to His love offering (Isaiah 53: 3-6) He was despised and forsaken of men, A man of sorrows and acquainted with Grief; And like one from whom men hide their Face. He was despised and we did not esteem Him. Surely our griefs He Himself bore, and our sorrows He carried; Yet we ourselves esteemed Him stricken, Smitten of God, and afflicted. But He was pierced through for our Transgressions, He was crushed for our iniquities;*

*The chastening for our well-being fell Upon Him. And by His scourging we are healed. All of us like sheep have gone astray, each of us has turned to his own way; But the Lord has caused the iniquity of Us all To fall on Him. Mr. Chairman, Madam Vice-Chair, Trustees. I would like us to send God a Love Letter today. I would like*

*us to tell Him that we accept His love offering without reservation. I would like us to tell Him that we believe that He is the Creator of the whole world and everything in it. I would like us to tell Him that He is Almighty; that He is all knowing; that he is Omnipresent. I would like us to tell Him that He is Supreme. I would like us to tell Him that we believe in His Only Son, Jesus Christ our Lord and Saviour. I would like us to tell Him that we believe in the Holy Spirit, our Counsellor and Guide. And Mr. Chairman, Madam Vice-Chair, Trustees, I would like us all to sign that love letter; and we can do so, by unanimously rejecting this Motion."*

Board Chair Dominic Mazzotta stated that the issue hits the main cornerstone of what we are all about to promote and preserve Catholic Education.

Vice-Chair Cotton advised that she was going to disconnect from the meeting as voting on the matter would pose a challenge to her personal beliefs as a Catholic. Trustees Crowe and Wigston left the Board meeting room. (Cotton, Wigston, Crowe left meeting at 8:39 pm)

Trustee Theresa McNicol commented as follows:

*"At the October 26, 2021 Board Meeting I referred to two emails. I honestly thought that having authorization from the author of the emails was good enough. Unfortunately, I was wrong. I apologize to Bishop Kirkpatrick for this and want to let you know that there was no malice in my heart. If Bishop Kirkpatrick is listening to this meeting, I would love to apologize to him personally, so please call me. Now getting back to the Motion at hand. the Land Acknowledgement. As Catholics, we have entered into the season of Advent as we prepare for the birth of Jesus. This is a perfect time to be able to open our hearts to our community partners and listen to what they are wanting as part of their customs. Let us not be tone deaf to what they are saying to us. We as Catholics are not undermining prayer by placing it after the Land Acknowledgement but in fact, we are highlighting the importance of our prayer. Let us join together in seeking a true call to truth and reconciliation with our community partners."*

No further speakers were allowed to speak.

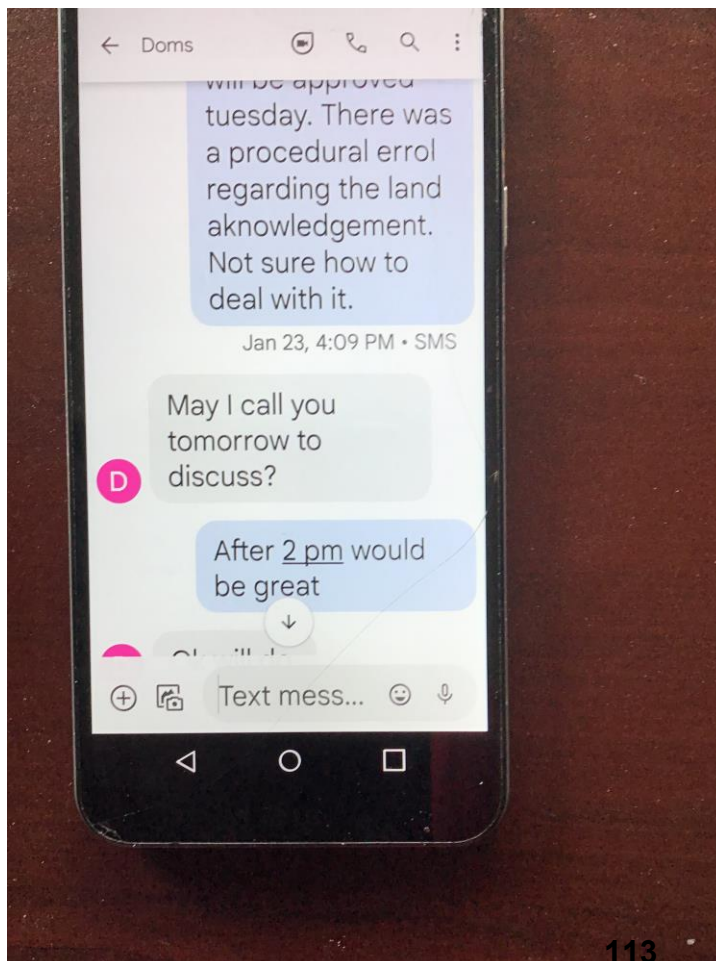
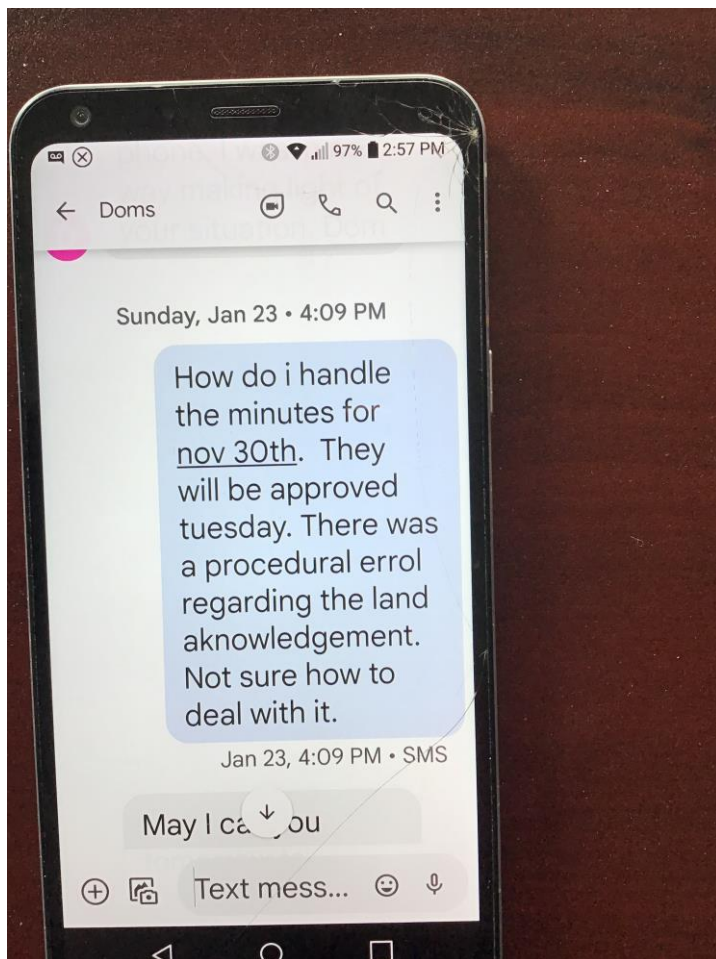
*Against: Alexander, Cantisano, Giuliani, Iafrate, Marchese, Mazzotta*

**- MOTION FAILED -**

Trustee McNicol left the meeting at 8:46 pm

Trustees Cotton, Crowe and Wigston rejoined the meeting at 8:47 pm

# **APPENDIX J**



# **APPENDIX K**

Subject	
From	<a href="#">Theresa McNicol</a>
To	Elizabeth Crowe
Cc	Domenic Scuglia; Silvana Greco
Sent	January 24, 2022 3:06 PM

**Hi Elizabeth**

**I have been watching the Nov 30/21 Board meeting video. I believe that there was a procedural error that occurred.**

**I was never asked to vote on my own motion. Please watch the video and you can see for yourself.**

**I don't know how to handle this.**

**Asking for your advice.**

**Thanks**

Theresa McNicol  
Trustee East Gwillimbury, Georgina and Newmarket  
York Catholic District School Board

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On Mon, Jan 24, 2022 at 3:27 PM Elizabeth Crowe <[elizabeth.crowe@ycdsb.ca](mailto:elizabeth.crowe@ycdsb.ca)> wrote:

Hi Theresa

I asked Silvana to forward to me the minutes that are going to be approved tomorrow.

I agree that you were not asked for your vote by the Chair.

Procedurally, according to our by-laws, trustees cannot abstain from voting, that is why three of us left the meeting.

Since you were present you had to vote, since you did not vote against when the Chair called for a recorded vote of those against the motion, then by default you voted for the motion.

That is not how it is in the minutes because Silvana only noted the ones that spoke up against and it was enough to defeat the motion.

To address this, you will need to attend the meeting and bring up the fact that your vote for the motion is not recorded in the minutes.

I will then say what I just put in the e-mail and ask you if you want the minutes changed to more accurately reflect how you voted.

If this is how you want to proceed, tell me, because the trustees do not normally have the public minutes in front of them when we vote.

I will forward the minutes to everyone and ask those attending in person if they want hard copies. I will tell everyone that one of the trustees wants to make a change to the minutes and they are receiving them so they can have them available for the discussion.

Elizabeth

----- Forwarded message -----

From: **Silvana Greco** <[silvana.greco@ycdsb.ca](mailto:silvana.greco@ycdsb.ca)>

Date: Mon, Jan 24, 2022 at 3:17 PM

Subject: Nov 30, 2021 - Public Minutes

To: Elizabeth Crowe <[elizabeth.crowe@ycdsb.ca](mailto:elizabeth.crowe@ycdsb.ca)>

Please see attached.

Silvana Greco

Administrator to Domenic Scuglia, Director of Education & Secretary of the Board and Trustee Services  
York Catholic District School Board

[320 Bloomington Road](#)  
[Aurora](#), ON L4G 0M1  
Tel: (416) 221-5051, Ext 13102  
Fax: (905) 713-1272  
Email: [silvana.greco@ycdsb.ca](mailto:silvana.greco@ycdsb.ca)

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On Mon, Jan 24, 2022 at 3:39 PM Theresa McNicol <[theresa.mcnicol@ycdsb.ca](mailto:theresa.mcnicol@ycdsb.ca)> wrote:

**Hi Elizabeth**

**I am afraid to bring this up. It will only cause more problems.**

**Thanks**

---

On Mon, Jan 24, 2022 at 4:45 PM Elizabeth Crowe <[elizabeth.crowe@ycdsb.ca](mailto:elizabeth.crowe@ycdsb.ca)> wrote:

Theresa

I do not know a better way to fix this.

I wish I had another solution.

Elizabeth

---

On Mon, Jan 24, 2022 at 4:49 PM Theresa McNicol <[theresa.mcnicol@ycdsb.ca](mailto:theresa.mcnicol@ycdsb.ca)> wrote:

**Hi Elizabeth**

**Why not pull the minutes until the investigation is over?**

**Thanks**

Theresa McNicol  
Trustee East Gwillimbury, Georgina and Newmarket  
York Catholic District School Board

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From: **Elizabeth Crowe** <[elizabeth.crowe@ycdsb.ca](mailto:elizabeth.crowe@ycdsb.ca)>

Date: Mon, Jan 24, 2022 at 6:01 PM

Subject: Re: Nov 30, 2021 - Public Minutes

To: Theresa McNicol <[theresa.mcnicol@ycdsb.ca](mailto:theresa.mcnicol@ycdsb.ca)>

Because the minutes were already delayed AND the investigation is about the October board meeting AND the other complaint was withdrawn.



**York Catholic District School Board**

**REPORT NO. 2022:24**

**SPECIAL COMMITTEE OF THE WHOLE BOARD / PRIVATE SESSION**

**To: Regular Board Meeting**

**August 30, 2022**

A private session of the Special Committee of the Whole Board was held on Thursday, July 21, 2022 starting at 2:03 pm.

**PRESENT:**

Members: Virtual: F. Alexander, R. Cantisano, E. Crowe, D. Giuliani, M. Iafrate,  
M. Marchese, D. Mazzotta, T. McNicol, J. Wigston

Administration: Virtual: D. Scuglia

Absent with Notice: C. Cotton

Recording Officer: S. Greco (Virtual)

Presiding: E. Crowe, Chair of the Board

**ACTION ITEMS:**

**DECLASSIFIED (Action Items for Approval): NIL**

**CLASSIFIED: NIL**

**Adjournment:** 4:03 PM

M. Marchese, Vice-Chair

York Catholic District School Board

**REPORT NO. 2022:06 of the  
POLICY REVIEW COMMITTEE**

**To: Board of Trustees**

**September 27, 2022**

A hybrid session of the Policy Review Committee was held on Tuesday, September 13, 2022 starting at 6:30 p.m.

**In Attendance**

**Committee Members:** F. Alexander, C. Cotton, E. Crowe, M. Iafrate, M. Marchese, D. Mazzotta, J. Wigston  
**Other Trustees:** R. Cantisano, T. McNicol

**Administration:** D. Scuglia, E. Pivato, K. Elgharbawy, M. Gray, M. Mercanti, L. Paonessa,  
C. Peracchia Joachim Tsui

**Recording:** L. Ibrahim

**Presiding:** F. Alexander - Chair

**ACTION ITEMS:**

1. **THAT** the Board approve the following revised policy as draft and send for stakeholder consultation:  
Policy 108A School Archives
2. **THAT** the Board approve the following NEW policy, as draft and send for stakeholder consultation:  
Policy 108B Central School Board Archival Collection
3. **THAT** the Board approve the following NEW policy:  
Policy 417 Electronic Monitoring
4. **THAT** the Board approve the following revised policy:  
Policy 423 Conflict of Interest for Employees
5. **THAT** the Board approve the following revised policy:  
Policy 424 Disposition of Complaints Against Employees
6. **THAT** the Board approve the following revised policy:  
Policy 425 Workplace Harassment
7. **THAT** the Board approve the following revised policy:  
Policy 614 Whistleblower
8. **THAT** the Board approve the following revised policy:  
Policy 705 Use of Video Surveillance
9. **THAT** the Board authorizes Administration to postpone a review of Policy 713, *Pupil Accommodation Review of Schools*, for two years, or until such a time as the Ministry of Education provides the 2018 PARG templates and the updated guideline comes into effect.

## **INFORMATION/DISCUSSION ITEMS:**

Report 704 Community Planning & Partnerships  
Policy 211 Indigenous Student Self-Identification  
Report - Truth and Reconciliation  
Policy 701 Access to School Board Premises


## **FUTURE ITEMS:**

Policy 105 Trustee Professional Development  
Policy 111 Trustee Services and Expenditures  
Policy 114 Trustee Honorarium  
Policy 115 Perquisites  
Policy 207A Administration of Oral Prescription Medication to Elementary and Secondary Students  
Policy 207B Administration of Oral Non-Prescription Medication to Elementary Students  
Policy 212 Concussions  
Policy 213 Supporting Students with Prevalent Medical Conditions: Diabetes  
Policy 214 Student Use of Service Animals  
Policy 304A Research

**Future meeting date for Policy Review Committee**  
January 17, 2023, March 7, 2023 and June 6, 2023

Adjournment – 9:35 p.m.

F. Alexander, Committee Chair

	<b>YORK CATHOLIC DISTRICT SCHOOL BOARD</b>	
	<b>BOARD POLICY</b>	
	<i>Policy Section</i>	<i>Policy Number</i>
	<b>Governance</b>	<b>108A</b>
	<i>Former Policy #</i>	<i>Page</i>
		<b>1 of 5</b>
	<i>Original Approved Date</i>	<i>Subsequent Approval Dates</i>
	<b>March 30, 2016</b>	<b>TBD</b>

**POLICY TITLE: SCHOOL ARCHIVES ARTIFACTS AND MEMORABILIA**

## **SECTION A**

### **1. PURPOSE**

York Catholic District School Board believes that ~~archives~~ **artifacts and memorabilia** are an essential part of a Catholic School's institutional **historical narrative** and, as such, have a unique value and status **within our school board**. **Memorabilia and artifacts and archives** are **significant** historical **imprints** and cultural information resources for the school itself, as well as for the York Catholic District School Board. As such, all **memorabilia and** artifacts deserve to be **ethically collected**, properly maintained and ~~carefully~~ preserved in each school **within our board**. This Policy is intended to make these collections available to students, faculty, staff and the school community. The archives support students, alumni, and the school community, celebrating their past and present within our York Catholic District School Board.

The purpose of this policy is also to provide schools **within our board** with parameters relating to the collection, cataloging and preservation of **memorabilia and** artifacts which illustrate **and pertain to** the historical development of the Catholic school ~~or which pertain in whole or in part to the activities of the school since its inception~~ since its' establishment within our board. **In addition, this Policy sets parameters stipulating which works of memorabilia and artifacts and archives are added, maintained within, or removed from the York Catholic District School Board school archives.**

### **2. POLICY STATEMENT**

York Catholic District School Board is committed to the efficient management of its **archives and the preservation of its institutional memory**. It is the policy of the York Catholic District School Board to preserve the rich history of each school through the collection, cataloging and maintenance of **memorabilia, artifacts and archives** related to the school's namesake, as well as monumental school events and/or activities that depict the culture of the individual school community.

### **3. PARAMETERS**

## CRITERIA FOR ACQUISITION

- ~~3.1 Artifacts collected for archival purposes shall become permanent property of the York Catholic District School Board with appropriate acknowledgement for the donation of any artifact(s) to the school. (Moved to 3.6 below).~~
- 3.1 The Principal, in consultation with Staff and Catholic School Council, shall evaluate the relevance of artifacts for inclusion in the school's archives.
- 3.2 The display and/or reproduction of any archival artifacts shall be subject to the approval of the Principal and will adhere to relevant legislation within the Municipal Freedom of Information and Privacy of Information Act.
- 3.3 The selection of artifact(s) will be based on the following criteria:
- 3.3.1 Historical merit and cultural value to the individual school;
  - 3.3.2 Relevance to the Gospel Values and Catholic Virtues reflected in the board's Mission;
  - 3.3.3 Relevance to the collections, of past and/or present, of the school's namesake and to the academic mission of the York Catholic School Board;
  - 3.3.4 Condition of the artifact.
- 3.4 The scope of each school's archival collection may include, but is not limited to:
- 3.4.1 Religious Artifacts related to the namesake of the school;
  - 3.4.2 Commemorative plaques, letters and/or certificates (Board, Municipal, Provincial and/or Federal) presented at the time of the school's Solemn Blessing and Official Opening or for recognition of school accomplishments/achievements;
  - 3.4.3 Commemorative plaques denoting annual student awards/recognition;
  - 3.4.4 Yearbooks, agendas, school newsletters;
  - 3.4.5 Staff photographs, school event photographs;
  - 3.4.6 Grade 8 Graduate composites;
  - 3.4.7 School banners, mascot, pennants;
  - 3.4.8 School event photographs, programs, newspapers, audio, video publications; or,
  - 3.4.9 Other memorabilia which has a significant meaning to the school and has been approved for inclusion by the Principal as it relates to the school's origin, development, organization or activities;
  - 3.4.10 Time capsules.
- ~~3.6 The location for the storage of school archival artifacts and the complete list of items shall be recorded (i.e. digital and/or written) in the School Management Plan. (moved to 3.7 below).~~
- ~~3.7 A dedicated space for the storage of archival artifacts shall be:~~
- ~~3.6.1 Determined by the Principal in consultation with the school staff; and,~~
  - ~~3.6.2 Considered in the design of new schools. (moved to 3.11)~~
- 3.5 Donations of artifacts deemed to be of an archival nature specific to the history of a school or received as a gift through school fundraising shall be accepted in accordance with Board policies and procedures.
- 3.6 Artifacts collected for archival purposes shall become permanent property of the York Catholic District School Board with appropriate acknowledgement for the donation of any artifact(s) to the school.

## REGISTRATION OF ARCHIVES

- 3.7 The location for the storage of school archival artifacts and the complete list of items shall be recorded (i.e. digital and/or written) in the School Management Plan.

3.8 The registration of the artifacts in the School Management Plan shall include:

- 3.8.1 The year of origin of the individual item within archival collection;
- 3.8.2 A description of the historical, cultural and/or religious significance of the individual item to the York Catholic school;
- 3.8.3 Condition status of the individual item within the archival collection.

#### PRESERVATION OF ARTIFACTS AND MEMORABILIA

3.9 The display and/or reproduction of any archival artifacts shall be subject to the approval of the Principal and will adhere to relevant legislation within the *Municipal Freedom of Information and Privacy of Information Act*.

3.10 The York Catholic School Board shall provide adequate and appropriate conditions for the dedicated space, storage, protection, and preservation of archival material.

3.11 A dedicated space for the storage of archival artifacts shall be:

- 3.11.1 Determined by the Principal in consultation with school staff; and,
- 3.11.2 Considered in the design of new schools.

3.12 Access to archival artifacts shall be upon the approval of the Principal.

3.13 Artifacts, memorabilia, and archives shall be stored; **where are practical**

- 3.13.1 In a temperature regulated area with appropriate heat/fire detection and suppression system;
- 3.13.2 In a secured display case which shall **contain significant items, and** only be accessible to authorized personnel;
- 3.13.3 In an area with an unobstructed view which is accessible and visible to school staff, students, and the school community.

#### DEACCESSIONING OF ARTIFACTS AND MEMORABILIA

**3.14 The deaccession and removal of artifacts and memorabilia shall be approved by the school Superintendent, Principal and Catholic School Council and will take into consideration:**

- 3.14.1 The condition of the archival item;**
- 3.14.2 The historical, cultural, and religious relevance of the archival item to the individual school;**

3.15 All proposals for deaccession and removal of artifacts and memorabilia shall be submitted **to the school Superintendent** and disclosed within the School Management Plan.

**3.16 Items will be donated to the Board's central archives, a) in the event of a school closure, or b) if the school is unable to store the item due to the lack of space.**

**3.17 All artifacts and memorabilia which are damaged and/or in poor condition shall be:**

- 3.17.1 Removed from the archival collection at the discretion of the principal and Catholic School Council;**
- 3.17.2 Photographed and submitted within the School Management Plan for inventory processing.**

~~3.18 The principal shall designate a repository location for artifacts, memorabilia and archives which have been permanently removed from the archival collection within the school.~~

3.18 All artifacts and memorabilia which are permanently removed from the archival collection in the York Catholic School are deemed private property of the York Catholic District School Board and shall ~~not be removed from the school premises unless authorized by personnel.~~ **donated to the central archive.**

**3.19 Upon request from the Director of Education, school administrators will provide the YCDSB with artifacts and memorabilia on a temporary basis in order to participate in special occasions such as theme events or board anniversaries.**

## 4. RESPONSIBILITIES

### 4.1 Director of Education

4.1.1 To oversee compliance with the School Archives policy.

### 4.2 Superintendent of Education: School Leadership

4.2.1 To support Principals with the implementation of the School Archives policy.

### 4.3 Senior Administration responsible for the construction of new Schools

4.3.1 To consult with the Principal and approved Architect to ensure that a dedicated space for the storage of archival artifacts is incorporated into a new school's architectural design.

### 4.4 Principal

4.4.1 To define, in consultation with Staff and Catholic School Council, the artifacts that will be preserved and maintained as school archives.

4.4.2 To consider the establishment of a school-based Archives Committee to assist with the collection and cataloguing of archival artifacts.

4.4.3 To determine which archival artifacts should be displayed or removed on an ongoing basis (i.e., commemorative plaques, Grade 8 Graduate composites, pennants, banners) and which should be stored until needed for display at significant milestone events pertinent to the school (i.e., Solemn School Blessing and Official Opening, School Anniversaries).

4.4.4 To identify the location for the storage of school archival artifacts and include the complete list of inventoried items in the School Management Plan.

4.4.5 To provide adequate and appropriate conditions for the storage, protection and preservation of archival artifacts.

4.4.6 To ensure all archival artifacts are clearly labeled in order to minimize the risk of damage, loss and/or disposal.

4.4.7 To define who will take responsibility for the collection, display, storage and inventory catalogue of the school's archival collection.

### 4.4 Staff

4.5.1 To support the establishment and maintenance of school archives.

### 4.5 Students

4.6.1 To demonstrate respect for all archival artifacts on display at the school.

## 5. DEFINITIONS

### 5.1 Acquisition

The act of gaining possession of artifacts and memorabilia to add to the historical and/or cultural archival collection of the school and York Catholic School Board.

### 5.2 Archives

The assembly and maintenance of a defined artifact or artifacts with enduring value relevant to the historical development of the school by a person or persons under the direction and guidance of the Principal.

### 5.3 Artifacts

Refers to physical items (e.g., photographs, certificates, plaques, banners, newspapers, newsletters) as well as electronic artifacts (e.g., videos, electronic montages) that have specific and significant relevance to the historical development of the school.

#### 5.4 Deaccessioning

The act of permanently removing and/or disposing of an item from a collection within a school and York Catholic School Board when it is no longer deemed appropriate.

#### 5.5 Memorabilia


Refers to historical items (e.g., photographs, certificates, plaques, banners, newspapers, newsletters) as well as electronic artifacts (e.g., videos, electronic montages) that provide recollection and remembrance to the school and York Catholic School Board.

### CROSS REFERENCES

[Municipal Freedom of Information and Privacy Information Act](#)

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	<i>Date</i>
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	<b>YORK CATHOLIC DISTRICT SCHOOL BOARD</b>	
	<b>BOARD POLICY</b>	
	<i>Policy Section</i>	<i>Policy Number</i>
	<b>Governance</b>	<b>108B</b>
	<i>Former Policy #</i>	<i>Page</i>
		<b>1 of 5</b>
	<i>Original Approved Date</i>	<i>Subsequent Approval Dates</i>
	<b>TBD</b>	

## **POLICY TITLE: CENTRAL SCHOOL BOARD ARCHIVAL COLLECTION**

### **SECTION A**

#### **1. PURPOSE**

York Catholic District School Board is committed to the effective preservation of its institutional memory through the establishment of an archives collection. The archives maintain artifacts and memorabilia illustrating the historical and/or cultural relevance of the York Catholic School Board and Catholic education in York Region. As such, all artifacts deserve to be ethically collected, maintained, and properly preserved at the York Catholic District School Board.

The purpose of this policy is to provide the York Catholic School Board with parameters relating to the acquisition, cataloguing and preservation of artifacts which pertain to the historical development and institutional evolution of the York Catholic District School Board since its establishment. This Policy sets out the principles and guidelines in stipulating which works of artifacts and memorabilia are added, maintained within, or removed from the archival collection of the York Catholic District School Board.

#### **2. POLICY STATEMENT**

It is the policy of the York Catholic District School Board to preserve the rich history of its institution through the collection, cataloguing and maintenance of artifacts relating to the York Catholic District School Board, as well as document monumental events and/or activities which illustrate the culture and religious values of the Catholic school community.

#### **3. PARAMETERS - CRITERIA FOR ACQUISITION**

3.1 The Coordinating Manager of Planning and Operations shall evaluate the relevance of the artifacts for inclusion in the school board's archives.

3.2 The selection and acceptance of artifact(s) shall be based on the following criteria:

3.2.1 Historical merit and cultural value to the York Catholic District School Board;

- 3.2.2 Relevance to the Catholic values reflected in the school board's Mission statement;
- 3.2.3 Relevance to the collections, past and/or present, of the York Catholic School Board;
- 3.2.4 Condition of the artifact and memorabilia.

3.3 The scope of the York Catholic District School Board's archival collection may include, but is not limited to:

- 3.3.1 Religious Artifacts related to the York Catholic District School Board;
- 3.3.2 Commemorative plaques, letters and/or certificates from external agencies (Municipal/Provincial/Federal);
- 3.3.3 Commemorative plaques denoting annual awards/recognition;
- 3.3.4 Board Agendas and minutes;
- 3.3.5 Curricula, textbooks, yearbooks;
- 3.3.6 Maps, plans and architectural records;
- 3.3.7 School board event photographs, staff and trustee photographs, programs, newspapers, audio, video publications or;
- 3.3.8 Other memorabilia which has significant meaning to the school board and has been approved for inclusion by the Coordinating Manager of Planning and Operations as it relates to the school board's origin, development, organization, or activities.
- 3.3.9 Artifacts and memorabilia from schools that have closed;
- 3.3.10 Artifacts and memorabilia received from schools that reflect the cultural and educational history of the board.

3.4 Donations of artifacts deemed to be of an archival nature specific to the history of the school board or received as a gift through fundraising shall be accepted in accordance with board policies and procedures.

3.5 Artifacts collected for archival purposes shall become permanent property of the York Catholic District School Board with appropriate acknowledgement for the donation of any artifact(s) to the school board.

#### **4. PARAMETERS - REGISTRATION OF ARCHIVES**

- 4.1 The location for the storage and preservation of school board artifacts and memorabilia and the complete list of items shall be documented (i.e.: digital and/or written) in Records Inventory Management.
- 4.2 The registration of the artifacts and memorabilia shall include:
  - 4.2.1 Serial registration number of the item;
  - 4.2.2 The year of origin;
  - 4.2.3 A description of the historical, cultural and/or significance of the individual item to the York Catholic District School Board;
  - 4.2.4 Condition status of the individual item;
  - 4.2.5 Retention or deaccession status of the item within the archival collection.

#### **5. PARAMETERS - PRESERVATION OF ARTIFACTS AND MEMORABILIA**

- 5.1 The display and/or reproduction of any archival artifacts shall be subject to the approval of the Coordinating Manager of Planning and Operations and will adhere to relevant legislation within the *Municipal Freedom of Information and Privacy of Information Act*.
- 5.2 The York Catholic District School Board shall provide adequate and appropriate

conditions for the dedicated space, storage, protection, and preservation of archival material.

5.2.1 A dedicated space for the storage of archival artifacts shall be determined by the Coordinating Manager of Planning and Operations.

5.3 Access to archival artifacts shall be upon the approval of the Coordinating Manager of Planning and Operations and/or authorized personnel

5.4 Artifacts, memorabilia, and archives should be stored:

5.4.1 In a temperature regulated area with appropriate heat/fire detection and suppression system;

5.4.2 In a secured display case which shall only be accessible to authorized personnel.

5.4.3 In a designated area with an unobstructed view which is visible to staff and visitors at the York Catholic District School Board, CEC.

## **6. PARAMETERS - DEACCESSIONING OF ARTIFACTS AND MEMORABILIA**

6.1 The deaccessioning and/or removal of artifacts and memorabilia upon the approval of the Director taking into consideration:

6.1.1 The condition of the archival item;

6.1.2 The historical, cultural, and religious relevance of the archival item to the York Catholic District School Board;

6.1.3 The availability of space for the storage and preservation of the archival item.

6.2 All proposals for deaccession and/or removal of artifacts and memorabilia shall be submitted and disclosed within Records Inventory Management.

6.3 All artifacts and memorabilia which are damaged and/or in poor condition shall be:

6.3.1 Removed from the archival collection at the discretion of the Coordinating Manager of Planning and Operations;

6.3.2 Photographed and submitted within Records Inventory Management for inventory processing.

6.4 The Coordinating Manager of Planning and Operations shall designate a repository location for artifacts, memorabilia, and archives which have been permanently removed from the archival collection within the York Catholic District School Board.

6.4.1 All artifacts and memorabilia which are permanently removed from the archival collection are deemed private property of the York Catholic District School Board and shall not be removed from the premises unless authorized by the Coordinating Manager of Planning and Operations.

## **7. RESPONSIBILITIES**

### **7.1 Director of Education**

7.1.1 To oversee compliance with the School Board's Archival Collection Policy.

7.1.2 To ensure that funding is available for the maintenance and preservation of the archives collection.

### **7.2 Superintendent of Facilities Services and Plant**

7.2.1 To ensure that the location provided for the archives in the York Catholic District School Board will allow for proper preservation of the archival collection (i.e.: temperature regulated, heat/fire detection, suppression system)

### **7.3 Coordinating Manager of Planning and Operations**

7.3.1 Managing the archive collections including:

7.3.1 Identifying a location for the storage and preservation of the archival collection;

7.3.2 Overseeing the physical acquisition and deaccessioning procedures;

7.3.3 Maintaining acquisitions documentation with Records Inventory Management;

7.3.4 Monitoring storage, preservation, access, and handling of artefacts;

7.3.5 Designating a repository location for artifacts permanently removed from the archival collection;

7.3.6 Collecting and/or receiving artifacts and determining their suitability for acquisition;

7.3.7 Ensuring all archival artifacts are clearly labeled in order to minimize the risk of damage, loss and/or disposal.

### **7.4 Principals**

7.4.1 Shall provide staff with knowledge of archival collection.

7.4.2 Ensure that school artifacts and memorabilia of relevance to the York Catholic District School Board are vetted through the Coordinating Manager of Planning and Operations and maintained or disposed of appropriately.

7.4.3 Shall catalogue the acquisition and deaccessioning of school artifacts and memorabilia in the School Management plan, including those transferred to the YCDSB.

7.4.4 Ensure awareness of the importance of the preservation of archival records and material culture.

### **7.5 Staff**

7.5.1 To support the establishment and preservation of the archival collection.

## **8. DEFINITIONS**

### **8.1 Acquisitions**

The act of gaining possession of artifacts and memorabilia to add to the historical and/or cultural archival collection of the school and York Catholic District School Board.

### **8.2 Archives**

The assembly and maintenance of a defined artifact(s) with enduring value relevant to the historical development of the school by a person or persons under the direction and guidance of the Coordinating Manager of Planning and Operations.

### **8.3 Artifact**

Refers to physical items (e.g., photographs, certificates, plaques, banners, newspapers, newsletters) as well as electronic artifacts (e.g., videos, electronic montages) that have specific and significant relevance to the historical development of the York Catholic District School Board.

### **8.4 Deaccessioning**

The act of permanently removing and/or disposing of an item from the archival collection when it is no longer deemed appropriate.

### **8.5 Memorabilia**


Refers to historical items (e.g., photographs, certificates, plaques, banners, newspapers, newsletters) as well as electronic artifacts (e.g., videos, electronic montages) that provide recollection and remembrance to the school and the York Catholic School Board.

## CROSS REFERENCES

[Policy 108 School Archives](#)

[Municipal Freedom of Information and Privacy Information Act](#)

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	<i>Date</i>
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	<b>YORK CATHOLIC DISTRICT SCHOOL BOARD</b>	
	<b>BOARD POLICY</b>	
	<i>Policy Section</i>	<i>Policy Number</i>
	<b>TBD</b>	<b><del>TBD</del>-417</b>
	<i>Former Policy #</i>	<i>Page</i>
	-	<b>1 of 3</b>
	<i>Original Approved Date</i>	<i>Subsequent Approval Dates</i>
	-	-

## **POLICY TITLE: ELECTRONIC MONITORING**

### **SECTION A**

#### **1. PURPOSE**

The York Catholic District School Board is committed to ensuring the safety and well-being of staff, students, and community members within our schools and school board. As such, the York Catholic District School Board utilizes electronic monitoring ~~to maintain~~ **as a tool to assist in maintaining** a safe and secure learning and working environment for its students, staff, and community members. In protecting the rights and privacy of our employees, the York Catholic School Board believes in the transparency of electronic monitoring and video surveillance systems in schools and on Board premises. The intended purpose of this policy is to provide employees of the York Catholic District School Board with the parameters of the monitoring procedures that are in use.

#### **2. OBJECTIVE**

This policy is in compliance with *Bill 88, The Workers for Workers Act 2022*, and the *Employment Standards Act, 2000* ~~in which~~ **whereby** employees of the York Catholic District School Board are aware of the monitoring, observation, and surveillance procedures within schools and on school board premises, including electronic devices and services used by staff. The Board shall operate these systems in compliance with relevant legislation and the ~~guidelines~~ **parameters** of this policy in order to ensure the safety and protection of staff, students, facilities, property, and information technology.

#### **3. PARAMETERS**

- 3.1 The Board has the right to ~~to~~ access specific monitoring data ~~in a number of situations~~, including but not limited to:
- the safety of staff and students or the protection of Board property whether physical or digital;

- ii) suspected breaches ~~in~~ of a policy or procedure based on reasonable grounds;
  - iii) requirements set out in the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Personal Health Information Protection Act* (PHIPA);
  - iv) maintenance or sanctioned work-related access to Board networks and/or technology.
- 3.2 The York Catholic District School Board has the right to access data on all Board electronic systems to ensure the integrity and ethical use of the Board's electronic systems. Information and data which may be accessed by the Board includes, but is not limited to:
  - i) Web and E-mail filtering;
  - ii) Network Monitoring;
  - iii) Account Authentication;
  - iv) Device Management;
  - v) Fob building access data.
- 3.3 All schools within the York Catholic District School Board are equipped with internal and external video surveillance of common and public areas to ensure the safety of students, faculty, and staff.
  - 3.3.1 Electronic video surveillance shall be operated in accordance with the parameters set out in YCDSB Policy 705 [Use of Video Surveillance](#).
  - ~~3.3.2 The principal or other authorized personnel shall access secured electronic surveillance storage under circumstances warranting review of video monitoring systems (i.e. investigation of a potential crime, violation of a board policy or the student code of conduct, detection of criminal activity).~~
- 3.4 The York Catholic District School Board may oversee logistical locations of Board vehicles using global positioning tracking systems to ensure the safety of drivers, the prevention of fleet vehicle thefts, and/or to track the performance time of service vehicles or dispatch them based on location.
- 3.5 Additional parameters regarding the monitoring of devices are set out in Policy 408 [Digital Discipleship: Acceptable Use of Technology](#).

#### 4. RESPONSIBILITIES

##### 4.1 Director of Education

- 4.1.1 To ensure implementation and oversee compliance with the Electronic Monitoring policy ~~and parameters~~.
- 4.1.2 To report to the Board the results of any investigation related to a confirmed breach of security.

##### 4.2 Superintendent of Human Resources and International Education

- 4.2.1 To ensure all employees receive a copy of the Electronic Monitoring policy and are informed of their privacy rights in compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Employment Standards Act, 2000*, within the York Catholic District School Board.

##### 4.3 Chief Information Officer

- 4.3.1 Oversee the staff, processes and technology used in the Information Systems Department for electronic monitoring in accordance with the parameters of this policy.

#### **4.4 Senior Team**

- 4.4.1 To support staff with the implementation of the Electronic Monitoring Policy ~~and Guidelines~~.

#### **4.5 Principals and Managers**

- 4.5.1 To oversee daily operations of Electronic Monitoring in accordance with the policy and parameters.
- 4.5.2 To authorize permission for the viewing of recorded information if requested by authorized agencies.
- 4.5.3 To report a system failure or malfunction of electronic monitoring as soon as possible.

#### **4.6 Staff**

- 4.6.1 To abide by and comply with Board policies and not intentionally deactivate, subvert or destroy any Board electronic monitoring systems.

### **5. DEFINITIONS**

#### **5.1 Device Management**

Device management is the process of managing the installation, operation and upkeep of a computer device or network.

#### **5.2 Electronic Monitoring**

The computerized tracking, recording, reviewing, and collecting of information of activity on electronic devices and systems.

#### **5.3 Video Surveillance**

A video, physical or other mechanical, electronic or digital surveillance system or device that enables continuous recording, observing or monitoring of information in spaces requiring video surveillance as determined by the Board. The term video surveillance system may include an audio device, thermal imaging technology or any other component associated with capturing the image of an individual. Board installed video surveillance systems are not connected to municipal or provincial networks.

### **6. CROSS REFERENCES**

YCDSB Policy 112 [Privacy and Freedom of Information](#)

YCDSB Policy 408 [Digital Discipleship: Acceptable Use of Technology](#)

YCDSB Policy 705 [Use of Video Surveillance](#)


*Bill 88, Working for Workers Act (Amendment), 2022*

*Employment Standards Act, 2000*

*Municipal Freedom of Information and Protection of Privacy Act*



Approval of Board	<div>TBD</div> <div>_____</div> <div><i>Date</i></div>
Effective Date	<div>_____</div> <div><i>Date</i></div>
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Review Date	<div>_____</div> <div><i>Date</i></div>

	<b>YORK CATHOLIC DISTRICT SCHOOL BOARD</b>	
	<b>BOARD POLICY</b>	
	<i>Policy Section</i>	<i>Policy Number</i>
	<b>Human Resources</b>	<b>423</b>
	<i>Former Policy #</i>	<i>Page</i>
		<b>1 of 9</b>
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	<b>May 10, 2005</b>	<b>May 6, 2008 September 22, 2009 June 20, 2017 March 23, 2021</b>

**POLICY TITLE: CONFLICT OF INTEREST FOR EMPLOYEES**

## **SECTION A**

### **1. PURPOSE**

The York Catholic District School Board expects, consistent with the teachings of Jesus Christ, that employees will at all times conduct themselves with personal integrity, ethics, honesty, impartiality and diligence in the performance of their duties. This policy is intended to establish parameters and guidelines for employees regarding possible Conflict of Interest situations.

The York Catholic District School Board recognizes that a high standard is expected of a public body where the employment, contractual, and purchasing requirements may vary widely, and are spread throughout many departments and schools. It is essential that employees maintain, and are perceived to maintain, the highest standard of public trust and integrity.

### **2. OBJECTIVE**

It is the policy of the York Catholic District School Board that employees shall, as far as practicable, avoid placing themselves in Conflict of Interest situations, whether real or perceived. Employees shall also take proactive steps to mitigate any potential Conflict of Interest. Where a potential Conflict of Interest cannot be adequately mitigated, the employee shall refrain from any Board activity where the Conflict of Interest is engaged. The employees shall take all reasonable steps to avoid the exercise of any influence on Board decisions in which they have a Private Interest, at any and all times and places, regardless of whether engaged in or on or about Board business.

This Policy does not apply to Trustees of the Board, who are subject to Policy 118, the "Trustee Code of Conduct."

### 3. PARAMETERS

- 3.1 Employees must be aware of the need to avoid situations which might result in an actual or apparent Conflict of Interest and be scrupulous in their compliance with the requirements of this Policy. The obligations under this Policy are an employee's own individual responsibility.
- 3.2 This Policy shall be interpreted as supplementary to the provisions of Ontario Regulation 437/97 "Professional Misconduct" made under the *Ontario College of Teachers Act, 1996*, S.O. 1996, c. 12.
- 3.3 Any employee of the Board who contravenes this Policy may be subject to disciplinary action, up to and including termination of employment, where appropriate.
- 3.4 Employees shall take proactive, reasonable steps to avoid Conflicts of Interest. Employees shall avoid placing themselves in a situation which could give rise to a Conflict of Interest, or which could reasonably be perceived as placing them in a Conflict of Interest.
- 3.5 This Policy cannot list every possible situation in which a Conflict of Interest might arise. It is the expectation of the Board that all employees will be vigilant in identifying situations which might give rise to a Conflict of Interest. If an employee has a question or is unclear whether they have a Conflict of Interest, they are encouraged to discuss the situation with their immediate supervisor or manager.
- 3.6 Where an employee has a Conflict of Interest, they must refrain from participating in any Board activity in which the interest is engaged.
- 3.7 Employees shall disclose all Conflicts of Interests in accordance with the following:
  - 3.7.1 Employees shall notify their immediate supervisor in writing immediately upon becoming aware of any actual, potential or perceived Conflict of Interest. The employee shall provide full disclosure of the circumstances and nature of the Pecuniary Interest or Private Interest that gives rise to the Conflict of Interest.
  - 3.7.2 The employee's immediate supervisor shall consider the disclosure of the interest, and the nature and circumstances of the interest. The employee's immediate supervisor shall maintain a written record of all disclosures of Conflicts of Interest.
  - 3.7.3 Where appropriate, the immediate supervisor may recommend measures to mitigate a Conflict of Interest. Appropriate circumstances for mitigating the impact of a Conflict of Interest include situations where an employee may be able to faithfully and impartially carry out their duties despite the Conflict of Interest, so long as the employee fully discloses the nature of the interest, and there are reasonable grounds to believe there will be no impairment of the employee's duties or the Board's interests.

- 3.7.4 The employee shall comply with any directions given by their immediate supervisor in respect of the Conflict of Interest.
- 3.7.5 Where there is any doubt about whether a Conflict of Interest exists, the Director of Education shall be the final determinant, whose decision is final and not subject to review.

### **3.8 GENERAL DUTIES OF EMPLOYEES**

Without limiting the generality of this Policy, employees shall comply with the following specific obligations:

- 3.8.1 Without limiting parameter 3.10 below, employees shall not participate in any hiring or staffing process of the Board in which a potential candidate for the position(s) has a family or personal relationship with the employee, more particularly described in 3.10.1., or any business or other association. The employee may provide an employment reference, where appropriate.
- 3.8.2 Employees shall not give preferential treatment to immediate or extended family, relatives, persons with whom an employee has had a significant social relationship, or to organizations in which they or their relatives or friends have an interest, financial or otherwise.
- 3.8.3 Employees shall not promote the sale of personal products or services to students, staff members or others.
- 3.8.4 Employees shall not use or attempt to use, directly or indirectly, their position with the Board to purchase goods or services for their personal use from any supplier to the Board at a discount or on the same or similar terms to the Board (with the exception of offers made to Board staff through purchase plans or arrangements that are available to all Board employees).
- 3.8.5 Without limiting parameter 3.9 below, employees shall not accept a fee, gift, personal or economic benefit, either directly or through another person, from any person who has done, is doing, or might be reasonably expected at some time to do business with the Board. This section shall not apply to incidental gifts, holiday or other gifts, customary hospitality or other benefits of nominal value which an employee may receive from time to time.
- 3.8.6 Employees shall not use or allow others to use Board property of any kind for anything other than officially-approved activities.
- 3.8.7 Employees shall not use their position and/or knowledge with the Board to assist private entities or persons in their dealings with the Board where this would result in preferential treatment to any person.  
  
Employees shall not engage in any outside work or undertaking, whether voluntary or for payment, which would interfere with the performance of their duties to the Board, occur during the employee's normal working hours, or would otherwise constitute full time employment.
- 3.8.8 Employees shall not use or release confidential information held by the Board where the release of the information may be prejudicial to the Board, potentially infringe on the privacy of others, or may result in a benefit or advantage to another person or entity. This includes information related to students of the

Board, personnel matters, matters under negotiation, litigation or potential litigation or any other confidential information to which they have access only by virtue of their employment.

### **3.9 GIFTS AND HOSPITALITY**

Moderate gifts and hospitality are an accepted courtesy of a business relationship. However, employees must avoid placing themselves in a position where they might be influenced or perceived to be influenced in making a business decision as a consequence of accepting such gifts or hospitality.

Employees shall comply with the following provisions related to Gifts and Hospitality:

- 3.9.1 Employees may only accept and retain gifts or hospitality of less than \$100 fair market value, or any number of gifts or amount of hospitality from any one source with a total value of \$300 in a period of 12-months.
- 3.9.2 An employee may only accept gifts or hospitality from another in the course of a professional or business relationship in the following circumstances:
  - a. The gift or hospitality is received as an incident of protocol or social obligation, and the employee believes that the donor is not making an attempt to obligate the employee to exercise their official duties in any manner, or attempt to influence a decision.
  - b. The gift is a nominal token, memento or souvenir received as an incident of protocol or social obligation at a function which the employee attends.
  - c. The hospitality is in the form of entrance fees, food and beverages at banquets, receptions, conferences, or similar events if,
    - i. attendance serves a legitimate purpose of the Board and is related to the normal business of the Board,
    - ii. the person extending the invitation or a representative of the organization is in attendance, and
    - iii. the value is reasonable in the circumstances and invitations are infrequent.
  - d. Gifts of nominal value, inexpensive advertising or promotional materials, or holiday gifts.
- 3.9.3 Where it would be extraordinarily impolite or otherwise socially inappropriate to refuse a gift of considerable value, including gifts from school communities and Catholic School Councils, the employee may accept the gift on behalf of the Board. Such gifts may not be taken for the employee's home use or enjoyment and shall be provided to the Board at the employee's regular place of employment. The employee must report the gift in accordance with parameter 3.9.5 below.
- 3.9.4 Senior management, managers and supervisors, school administrators and those performing managerial or supervisory duties shall not accept honoraria or payments of any kind while performing instructional or informational duties while on Board time. They may however receive a small token of appreciation for sharing their talents.

3.9.5 An employee who has received gifts or hospitality in excess of the values specific in Section 3.9.1 shall report the hospitality or gift in writing by email to the Superintendent of Human Resources using the Reporting of Gifts Form in Appendix "A" to this Policy. Their immediate supervisor should be notified and copied in the email.

3.9.6 For this purpose of section 3.9.5, Superintendents and the Associate Director must notify the Director of Education; and the Director of Education must notify the Chair of the Board; Middle Management Employees must notify their immediate supervisor and their Superintendent; and School Administrators must notify their Superintendent.

### **3.10 STAFFING AND HIRING**

Employees play an essential role in ensuring that the Board's hiring practices are free from bias, impropriety, and Conflicts of Interest. Employees shall comply with the following provisions on matters arising under hiring and supervisory responsibilities:

3.10.1 Employees shall not participate in, influence, or attempt to influence the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the employee has, or has had, any of the following relationship:

- a. A member of the employee's immediate or extended family, whether related by blood, adoption, marriage, or common-law marriage;
- b. Any relationship of an intimate or emotional nature in the preceding five (5) years;
- c. Any student-supervisor relationship;
- d. Any person with whom the employee has or has had a Significant Social Relationship in the preceding five (5) years; or
- e. Any other past or present relationship that may give rise to a reasonable apprehension of bias, discrimination, nepotism, or cronyism.

3.10.2 Where an employee becomes aware of a Conflict of Interest in relation to a staffing or hiring matter, the employee shall disclose the interest in writing in accordance with the following:

- a. Employees shall notify their immediate supervisor in writing immediately upon becoming aware of any actual, potential or perceived Conflict of Interest in a staffing or hiring matter. The employee shall provide full disclosure of the circumstances and nature of the Conflict of Interest.
- b. Where a Conflict of Interest relating to a hiring process is identified, the written disclosure shall also be provided to the Superintendent of

Human Resources for records retention purposes. The written disclosure shall be provided to the Superintendent of Human Resources in advance of the completion of the respective staffing process.

- c. Once a Conflict of Interest is identified, the employee shall refrain from taking part in any discussion or decision-making in relation to the staffing process.
- d. The employee shall refrain from participating in, influencing, or attempting to influence, directly or indirectly, the outcome of the hiring of a person to whom the employee has a relationship.

#### **4. RESPONSIBILITIES**

##### **4.1 Director of Education**

- 4.1.1 To oversee compliance of the Conflict of Interest for Employees policy.

##### **4.2 Superintendent of Human Resources and International Education**

- 4.2.1 To ensure that all employees are aware of the policy.
- 4.2.2 To ensure leadership in the implementation of this policy.
- 4.2.3 To retain all Reporting of Gifts Forms as well as all other declarations of Conflict of Interest.

##### **4.3 Senior Administration**

- 4.3.1 To support principals, managers and supervisors in the implementation of this policy.

##### **4.4 School Administrators/Department Managers/Supervisors**

- 4.4.1 To follow practices that promote adherence to the expectations of this policy.

##### **4.5 All Employees**

- 4.5.1 To be aware of this Policy and to adhere to its expectations in the course of their employment.

#### **5. DEFINITIONS**

##### **5.1 Conflict of Interest**

Generally speaking, a conflict of interest is a situation in which an individual has multiple competing interests or loyalties which are not compatible. In such situations, there is a risk that the individual will not perform their public duties impartially and in the best interests of the Board.

For the purpose of administering this Policy, “Conflict of Interest” shall mean a situation where a Pecuniary Interest or Private Interest of an employee has the potential to affect the exercise of the Employee’s official duties, or the Employee’s ability to exercise skill and good judgement in the performance of their duties.

In addition, the Pecuniary Interests and Private Interests of a parent, spouse, or any child of the employee, if known to the Employee, shall be deemed to be the interest of the employee.

A Conflict of Interest must be assessed from the perspective of an objective, reasonable third-party, who is informed of all the circumstances and views the matter realistically and practically. The subjective views of an Employee, or whether an employee is of the opinion they are able to carry out their duties impartially, is not to be a determining factor in whether a Conflict of Interest exists.

Employees shall take guidance from answering the following question:

“Do I, or a family member, business entity, or other association, stand to personally or financially gain or lose from the exercise of my official duties?”

## **5.2 Pecuniary Interest**

A financial interest of an employee or related to money which can result from a direct monetary benefit, the increase or decrease in the value of an asset, or the avoidance of a loss.

For the purpose of this Policy, the Pecuniary Interests of any business or commercial entity, association, or club of which the employee has any ownership interest or membership in shall also be deemed to be the Pecuniary Interest of the Employee.

## **5.3 Private Interest**

A non-financial interest that may influence or be influenced by personal or family relationships. A Private Interest may result in favouritism towards a person or group of people as a result of one's personal connections or relationships.

## **5.4 Significant Social Relationship**

An emotional association, personal relationship or strong friendship that is not defined by blood relation or legal bond that is sufficiently close that objectivity is or may be perceived to be impaired.

## **5.5 Employee**

An individual employed by the Board in a casual, temporary or permanent, position including but not limited to senior management, middle management and school administrators.

## **5.6 Gifts and Hospitality**

Anything received by an employee for which they do not pay fair market value, and, without limiting the generality of the foregoing, shall include hard goods, gifts of cash, gift cards, bonds, securities, personal loans, airline tickets, use of a vacation property or costly entertainment.

## **6. APPENDICES**

Appendix A - Reporting of Gifts over \$100.00



## 7. REFERENCE DOCUMENTS

[Education Act](#)

[Policy/Program Memorandum No 165 \(PPM\) - Teacher Hiring Practices](#)

YCDSB Policy 115 [Perquisites](#)

YCDSB Policy 404 [Teacher Recruitment and Selection](#)

YCDSB Policy 412 [Progressive Discipline](#)

YCDSB Policy 606 [Catholic School Councils](#)

YCDSB Policy 612 [Tutoring for Fee Services](#)

YCDSB Policy 801 [Use of Board Funds for Recognition or Acknowledgement](#)

YCDSB Policy 802 [Purchase, Lease and Rental of Goods & Services](#)

<b>Approval by Board</b>	<b>March 23, 2021</b>
	<i>Date</i>
<b>Effective Date</b>	<b>March 24, 2021</b>
	<i>Date</i>
<b>Revision Dates</b>	<b>September 13, 2022</b>
	<i>Date</i>
<b>Review Date</b>	<b>September, 2026</b>
	<i>Date</i>



YORK CATHOLIC DISTRICT SCHOOL BOARD

**REPORTING OF GIFTS OVER \$100.00**

In accordance with Board Policy #423  
(Conflict of Interest for Employees)

Employee's Name:			
Date Gift Received:			
Originator of Gift:			
Gift (Provide Details):			
Approximate Value of Gift:			
Reason for Gift:			
Disposition of Gift:			
In what way, if any, is the originator involved or working with the York Catholic District School Board?			
Date:			
Employee's Title:			
Employee's Signature:			

Form to be forwarded to the office of: a) Immediate Supervisor/Superintendent  
b) Superintendent of Human Resources



## YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> <b>Human Resources</b>	<i>Policy Number</i> <b>424</b>
<i>Former Policy #</i> <b>415</b>	<i>Page</i> <b>1 of 4</b>
<i>Original Approved Date</i> <b>January 26, 1993</b>	<i>Subsequent Approval Dates</i> <b>September 26, 2017</b> <b>TBD</b>

**POLICY TITLE: DISPOSITION OF COMPLAINTS AGAINST EMPLOYEES**

### SECTION A

#### 1. PURPOSE

The York Catholic District School Board believes that all students, parents/guardians and employees have the right to a safe learning and working environment and that each person is responsible for creating and sustaining that environment. Respect for self and others, contributing to the common good, accepting accountability and responsibility for one's own actions, seeking and granting forgiveness, acting **ethically**, morally and legally as a person formed in the Catholic traditions and the promotion of self-discipline are cornerstones of this belief.

The York Catholic District School Board recognizes that there may be an occasion when a complaint is made concerning the general operation of the school or the workplace, including a complaint against an employee. The purpose of this policy is to support the settlement of ~~such~~ complaints in a manner consistent with the Board's Mission, Vision and Core Values.

#### 2. OBJECTIVE

It is the policy of the York Catholic District School Board that all Board employees will at all times conduct themselves in a manner consistent with the Mission, Vision and Core Values of the York Catholic District School Board, **which includes resolving disputes in accordance with the Board's Code of Conduct, Policy 117**. Furthermore, Board employees will commit themselves to ethical, professional, respectful and lawful conduct in the promotion of Gospel values and the provision of quality Catholic education for all students.

The York Catholic District School Board affirms its commitment to ensure that a complaint against an employee is resolved in a climate of openness, tolerance and trust. Moreover, resolution will be encouraged in a manner that is early, informal and as close to the source of conflict as possible.

This policy does not apply to Trustees of the Board. Complaints against a Trustee shall be subject to Policy 118 [Trustee Code of Conduct](#) and its [Procedures](#).

### 3. PARAMETERS

- 3.1 A complaint against an employee will be dealt with in a just, timely manner that respects the dignity and rights of all parties involved.
- 3.2 Trustees and administrative staff will make every reasonable effort to encourage and support resolution of the matter at the local level by the parties most directly involved.
- 3.3 Efforts to address the complaint will be consistent with applicable provisions of collective agreements, legislation and Board policies.
- 3.4 Where the complainant has dealt directly with the employee and is not satisfied with the response or the manner in which the matter was addressed, the complainant or employee may ask the superordinate to assist with the complaint resolution process.
- 3.5 Anonymous complaints regarding an illegal, abusive or protection matter will be referred to the appropriate party or parties such as the police or Children's Aid Society.  
~~or to the third party certified ethics reporting service.~~
- 3.6 Anonymous complaints received by administrative staff, excluding those which it is believed refer to an illegal, abusive or protection matter, will be destroyed by the recipient.
- 3.7 ~~Anonymous complaints, where appropriate, can be made through Policy 614 Whistleblower. the purpose of which whose purpose is the disclosure and investigation of alleged wrongdoing as it relates to operations to determine if the organization has been negatively impacted by the actions of one or more individuals, while protecting employees from reprisal or threat of reprisal for making a disclosure. Refer to Policy 614 Whistleblower "Definitions: Wrongdoing" for a list of suspected activities that can be reported anonymously through the Board's third party reporting.~~
- 3.8 An employee has the right to be informed, by the superordinate as soon as practicable, of the nature and the specifics of a complaint made against them by a member of the public.
- 3.9 The superordinate will be responsible for maintaining a respectful environment during all meetings involving parties to a complaint.
- 3.9 Meetings held as part of the complaint resolution process shall not be used to share personal details and/or disciplinary measures concerning other students and/or personal details related to an employee and/or performance issues related to an employee.
- 3.10 If individuals are not satisfied with the outcome of the complaint resolution process, individual complainants may also appeal to the Director of Education or designate for resolution of the complaint.
- 3.11 Complainants who persist in opposing rules, routines and functions of a school or the Board, ~~to the point of complaints being malicious, frivolous, vexatious or harassing of employees,~~ will be advised that such action will not be condoned or tolerated.  
Examples of this include but are not limited to complaints that are malicious, frivolous,

vexatious or harassing of employees. ~~Such~~ Persons that are employees of the Board that engage in such behaviours, ~~may~~ shall be subject to progressive discipline in accordance with Policy 412 [Progressive Discipline of Employees](#). The complaint resolution process, in these circumstances will end.

- 3.12 All parties may seek advice or representation from their respective union or legal counsel at any point in the complaint resolution procedure. Any costs/expenses associated with such a representative are the responsibility of the party being represented.
- 3.12.1 All persons party to the complaint will be notified in advance of a meeting as to who is anticipated to be in attendance.
- 3.12.2 A representative supporting a party must agree, at the outset of or in advance of the meeting, to respect and maintain the confidentiality of any matter discussed at a meeting ~~between the parties to the complaint~~.
- 3.12.3 Any person participating in the complaint resolution process shall do so on a without prejudice basis to any other administrative process.
- 3.13 There is an obligation on all persons involved in complaint resolution to maintain confidentiality, subject to disputants and others being able to share enough information to attempt to resolve the complaint.
- 3.14 Records will be retained in keeping with the requirements of the Board's records schedule and the provisions of the [Municipal Freedom of Information and Protection of Privacy Act](#).
- 3.15 If an employee of the Board or Trustee of the Board in the capacity of parent, is the complainant, the employee or Trustee in the capacity of parent, shall follow the complaint resolution procedures as outlined under the Policy.

## 2. RESPONSIBILITIES

### 4.1 Board of Trustees

- 4.1.1 To facilitate the communication process between parents/guardians and the appropriate employee.
- 4.1.2 To direct parents/guardians to the process which should be followed in resolving any concerns or the appropriate person or step in the process (dependent on the steps the parent/guardian has already undertaken to resolve the concerns at the time the Trustee is contacted) but shall not act as a representative of the parent/guardian.

### 4.2 Director of Education

- 4.1.3 To oversee compliance with the Disposition of Complaints against Employees policy and procedures.
- 4.1.4 To consider and attempt to resolve all complaints against employees that may be appealed once the complaint resolution procedure has been exhausted.

### 4.3 Superintendent of Human Resources and International Education

- 4.3.1 To support and provide direction in the application of the Disposition of Complaints Against Employees policy.
- 4.3.2 To assist with the application of the Progressive Discipline of Employees policy, where applicable.

#### **4.4 Superintendents/School Administrators**

- 4.4.1 To support and provide direction in the application of the Disposition of Complaints against Employees policy.
- 4.4.2 To consider and attempt to resolve all complaints against employees brought to their attention.

#### **4.5 Catholic School Councils**

- 4.5.1 To immediately refer all parent/guardian – teacher – student issues to the principal.
- 4.5.2 To avoid the discussion of individual parent/guardian - teacher - student issues.

#### **4.6 Employees**

- 4.5.3 To be aware of Board policies and expectations regarding appropriate employee conduct.
- 4.5.4 To demonstrate professional behaviour consistent with individuals who are responsible for the safety, learning and well-being of students.
- 4.5.5 To inform her/his immediate **superordinate** of a potential complaint.
- 4.5.6 **To ensure that any such complaints that an employee may file is/are made in good faith and has have merit.**
- 4.5.7 **To recognize that management has the right to A reasonable action taken by a supervisor relating to the management and direction of workers or the workplace or a situation between two employees that involves a disagreement, or a misunderstanding. is Such instances are not subject to a complaint under this Policy.**

### **3. DEFINITIONS**

#### **5.1 Anonymous Complaint**

An anonymous complaint is any written concern about a Board employee where the author of the complaint has chosen to not identify themselves.

#### **5.2 Complaint**

A complaint is defined as any written communication expressing dissatisfaction with the inappropriate conduct of an employee. Complaints must be in writing, dated and signed by the complainant in order to facilitate the resolution of the issue.

#### **5.3 Employee**

An employee is an individual employed by the Board in a casual, temporary or permanent position, including but not limited to school administrators, middle management/supervisors, all school and Catholic Education Centre employees.

### **4. CROSS REFERENCES**

- YCDSB Policy 117** [Code of Conduct](#)
- YCDSB Policy 412 [Progressive Discipline of Employees](#)
- YCDSB Policy 609 [Accessibility Standards for Information and Communication](#)
- YCDSB Policy 614 [Whistleblower](#)

YCDSB Procedure [Disposition of Complaints Against Employees](#)

Approval by Board	<u>September 26, 2017</u> <i>Date</i>
Effective Date	<u>September 27, 2017</u> <i>Date</i>
Revision Date(s)	<u>September 13, 2022</u> <i>Date</i>
Review Date	<u>September, 2026</u> <i>Date</i>



**York Catholic District School Board**

## **PROCEDURE:**

# **DISPOSITION OF COMPLAINTS AGAINST EMPLOYEES**

**Addendum to Policy 424: Disposition of Complaints Against Employees**

Effective: ~~September 2017~~ **September 2022**

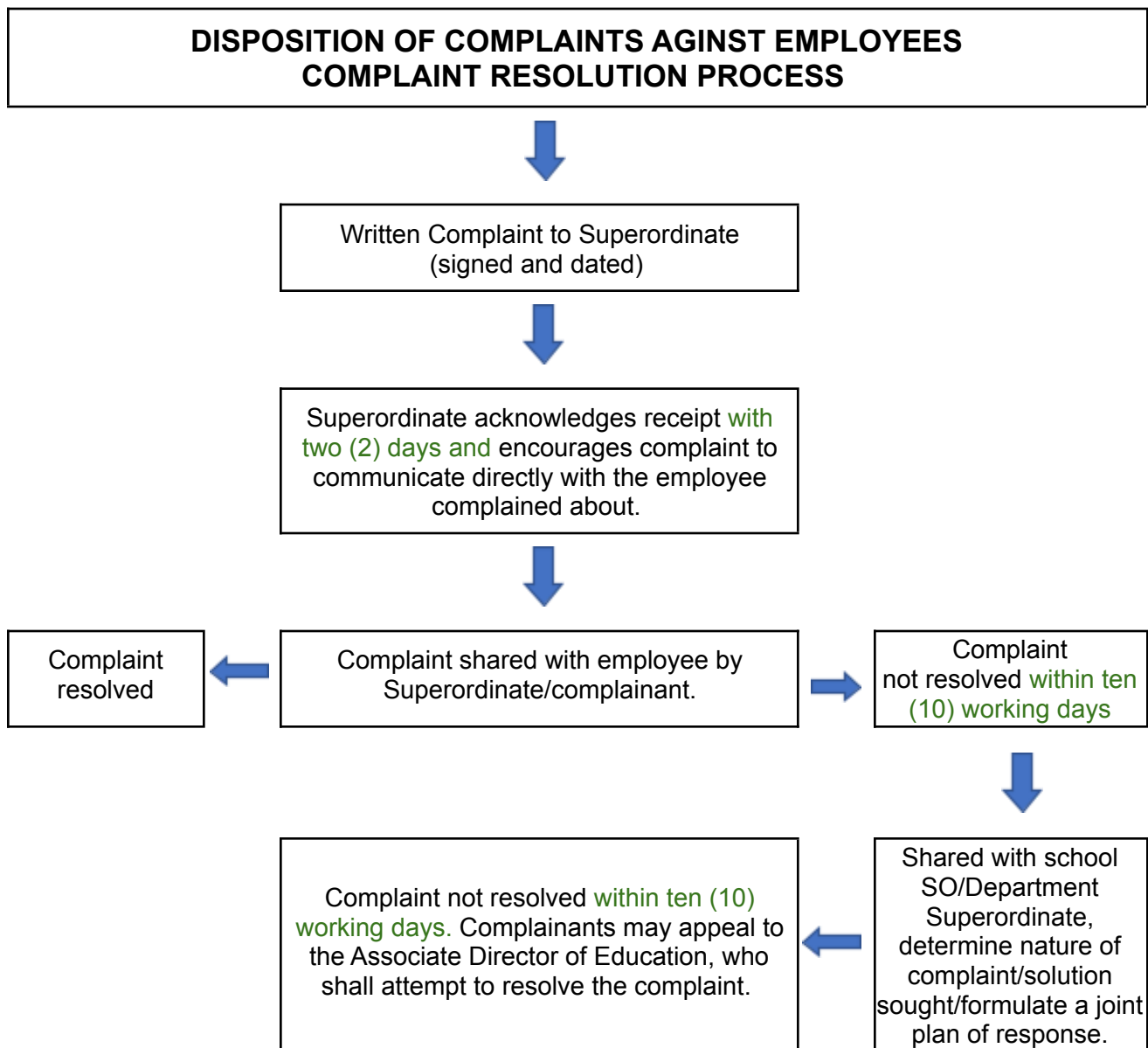


## PURPOSE

This procedure is designed in conjunction with YCDSB Policy 424 Disposition of Complaints Against Employees and outlines the complaint resolution process that is to apply to all complaints.

### 1. Complaint Resolution Process (Refer to Appendix A):

- 1.1 The complainant should first seek resolution of a complaint with the employee **and/or immediate supervisor** involved, at a mutually convenient time **and in a timely manner**. Such complaints are not intended to address workplace disagreements with colleagues and/or supervisors which can reasonably be resolved through collegial and respectful professional dialogue without the need for the implementation of this policy.
- 1.2 If the complainant and the employee are not able to resolve the complaint **in accordance with 1.1 above**, the complainant may request that the matter be reviewed by the employee's immediate superordinate. The immediate superordinate will review the matter and work to resolve the complaint.
- 1.3 **A superordinate who** ~~The employee receiving~~ **receives** a complaint about another employee **shall** ~~should~~ acknowledge receipt of **the complaint within two (2) working days** ~~written documentation via Board electronic mail~~, and **review the complaint resolution process** ~~confirm that the~~ **with the complainant whether or not is aware of the complaint resolution process has been followed correctly**.
- 1.4 If the complainant and the employee's immediate superordinate are not able to resolve the complaint **within ten (10) working days**, the complainant may request that the matter be reviewed by the school's or department's Superintendent. The Superintendent will review the matter as it relates to established policies and procedures, and operational practices. The Superintendent will attempt to resolve the complaint and will respond to the complainant about their final determination in writing **via Board electronic mail within ten (10) working days**. ~~The Any Trustees who have been made aware of the complaint shall be informed~~ **notified when the matter has been resolved**.
- 1.5 If the complainant and the Superintendent are not able to resolve the complaint, the complainant may request that the matter be reviewed by the Director of Education or designate. The Director of Education or designate will review the matter and respond to the complainant about his/her complaint in writing **within ten (10) working days**. In extenuating circumstances, the Director of Education may extend the timelines outlined in these parameters.
- ~~1.6 — A If the complainant who still feels that the matter has not been addressed, she/he they may make a request to make a presentation to the Board of Trustees as per Policy 106 Delegations to the Board.~~





## YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> <b>Human Resources</b>	<i>Policy Number</i> <b>425</b>
<i>Former Policy #</i> <b>501/420</b>	<i>Page</i> <b>1 of 11</b>
<i>Original Approved Date</i> <b>July 4, 2001</b>	<i>Subsequent Approval Dates</i> <b>October 12, 2010</b> <b>June 19, 2012</b> <b>November 26, 2013</b> <b>November 10, 2014</b> <b>March 29, 2016</b> <b>March 29, 2017</b> <b>June 20, 2017</b> <b>January 30, 2018</b> <b>April 30, 2019</b> <b>TBD</b>

### POLICY TITLE: **WORKPLACE HARASSMENT**

#### SECTION A

##### 1. PURPOSE

The York Catholic District School Board is committed to ensuring a respectful work and learning environment free of any form of harassment, or abuse. The policy is in accordance with the [Ontario Human Rights Code](#) and the [Occupational Health and Safety Act](#) and all applicable legislation.

##### 2. OBJECTIVE

It is the policy of the York Catholic District School Board that all persons employed by the Board have the right to work in an environment free from harassment as defined by the *Occupational Health and Safety Act and the Ontario Human Rights Code*.

##### 3. PARAMETERS

3.1 All issues with respect to this policy shall be investigated and addressed in a timely manner and in accordance with the procedures of this policy.

###### 3.1.1 Reprisals

No person involved as either a party, a witness or an investigator to a complaint filed under this policy shall be subjected to intimidation or reprisals as a result of their involvement. A person who believes that they have been

- subjected to reprisal is able to file a complaint under the policy. Persons engaging in reprisal are subject to disciplinary measures in accordance with *Policy 412 Progressive Discipline of Employees*, up to and including termination of employment.
- 3.1.2 Interfering in any way with the right of an employee to resolve an alleged incident of harassment or discrimination is also a violation of this policy, including but not limited to intimidating any person involved in the investigation, or influencing a person to give false or misleading information. Any employee engaging in such behaviour shall be subject to disciplinary action per Board Policy 412- Progressive Discipline.
- 3.1.3 False/Frivolous or vexatious complaints  
The Board does not condone false/frivolous or vexatious complaints. If it is determined as a result of an investigation that a complaint was made maliciously with intent to harm or made in bad faith, including filing a counter complaint in response to a complaint against the original Complainant, said employee will be subject to formal disciplinary action, including, but not limited to, a letter of reprimand, suspension or possible dismissal from employment in accordance with the Board's Policy 412 Progressive Discipline of Employees. Such disciplinary action will be placed in the employee's personnel file.
- 3.1.4 The accused person of an allegation will be deemed innocent pending the disposition and outcome of the investigation.
- 3.2 The Director of the Board and the Superintendent of Human Resources and International Education are to be informed of all complaints at the time they are received, except in those cases where the complaint is made against either party (see Respondent Rights 4.8).
- 3.3 All complaints shall conjointly be reviewed by the Superintendent of Human Resources and International Education, and the Human Rights and Equity Advisor.
- 3.4 In the event that the complaint is in regards to the employee's supervisor, the written complaint is to be addressed to the attention of the Board official next in level of managerial authority who shall be considered the immediate supervisor in the steps outlined in the procedures of this policy. In the event that the complaint is against the Director of Education, the complaint is to be submitted to the Chair of the Board for the consideration of by the Board of Trustees.
- 3.5 In the event the complaint is against any member of the Senior Team, the investigation shall be conducted by an external service provider.
- 3.6 Where a supervisor, manager, or leader does not take appropriate action to investigate or stop harassment they will also be found to be in violation of this policy.
- 3.7 All reports regarding workplace harassment will be kept in strict confidence, except as is necessary to investigate the complaint and to respond to any legal or administrative proceedings arising out of or relating to the workplace harassment report.
- 3.8 Records Management  
Upon the conclusion of an investigation and a review by the School Superintendent/Superintendent of Human Resources and International Education, and/or Human Rights and Equity Advisor review, all notes, statements, documents and reports made or collected in connection with the investigation shall be placed in a

sealed file. The sealed file shall be retained under the control and direction of the Superintendent of Human Resources and International Education separately from personnel files. Such files may only be accessed under the following circumstances:

3.8.1 As required by law;

3.8.2 By any subsequent investigator who considers the information relevant to their investigation;

3.8.3 In the event there is a subsequent allegation of a related or similar nature.

3.8.4 All persons reviewing the sealed file material shall place in the file a notification indicating the name, date and reason for the review. The file shall be resealed after examination. The person accused of harassment may apply to the Superintendent of Human Resources and International Education to consider further restricting access to the sealed file material so that the material may be accessed only as required by law.

3.9 All documentation in connection with an investigation is to be considered permanent and shall be retained indefinitely within the control and direction of the Superintendent of Human Resources and International Education.

3.10 Reasonable Actions

Actions taken by the YCDSB relating to the management and direction of workers or the workplace is not workplace harassment.

A situation between two employees that involves a disagreement, a misunderstanding or conflict or a single comment or action or rudeness is not generally considered workplace harassment for the purpose of this policy.

3.11 Additional Support

An employee may seek additional support from their Union, the Office of Human Rights, Equity, Diversity and Inclusion or the Employee and Family Assistance program, as appropriate. Such consultation with the Office of Human Rights, Equity and Diversity, will be on the basis that the complaint or concern is in relation to a prohibited ground under the *Ontario Human Rights Code* only. Where there is such engagement with the Office of Human Rights, Equity and Diversity, any such complaint filed thereafter will be investigated through the Office of the Superintendent of Human Resources and International Education.

3.12 Pursuant to the *Ontario Human Rights Code*, the Board has a duty to accommodate employees to the point of undue hardship. Issues of workplace accommodation shall be addressed pursuant to the Board Policy 415 - Accessibility Standards for Employment.

3.13 Annual Review

The Annual Review shall be informed by the collection and analysis of employee comments, feedback from investigators and managers, and information collected through exit interviews, in accordance with the *Occupational Health and Safety Act* in consultation with the Joint Health and Safety Committee or when any gaps or deficiencies in the procedures are identified as a result of an investigation.

The initial draft revisions of this policy will go to the Joint Health and Safety Committee and then to legal counsel for review/input. The draft revisions will then go to the Board Policy Review Committee for final review, revision and approval.

### 3.14 Training

All workers will be provided with information and instruction on this policy and the procedures, which will include:

- 3.14.1 What conduct is considered workplace harassment, including workplace sexual harassment and how to recognize it;
- 3.14.2 How and to whom to report an incident;
- 3.14.3 How the complaint will be investigated;
- 3.14.4 How the results of an investigation will be reported.

3.15 All workers shall be informed of any substantive changes to the procedure as they occur.

3.16 Supervisors, Managers and the Joint Health & Safety Committee will be provided with information and instruction on how to recognize workplace harassment and how to handle a complaint. They will also be provided with information about their duty to foster a respectful and harassment-free workplace, as well as their duty to inquire through addressing issues that they become aware of regardless of whether an employee makes a complaint, and to keep a record of all discussions with employees who raise concerns under this policy as well as their response to the situation.

3.17 All new Supervisors, Administrators and School Superintendents will be trained by the Superintendent of Human Resources and International Education or designate on how to conduct an investigation into a complaint of workplace harassment, including sexual harassment as part of the orientation to the new role. Additional training on how to conduct investigations will be provided every two years to all other members of management.

A Supervisor, Manager and School Superintendent shall not be responsible for conducting an investigation under this policy unless they have received training accordingly.

3.18 Allegations of harassment cannot be made anonymously and cannot be made through the Whistleblower policy.

## **4. RESPONSIBILITIES**

This policy applies to all York Catholic District School Board employees. All staff are expected to abide by this policy by refraining from any form of harassment and by fully cooperating in any investigation of a harassment complaint. Fostering a harassment-free workplace is a shared responsibility.

### **4.1 Board of Trustees**

- 4.1.1 To receive a monthly report from the Director of Education in the Committee of the Whole which includes the number of complaints and any trends and systemic issues that need to be addressed proactively.
- 4.1.2 To deal with complaints of harassment against the Director of Education in a timely manner, using an external service provider, as set out in the Procedures to this Policy.

## **4.2 Director of Education**

- 4.2.1 To create and foster a respectful work and learning environment free of any form of harassment, or abuse.
- 4.1.2 To oversee compliance of the Workplace Harassment policy and related procedures.
- 4.1.3 To ensure Superintendents are aware that they are accountable for responding to and resolving complaints of harassment as per established timelines.
- 4.1.5 To provide a monthly report to the Committee of the Whole stating the number of workplace harassment complaints on a monthly basis, the number and type of complaints, the outcome of each investigation, and any trends and systemic issues that need to be addressed proactively.
- 4.1.6 To review all complaints with the Superintendent of Human Resources and International Education at the time they are received, except in those cases where the complaint is made against either party (see Respondent Rights under Article 4.8).
- 4.1.7 To receive any complaints of harassment regarding a member of the senior team and to forward them to an external service provider for investigation. Trustees shall be notified that a complaint has been received although trustees shall not be told the names of the parties involved. Trustees shall also be notified when the investigation is complete and whether or not the complaint had merit and if any actions are being taken by the Director.

## **4.3 Superintendent of Human Resources and International Education**

- 4.3.1 To provide leadership in the implementation of this policy.
- 4.3.2 To create and foster a respectful work and learning environment free of any form of harassment, ~~discrimination~~, or abuse.
- 4.3.3 To ensure that all employees are aware of the policy and related procedures.
- 4.3.4 To ensure and monitor the provision of training to all employee groups.
- 4.3.5 To receive and review all harassment complaints with the Human Rights and Equity Advisor in order to determine whether the complaint has a human rights component. In such cases, the Superintendent of Human Resources and International Education, in consultation with the Human Rights and Equity Advisor (HREA) will determine how to then process the complaint. Similarly, the office of the Human Rights and Equity Advisor will inform the Superintendent of Human Resources and International Education of any complaints that the office of the HREA receives.
- 4.3.6 To facilitate the investigation of complaints by working with the superintendent or senior manager.
- 4.3.7 To ensure that those assigned to investigate a complaint have sufficient training and understanding of the *Ontario Human Rights Code* and the *Occupational Health and Safety Act* to conduct an appropriate investigation.  
To provide for the monitoring and evaluation of the application of the policy, such as the collection and analysis of employee comments, feedback from investigators and managers, and information collected through exit interviews to inform the monitoring and review of the policy.
- 4.3.9 To report to the Director of Education all complaints at the time that they are received and to notify the Director when complaints are resolved and the nature of each resolution.
- 4.3.10 To ensure an annual review of the policy as per 3.13 of this policy.

## **4.4 Superintendents of Education/Senior Managers**



- 4.4.1 To create and foster a respectful work and learning environment free of any form of harassment, or abuse.
- 4.4.2 To implement the Workplace Harassment policy and related procedures as required or guided by the Superintendent of Human Resources and International Education.
- 4.4.3 To ensure that the school administrators are aware that they are accountable for responding to and resolving complaints of harassment, unless the complaint is dealt with by the Human Rights and Equity Advisor or a Superintendent.

#### **4.5 School Administrators/Department Managers/Supervisors**

- 4.5.1 To create and foster a respectful work and learning environment free of any form of harassment, or abuse.
- 4.5.2 To promote positive and respectful relationships among employees.
- 4.5.3 To recognize and address actions of workplace harassment that offend, embarrass or humiliate others, whether deliberate or unintentional.
- 4.5.4 To treat each situation as a serious matter and conduct an investigation where needed under the supervision of the Superintendent, Manager, or Human Rights and Equity Advisor.
- 4.5.5 To address and correct inappropriate behaviours that constitute harassment in the workplace in a timely manner consistent with Board Policy 412 - Progressive Discipline of Employees.
- 4.5.6 To facilitate the situation towards a resolution between the parties if possible, with a view to correcting behaviour and preserving long term working relationships.
- 4.5.7 To receive a complaint and to notify the Superintendent/Senior Manager.
- 4.5.8 To consult with the Superintendent /Senior Manager who will use the Superintendent of Human Resources and the Human Rights and Equity Advisor as resources if the situation cannot be resolved between the parties.
- 4.5.9 To ensure employees are aware of this policy and related procedures.

#### **4.6 Employees**

- 4.6.1 To treat others with respect.
- 4.6.2 To become familiar with the Board's Workplace Harassment policy and related procedures.
- 4.6.3 To address workplace harassment by bringing it to the attention of the employee displaying it or to a person in authority, as soon as possible.
- 4.6.4 To not make allegations of harassment that are false, frivolous, malicious, or purposely in response to a complaint filed against them.
- 4.6.5 To make every effort to resolve in a respectful and civil manner, workplace harassment issues.
- 4.6.6 To participate in investigations of workplace harassment.

#### **4.7 Complainant**

- 4.7.1 The Complainant (target of the alleged harassment) has the right to:
  - 4.7.1.1 Have a complaint investigated and receive a fair, unbiased investigation of the facts.
  - 4.7.1.2 Have a support person of their choice during meetings regarding the complaint.
  - 4.7.1.3 Confidentiality.
  - 4.7.1.4 Be free from retaliation for filing a complaint.



4.7.1.5 Receive a summary of the investigation report from the official who conducted the investigation.

**4.8 Respondent (alleged harasser) has the right to:**

- 4.8.1 Be informed that a complaint has been filed against them as soon as possible and before the commencement of the investigation.
- 4.8.2 Know the full nature of the allegations in order to make a full response to the allegations, including additional allegations that arise in the course of the investigation.
- 4.8.3 Have their response heard and receive a fair, unbiased investigation of the facts.
- 4.8.4 Identify witnesses or documentary evidence to be considered in the investigation.
- 4.8.5 Have a support person of their choice during meetings regarding the complaint.
- 4.8.6 Confidentiality.
- 4.8.7 Fair discipline, should discipline occur, in accordance with Policy 412 Progressive Discipline of Employees.
- 4.8.8 Receive a summary of the investigation report.
- 4.8.9 The respondent has the responsibility to:
  - 4.8.9.1 Participate in the investigation and resolution of the complaint.

## **5. DEFINITIONS**

### **5.1 Harassment**

5.1.1 Harassment pursuant to the *Ontario Human Rights Code* is defined as a course of comment or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a prohibited ground of discrimination, on the basis of association or relationship with a person identified by a prohibited ground of discrimination or as a result of a perception that a prohibited ground of discrimination applies to an individual.

~~Harassment may also lead to a poisoned work environment.~~

~~A poisoned work environment is created by comments or conduct, including comments or conduct that are condoned or allowed to continue when brought to the attention of management, that create a discriminatory work environment. The comments or conduct need not to be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned work environment.~~

### **5.1.2 Workplace Harassment**

Workplace harassment, as defined by the Ontario Health & Safety Act, is broad enough to include harassment prohibited under the Ontario Human Rights Code, as well as what is often called “psychological harassment” or “personal harassment.”

Examples of personal harassment include, but are not limited to:

- i) Unwanted comments, inferences or suggestions;
- ii) Various forms of intimidation and aggressive behaviour;
- iii) Verbal and emotional abuse;

- iv) Withholding information necessary to perform one's duties; and
- v) 'Bullying' which is an attempt to undermine an individual through cruel and humiliating behaviour, including 'cyber-bullying';
- vi) Regular use of profanity and abusive or violent language;
- vii) Violent behaviours, e.g., slamming doors, throwing objects;
- viii) Frequent angry shouting/yelling or blow-ups;
- ix) Targeting individual(s) in humiliating practical jokes
- x) Discriminatory actions.

### 5.1.3 Workplace Sexual Harassment

Workplace sexual harassment refers to:

- (a) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

**Examples of sexual harassment include, but are not limited to:**

- i) Expressing bias on the basis of sex through derogatory or degrading remarks;
- ii) Unwelcome inquiries or comments about a person's clothing, body or social activities;
- iii) Remarks, jokes, or innuendoes of a sexual nature;
- iv) Persistent objectionable looks at a person's body;
- v) Unnecessary and unwanted physical contact;
- vi) Displaying pornographic or other offensive or derogatory pictures or cartoons in the workplace;
- vii) Condescension or paternalism which undermines self-respect;
- viii) Coercive behaviour that asserts control and/or influence over the victim;
- ix) Sexual assault (criminal offence – police to be contacted).

**Harassment does not include:**

- i) Legitimate performance/probation management;
- ii) Appropriate exercise and delegation of managerial authority;
- iii) Operational directives;
- iv) A disagreement or misunderstanding;
- v) Conflict between co-workers;
- vi) Work-related change of location, co-workers, job assignment;
- vii) Appropriate discipline;
- viii) Less than optimal management;
- ix) A single comment or action unless it is serious and has a lasting harmful effect;
- x) Rudeness unless it is extreme and repetitive.

## 5.2 Poisoned Work Environment

Poisoned environment refers to a work environment that is oppressive, negative, hostile, unwelcoming, or non-inclusive as a result of vexatious behavior that is based on a prohibited ground and that is known, or ought reasonably to be known, to be

unwelcome. The comments or conduct need not be directed at a specific individual, and may be from any individual, regardless of position or status. A poisoned working or learning environment may result from a series of incidents or a single serious incident; condonation of such behavior; and/or the failure to adequately remedy and restore the environment following the incident(s).

### **5.3 Timely Manner**

Any complaint made under this policy must be filed in a timely manner following the occurrence of the incident(s). The Board adopts a six (6) month time frame and may, in its discretion, decide not to address the complaint when the facts upon which the complaint is based, occurred more than six (6) months prior to the date the complaint was filed.

### **5.4 Workplace**

In respect to this policy, the workplace is any place where employees, contract employees, volunteers, trustees and others, who are officially permitted by the board to perform work or work-related duties or functions. Schools and school-related activities, such as extracurricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions are included within this definition.

- 5.4.1 Activities within offices, staff rooms, classrooms, cafeterias/lunchrooms, and other Board property;
- 5.4.2 Board/School sponsored events associated with and including co-instructional and extra-curricular activities;
- 5.4.3 Electronic venues such as virtual meetings, internet, email, and telephones;
- 5.4.4 Activities outside of Board premises including field trips, external work assignments, work-related conferences, training sessions, travel or social gatherings; as well as,
- 5.4.5 Situations in other locations where workplace harassment may have a subsequent impact on the working relationship, performance or environment.

The provisions of this policy and procedure in no way affect the right of any person to exercise their rights under the *Ontario Human Rights Code*, within the time limits specified by the legislation.

## **6. CROSS REFERENCES**

[Limitations Act](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Occupational Health and Safety Act](#)

[Ontario Human Rights Code](#)

YCDSB Policy 109 [Records and Information Management](#)

YCDSB Policy 112 [Privacy and Freedom of Information](#)

YCDSB Policy 408 [Digital Discipleship: Acceptable use of Technology](#)

YCDSB Policy 412 [Progressive Discipline of Employees](#)

YCDSB Policy 427 [Workplace Violence](#)

YCDSB Policy 608 [Volunteers in Schools](#)

YCDSB Policy 613 [Equity and Inclusive Education](#)

YCDSB Policy 614 [Whistleblower](#)

YCDSB [Procedure Addendum to Workplace Harassment Policy](#)

Approval by Board	April 30, 2019
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	<i>Date</i>
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	<i>Date</i>
Review Date	September, 2026
	<i>Date</i>



## YORK CATHOLIC DISTRICT SCHOOL BOARD

# PROCEDURE

### Addendum to Policy 425: Workplace Harassment

Effective: **TBD**

~~Revised Flowchart February 2020~~

## PURPOSE

These procedures are designed in conjunction with Policy 425: Workplace Harassment and outline the process for the reporting and the investigation of harassment.

### 1. **COMPLAINTS:**

#### Filing a Complaint

- 1.1.1 The complainant will submit a written complaint, in a timely manner (see definition given in Section 5.3) to ~~his/her~~ **their** immediate supervisor.\*\* Once received, the immediate supervisor will consult with their superordinate (i.e.: Principal to consult with the appropriate Superintendent of Schools; Manager to consult with the appropriate Senior Manager).
- 1.1.2 In the event the complaint is in regards to the employee's supervisor, the written complaint is to be addressed to the attention of ~~the Superintendent of Human Resources and International Education~~ **the Board official next in level of managerial authority** who shall be considered the immediate supervisor in the steps outlined below.
- 1.1.3 In the event the complaint is made against a member of the Senior team, the complainant will submit the written complaint directly to the Director of Education. The Director, in turn, will notify the Board of Trustees and employ an external service provider in accordance with Policy 425.
- 1.1.4 **In the event that the complaint is against the Director, the complaint will go to the Chair of the Board for the consideration of the Board of Trustees.**
  - i) **The Chair of the Board shall acknowledge receipt of the complaint within two (2) working days.**
  - ii) **A special Committee of the Whole meeting will be called to inform the Board and authorize the use of an external investigator with the appropriate professional experience and qualifications. Every attempt will be made to schedule such a meeting within ten (10) working days of receiving the complaint. The complainant shall be notified that the meeting occurred and the name of the external investigator as soon as possible.**
  - iii) **Once the investigation is complete, the Chair of the Board will receive the report from the investigator, forward it to the Board of Trustees and call a special Committee of the Whole. The Board shall review the report to determine whether, on the balance of probabilities, harassment occurred and what corrective and/or disciplinary measures, if any are warranted.**
  - iv) **The Chair of the Board shall inform the complainant, and the Director, in writing of the decision within five (5) calendar days of the special Committee of the Whole meeting, and if any, the corrective and/or disciplinary measures and actions.**
- 1.1.5 **In all cases,** the written complaint shall include the following:
  - i) Name and contact information;
  - ii) The nature of the allegation;
  - iii) The name of the respondent, position and contact information if known;
  - iv) The relationship of the respondent to the complainant (for example, colleague, member of the public, supervisor \*\*)

- v) The date(s) and a description of the incident(s) including frequency and location;
- vi) If applicable, the names of the witnesses and contact information, if known;
- vii) Any supporting documents you may have that are relevant to the complaint;
- viii) List any documents that a witness, another person, or the alleged harasser may have that are relevant to the complaint.

The information provided should be as precise and concise as possible.

#### 1.1.6 Screening and Acknowledgment of Complaint

Upon receipt of the complaint, the immediate supervisor shall acknowledge receipt in writing within two (2) work days.

#### 1.1.7 Interim Measures

After a complaint is made, the immediate supervisor, in consultation with the School Superintendent/Superintendent of Human Resources and International Education will determine if any immediate action or interim measures are required to protect the health, safety and security of the complainant, the respondent, the Board, its community or any of its members. These measures may include but are not limited to:

- Limiting access to facilities and or areas within a department;
- Change in reporting relationship or worksite; or
- Discontinuing contact between the complainant and the respondent during the period of the proceedings under this policy.

Interim measures, if required, are to be implemented by the appropriate Board personnel. Both parties shall be notified of any interim measures to be implemented. Note that any interim measures are not intended as discipline or a transfer within the meaning of any collective agreement or policy. Where an interim action is taken in the course of the investigation, those named will be presumed innocent until a final determination to the contrary is reached under the terms of this policy.

#### 1.1.8 Investigation

- a) The Superintendent of Human Resources and International Education, in consultation with the Human Rights and Equity Advisor, will determine who is to conduct the investigation based on the circumstances of the case.
- b) The Superintendent of Human Resources has discretion in determining if a third party external adjudicator is required to ensure impartiality at any point in the investigation, from commencement to end.
- c) An investigation will commence within ~~ten (10)~~ five (5) work days of receiving the complaint where both the Complainant(s) and/or Respondent(s) are actively at work and not on an approved leave of absence. In exceptional circumstances additional time may be authorized by the Director of Education. The investigation will be completed within ~~ninety (90)~~ sixty (60) calendar days or less, unless there have been extenuating circumstances which shall be communicated to both parties prior to the expiration of the ~~ninety (90)~~ sixty (60) calendar days.

- d) Any complaint of harassment shall be kept confidential except as is necessary to investigate and resolve the issue and subject to *The Municipal Freedom of Information and Protection of Privacy Act*. Investigators will stress the confidentiality of the investigation with any person(s) interviewed.
  - e) The investigator shall:
    - i) Interview the complainant and respondent separately;
    - ii) Interview all witnesses separately, including any non-employees, if possible;
    - iii) Provide written explanation as to why any named witnesses were not interviewed;
    - iv) Provide a written report to the School Superintendent or the Superintendent of Human Resources and International Education.
- 1.1.9 Once an investigation is complete, the School Superintendent or Superintendent of Human Resources shall review the report to determine whether, on a balance of probabilities, harassment occurred and what remedies, if any, are warranted.
- 1.1.10 The School Superintendent or Superintendent of Human Resources and International Education shall inform the complainant, and the respondent, in writing of the decision within five (5) calendar days of the conclusion of the investigation and if any, the corrective and/or disciplinary measures and actions.
- 1.1.11 In determining the appropriate consequences, the Superintendent of Human Resources and International Education will take into account the nature of the violation of the policy, its severity, and whether the individual has previously violated the policy. Any discipline that may be imposed as a result of the investigation will be in accordance with the Board's Progressive Discipline Policy.
- 1.1.12 Where a violation of the policy is found, the Superintendent of Human Resources and International Education will also take any steps necessary to repair the effects of the discrimination or harassment on the complainant, and to prevent any further recurrences of harassment or discrimination within the organization.
- 1.1.13 The Human Resources Superintendent will be responsible for monitoring the outcome of the complaint.



## WORKPLACE HARASSMENT PROCESS

Human Resources becomes aware of a possible harassment matter and/or the Complainant submits a written complaint (in a timely manner - six (6) months) to immediate Supervisor. (signed/dated)


Upon receipt Supervisor shall acknowledge receipt in writing within two (2) working days and consult with their superordinate

Immediate Supervisor in consultation with School Superintendent/Superintendent of Human Resources will determine if any immediate action or interim measures are required.

Investigation will commence within **five (5)** work days of receiving the complaint. Investigation will be completed within **sixty (60)** calendar days or less, unless there have been extenuating circumstances which shall be communicated to both parties prior to expiration of the **sixty (60)** calendar days.

Once an investigation is complete, the School Superintendent or Superintendent of Human Resources shall review the report and will determine if any remedies, if any, are warranted.

The School Superintendent or Superintendent of Human Resources shall inform the complainant, and the respondent, in writing of the decision within **five (5)** calendar days of the conclusion of the investigation and if any, the corrective and/or disciplinary measures and actions.

	<b>YORK CATHOLIC DISTRICT SCHOOL BOARD</b>	
	<b>BOARD POLICY</b>	
	<i>Policy Section</i>	<i>Policy Number</i>
	<b>Work Environment – Respectful Workplace</b>	<b>614</b>
	<i>Former Policy #</i>	<i>Page</i>
		<b>1 of 5</b>
	<i>Original Approved Date</i>	<i>Subsequent Approval Dates</i>
		<b>December 15, 2015</b> <b>October 29, 2019</b> <b>September 29, 2021</b> <b>TBD</b>

**POLICY TITLE: WHISTLEBLOWER**

## **SECTION A**

### **1. PURPOSE**

The York Catholic District School Board is committed to the highest standards of ethical conduct, integrity and accountability. The Board is responsible for the stewardship of financial resources and the public support that enables it to pursue its Mission and Vision.

The purpose of this policy is to provide a framework for the disclosure and investigation of alleged wrongdoing as it relates to operations at the York Catholic District School Board to determine if the organization has been negatively impacted by the actions of one or more individuals, while protecting employees from reprisal or threat of reprisal for making a disclosure.

Furthermore, this policy will provide information to ensure that all individuals are familiar with the procedures to confidentially report actual or alleged occurrences of wrongdoing through a third party certified ethics reporting service.

To this end, the York Catholic District School Board is committed to safeguarding confidence and trust in public education. All internal and external stakeholders for the York Catholic District School Board community are expected to uphold the public trust and demonstrate integrity in all of their dealings.

### **2. OBJECTIVE**

York Catholic District School Board will achieve effective utilization and protection of all resources through the sound application and management of the Board's policies and procedures, all financial and other information systems and internal controls.

This policy will enable ~~Trustees~~, employees and the general public to raise concerns about alleged wrongdoings by an ~~Trustee~~ or employee of the Board in respect to ~~the operations of~~

~~its schools, offices and facilities, including both financial and non financial matters~~ the financial and governance operations of the Board.

### 3. PARAMETERS

All individuals to whom this policy applies are expected to adhere to the parameters and procedures outlined in this policy when making a disclosure of alleged wrongdoing and during any subsequent investigation.

- 3.1 Any individual who has knowledge of an occurrence of a wrongdoing, or has reason to suspect that an alleged wrongdoing has occurred, has the right and obligation:
  - 3.1.1 To report the actual or alleged occurrence to the third party certified ethics reporting service as outlined in the procedures to this policy.
  - 3.1.2 The third party certified ethics reporting service will receive and assess the nature of any reported alleged wrongdoing and direct it to the appropriate authority for review and investigation (see Procedure attached).
  - 3.1.3 Where and when appropriate, an individual may be advised to resubmit their complaint using the procedure outlined in another YCDSB policy.
  - 3.1.4 Where an anonymous complaint is made without sufficient information to conduct a thorough investigation, it will be dismissed within thirty (30) calendar days.
- 3.2 Any alleged act of wrongdoing shall be investigated in accordance with this policy. The investigation will commence within ten (10) work days of the report being made and will be completed within sixty days (60). In exceptional circumstances, additional time may be authorized by the Director of Education. The accused will also be informed of the allegation within the ten (10) work day timeframe of the commencement of the investigation.
- 3.3 The Board shall make every effort to ensure that an individual, who in good faith makes a report under this policy, is protected from harassment, retaliation or adverse actions and/or results.
- 3.4 An individual who has reasonable grounds for believing he or she has suffered a reprisal shall be entitled to make a complaint following the process outlined in the procedures to this policy.
- 3.5 An individual who retaliates against someone who has reported in good faith is subject to discipline, up to and including termination of employment or vendor/contractor services.
- 3.6 An individual who makes an unsubstantiated report, which is knowingly false, frivolous, or made with vexatious or malicious intent, shall be subject to discipline, up to and including termination of employment or vendor/contractor services.
- 3.7 The York Catholic District School Board shall investigate any and all incidents of alleged acts of wrongdoing when a report is received by the third party certified ethics reporting service. An objective and impartial investigation will be conducted as per the procedures to this policy, regardless of the position, title, length of service, or relationship with the Board, of any party who becomes the subject of such investigation.

- 3.8 No individual shall willfully obstruct management or any others involved in an investigation of alleged wrongdoing.
- 3.9 No individual shall direct, counsel or cause in any manner any person to obstruct management or any others involved in an investigation of alleged wrongdoing.
- 3.10 No individual shall direct, counsel or cause in any manner any person to destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of alleged wrongdoing.
- 3.11 When an alleged wrongdoing is confirmed by the investigation, appropriate disciplinary action shall be taken, up to and including termination of employment and/or contract where appropriate.
- 3.12 In the event of criminal misconduct, the Police shall be notified immediately.
- 3.13 A report of the number and classification of disclosures of information shall be provided to the Board on a monthly basis.
- 3.14 Annual budget provision will be made to support compliance with the policy.

#### **4. RESPONSIBILITIES**

##### **4.1. Board of Trustees**

- 4.1.1 To provide oversight accountability with respect to ensuring that all reported allegations of wrongdoing are investigated as expeditiously as possible.
- 4.1.2 To instigate and supervise the investigation of any alleged wrongdoing by the Director of Education.

##### **4.2. Director of Education**

- 4.2.1 To oversee compliance with the Whistleblowing policy and procedure.
- 4.2.2 To acquire external services as deemed necessary.
- 4.2.3 To report to the Board of Trustees on a monthly basis the number of reports received, investigations conducted and wrongdoings confirmed.
- 4.2.4 To assign the complaint to the appropriate reviewer while ensuring the integrity of the process and the privacy of the individuals involved.
- 4.2.5 To ensure that timelines outlined in the policy procedures are adhered to.

##### **4.3. Chief Financial Officer and Treasurer**

- 4.3.1 To ensure system awareness and compliance with this policy, including annual communication to staff through system memo, posting on the Board's website and staff training (including school administrators).
- 4.3.2 To ensure the management and maintenance of comprehensive operational procedures to guide and safeguard York Catholic District School Board assets in its day to day operations.

##### **4.4. Superintendent of Human Resources**

- 4.4.1 To ensure that proper protocol is followed when an investigation is confirmed regarding any employee wrongdoing, when assigned the case as the reviewer.
- 4.4.2 To work with all parties to ensure an effective resolution.
- 4.4.3 To review final reports and determine resolution(s), when required and in consultation with the Director of Education.

#### **4.5. Administration**

4.5.1. To implement and maintain operational procedures to guide and safeguard York Catholic District School Board assets in its day to day operations.

### **5. DEFINITIONS**

#### **5.1 Administration**

For the purpose of this policy, Administration will include employees who have direct supervisory responsibility for a group of employees including, but not limited to:

- (a) Senior Administration
- (b) School Administration
- (c) Senior Managers
- (d) Managers
- (e) Supervisors

#### **5.2 Certified Ethics Reporting Service**

An objective third party service offering a secure reporting tool and management system to support the Board's mandate to implement an ethics and compliance reporting (whistleblowing), policy and procedure. The certified ethics reporting service protects individuals' identities so they are more inclined to report alleged wrongdoing.

#### **5.3 External Stakeholders**

A person, group of people or organization that holds a vested interest in the school community, including, but not limited to:

- (a) All levels of Government
- (b) Community Members
- (c) Education partners/organizations
- (d) Ministry of Education
- (e) Media
- (f) Vendor/Contractors

#### **5.4 Financial and Governance Operations**

Financial operations are those that involve any financial matters pertaining to the Board including but not limited to the use of Board funds. Governance operations pertain to all of the policies of the Board. Violations of financial and governance operations are defined further in section 5.8 of this policy.

#### **5.5 Internal Stakeholders**

A person, group of people or organization that holds a vested interest in the school community, including, but not limited to:

- (a) Parents
- (b) Parishes
- (c) School Administrators
- (d) Senior Administrators
- (e) Staff (School, centrally assigned and/or Contract)
- (f) Students
- (g) Trustees

#### **5.6 Reprisal**

Any measure taken against an individual or employee that adversely affects his or her employment or appointment and includes, but is not limited to:

- (a) Ending or threatening to end an individual or employee's employment or appointment;
- (b) Disciplining or suspending or threatening to discipline or suspend an individual or employee;
- (c) Imposing or threatening to impose a penalty related to employment or appointment of an individual or employee; or,
- (d) Intimidating, coercing or harassing an individual or employee in relation to his or her employment or appointment.

## **5.7 Whistleblower**

An individual, who reports that a person or organization is, or has been, engaged in an illicit or alleged illicit activity or identifies a broader systemic issue.

## **5.8 Wrongdoing**

A wrongdoing may be classified collectively as illegal or inappropriate conduct, i.e.: a violation of a law, rule, regulation, the Board's policies and/or a direct threat to public interest. Wrongdoing can also include actions or practices engaged in by an individual or group of individuals which have a broader systemic impact. The list below is not exhaustive but is intended to provide guidance to individuals, who suspect wrongdoing, as to the kind of conduct which constitutes wrongdoing under this policy. Wrongdoing includes, but is not limited to:

- (a) Criminal offences as defined in the Criminal Code of Canada;
- (b) Fraud and Embezzlement;
- (c) Misappropriation of funds, supplies, resources, or other assets;
- (d) Any computer related activity involving the alteration, destruction, forgery, manipulation of data or unauthorized access for wrongdoing purposes, in violation of Board policies and procedures as it relates to financial matters; unauthorized access and/or copying of information;
- (e) Irregular and/or improper accounting, internal controls, or auditing practices or conduct;
- (f) Conflicts of interest (personal or otherwise) influencing the objectives and decision-making of one's duties;
- (g) Time theft (i.e.: fraudulent act where an employee collects pay for time not actually worked);
- (h) An actual or suspected violation or contravention of any federal or provincial law, regulations, Board policy or Board administrative procedure as they relate to the safeguarding of the Board's assets as well as the Board's fiduciary responsibility;
- (i) Knowingly directing or counseling a person to commit a wrongdoing of illegal or inappropriate conduct;
- (j) Substance abuse at workplace;
- (k) Workplace health and safety concerns and instances of non-compliance with Occupational Health and Safety Act (OHSA).

## **6. CROSS REFERENCES**

[Criminal Code of Canada](#)

[Education Act](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Ontario Human Rights Code](#)

YCDSB [Policy 423 Conflict of Interest for Employees](#)

YCDSB [Policy 425 Workplace Harassment](#)

YCDSB [Policy 424 Disposition of Complaints](#)

<b>Approval by Board</b>	<b>September 28, 2021</b>
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	<i>Date</i>
<b>Review Date</b>	<b>September 2026</b>
	<i>Date</i>



## YORK CATHOLIC DISTRICT SCHOOL BOARD

### PROCEDURE:

### WHISTLEBLOWER

Addendum to Policy 614: Whistleblower

Effective: ~~September 29, 2021~~ **TBD**



## POLICY TITLE: **WHISTLEBLOWER**

### PURPOSE

The York Catholic District School Board is committed to safeguarding the public interest and trust in public education. All internal and external stakeholders for the York Catholic District School Board Community are expected to uphold the public trust and demonstrate integrity in all of their dealings.

This operational procedure supports that commitment by providing a framework for the disclosure and investigation of alleged wrongdoing by third party certified ethics reporting service as well as protection from reprisal or threat of reprisal for those who make disclosures of such information.

### RATIONALE

This operational procedure applies to all internal and external stakeholders of the YCDSB Community. This operational procedure extends to all individuals or organizations engaged in education or other activities while in facilities or representing the York Catholic District School Board.

### OPERATIONAL PROCEDURES

#### 1. Reporting an Alleged Wrongdoing

- 1.1 Any individual who has knowledge of an occurrence of wrongdoing, or has reason to suspect that an alleged wrongdoing has occurred, must report immediately to the third party certified ethics reporting service.

~~The YCDSB has contracted IntegrityCounts (or Whistleblower Security Inc.) to provide the third party reporting service. Anyone who wishes to report can take one of the following steps: <https://www.integritycounts.ca/org/ycdsb> or call 1-866-921-6714.~~

Information on how to contact the third party reporting service can be found on the Board website.

- 1.2 The third party certified ethics reporting service will assess the nature of the report of the alleged wrongdoing and report it in writing to the appropriate authority for review and investigation, as required, based on the following criteria:
  - 1.2.1 Where an Employee of the Board is suspected of the alleged wrongdoing, the reported information will be provided to the Director of Education.
  - ~~1.2.2 Where a Trustee of the Board is suspected of the alleged wrongdoing, the reported information will be provided to the Director of Education and the Chair of the Board.~~
  - ~~1.2.3 Where the Chair of the Board is suspected of the alleged wrongdoing, the reported information will be provided to the Director of Education and the Vice Chair of the Board.~~
  - 1.2.4 Where the Director of Education is suspected of alleged wrongdoing, the reported information will be provided to the Chair of the Board, who will report it to the full Board of Trustees.

- 1.3 Where the Director of Education is suspected of alleged wrongdoing, the investigation will be conducted by a third party investigator and reported to the entire Board of Trustees.
- 1.4 An individual can report their concerns to the third party certified ethics reporting service via email, fax, mail, or phone.
- 1.5 The third party certified ethics reporting service shall collect all information from the reporting, creating a unique case file for each matter reported. The information will be assessed and forwarded as per the Board Policy.
- 1.6 In all cases not involving the Director, the Director will assess the nature of the report to determine if the complaint falls under the definition of wrongdoing. The Director may determine that an investigation may not proceed in the following circumstances:
  - (i) the matter would more appropriately be dealt with through another existing process to which it will be referred including but not limited to Policy 424 Disposition of Complaints and Policy 425 Workplace Harassment;
  - (ii) the matter is already being dealt with through an investigation being conducted by a law enforcement body.
  - (iii) the complaint expresses disagreement with a YCDSB policy or procedure (the reporting of wrongdoing process is not designed to be an avenue for addressing disagreements with a policy decision);
  - (iv) the complaint is already subject to litigation or court proceedings;
  - (v) the complaint is related to an employment or labour relations matter that should be dealt with through another procedure;
  - (vi) the complaint is frivolous, vexatious or made in bad faith;
  - (vii) there has been a one year or more delay between the time when the complainant became aware of the suspected wrongdoing and the time of disclosure;
  - (viii) there is insufficient information to proceed.

## **2. Investigation of Suspicions or Allegations of Wrongdoing**

- 2.1 The Director of Education and/or the Chair~~Vice-Chair~~ of the Board as appropriate, shall ensure that all instances of alleged wrongdoing shall be appropriately investigated and reported to the Board on a monthly basis regarding the nature of the complaints and actions taken with the complaints.
- 2.2 Investigations will be addressed in accordance with the appropriate Board policy.
- 2.3 The Director of Education, in consultation with the Board's forensic consultants and/or the Board's legal counsel, may solicit the services of internal staff and/or external resources as appropriate.

- 2.4 Employees are expected to fully cooperate with management and any others involved in the investigation and make all reasonable efforts to be available to assist during the course of the investigation.
  - 2.5 All participants in an investigation of an alleged wrongdoing, including persons who make a disclosure, witnesses, and the persons alleged to be responsible for wrongdoing, shall keep the details and results of the investigation confidential, and shall not discuss the matter with anyone other than those conducting the investigation.
- 3. Duty to Protect**
- 3.1 The identities of all participants in an investigation of wrongdoing, including persons who make a disclosure, witnesses, and the persons alleged to be responsible for wrongdoing will be protected and remain confidential unless it is a criminal matter and must be reported to the appropriate authorities.
  - 3.2 A person who has reasonable grounds for believing he or she has suffered a reprisal is entitled to make a complaint to the ~~Board of Trustees~~ **Superintendent of Human Resources and International Education**.
  - 3.3 The Board shall implement the procedures to investigate complaints as outlined in the "Disposition of Complaints Policy" **against employees**.
  - 3.4 An individual or employee who retaliates against someone who has reported in good faith is subject to discipline, up to and including termination of employment or vendor/contractor services.
  - 3.5 In making a report, an individual or employee must be acting in good faith with reasonable grounds for believing that there is a grievous breach of a Board policy or federal or provincial law that relates to the safeguarding of the Board's assets as well as the Board's fiduciary responsibilities.
- 4. Duty to Report**
- 4.1 Any act of wrongdoing that is detected or alleged must be reported immediately and investigated in accordance with this policy as expeditiously as possible.
- 5. Duty to Investigate**
- 5.1 The identity of the informant shall remain confidential to those persons directly involved in applying this policy, unless the issue requires investigation by law enforcement, in which case members of the organization are subject to subpoena.
  - 5.2 When wrongdoing is confirmed by the investigation, appropriate disciplinary action shall be taken, up to and including termination of employment and/or contract where appropriate.
  - 5.3 In the event of criminal misconduct, the police shall be notified immediately.
- 6. Prohibition Against Interfering with an Investigation**
- 6.1 Any person who willfully obstructs management or any others involved in an investigation of alleged wrongdoing is subject to disciplinary measures including suspension or termination.
  - 6.2 No person shall destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of alleged wrongdoing.
  - 6.3 Any person who destroys, alters, falsifies, or conceals a document or other thing they know or ought to know is likely relevant to the investigation of alleged wrongdoing is subject to disciplinary measures, including suspension or termination.

**7. Prohibition Against Counseling Interference with an Investigation**

- 7.1 Any individual who directs, counsels or causes in any manner any individual to obstruct management or any others involved in an investigation of alleged wrongdoing is subject to disciplinary measures, including suspension or termination.
- 7.2 Any individual who directs, counsels or causes in any manner any individual to destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of alleged wrongdoing is subject to disciplinary measures, including suspension or termination.

**8. Reporting of A Complaint from an Individual Who Believes That They Have Suffered or Are Suffering from Retaliation or Reprisal**

- 8.1 An individual who feels that they are suffering reprisal resulting from making a complaint of alleged wrongdoing should contact the Director of Education.
- 8.2 The Third Party Certified Ethics Reporting Service may also be contacted where the individual who feels that they have suffered reprisal is uncomfortable with reporting the matter through the process noted in 8.1.

**9. Investigating A Complaint from an Individual Who Believes That They Have Suffered from Retaliation or Reprisal**

- 9.1 The complaint will be processed as per Board policies and procedures related to the disposition of complaints.

[Whistleblower Process - Chart Removed.]



## YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> <b>Facilities</b>	<i>Policy Number</i> <b>705</b>
<i>Former Policy #</i> <b>512</b>	<i>Page</i> <b>1 of 6</b>
<i>Original Approved Date</i> <b>March 9, 2004</b>	<i>Subsequent Approval Dates</i> <b>June 8, 2010</b> <b>June 26, 2015</b> <b>June 21, 2016</b> <b>TBD</b>

### POLICY TITLE: USE OF VIDEO SURVEILLANCE EQUIPMENT

#### SECTION A

##### 1. PURPOSE

The York Catholic District School Board is committed to ensuring the safety of individuals as well as the security of equipment and property of the board within the scope of services provided to students, staff and community members by monitoring internal and external facility security. As such, the Board approves the installation and use of video surveillance systems in schools and on Board premises. The purpose of this policy is to provide direction and guidelines to staff regarding the use of such systems.

##### 2. OBJECTIVE

It is the policy of the York Catholic District School Board to employ video surveillance systems in schools and facilities owned by the Board for the protection of students, staff and community members or in assisting in the detection and deterrence of criminal activity and vandalism. The Board shall operate these systems in compliance with relevant legislation and the guidelines of this policy.

##### 3. PARAMETERS

- 3.1 Surveillance activities involving the collection, retention, use, disclosure and disposal of personal information in the form of video surveillance shall be in compliance with [Municipal Freedom of Information and Protection of Privacy](#) legislation.
- 3.2 The use and security of video surveillance equipment as well as compliance with the policy, guidelines and procedures shall be reviewed on an annual basis.
- 3.3 Video surveillance equipment shall be installed in such a manner that it monitors only the spaces requiring video surveillance as determined by the board.

- 3.4 Monitoring of locations where students, staff or authorized visitors have an expectation of privacy will be prohibited (e.g., change rooms, washrooms).
- 3.5 Access to the school-based video surveillance ~~equipment~~ **software, hard drives,** and recorded information shall be restricted to authorized individuals only (e.g., Principal, Vice Principal(s), Superintendents, maintenance personnel or service personnel as approved by the ~~Senior Manager of Facilities and Maintenance Services~~) **Superintendent of Facilities Services and Plant**. These individuals ~~may~~ **shall have the authority** to provide shared access with authorized agencies such as York Regional Police, Catholic Children's Aid Society or Children's Aid Society.
- 3.6 The retention period for the storage of recorded video surveillance information shall be:
  - 3.6.1 Sixty (60) calendar days for information not viewed for law enforcement, school or public safety purposes; or,
  - 3.6.2 One (1) year for information viewed by or disclosed to authorized agencies.
- 3.7 Video surveillance notification signs shall be prominently displayed at sites where there is video surveillance equipment.
- 3.8 Any breach of security or misuse of video surveillance equipment will be investigated in accordance with the Board's *Privacy Breach Protocol*.

#### 4. RESPONSIBILITIES

##### 4.1 Director of Education

- 4.1.1 To oversee compliance with the Use of Surveillance Equipment policy and guidelines.
- 4.1.2 To report to the Board, the results of any investigation related to a confirmed breach of security.

##### 4.2 **Superintendent of Facilities Services and Plant**

##### ~~Senior Manager of Facilities and Maintenance Services~~

- 4.2.1 To oversee the installation and life cycle management of the authorized video surveillance system.
- 4.2.2 To ensure that an evaluation of the use and security of video surveillance equipment as well as compliance with the policy, guidelines and procedures is conducted on an annual basis.
- 4.2.3 To investigate all breaches of security with respect to the use, deliberate misuse or negligent use of video surveillance equipment.
- 4.2.4 To incorporate training for employees, where applicable and appropriate, into orientation programs of the Board as necessary.
- 4.2.5 To support School Administration with requests from any other person(s) or agency that does not have authorized permission to review recorded information and to notify the appropriate Superintendent of such requests.
- 4.2.6 To act on system failure or malfunction in a timely manner.
- 4.2.7 To manage the retention periods for the storage of information as follows:
  - 4.2.7.1 For information that has not been viewed for law enforcement, school or public safety purposes every sixty (60) calendar days; and,
  - 4.2.7.2 For information that has been viewed by or disclosed to authorized agencies (e.g. law enforcement, Courts of Law, Children's Aid Society) or for school/public safety purposes one (1) year from the

date of viewing or until such time as it is no longer needed for legal purposes, whichever is longer.

#### **4.3 Privacy Manager**

- 4.3.1 To be responsible for the privacy obligations outlined in the *Municipal Freedom of Information and Privacy Protection Act* relating to the employment of video surveillance systems.

#### **4.4 Principal**

- 4.4.1 To oversee the day-to-day operation of the video surveillance system in accordance with the policy, guidelines, and direction or guidance of Board personnel.
- 4.4.2 To authorize permission for the viewing of recorded information if requested by authorized agencies.
- 4.4.3 To consult with the ~~Senior Manager of Facilities and Maintenance Services~~ **the school superintendent and the Superintendent of Facilities Services and Plant** when a request from any other person(s) or agency that does not have authorized permission to review recorded information is received.
- 4.4.4 To advise the appropriate Superintendent if a request has been made to view recorded information.
- 4.4.5 To report system failure or malfunction as soon as possible.

#### **4.5 Superintendents**

- 4.5.1 To support Principals with the implementation of the *Use of Video Surveillance Equipment* policy and guidelines.
- 4.5.2 To respond to Principals upon receipt of any requests to view recorded information from any other person(s) or agency that does not have authorized permission to review recorded information.

### **5. DEFINITIONS**

#### **5.1 Authorized Agency**

An organization who has legislative jurisdiction for the request of recorded video surveillance information including, but not limited to, York Regional Police or Children's Aid Society.

#### **5.2 Personal Information**

Recorded information about an identifiable individual as defined by the *Municipal Freedom of Information and Privacy Protection Act* and which may include, but is not limited to, the individual's gender, age, height, weight, race, colour, national or ethnic origin.

#### **5.3 Reception Equipment**

The equipment or device used to receive or record the personal information collected through a video surveillance system, including a camera or video monitor or any other video, audio, physical or other mechanical, electronic or digital device.

#### **5.4 Record**

Any record of information as defined by the *Municipal Freedom of Information and Privacy Protection Act*, including but not limited to information however recorded, whether in printed form, on film, by electronic means or otherwise, including but not limited to:

- 5.4.1 Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and,
- 5.4.2 Subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

## 5.5 Storage Device

A videotape, computer disk or drive, CD ROM, computer chip or other device used to store the recorded data or visual, audio or other images captured by a video surveillance system.

## 5.6 Video Surveillance System

A video, physical or other mechanical, electronic or digital surveillance system or device that enables continuous recording, observing or monitoring of information in spaces requiring video surveillance as determined by the Board. The term video surveillance system may include an audio device, thermal imaging technology or any other component associated with capturing the image of an individual. Board installed video surveillance systems are not connected to municipal or provincial networks.

## 6. CROSS REFERENCES

Information and Privacy Commissioner of Ontario: [Guidelines for Using Video Surveillance, October 2015](#)  
[Municipal Freedom of Information and Protection of Privacy Act](#)

YCDSB Policy 109 [Records and Information Management](#)  
 YCDSB Policy 112 [Privacy and Freedom of Information](#)  
 YCDSB [Privacy Breach Protocol](#)

Approval by Board	<u>June 21, 2016</u> Date
Effective Date	<u>June 22, 2016</u> Date
Revision Dates	<u>September 13, 2022</u> Date
Review Date	<u>September, 2026</u> Date



## **POLICY TITLE:       USE OF VIDEO SURVEILLANCE EQUIPMENT**

### **SECTION B: GUIDELINES**

#### **1.       General**

Video security surveillance systems are a resource used by the York Catholic District School Board for the protection of students, staff and community members or in assisting in the detection and deterrence of criminal activity and vandalism and to monitor internal and external facility security.

- 1.1       In the event of a reported or observed incident, the review of recorded information by authorized personnel, including the Principal, Vice Principal(s), Superintendent, maintenance personnel or service personnel as required, may be used to assist in the investigation of the incident.
- 1.2       The board shall maintain control of and responsibility for the video surveillance system at all times.
- 1.3       Any agreements between the board and service providers shall state that the records dealt with or created while delivering a video surveillance program are under the board's control and subject to the *Municipal Freedom of Information and Protection of Privacy Act*.
- 1.4       When dealing with privacy issues that may arise in the context of video surveillance, ~~staff~~ Academic Superintendents are to consult with the YCDSB Privacy Officer and/or legal counsel as is appropriate.

#### **2.       Collection of Personal Information Using a Video Surveillance System**

- 2.1       In accordance with *the Municipal Freedom of Information and Protection of Privacy Act* video surveillance systems can be operated to collect personal information about identifiable individuals.

#### **3.       The Design, Installation and Operation of Video Surveillance Equipment**

In designing, installing and operating a video surveillance system, the Board will consider the following:

- 3.1       Staff will endeavour to ensure that the proposed design and operation of the video surveillance system minimizes privacy breaches.
- 3.2       Reception equipment such as video cameras, audio or other devices will be installed in areas where video surveillance is a necessary and viable detection or deterrence strategy. The video surveillance reception equipment will operate 24 hours/seven days a week.
- 3.3       The equipment should be installed in such a way that it only monitors those spaces that have been identified by the Board in consultation with the school community as requiring video surveillance.
- 3.4       Written signs, prominently displayed at the entrances, exterior walls and/or the interior of buildings having video surveillance systems, shall inform students, staff and the public that video surveillance is in effect.

#### **4. Access, Use, Disclosure, Retention, Security and Disposal of Video Surveillance Records**

Any information obtained by way of video surveillance systems may only be used for the purposes of the stated rationale and objectives set out to protect student, staff and public safety or to detect and deter criminal activity and vandalism. Since video surveillance systems create a record by recording personal information, each school/facility having a system will implement the following procedures:

4.1 All surveillance videos that are requested or are archived for investigative purposes shall be quarantined and secured on an electronic medium that is protected and encrypted by controlled access for a specified period of time in accordance to a retention period determined by the Board. Each video shall be dated, labelled and tracked by an electronic audit record created by ~~Principals at the School level and~~ authorized personnel in the Facilities Department at the Board level.

4.2 Procedures on the use and retention of recorded information include:

4.2.1 Only authorized personnel including the principal or designate, may review recorded information. Circumstances, which would warrant review, will normally be limited to an incident that has been reported and/or observed, or to investigate a potential crime.

4.2.2 The retention period for information that has not been viewed for law enforcement, school or public safety purposes shall be sixty (60) calendar days. Recorded information that has not been used within this timeframe is to be routinely erased in a manner in which it cannot be reconstructed or retrieved.

4.2.3 When recorded information has been viewed by or disclosed to authorized agencies (e.g. law enforcement, Courts of Law, Children's Aid Society) or for school/public safety purposes, the retention period shall be one (1) year from the date of viewing or until such time as it is no longer needed for legal purposes, whichever period is longer.

4.3 Storage devices must be securely disposed of in such a way that the personal information cannot be reconstructed or retrieved. Disposal methods include shredding or magnetically erasing the personal information.

4.4 An individual whose personal information has been collected by a video surveillance system has a right of access to his or her personal information. Access may be granted in whole or in part, unless an exemption applies under the *Act*. Access to an individual's own personal information in these circumstances may also depend upon whether any exempt information can be reasonably severed from the record.

#### **5. Training**

5.1 Where appropriate, the policy, guidelines and procedures will be incorporated into training and orientation programs of the Board.

#### **6. Evaluating the Use of a Video Surveillance System**

6.1 An evaluation of the use and security of video surveillance equipment as well as compliance with the policy, guidelines and procedures shall be conducted on an annual basis by authorized personnel from the Facilities Department under the supervision of the **Superintendent of Facilities Services and Plant.**  
~~Senior Manager of Facilities and Maintenance Services.~~





## YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i> <b>Facilities</b>	<i>Policy Number</i> <b>713</b>
<i>Former Policy #</i>	<i>Page</i> <b>1 of 20</b>
<i>Original Approved Date</i> <b>June 17<sup>th</sup>, 2008</b>	<i>Subsequent Approval Dates</i> <b>October 27, 2015</b>

### POLICY TITLE: PUPIL ACCOMMODATION REVIEW OF SCHOOLS

#### SECTION A

##### 1. PURPOSE

This Policy outlines the process York Catholic District School Board (the Board) will undertake to complete a pupil accommodation review or a modified pupil accommodation review of a school or schools.

The Board recognizes its responsibility to provide effective and appropriate accommodation in support of student achievement and well-being for all students of the Board while utilizing the resources entrusted to it in an efficient and accountable manner. Furthermore, it is the responsibility of the Board to approve the most appropriate pupil accommodation arrangements for the delivery of its elementary and secondary programs aligned with the Board's Mission, Vision and Strategic Commitments.

There may be times when the Board of Trustees must consider undertaking pupil accommodation reviews that may lead to school consolidations and closures. Wherever practical, pupil accommodation reviews will include a school or schools to facilitate the development of viable solutions for pupil accommodation.

The Board welcomes the opportunity for the public and affected school communities to be heard with respect to pupil accommodation reviews. The Board shall share relevant information with those affected by the *Pupil Accommodation Review* process.

##### 2. POLICY STATEMENT

A pupil accommodation review of a school or schools shall only occur in the context of the Board's long-term capital and accommodation planning process and only after the necessary assessment of the options for the school(s) in accordance with that process. Therefore, it is the policy of the York Catholic District School Board that reviews of pupil accommodation conform with Board policy made pursuant to the *Community Planning and Partnership Guideline* issued by the Ministry of Education.

This Policy and its related guidelines are established by the Board in accordance with the Ministry of Education's *Pupil Accommodation Review Guideline*, 2015 (the "**PARG**") and applies to schools of the Board offering elementary and/or secondary programs.

The Board of Trustees will make the final decision regarding any pupil accommodation review.

### 3. PARAMETERS

The following parameters align with the Board's Mission, Vision and Strategic Commitments for student achievement and well-being, and support the Board's financial viability and sustainability. These parameters apply to all pupil accommodation reviews conducted pursuant to this Policy. All decisions under this policy will take into account the Board's *Long-Term Accommodation Plan* and comply with the following parameters:

- 3.1 The ***Pupil Accommodation Review*** process shall consist of the following:
  - 3.1.1 Preparation and submission of an Initial Staff Report (Report 1);
  - 3.1.2 Preparation and submission of the School Information Profile(s);
  - 3.1.3 Approval of the Board of Trustees to undertake an pupil accommodation review process or a modified pupil accommodation review process as defined in parameter 3.4;
  - 3.1.4 Establishment of the Pupil Accommodation Review Committee (PARC), including its Terms of Reference;
  - 3.1.5 Consultation with Local Municipal Governments and Community Partners;
  - 3.1.6 Pupil Accommodation Review Public Meetings;
  - 3.1.7 Preparation and submission of a Final Staff Report with Community Consultation (Report 2);
  - 3.1.8 Public Delegations to the Board of Trustees;
  - 3.1.9 Preparation and submission of a Final Staff Report with Public Delegations Addendum (Report 3);
  - 3.1.10 Decision by the Board of Trustees; and,
  - 3.1.11 Establishment of a Transition Committee.
- 3.2 Schools shall be subject to a pupil accommodation review only once in a five (5) year period, unless special circumstances as determined by the Board necessitate a review, such as a significant change in enrolment.
- 3.3 A ***Modified Pupil Accommodation Review*** process may be approved and initiated by the Board where **two (2) or more** of the following factors are present:
  - 3.3.1 Distance to the nearest available accommodation is 5 kilometers or less;
  - 3.3.2 Utilization rate of the facility is equal or below 50%;
  - 3.3.3 Number of students enrolled at the school is 126 or fewer;
  - 3.3.4 When the Board is planning the relocation of a program (in any school year or over a number of school years), in which the enrolment constitutes more than or equal to fifty percent (50%) of the school's enrolment (this calculation is based on the enrolment at the time of the relocation, or the first phase of a relocation carried over a number of schools years);
  - 3.3.5 There are no more than three (3) schools subject to the pupil accommodation review process; or,
  - 3.3.6 The entire student population (and boundary) of a school that is subject to a pupil accommodation review process can be accommodated in another

school.

- 3.4 The ***Modified Pupil Accommodation Review*** process consists of the following steps:
- 3.4.1 Preparation and submission of an Initial Staff Report (Report 1);
  - 3.4.2 Preparation and submission of the School Information Profile(s);
  - 3.4.3 Approval by the Board of Trustees to undertake a modified pupil accommodation review process;
  - 3.4.4 Consultation with Local Municipal Governments and Community Partners;
  - 3.4.5 One Pupil Accommodation Review Public Meeting;
  - 3.4.6 Preparation and submission of a Final Staff Report with Community Consultation (Report 2);
  - 3.4.7 Public Delegations to the Board of Trustees;
  - 3.4.8 Preparation and submission of a Final Staff Report with Public Delegations Addendum (Report 3);
  - 3.4.9 Decision by the Board of Trustees; and,
  - 3.4.10 Establishment of a Transition Committee.

3.5 **EXEMPTIONS**

- 3.5.1 The Board of Trustees is **not** obligated to undertake a *Pupil Accommodation Review* in any of the following circumstances:
- 3.5.1.1 Where a replacement school is to be built by the Board on the existing site, or built or acquired within the existing school attendance boundary, as identified by the Board;
  - 3.5.1.2 Where a replacement school is to be built by the Board on the existing site, or built or acquired within the existing school attendance boundary **and** the school community must be temporarily relocated to ensure the safety of students and staff during the reconstruction, as identified by the Board;
  - 3.5.1.3 When a lease for the school is terminated;
  - 3.5.1.4 When the Board is planning the relocation of grades or programs, (in any school year or over a number of school years in which the enrolment constitutes less than 50% of the school's enrolment (this calculation is based on the enrolment at the time of the relocation, or the first phase of a relocation carried over a number of school years);
  - 3.5.1.5 When the Board is repairing or renovating a school, and the school community must be temporarily relocated to ensure the safety of students during the renovations;
  - 3.5.1.6 Where a facility has been serving as a holding school for a school community whose permanent school is over-capacity and/or is under construction or repair; or,
  - 3.5.1.7 Where there are no students enrolled at the school at any time throughout the school year.
- 3.5.2 Board staff shall ensure that school communities are informed about proposed accommodation plans for students before a decision is made by the Board of Trustees to consolidate, close or move a school or students in accordance with an exemption to the *Pupil Accommodation Review* process.
- 3.5.3 Board staff shall prepare a report to the Board of Trustees setting out the circumstances supporting the exemption to the *Pupil Accommodation Review* process in respect of the school or schools under consideration for such exemption.

- 3.5.4 Where an exemption under 3.5.1 results in the consolidation, closure or relocation of a school Board staff shall, no fewer than five (5) business days after the Board of Trustees make a decision that such exemption applies, provide written notice to the following:
  - 3.5.4.1 Each of the affected single and upper-tier municipalities through the Clerks' Departments (or equivalent);
  - 3.5.4.2 Other community partners that expressed an interest prior to the exemption (as defined above);
  - 3.5.4.3 The coterminous school boards in the areas of the affected school(s) through the Director of Education; and,
  - 3.5.4.4 The Ministry of Education through the Assistant Deputy Minister of the Financial Policy and Business Division, unless the Ministry of Education has informed the Board to direct such notice to a different office.
- 3.6 The Board shall develop and implement a transition plan following any Board decision to consolidate, close or move a school or students, or pursuant to an exemption to the *Pupil Accommodation Review* process.
- 3.7 This Policy must be applied in conjunction with related Guidelines and Schedules. The Guidelines and any Schedules may be amended from time to time in accordance with the PARG and this Policy. In all cases, any minimum timelines set out in the PARG will be followed by the Board.
- 3.8 A copy of this Policy, Guidelines and Schedules, together with the *Pupil Accommodation Review Guidelines* and *Administrative Review of Pupil Accommodation Review Process* issued by the Minister of Education shall be available to the public at the Board office, and posted on the Board's website.

#### 4. RESPONSIBILITIES

##### 4.1 Board of Trustees

- 4.1.1 To approve recommendations in accordance with the Ministry of Education's *Pupil Accommodation Review Guideline (PARG)* and all other relevant Board policies or procedures.

##### 4.2 Director of Education

- 4.2.1 To oversee compliance with the Pupil Accommodation Review policy and guidelines.

##### 4.3 Senior Administration overseeing Long Term Accommodation Planning

- 4.3.1 To oversee the ongoing implementation and management of the Pupil Accommodation Review policy and guidelines.

##### 4.4 Superintendents of Education and/or Senior Managers

- 4.4.1 To assist the Senior Manager of Administrative Services with the implementation of the Pupil Accommodation Review policy and guidelines as required or requested.

##### 4.5 Principals

- 4.5.1 To assist with the verification of information contained within the School Information Profile (SIP).



## 5. DEFINITIONS

### 5.1 Business Day

A calendar day that is not a weekend or statutory holiday. It also does not include calendar days that fall within the Board's Christmas, spring, and summer break. For schools with a year-round calendar, any break that is five (5) calendar days or longer is not a business day.

### 5.2 Community Partner

For the purpose of this policy an external individual(s) or organization who expresses an interest to the Board as part of the Community Planning and Partnership process.

### 5.3 Consultation

The sharing of relevant information, as well as, providing the opportunity for municipalities and other community partners, the public and affected school communities to seek clarification and/or give feedback for consideration.

### 5.4 Facility Condition Index (FCI)

A building condition as determined by the Ministry of Education by calculating the ratio between the five-year renewal needs and the replacement value for each facility.

### 5.5 Final Staff Report with Community Consultation (Report 2)

A report drafted by Board staff to the Board of Trustees with respect to a *Pupil Accommodation Review* process or a *Modified Pupil Accommodation Review* process that also incorporates information obtained during community consultations. This Final Staff Report may, or may not, include the same option(s) as contained in the Initial Staff Report related to a pupil accommodation review process.

### 5.6 Final Staff Report with Public Delegations Addendum (Report 3)

The Final Staff Report drafted by Board staff that also incorporates information obtained from public delegations (and any staff response to such information) as an addendum.

### 5.7 Initial Staff Report (Report 1)

A report drafted by Board staff containing option(s) and identifying a preferred option with a recommendation to Trustees with respect to a school or schools that should be subject to a pupil accommodation review process or a modified pupil accommodation review process.

### 5.8 On-The-Ground Capacity (OTG)

The capacity of the school as determined by the Ministry of Education by loading all instructional spaces within the facility to current Ministry standards for class size requirements and room areas.

### 5.9 Public Delegation

A presentation by an individual or a group of individuals to the Board of Trustees at a meeting of the Board, made in accordance with Board policies and procedures in respect to public delegations, which permits the individual or group of individuals to have their concerns heard directly by the Board of Trustees.

### 5.10 Pupil Accommodation Review

A process described in Board Policy and related Guidelines undertaken by the Board to determine the future of a school or group of schools.



#### **5.11 Pupil Accommodation Review Committee (PARC)**

An advisory committee established by the Board that represents the affected school(s) of a pupil accommodation review, which acts as the official conduit for information shared between the Board and the affected school communities.

#### **5.12 Pupil Accommodation Review Public Meeting**

An open meeting held by Board staff to gather broader community feedback on a pupil accommodation review.

#### **5.13 Pupil Accommodation Review Committee (PARC) Working Meeting**

A meeting of PPARC members to discuss a pupil accommodation review, including the gathering of feedback from the affected school communities of a pupil accommodation review.

#### **5.14 School Information Profile (SIP)**

An orientation document with point-in-time data for each of the schools considered for a pupil accommodation review.

### **6. CROSS REFERENCES**

YCDSB Policy 101    Meta Policy  
YCDSB Policy 106    Delegations to the Board and Input to Agenda Items  
YCDSB Policy 704    Community Planning and Partnerships  
YCDSB Policy 706    Alternative Accommodation Arrangements  
Ministry of Education    *Community Planning and Partnerships Guideline (CPPG)*  
Ministry of Education    *Pupil Accommodation Review Guideline (PARG)*  
Ministry of Education    *Administrative Review of the Pupil Accommodation Review Process*  
YCDSB *Long Term Accommodation Plan*  
YCDSB *Multi-Year Strategic Plan*

<b>Approval by Board</b>	<b>October 27, 2015</b> <i>Date</i>
<b>Effective Date</b>	<b>October 28, 2015</b> <i>Date</i>
<b>Revision Date(s)</b>	<b>October 27, 2015</b> <i>Date</i>
<b>Review Date</b>	<b>October 2020</b> <i>Date</i>

## PUPIL ACCOMMODATION REVIEW OF SCHOOLS

### SECTION B: GUIDELINES

These guidelines are designed in conjunction with Policy 713: *Pupil Accommodation Review* and are aligned with Policy 704: *Community Planning and Partnerships*. They are consistent with the legal framework outlined in the *Education Act* regarding pupil accommodation arrangements for the delivery of its elementary and secondary programs that support student achievement and well-being, and ensure the effective stewardship of the Board's resources.

The Board of Trustees may consolidate or close schools in accordance with policies established by the Board. These Guidelines are made in compliance with the Ministry of Education's *Pupil Accommodation Review Guideline* [the *PARG*] (2015).

A copy of YCDSB Policy 713 and these Guidelines, together with the *PARG* and *Administrative Review of Pupil Accommodation Review Process* issued by the Minister of Education, are available to the public at the board office and are posted on the Board's website.

These Guidelines incorporate the following Appendices:

- Appendix A- Pupil Accommodation Review Timeline and Checklist
- Appendix B- Modified Pupil Accommodation Review Timeline and Checklist
- Appendix C- Template for School Information Profile
- Appendix D- Template for Terms of Reference of the Pupil Accommodation Review Committee

These Guidelines and related Appendices may be amended from time to time, so long as such amendments are made in accordance with the *PARG* and YCDSB Policy 713.

These Guidelines provide direction to staff when considering a pupil accommodation review and support the application of the Ministry of Education's *Pupil Accommodation Review Guideline* as defined in the following areas:

**Part A: Pupil Accommodation Review Guidelines and Processes (Appendix A)**

**Part B: Modified Pupil Accommodation Review Guidelines and Processes (Appendix B)**

### PART A: PUPIL ACCOMMODATION REVIEW GUIDELINES AND PROCESSES

#### 1. Initial Staff Report (Report 1)

Board staff will prepare and submit to the Board of Trustees an Initial Staff Report and a School Information Profile (*SIP*) for each school that may be subject to review.

- 1.1 The Initial Staff Report will identify accommodation issue(s) and will contain:
  - 1.1.1 One or more options to address the accommodation issue(s) with supporting rationale;
  - 1.1.2 A recommended option if more than one option is presented;
  - 1.1.3 Proposed timelines for implementation of each option; and,
  - 1.1.4 Information about actions taken by Board staff prior to recommending a pupil accommodation review process and supporting rationale as to any actions taken or not taken.
- 1.2 The option(s) included in the Initial Staff Report must address the following:
  - 1.2.1 A summary of accommodation issue(s) for the school(s) under review;
  - 1.2.2 Where students would be accommodated;
  - 1.2.3 If proposed changes to existing facility or facilities are required as a result of the pupil accommodation review;

- 1.2.4 Identify any program changes as a result of the proposed option;
- 1.2.5 How student transportation would be affected if changes take place;
- 1.2.6 If new capital investment is required as a result of the pupil accommodation review, how the Board intends to fund this, as well as a proposal on how students would be accommodated if funding does not become available;
- 1.2.7 Any relevant information obtained from municipalities and other community partners prior to the commencement of the pupil accommodation review, including any confirmed interest in using the underutilized space; and,
- 1.2.8 A timeline for implementation.
- 1.3 The Initial Staff Report and School Information Profiles will be available to the public at the schools subject to the pupil accommodation review and on the Board's website following the decision to proceed with a pupil accommodation review by the Board of Trustees.

## **2. School Information Profile (SIP) (Appendix C)**

- 2.1 Board staff is required to develop SIPs as orientation documents to help the Pupil Accommodation Review Committee (*PARC*) and the community understand the context surrounding the decision to include the specific school(s) in a pupil accommodation review.
- 2.2 For comparison purposes a SIP will be completed at the same point-in-time by Board staff for each of the schools considered for review.
- 2.3 Contains data requirements and required criteria to be considered.
- 2.4 Additional items that reflect local circumstances and priorities which may help to further understand the school(s) considered for review may be introduced.

## **3. Pupil Accommodation Review Committee (PARC)**

Following consideration of the Initial Staff Report and approval to proceed, but prior to the first Pupil Accommodation Review Public Meeting, the Board will establish a Pupil Accommodation Review Committee (*PARC*) that represents the school(s) under review. The *PARC* provides feedback to the Board on behalf of the affected school communities and acts as an official conduit for information shared between the Board and the school communities.

- 3.1 The members of the *PARC* will be:
  - 3.1.1 At least one parent/guardian representative from each school under review and one alternate parent/guardian, chosen by the school community; and,
  - 3.1.2 Such other persons as appointed by the Director of Education of the Board.
- 3.2 The Director of Education will appoint the Chair of the *PARC*. The Board will provide the *PARC* with Terms of Reference that describe the following:
  - 3.2.1 Mandate of the *PARC*
  - 3.2.2 Membership of the *PARC*
  - 3.2.3 Role and Responsibilities of the *PARC*
  - 3.2.4 Meetings of the *PARC*
- 3.3 A template for the Terms of Reference is set out in Appendix D.
- 3.4 The Board will invite *PARC* members from the school(s) under review to an orientation session that will describe the mandate, roles and responsibilities, and procedures of the *PARC*.

- 3.5 Board staff from various areas of responsibility, such as School Superintendents, School Principal(s), and Finance, Facilities, Transportation and Planning staff members may be assigned to act as resources to the PARC.

#### **4. Consultation with Local Municipal Governments and Community Partners**

- 4.1 Within five (5) business days of the decision of the Board of Trustees to conduct a pupil accommodation review, Board staff will provide written notice of the decision and include an invitation for a meeting to discuss and comment on the option(s) in the Initial Staff Report to the following, to be held before the Final Pupil accommodation review Public Meeting:
  - 4.1.1 Affected single and upper-tier municipalities through the Clerks' Departments (or equivalent); and,
  - 4.1.1 Community partners.
- 4.2 The affected single and upper-tier municipalities, as well as other community partners that expressed an interest prior to the pupil accommodation review, must provide their response, if any, on the recommended option(s) in the Initial Staff Report before the Final Pupil Accommodation Review Public Meeting.
- 4.3 Board staff will document their efforts to meet with the affected single and upper-tier municipalities, as well as the community partners, as described above.
- 4.4 The Board will provide advance notice of when the Final Pupil Accommodation Review Public Meeting is scheduled to take place.

#### **5. Notice to Co-Terminous School Board(s) and the Ministry of Education**

- Within five (5) business days of the Board of Trustees' decision to conduct a pupil accommodation review, Board staff will provide written notice of the decision to the following:
  - 5.1 The Directors of Education for the coterminous boards; and,
  - 5.2 The Ministry of Education, Office of the Assistant Deputy Minister of Financial Policy and Business Division, unless the Ministry of Education has informed the Board to direct such notice to a different office.

#### **6. Pupil Accommodation Review Public Meetings**

- 6.1 The Board will hold two (2) Pupil Accommodation Review Public Meetings to gather broader community feedback on the Initial Staff Report. The Board may, at its discretion, hold additional Pupil Accommodation Review Public Meetings. Board staff will facilitate the Pupil Accommodation Review Public Meetings.
- 6.2 For greater clarity, the Pupil Accommodation Review Public Meetings are not meetings of the Board of Trustees. In addition, PARC members may attend Pupil Accommodation Review Public Meetings, however, a Pupil Accommodation Review Public Meeting will continue if PARC members do not attend.
- 6.3 The Pupil Accommodation Review Public Meetings will be announced and advertised publicly by the Board through a range of communication methods.
- 6.4 First Pupil Accommodation Review Public Meeting
  - 6.4.1 The First Pupil Accommodation Review Public Meeting will be held no fewer than thirty (30) business days after the Board of Trustees' decision to conduct a Pupil Accommodation Review.
  - 6.4.2 At a minimum, the First Pupil Accommodation Review Public Meeting must include the following:
    - 6.4.2.1 An overview of the PARC orientation session;
    - 6.4.2.2 The Initial Staff Report with recommended option(s); and
    - 6.4.2.3 A presentation of the SIPs.

- 6.5 Final Pupil accommodation review Public Meeting
  - 6.5.1 The Final Pupil Accommodation Review Public Meeting will be held at least forty (40) business days from the date of the First Accommodation Review Public Meeting.

## **7. Final Staff Report with Community Consultation (Report 2)**

- 7.1 Board staff will post the Final Staff Report on the Board's website no fewer than ten (10) business days from the Final Pupil Accommodation Review Public Meeting. The Interim Staff Report will be also available to the public.
- 7.2 In addition, the Final Staff Report will be submitted to the Board of Trustees.
- 7.3 The Final Staff Report will include all information provided in the Initial Staff Report as well as the following:
  - 7.3.1 Modifications to proposed and preferred options, including proposed accommodation plans and implementation timelines, previously identified in the Initial Staff Report, if required;
  - 7.3.2 PARC feedback;
  - 7.3.3 Public feedback;
  - 7.3.4 Information and feedback obtained from municipalities and other community partners; and,
  - 7.3.5 A summary of Board staff's efforts to meet with the affected single and upper-tier municipalities, as well as other community partners that expressed an interest prior to the Pupil Accommodation Review;
- 7.4 The Final Staff Report to the Board of Trustees will be available to the public a minimum of ten (10) business days prior to a meeting of the Board of Trustees to receive public delegations.

## **8. Public Delegations to the Board of Trustees**

- 8.1 Members of the public will be given the opportunity to provide feedback on the Final Staff Report (Report 2) through public delegations to the Board of Trustees at a meeting of the Board of Trustees no fewer than ten (10) business days from the posting of the Final Staff Report (Report 2).
- 8.2 A meeting of the Board of Trustees to receive public delegations will be announced and advertised publicly by the Board through a range of communication methods and will be posted on the Board's website.

## **9. Final Staff Report with Public Delegations Addendum and Decision by the Board of Trustees (Report 3)**

- 9.1 At the conclusion of the *Pupil Accommodation Review* process, and no fewer than ten (10) business days from the public delegations, Board staff will present the Final Staff Report, including information from the public delegations and any staff response to such information, to the Board of Trustees.
- 9.2 The Board of Trustees has the discretion to approve the recommendation(s) of the Final Staff Report as presented, modify the recommendation(s) of the Final Staff Report, or to approve a different outcome.
- 9.3 The Board of Trustees will make a decision regarding the Pupil Accommodation Review.

## **10. Transition Planning**

- 10.1 The transition of students will be carried out in consultation with parents/guardians and staff. Following the decision to consolidate and/or close a school, the Board will establish a separate committee to address the transition for students and staff that will work in consultation with parents/guardians and staff.
- 10.2 Terms of Reference will be established for the Transition Planning Committee.

- 10.3 The Transition Planning Committee will determine whether a school closing ceremony is appropriate. If a school closing ceremony is recommended, the Committee will design the format and program in consultation with the Communications Department.

## **PART B: MODIFIED PUPIL ACCOMMODATION REVIEW GUIDELINESS AND PROCESSES**

In the circumstances defined within this policy the Board of Trustees may undertake a Modified Pupil Accommodation Review process.

### **1. Initial Staff Report and SIP's (Report 1)**

- 1.1 Board staff will prepare an Initial Staff Report. In addition to the components of the Initial Staff Report specified above, the Initial Staff Report will, based on the factors set out in this policy, identify the relevant factors considered and provide the rationale used to recommend the *Modified Pupil Accommodation Review* process be used for the identified school(s).
- 1.2 Board staff will also prepare SIPs for each of the schools that may be subject to the *Modified Pupil Accommodation Review*. Board staff will provide the Initial Staff Report and the SIPs to the Board of Trustees.
- 1.3 The decision to proceed with a *Modified Pupil Accommodation Review* will be at the sole discretion of the Board of Trustees. The Initial Staff Report will explain the rationale for exempting the school(s) from the standard *Pupil Accommodation Review* process, in accordance with this Policy.

### **2. Pupil Accommodation Review Committee (PARC)**

- 2.1 The formation of a PARC is not required under the *Modified Pupil Accommodation Review* process.

### **3. Notice and Consultation Requirements**

- 3.1 Following the decision of the Board of Trustees to proceed with a *Modified Pupil Accommodation Review*, the Initial Staff Report and SIPs will be made available to the public through a range of communication methods and will be posted on the Board's website.
- 3.2 Within five (5) business days of the decision of the Board of Trustees, Board staff will provide written notice of the decision and include an invitation for a meeting to discuss and comment on the option(s) in the Initial Staff Report to the following:
  - 3.2.1 Affected single and upper-tier municipalities through the Clerks' Departments (or equivalent); and,
  - 3.2.2 Community partners.
- 3.3 Within five (5) business days of the decision of the Board of Trustees, Board staff will provide written notice of the decision to:
  - 3.3.1 The Directors of Education for the Co-Terminous Boards; and,
  - 3.3.2 The Ministry of Education through the office of the Assistant Deputy Minister of the Financial Policy and Business Division, unless the Ministry of Education has informed the Board to direct such notice to a different office.
- 3.4 Municipalities and community partners who were provided with notice must provide their responses, if any, before the Pupil Accommodation Review Public Meeting (or, if more than one Pupil Accommodation Review Public Meeting is convened, prior to the Final Pupil Accommodation Review Public Meeting).



4. **Pupil Accommodation Review Public Meetings**
  - 4.1 Board staff will convene and facilitate a Pupil Accommodation Review Public Meeting no fewer than thirty (30) business days from the date on which the Board of Trustees decide to hold a Modified Pupil Accommodation Review. Board staff, at their discretion, may convene more than one Pupil Accommodation Review Public Meeting.
  - 4.2 For greater clarity, the Pupil Accommodation Review Public Meeting is not a meeting of the Board of Trustees.
  - 4.3 A Pupil Accommodation Review Public Meeting will be announced and advertised through a range of communication methods.
  - 4.4 Board staff will record feedback from the community at the Pupil Accommodation Review Public Meeting.
5. **Final Staff Report with Community Consultation (Report 2)**
  - 5.1 No fewer than ten (10) business days after the Pupil accommodation review Public Meeting, or, if more than one Pupil Accommodation Review Public Meeting is held, after the Final Pupil Accommodation Review Public Meeting, Board staff will submit the Final Staff Report to the Board of Trustees and will post the Final Staff Report on the Board's website.
  - 5.2 The Final Staff Report will include all information provided in the Initial Staff Report as well as the following:
    - 5.2.1 Modifications to the proposed and preferred options, including the proposed accommodation plans and implementation timelines in the Initial Staff Report, if required;
    - 5.2.2 Feedback from any public consultations; and
    - 5.2.3 Any relevant information obtained from municipalities and other community partners prior to and during the *Modified Pupil Accommodation Review*.
6. **Public Delegations**
  - 6.1 Members of the public will be given the opportunity to provide feedback on the Final Staff Report through public delegations to the Board of Trustees at a meeting of the Board of Trustees no fewer than ten (10) business days after the Final Staff Report is publicly posted.
  - 6.2 A meeting of the Board of Trustees to receive public delegations will be announced and advertised publicly by the Board through a range of communication methods. Delegations will be received in accordance with the Board's policy on public delegations. After the public delegations, Board staff will compile feedback from the public delegations.
7. **Final Staff Report with Public Delegations Addendum and Decision by the Board of Trustees (Report 3)**
  - 7.1 Board staff will present the Final Staff Report, which will include an addendum of compiled feedback from the public delegations to the Board of Trustees and any staff response to such feedback, no fewer than ten (10) business days from the public delegations.
  - 7.2 The final decision regarding the *Modified Pupil Accommodation Review* shall be made by the Board of Trustees. The Board of Trustees has the discretion to approve the recommendations in the Final Staff Report as presented, modify the recommendations, or approve a different outcome.
  - 7.3 A Terms of Reference will be established for the Transition Planning Committee.

## **8. Transition Planning**

- 8.1 The transition of students will be carried out in consultation with parents/guardians and staff. Following the decision to consolidate and/or close a school, the Board will establish a separate committee to address the transition for students and staff that will work in consultation with parents/guardians and staff.
- 8.2 Terms of Reference will be established for the Transition Planning Committee.
- 8.3 The Transition Planning Committee will determine whether a school closing ceremony is appropriate. If a closing ceremony is recommended, the Committee will design the format and program in consultation with the Communications Department.





## APPENDIX A

### "Standard" Pupil Accommodation Review (PAR) Flow Chart (Including Ministry Timelines) Draft v2: 10/7/15

#### Strategic Commitments

- Integration of Our Catholic Faith
- Continuous Improvement of Student Achievement
- Effective Use of Our Resources
- Engaging Our Communities

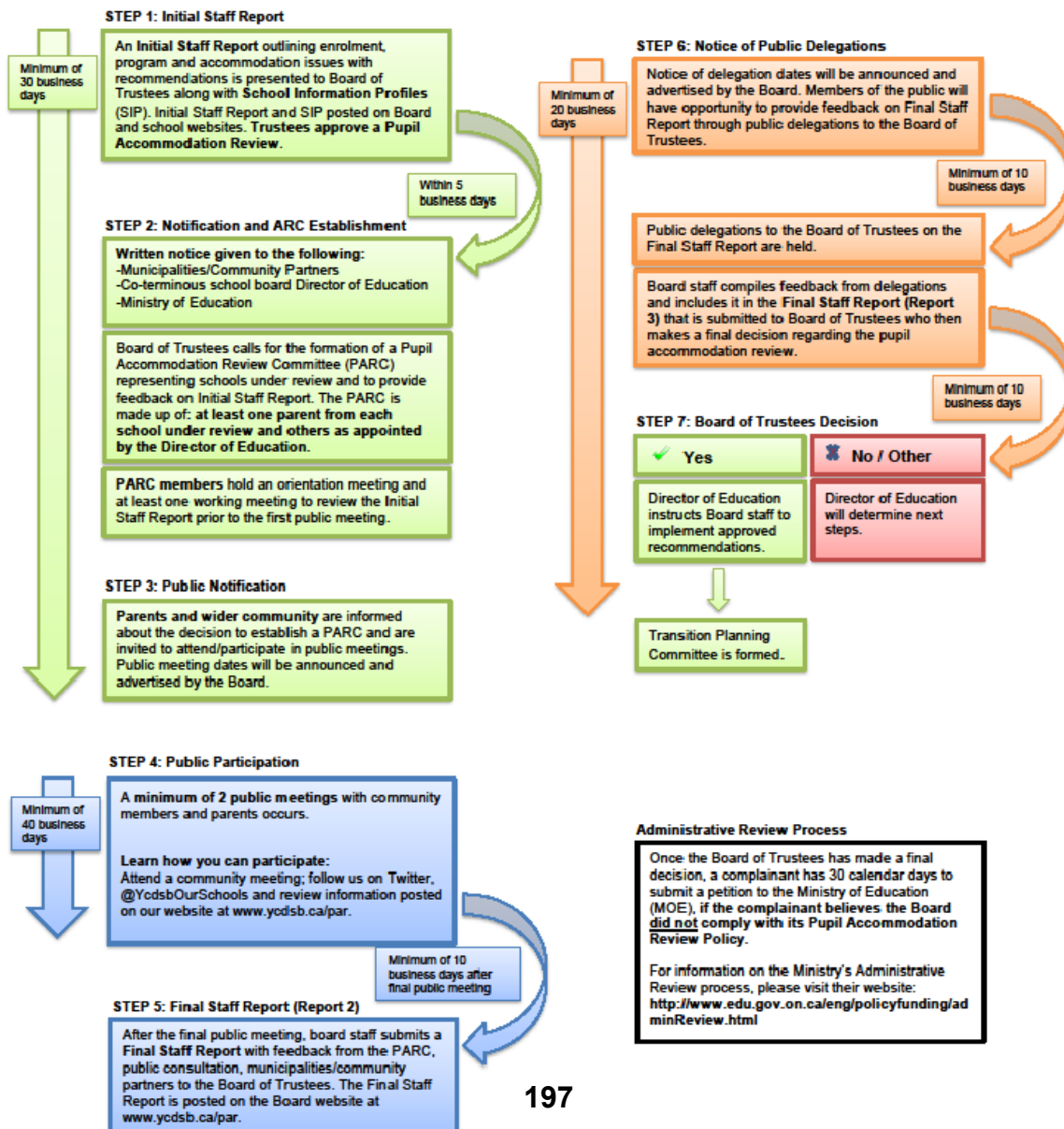
The York Catholic District School Board's (YCDSB) Multi-Year Strategic Plan 2014-2018 outlines the Board's priorities and direction for the future. There are four strategic commitments within the plan, one being the *Effective Use of Our Resources*.

Our commitment to the *Effective Use of Our Resources* was a guiding force, along with Ministry of Education expectations, in the development of the Board's Long Term Accommodation Plan (LTAP) 2015-2020. The LTAP helps the board to target and identify sustainable solutions to address enrolment and demographic trends and financial pressures while continuing to offer the high standard of program excellence that our students deserve and that our parents expect now and into the future.

There are a number of accommodation initiatives in the LTAP including Accommodation Reviews which evaluates a school or schools where accommodation issues have been identified. There are two types of accommodation reviews: "Standard" Pupil Accommodation Review (PAR) and Modified Pupil Accommodation Review (MPAR).

In its revised guideline for Pupil Accommodation Reviews (PAR), the Ministry of Education sets out a very specific process and timeline that school boards must follow when assessing its long term accommodation needs. The flow chart below explains the steps the Board must follow if a standard Pupil Accommodation Review (PAR) is approved by the Board of Trustees.

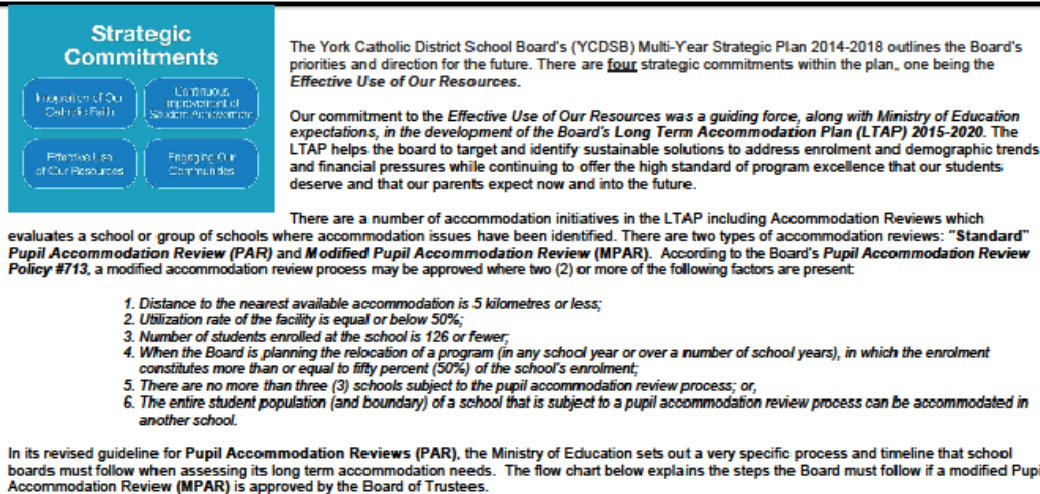
### "STANDARD" PUPIL ACCOMMODATION REVIEW (PAR) PROCESS



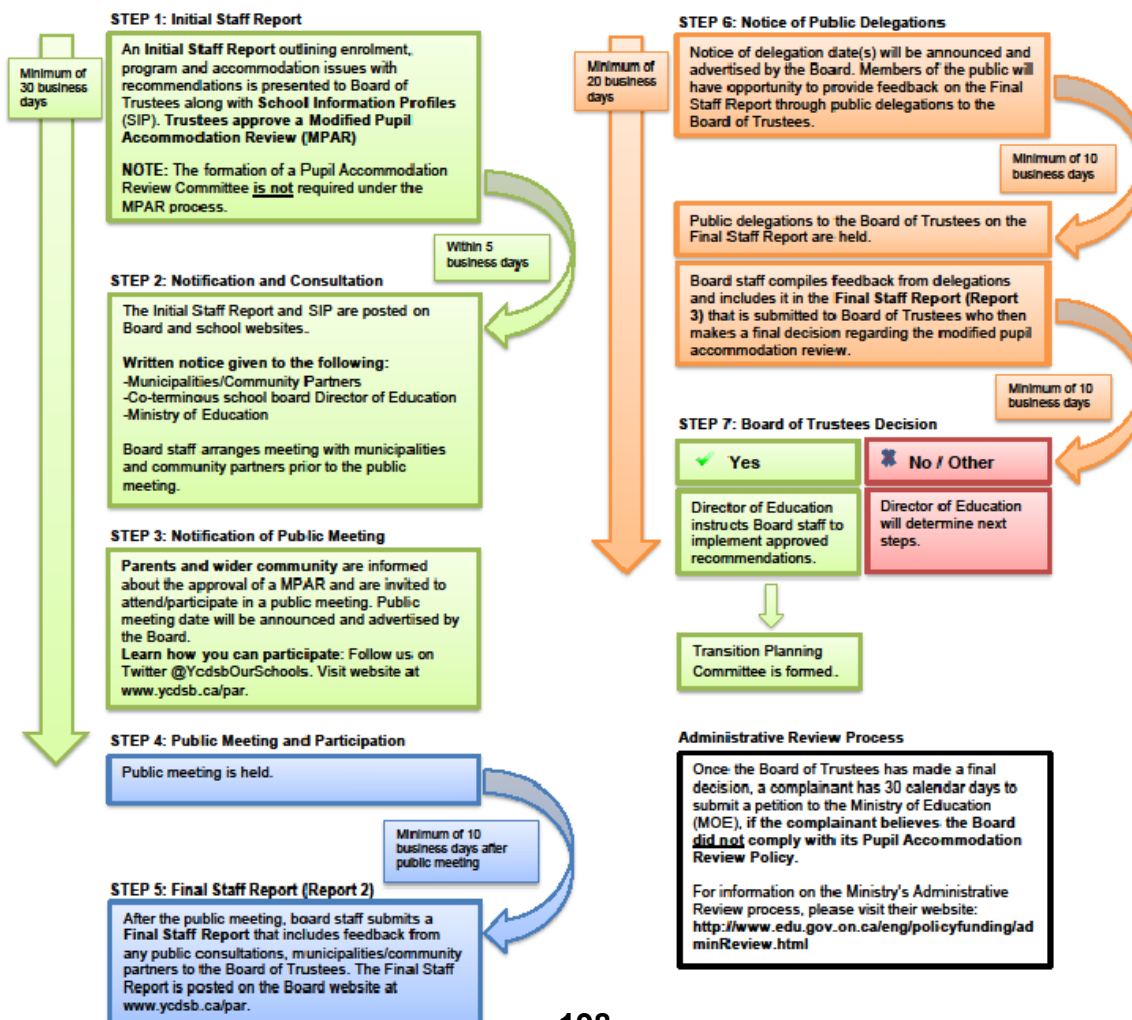


## Modified Pupil Accommodation Review (MPAR) Flow Chart

(Including Ministry Timelines) Draft v2: 10/07/15



### MODIFIED PUPIL ACCOMMODATION REVIEW (MPAR) PROCESS





## York Catholic District School Board

### Template for School Information Profile (SIP)

The following are the minimum data requirements and factors that are to be included in the SIP:

#### **Facility Profile:**

1. School name and address.
2. Site plan and floor plan(s) (or space template) of the school with the date of school construction and any subsequent additions.
3. School attendance area (boundary) map.
4. Context map (or air photo) of the school indicating the existing land uses surrounding the school.
5. Planning map of the school with zoning, Official Plan or secondary plan land use designations.
6. Size of the school site (acres or hectares).
7. Building area (square feet or square metres).
8. Number of portable classrooms.
9. Number and type of instructional rooms as well as specialized classroom teaching spaces (e.g., science lab, tech shop, gymnasium, etc.).
10. Area of hard surfaced outdoor play area and/or green space, the number of play fields, and the presence of outdoor facilities (e.g., tracks, courts for basketball, tennis, etc.).
11. Ten-year history of major facility improvements (item and cost).
12. Projected five-year facility renewal needs of school (item and cost).
13. Current Facility Condition Index (FCI) with a definition of what the index represents.
14. A measure of proximity of the students to their existing school, and the average distance to the school for students.
15. Percentage of students that are and are not eligible for transportation under the school board policy, and the length of bus ride to the school (longest, shortest, and average length of bus ride times).
16. School utility costs (totals, per square foot, and per student).
17. Number of parking spaces on site at the school, an assessment of the adequacy of parking, and bus/car access and egress.
18. Measures that the school board has identified and/or addressed for accessibility of the school for students, staff, and the public with disabilities (i.e., barrier-free).
19. On-the-ground (OTG) capacity, and surplus/shortage of pupil places.

#### **Instructional Profile:**

1. Describe the number and type of teaching staff, non-teaching staff, support staff, itinerant staff, and administrative staff at the school.
2. Describe the course and program offerings at the school.
3. Describe the specialized service offerings at the school (e.g., cooperative placements, guidance counseling, etc.).
4. Current grade configuration of the school (e.g., junior kindergarten to Grade 6, junior kindergarten to Grade 12, etc.).
5. Current grade organization of the school (e.g., number of combined grades, etc.).

6. Number of out of area students.
7. Utilization factor/classroom usage.
8. Summary of five previous years' enrolment and 10-year enrolment projection by grade and program.
9. Current extracurricular activities.

**Other School Use Profile:**

1. Current non-school programs or services resident at or co-located with the school as well as any revenue from these non-school programs or services and whether or not it is at full cost recovery.
2. Current facility partnerships as well as any revenue from the facility partnerships and whether or not it is at full cost recovery.
3. Community use of the school as well as any revenue from the community use of the school and whether or not it is at full cost recovery.
4. Availability of before and after school programs or services (e.g., child care) as well as any revenue from the before and after school programs and whether or not it is at full cost recovery.
5. Lease terms at the school as well as any revenue from the lease and whether or not it is at full cost recovery.
6. Description of the school's suitability for facility partnerships.



## York Catholic District School Board

### **Template for Terms of Reference of the Pupil Accommodation Review Committee**

#### **Background**

The Board is responsible for fostering student achievement and well-being and ensuring effective stewardship of the Board's resources. In this regard, the Board is responsible for deciding the most appropriate pupil accommodation arrangements for the delivery of elementary and secondary programs. The Board may from time to time be required to consider school consolidations and school closures by undertaking an accommodation review process that is consistent with the Board's Pupil Accommodation Review Policy and Operating Procedure. These are the terms of reference applicable to the Pupil Accommodation Review Committee ("PARC") established for the **[identify accommodation review]**.

#### **Mandate**

1. The PARC is an advisory committee established by the Board that represents the school(s) affected by a pupil accommodation review and which acts as the official conduit for information shared between the Board and the affected school communities.
2. The PARC provides feedback with respect to Staff Report(s) and the options set out therein and may also present alternative accommodation option(s), including rationale for the option(s), recognizing the principles outlined in the Background section. The overall goal of the PARC is to provide the local perspective of stakeholders impacted by the decision of the Board of Trustees, and to provide constructive feedback to the Director of Education regarding the Initial Staff Report, School Information Profile ("SIP"), options, and preferred option.
3. The final decision regarding the future of a school or a group of schools rests solely with the Board of Trustees.
4. This PARC is formed with respect to the following school(s):

**[Insert List of Schools]**

#### **Membership of the PARC**

5. The members of the PARC will be:
  - 5.1 at least one parent / guardian representative from each school under review and one alternate parent/guardian, chosen by the school community; and
  - 5.2 such other persons as appointed by the Director of the Board.
6. Board staff from various areas of responsibility, such as School Superintendents, School Principal(s), and Finance, Facilities, Transportation and Planning staff members may be assigned to act as resources to the PARC.



### **Roles and Responsibilities of the PARC Members**

7. The Chair of the PARC, appointed by the Director of Education, will facilitate the PARC process and will ensure it is consistent with the Board's Policy and Operating Procedure.
8. PARC members are expected to attend working meetings and participate in the process.
  - 8.1 PARC members are expected to attend an orientation session. At the orientation session, PARC members will learn about the mandate, roles and responsibilities and procedures of the PARC.

### **Roles and Responsibilities of Resources to the PARC.**


9. Board Staff from various areas of responsibility will assist as required with answering questions, providing clarification and will document and compile feedback for inclusion in Staff Reports.

### **Roles and Responsibilities of the PARC**

10. The PARC will be provided with copies of the Initial Staff Report and the SIPs for each school under review.
11. The PARC will review the SIP for each school under review.
  - 11.1A SIP is an orientation document with point-in-time data for each of the schools under a pupil accommodation review. The SIP is intended to help the PARC and the school community understand the context surrounding the decision to include the specific school(s) in a pupil accommodation review.
  - 11.2The PARC may request clarification with respect to information provided in the SIP.
  - 11.3It is not the role of the PARC to approve the SIP.
12. The PARC will review the information provided and accommodation options proposed in the Initial Staff Report and will seek clarification, ask questions and provide feedback as necessary.
  - 12.1 The Initial Staff Report is drafted by Board staff. It identifies accommodation issues, sets out one or more options to address accommodation issues, identifies a recommended option if more than one is proposed, and includes proposed timelines for implementation.
  - 12.2 The PARC will provide feedback with respect to the options in the Initial Staff Report prior to the first Accommodation Review Public Meeting.
  - 12.3 The PARC may provide alternative option(s) to those set out in the Initial Staff Report. The PARC must provide supporting rationale for the alternative option(s).
13. PARC members are not required to reach consensus with respect to the comments and feedback that will be provided to the Board of Trustees.
14. The comments, feedback, and any alternative option(s) will be collected and compiled by Board staff in the form of meeting notes. This information will be included in the Community Consultation Section of the Final Staff Report presented to the Board of Trustees.

### **Meetings of the PARC**

15. The PARC will hold at least three (3) working meetings (not including the orientation meeting) to discuss the pupil accommodation review. The PARC may choose to hold additional working meetings as deemed necessary within the timelines established by the Pupil Accommodation Review Policy and Operating Procedure, at the discretion of the PARC Chair.
16. At working meetings the PARC will review the materials presented to it by Board staff, may solicit input from the affected school communities, and will provide feedback to Board staff.

- 
17. PARC working meetings will be open to the public, however, the public may not participate in such meetings, unless specifically requested by the PARC to provide input from the affected school communities.
  18. PARC working meetings will be deemed to be properly constituted even if all members are not in attendance. There is no quorum required for an PARC working meeting.
  19. The PARC will be deemed to be properly constituted even if one or more members resign or do not attend working meetings of the PARC.
  20. Meeting notes of PARC working meetings will be prepared.
  21. PARC members may attend the Accommodation Review Public Meetings, held by Board staff.
  22. PARC working meeting dates will be established by the Chair in consultation with the PARC.

**[Insert Public Meeting Dates]**



**York Catholic District School Board**

**PROCEDURE:  
Transition Process for School  
Consolidation/Closure**

**Addendum to Policy 713: Pupil Accommodation Review of Schools**

**Effective: June 2016**



## PURPOSE

This procedure is designed in conjunction with YCDSB Policy 713 – *Pupil Accommodation Review of Schools* to facilitate the relocation and integration of students and staff after a pupil accommodation review decision related to a school consolidation/closure has been made by the Board of Trustees.

As per YCDSB Board Policy 713 - *Pupil Accommodation Review of Schools*, the following will apply to all transition processes for school accommodations:

*The Board shall develop and implement a transition plan following any Board decision to consolidate, close or move a school or students, or pursuant to an exemption to the Pupil Accommodation Review process.*

All schools affected by a pupil accommodation review decision for school consolidation/closure shall be represented on a transition committee under the leadership and guidance of the school Principals. Central level staff shall support the transition committee as defined in the responsibilities section of this procedure and communicate with the transition committee through the Principal.

## RATIONALE

It is important that the integration of students and staff into their new school community is achieved in a way that is positive and supportive of the respective school communities. The transition process will be conducted through consultation with parents/guardians, school staff, board staff and senior administration.

## TRANSITION COMMITTEE STRUCTURE

**Principals of the schools affected by a school consolidation or school closure shall co-chair the Transition Committee.**

1. When the Board of Trustees has made a decision for school consolidation and/or closure, Principals at **all** affected schools will select three (3) members, through a lottery process, from their school community to participate on the Transition Committee as follows:
  - i. Catholic School Council Representative
  - ii. Parent-at-large Representative\*
  - iii. Staff Representative

\* In situations where the affected school is a dual-track school (i.e.: English and French Immersion), representation on the Transition Committee should reflect both programs. In the event membership is in question, the Director of Education shall make the final decision.

2. The appropriate Superintendent of Education: School Leadership will serve as a member of the Transition Committee.

3. Area Trustee(s) may also serve as a member of the Transition Committee.
4. The meetings of the Transition Committee shall be communicated to and open to all members of the affected school communities.
5. All Transition Committee meeting minutes and/or reports of sub-committees shall be presented at the meetings of the respective Catholic School Council(s) and posted on the school's website.
6. Members of the Transition Committee will determine the need for the establishment of sub-committee(s) to accomplish specific tasks. All sub-committee work must be presented at a public meeting of the Transition Committee.
7. Board staff and senior administration will support school Principal(s) on an as needed basis to support the successful implementation of the transition process.

## **ROLES AND RESPONSIBILITIES**

### **PRINCIPAL OF THE CONSOLIDATED/CLOSED SCHOOL**

- i. To assist with the identification, gathering and cataloguing of school artifacts and memorabilia (i.e.: Religious artifacts associated with the school and/or patron saint of the school; graduate composites; school plaques; pennants; yearbooks, etc.).

### **TRANSITION COMMITTEE**

**(Comprised of the members from each of the affected schools, the Superintendent of Education: School Leadership, the Area Trustee(s) and Co-Chaired by the school Principals.)**

- i. To assist in the development and delivery of orientation activities/events throughout the transition period for students, parents/guardians and staff in consultation with the Principal(s);
- ii. To assist in the development and implementation of celebrations prior to the end of the year for closing school(s) in consultation with the Principal(s); and,
- iii. To develop a plan to honour and display the items and artifacts representative of the consolidated/closed school in the new school community.

Transition Committee discussions may also include, but are not limited to the following topics:

- i. Review current dress code procedures and develop resolutions that will support the integration of students into their new school environment;
- ii. Receive and review information related to school day organization in the new school location (i.e. entrance and dismissal times; daily routines, etc.); and,
- iii. Other topics based on specific identified needs and/or issues.

### **BOARD STAFF**

Board staff will be responsible for the following items pertaining to a school consolidation/closure:

- i. The completion of a "needs assessment" for all affected schools.
- ii. The allocation and distribution of learning and physical resources (i.e. textbooks, library

resources, consumables, information technology, physical education and outdoor play equipment, furniture, etc.); shall be in accordance with *YCDSB Policies 603A and 606 (School Fundraising and Catholic School Councils)* as follows:

1. All school assets purchased through fundraising or 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 affected schools.

1.1 First, to the affected schools; and,

1.2 Second, to other area schools.

iii. The allocation of financial resources including closure of school bank accounts, where required (i.e.: School General Account & Catholic School Council school fundraising, residual funds from hot lunch programs, etc.) shall be in accordance with *YCDSB Policies 603A, 606 (School Funds, Catholic School Councils)* as follows:

1. Any funds and assets generated through fundraising activities organized by the school or assisted by the Catholic School Council are the property of the Board.

2. In the event of a school consolidation/closure:

2.1 Any residual fundraising monies shall be proportionately distributed, based on student enrolment, to the affected schools; and,

2.2 All school assets purchased through fundraising or 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 affected schools.

2.2.1 First, to the affected schools; and,

2.2.2 Second, to other area schools.

As well as, in accordance with *YCDSB Policy 803 School Generated Funds* as follows:

1. In the event of a school consolidation/closure any residual school generated funds shall be proportionately distributed, based on student enrolment, to the affected schools.

iv. The school reorganization (i.e. staffing; out of boundary registrations);

v. The development of transition plans for students with special education needs, if required, and in consultation with parents/guardians;

vi. The relocation of central and/or community programs (i.e. Special Education; SEPHYR, Early Years, A-OK programs, etc.);

vii. The communication of revisions to transportation (i.e.: communication of new school boundaries; identification of “walkers” and “riders”);

viii. The support of child care operators throughout the transition process ensuring that child care and before and after school programs are in place and communicated to Principals and parents/guardians prior to the completion of the transition process; and,

ix. The planning for and implementation of any necessary facilities planning and/or renovation construction if applicable.

## **TRANSITION COMMITTEE TERMS OF REFERENCE**

The Transition Committee will develop and support the implementation of a transition plan for the successful integration of students, staff, parents/guardians and community partners into a new school setting or configuration.

### **MANDATE**

1. To operate within the timelines of the Board of Trustees decision for school consolidation and/or closure;
2. To fulfill the roles and responsibilities as outlined in the Board's *Transition Process for School Consolidation/Closure* document;
3. To respect the established Terms of Reference as outlined herein;
4. To convene as a committee as often as required in consultation with the Principals of each affected school and other committee members; and,
5. To design the format and program, in consultation with the Communications Department, if a closing ceremony is recommended.

### **MEETING STRUCTURE**

1. The Principals of the affected schools will be Co-Chairs of the Transition Committee.
2. The meetings of the Transition Committee shall be communicated to and open to all members of the affected school communities.
3. The agendas, minutes and/or reports of all Transition Committee and sub-committee meetings will be communicated to the respective Catholic School Councils and posted on the school's website.

### **COMMITTEE MEMBERSHIP**

Principals at **all** affected schools will select three (3) members, through a lottery process, from their school community to participate on the Transition Committee as follows:

- i. Catholic School Council Representative
- ii. Parent-at-large Representative\*
- iii. Staff Representative

\* In situations where the affected school is a dual-track school (i.e.: English and French Immersion), representation on the Transition Committee should reflect both programs. In the event membership is in question, the Director of Education shall make the final decision.

The appropriate Superintendent of Education: School Leadership will serve as a member of the Committee.

Area Trustee(s) may also serve as a member(s) of the Committee.

### **TERM OF MEMBERSHIP**

The Transition Committee will remain in effect until the new school community is formed.

### **MEETINGS**

As required through consultation with the Transition Committee membership.

**YORK CATHOLIC DISTRICT SCHOOL BOARD**

**REPORT NO. 2022:05  
YORK CATHOLIC PARENT INVOLVEMENT COMMITTEE (YCPIC)**

**To: Regular Board Meeting**

**September 27, 2022**

A York Catholic Parent Involvement Committee (YCPIC) meeting was held via Google Meet commencing at 7:00 p.m., on Monday, September 26, 2022.

**PRESENT:**

**Committee Member(s):** Kristina Costabile, Peter De Quintal, Jan De Souza, Sara Angela Figliomeni, Tony Lorini, Gabriella Marchione, Emanuela Polin-Deluca, Maria Praveen, Singai Rani Wilson, Maurizio Ruberto, Martina Saverino, Rosanna Soda, Andrea Telfer, Sarah Tjin-a-joe, Jaclyn Toma, Florence Wang

**Administration:** Domenic Scuglia, Andre Belille, Evonne Carafa  
Elementary OECTA Rep: Loredana Foti

**Trustee(s):** Jennifer Wigston

**Guest(s):** N/A

**Recording Secretary:** Silvana Greco

**REGRETS:**

**Committee Member(s):** N/A  
**Administration(s):** Anna Polisco (Secondary OECTA Rep)  
**Trustee(s):** Dino Giuliani

**Election of 2022-2023 YCPIC Officers:**

Sara Figliomeni, Chair (*Year 1 of a 2 Year Term*)  
Martina Saverino, Vice-Chair  
Andrea Telfer, Treasurer  
Maurizio Ruberto, Secretary

**1. ACTION ITEM(S):** N/A

**2. DISCUSSION/INFORMATION ITEM(S):**  
a) Approval of June 6, 2022 YCPIC Minutes  
b) Director's Report  
c) YCPIC By-Laws/Constitution

**3. FUTURE MEETING DATES:** November 28, January 30, April 24, June 5

**Sara Figliomeni, YCPIC Chair**

## **YORK CATHOLIC DISTRICT SCHOOL BOARD**

REPORT TO: Board of Trustees

FROM: Administration

DATE: September 27, 2022

RE: Capital Funding Update (POD Exemption)

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### **EXECUTIVE SUMMARY**

The purpose of this report is to provide the Board with an update on two capital projects, and to recommend that the Board consider the use of Proceeds of Disposition (POD) to fully fund the projects.

### **BACKGROUND**

Administration is pursuing two capital projects for which there is insufficient funding; St. Theresa of Lisieux CHS Cafeteria addition, and a port-a-pak at Pope Francis CES.

From time to time, unique projects ineligible for funding under existing programs have been the subject of special requests to the Minister of Education. Historically the Board has suggested the use of the Board's Proceeds of Disposition (POD) as the funding for these projects.

At this time, the Board has a pending POD request that was submitted to the Ministry in January, 2022 requesting funds to support unfunded COVID-19 costs and the CEC HVAC upgrade. It is understood that Ministry staff has completed its review of the POD request which has now been forwarded to the Minister of Education's office for consideration.

Upon receipt of a response to the current POD request, Administration proposes to submit a subsequent POD request for the St. Theresa of Lisieux CHS and Pope Francis CES projects as outlined below.

#### **St. Theresa of Lisieux CHS Cafeteria Project**

The request for a cafeteria addition at St. Theresa of Lisieux was first identified to the Ministry of Education in June 2014 with a request to use \$750,000.00 funded from POD. This request was denied in May 2015. Since that time a series of letters and submissions have been provided to the Ministry of Education requesting funding. The most recent resulted in a March 2020 approval for the 161 m<sup>2</sup> cafeteria addition of \$370,150.00.

As part of the detailed design for the project, a cost consultant's report was provided in January 2022, resulting in a revised cost estimate for the project of \$1,840,000. This represents a funding gap of approximately \$1,500,000.

An Approval To Proceed request will be submitted to the Ministry Staff, along with a letter outlining the issue of the funding gap.

### **Pope Francis CES Port-a-pak**

In May 2022, Administration provided a report detailing next steps regarding the Board's direction to acquire a port a pak for Pope Francis CES. It is estimated that the installation of a port-a-pak at Pope Francis CES, including associated site work that may be required, would cost between \$1,500,000 and \$2,500,000. A request of \$2,500,000 is proposed for the project in a POD request along with St. Theresa of Lisieux CHS.

### **SUMMARY**

As directed by the Board, Administration is pursuing two capital projects for which there is insufficient funding available. A request to the Minister of Education to use Proceeds of Disposition for these two projects is proposed by Administration once receipt on the previous POD request is received. Further updates will be brought to the Board as new information becomes available.

### **RECOMMENDATION**

**THAT** The Board submit a letter to the Minister of Education requesting a Minister's exemption in order to use Proceeds of Disposition to fund the St. Theresa of Lisieux cafeteria and Pope Francis Port-a-pak projects.

---

Prepared By:	Adam McDonald, Assistant Manager of Planning Services
Submitted By:	Tom Pechkovsky, Coordinating Manager of Planning & Operations
Endorsed By:	Domenic Scuglia, Director of Education & Secretary of the Board
Endorsed By:	Eugene Pivato, Associate Director

**YORK CATHOLIC DISTRICT SCHOOL BOARD**  
**SPECIAL EDUCATION ADVISORY COMMITTEE**  
**REPORT NO. 2022: 08**

**To: Regular Board Meeting**

**September 27, 2022**

A meeting of the Special Education Advisory Committee was held on **September 19, 2022** in a hybrid format via Google Meet and at CEC, 320 Bloomington Rd. W. at 7:00 p.m.

**PRESENT:**

Committee Members:	J. Gamboa, S. Gatti, M. Iafrate, N. Lai, D. Legris, J. Man, E. Morgillo, J. Wigston (in person), N. Welch
Association Representatives:	J. Akleh (in person), F. Di Marco (in person), M. Marcello, C. Sandig (in person),
Administration:	A. Cabraja, D. Candido (in person), L. Lausic , E. Miceli-Bush
Regrets:	D. Giuliani
Recording	C. Mong
Guests:	L. Ianes, <i>Secondary Consultant, YCDSB</i>

**1. ACTION ITEM(S):**

**2. CORRESPONDENCE:**

- UCDSB: PPM81

**3. PRESENTATIONS/DISCUSSIONS/INFORMATION:**

- Welcome to new members
- Planning of SEAC presenters for 2022-2023
- SEAC Newsletter
- SEAC Goals
- Student Services Update

**4. ASSOCIATION REPORTS:**

- Community Living York South: [E Connector](#)
- Easter Seals: [Celebrating 100 years](#)
- EIS: Hybrid services continue please visit EIS [website](#) for more information

**5. ITEMS FOR FUTURE AGENDA:**

- Student Services Summer programs recap
- Review SEAC Newsletter

**6. NEXT MEETING:** October 17, 2022

J. WIGSTON, CHAIR, SEAC

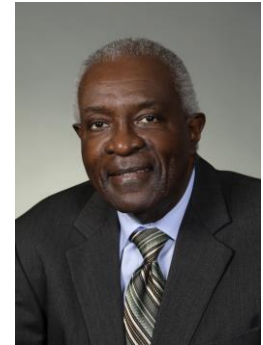




# York Catholic District School Board

Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L4G 0M1  
Tel: 905-713-1211, 416-221-5051, 1-800-363-2711, Voice Mail Box: 17133  
Fax: 905-713-1272 • www.ycdsb.ca

August 24, 2022



## Protecting and Preserving our Catholic Faith and the Symbol of our Faith

- Whereas** our Catholic Faith, including the symbols of our Faith, is under relentless attack both from within and without York Catholic District School Board (YCDSB);
- Whereas** the Cross is the most important symbol of our Faith;
- Whereas** Jesus suffered and died for us on the Cross;
- Whereas** His should be the only memory associated with the Cross.

### LET IT BE RESOLVED

**THAT** whenever and wherever the Cross is used in the YCDSB, including prayer, and religious instruction, that the Cross be bare and devoid of any other symbols;

**THAT** this Motion be a perpetual and enduring prayer, asking God to punish any and all persons, who offend the image and memory of Christ, by deliberately displaying other images alongside or in conjunction with the Cross.

Respectfully submitted,

Frank Alexander  
Trustee  
Markham: Area 2: Wards 4, 5, 7, 8

Reference No. 2022:07:0824:FA



# York Catholic District School Board

Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L4G 0M1  
Tel: 905-713-1211, 416-221-5051, 1-800-363-2711, Voice Mail Box: 17123  
Fax: 905-713-1272 • www.ycdsb.ca

August 24, 2022

## CREATION OF A STREAM CENTRE

- Whereas** the York Catholic District School Board has recognized “the need to provide students with the technology and the innovative learning they require to support and develop their 21<sup>st</sup>. Century Skills”;
- Whereas** development of 21<sup>st</sup>. Century Skills requires equitable access to 21<sup>st</sup>. Century learning opportunities for all students regardless where they live;
- Whereas** the absence of STREAM Centre in the Northern part of our Board makes accessibility to 21<sup>st</sup>. Century learning difficult and onerous for students in these communities;
- Whereas** the absence of such a Centre in Northern area of our Board, shows the inequities within York Catholic District School Board;
- Whereas** the York Catholic District School Board’s Core Values call for inequities to be addressed.

### LET IT BE RESOLVED:

**THAT** a STREAM Centre be established for the new Catholic Elementary School in Queensville (East Gwillimbury).

Respectfully submitted,  
Theresa McNicol

Reference No. 2022:08:0824:TM



# Tutoring Supports at YCDSB

Continuing Education

# TUTORING SUPPORTS

## What are Tutoring Supports?

As part of the Province's efforts to support learning recovery and renewal, new funding (2.2 million) was allocated to YCDSB. This funding was to be spent by August 31st, 2022. The funding supported individual or small tutoring groups for Kindergarten to Grade 12. The tutoring supported "at risk" students in **literacy, mathematics and other foundational learning skills.**

## How were students identified?

During the school year, school staff, along with parents/guardians, identified students who would benefit from tutoring supports.

During the month of July, parents/guardians registered their child for programming through Continuing Education.

# TUTORING SUPPORTS

## Who were the tutors?

- 1,101 tutors hired between April - July 2022
- Tutors included teachers, administrators, early childhood educators, educational assistants, support staff, post-secondary and secondary students.

## When did tutoring take place?

- During the school year, tutoring occurred during the instructional day and after school.
- From July 4 -29, 2022 students participated in programs focused on literacy, numeracy and other skills.

## Who participated?

- 4644 Elementary Students
- 2,958 Secondary Students

## What was the average group size?

- Grades K-8 - 5.3 students
- Grades 9-12 -13.5 students



## Feedback

“My child was engaged and learned lessons she hadn't during the school year. It was the right combination of new learning and a refresher of previously taught concepts.” **Parent - Leap Ahead**

“This program was so well done. The fact that my children thoroughly enjoyed going to summer school says it all! They retained what they learned, helping them for the next grade and the teachers were all so fabulous and made learning fun.” **Parent - Leap Ahead**

“Students were provided more time to understand the concept and I was able to target and respond to their needs. The small group setting helped me to focus in on their gaps and keep them engaged throughout the hour.” **Teacher**

# YCDSB TUTORING SUPPORTS OVERVIEW



## YCDSB TUTORING PROGRAMS

### SPRING - SUMMER 2022

**THE YORK CATHOLIC DISTRICT SCHOOL BOARD RECEIVED \$2.2 MILLION FROM THE ONTARIO MINISTRY OF EDUCATION TO SUPPORT LEARNING RECOVERY.**

**THIS PROJECT FUNDING WAS UTILIZED FROM APRIL - AUGUST 31, 2022 TO PROVIDE SMALL GROUP TUTORING SUPPORT FOR STUDENTS IN KINDERGARTEN TO GRADE 12.**

**STUDENTS WERE IDENTIFIED THROUGH PARENTS/GUARDIANS AND SCHOOL STAFF.**

**TUTORING PROGRAMS ALIGNED WITH THE ONTARIO CURRICULUM AND WERE AN EXTENSION OF SUPPORT FROM WHAT THE STUDENT WAS LEARNING DURING THE INSTRUCTIONAL DAY.**

## 1101 Tutors Hired

Tutors included teachers, administrators, early childhood educators, educational assistants, support staff, post-secondary and secondary students.

## 4,644 Elementary Students & 2,958 Secondary Students

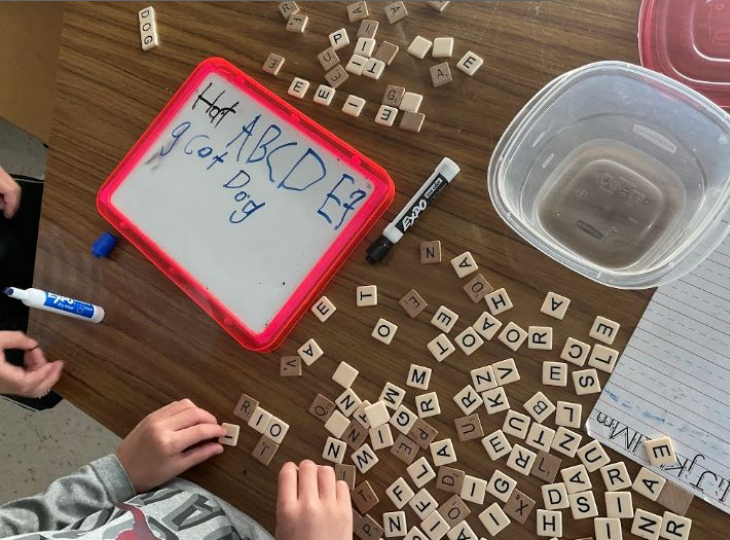
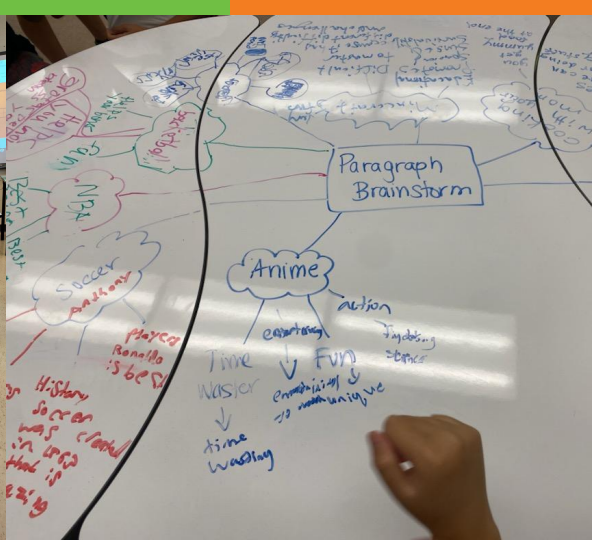
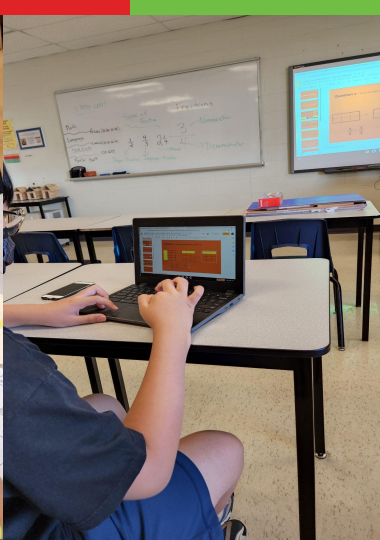
Received tutoring support in literacy, numeracy, and other foundational skills.

**AVERAGE GROUP SIZE  
ELEMENTARY - 5.3 STUDENTS  
SECONDARY 13.5 STUDENTS**

**THE TUTORING SESSIONS TOOK PLACE DURING THE INSTRUCTIONAL DAY, AFTER SCHOOL, IN THE EVENINGS AND DURING THE MONTH OF JULY.**









# NEXT STEPS

- Complete and submit Ministry of Education Final Report (October 21st)
- Highlight Spring/ Summer Successes to all stakeholders through Infographic.
- Tutoring Supports TPA to be released in the coming days
- A plan for fall Tutoring, based on the spring/summer model, will be released shortly thereafter.



## York Catholic District School Board

**Report To:** Board of Trustees  
**From:** Administration  
**Date:** ~~August 30, 2022~~ September 27, 2022  
**Report:** STREAM Centres of Excellence Report

### EXECUTIVE SUMMARY:

This report was developed as an information update for Trustees to provide a summary of the usage of the STREAM Centres of Excellence upon them becoming operational and accessible to our schools in April 2022.

### BACKGROUND INFORMATION:

After the grand opening of the STREAM Centres of Excellence on March 31, 2022, the last three months of school (i.e., April, May, and June) were devoted to successfully meeting the objective of providing a STREAM session to all 85 of our elementary schools. Each STREAM session entailed a full-day experience for any school physically visiting a STREAM Centre (one school per visit). In total, **130** face-to-face visits were facilitated, with some of our schools with larger student populations getting the opportunity to attend more than once. Furthermore, **20** remote sessions were also made available to students enrolled in all of our remote hub schools.

Across both the face-to-face and remote STREAM Centre sessions, primary classes accounted for **24%** of bookings, junior classes accounted for **46%** of bookings and intermediate classes accounted for **30%** of bookings. While all remote classes participated in a continuum of coding workshops, classes that booked face-to-face visits to the STREAM Centres were given six workshop offerings to choose from. The table to the right indicates the number of bookings for each thematic workshop offered.

Thematic Workshop Offerings	Bookings
Designing A Clean Machine (Primary)	14
Designing A Balanced Community (Primary)	7
Designing A Playground (Junior)	22
Designing A Remote Transportation Device (Junior)	45
Designing A Motor Vehicle (Intermediate)	36
Designing A Scanning Machine (Intermediate)	6

In terms of next steps for the upcoming school year, they include the following:

- Continuing to expand upon the workshop offerings available at the STREAM Centres (e.g., one of the new workshops will address virtual reality).
- With all six STREAM Centres becoming operational across the span of a full school year, our elementary schools will now have the opportunity to visit a STREAM Centre multiple times; allowing us to fulfill the high demand of booking requests that we have received upon launching this initiative.
- Building on the momentum already achieved at the elementary level, piloting at the secondary level will commence.

Prepared by: Marisa Benakis, STREAM Consultant  
Reviewed & Submitted by: Anthony Arcadi, Superintendent of Curriculum & Assessment  
Endorsed by: Eugene Pivato, Associate Director  
Domenic Scuglia, Director of Education

## YORK CATHOLIC DISTRICT SCHOOL BOARD

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**REPORTED TO:** Board of Trustees

**FROM:** Administration

**Date:** ~~August 30, 2022~~ September 27, 2022

**RE:** **YCDSB Continuing Education Summer Programs**

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### OVERVIEW OF SUMMER PROGRAMS 2022

The Continuing Education Department offered elementary and secondary programs for YCDSB students this summer. With the ministry's financial tutoring grant support, students were able to receive remediation in literacy, numeracy and other foundational skills. Instructors and teachers were hired to teach programs.

The following table provides a general summary of the elementary summer programming.

## Elementary Summer Learning Program 2022

Program Name	Program Focus	Location	Student Registrations	Dates	Time	Staffing
<b>International Languages</b>  <b>JK-8</b>	-Cantonese -Cantonese Conversation -Korean -Mandarin -Mandarin Conversation -Italian -Portuguese -Spanish -Polish	Remote	1277	July 4-29	9:30 am- 12:00 pm  12:30 pm - 3:00 pm	1 Supervisor 87 Instructors

	<div>-Romanian -Russian -Tamil -Urdu -Gujarati</div>																					
<div>Leap Ahead JK -5</div>	<div>Tutoring program focused on literacy, numeracy and other foundational skills.</div>	<div>Remote</div>	<div>318</div>	<div>July 4- 29</div>	<div>9:00 am - 12:00 pm</div>	<div>1 Supervisor  18 Lead Teachers  112 Teachers/Instructors  4 Secretaries  38 EAs  14 Student Mentors</div>																
		<table><tr><td>Prince of Peace</td></tr><tr><td>St. Nicholas</td></tr><tr><td>St Jerome</td></tr><tr><td>St. Brigid</td></tr><tr><td>St. Joseph Markham</td></tr><tr><td>San Lorenzo</td></tr><tr><td>St. Marguerite D'Youville</td></tr><tr><td>Father John Kelly</td></tr></table>	Prince of Peace	St. Nicholas	St Jerome	St. Brigid	St. Joseph Markham	San Lorenzo	St. Marguerite D'Youville	Father John Kelly	<table><tr><td>53</td></tr><tr><td>69</td></tr><tr><td>54</td></tr><tr><td>70</td></tr><tr><td>101</td></tr><tr><td>120</td></tr><tr><td>74</td></tr><tr><td>48</td></tr></table>	53	69	54	70	101	120	74	48	<div>July 4- 29</div>	<div>9:00 am - 12:00 pm</div>	
Prince of Peace																						
St. Nicholas																						
St Jerome																						
St. Brigid																						
St. Joseph Markham																						
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120																						
74																						
48																						

		<div>St. Veronica</div> <div>St. Padre Pio</div> <div>St. Cecilia</div>	<div>153</div> <div>174</div> <div>122</div> <div>Total:1038</div>			
<b>Akoma Gr. 4-8</b>	Africentric Kickstart Opportunity for Meaningful Affirmation	St Brother Andre	51	July 6-29	8:45 am - 2:45 pm	2 EAs 1 Supervisor 3 Teachers 8 Students 1 Instructor
<b>Sirius Stars Gr. 4-6</b>	CODE Camp Sirius STARS - Skills, Technology, Application, Remedial Support	<div>Father Bressani</div> <div>St. Brother Andre</div> <div>St. Elizbeth</div> <div>St.Maximillian Kolbe</div> <div>St. Theresa of Lisieux</div>	<div>40</div> <div>58</div> <div>41</div> <div>39</div> <div>36</div> <div>Total:214</div>	July 4- July 22	8:45 am - 2:45 pm	2 Supervisors 11 Teachers 6 Robotic Mentors
<b>Reading Readiness/ Junior Readers Gr. 1-5</b>	Literacy enrichment	Remote	46	July 4-29	9:30 am -12:00 pm	1 Lead Teacher 10 Teachers/ Instructors
<b>Fun with Math/ Math Booster Gr. 1-5</b>	Numeracy enrichment	Remote	45	July 4-29	9:30 am - 12:00 pm	1 Lead Teacher 12 Teachers / Instructors

Techno / Coding Programs SK - Gr. 8	Technology/coding programs	Remote	63	July 4- 29	12:30 pm - 3:00 pm	1 Lead Teacher 13 Teachers/ Instructors
French JK- 8	French Conversation/ French Conversation Advanced French Immersion	Remote	174	July 4-29	9:30 -12:00 pm 12:30 - 3:00 pm	1 Lead Teacher 13 Teachers/ Instructors
Kick Start Junior Gr. 6,7,8	Literacy, numeracy, student well-being, personal skills and technology-enabled learning.			July 4-27	8:45am - 2:45 pm	2 Lead Teachers 18 Teachers 3 Supply Staff
		Father Bressani	43			
		St. Brother Andre	60			
		St. Elizabeth	34			
		St. Maximillian Kolbe	21			
		St. Theresa of Lisieux	52			
			Total:210			
Splice Gr. 6,7	STEM maker projects and skills development.	Remote	82	July 4- 29	9:00 am - 12:00 pm	1 Lead Teacher 6 Teachers
Total Elementary Students:			3,561	Total Number of Staff:		391

# Secondary Summer Learning Program 2022

Summer Credit	Total Enrolment	Drops	Courses	Classes	Average Class Size
In-Person	1867	150	3	80	23
Virtual/Remote	3325	450	43	142	23
Elearn	3665	735	40	155	24
Co-op	288	50	35	95	3
Credit Recovery	399	50	41	53	7
<b>Total</b>	<b>11996</b>	<b>1435</b>	162	525	16
<b>Total Enrolment after drops</b>	<b>10,561</b>				

## Secondary Summer Staffing 2022

<b>Credit Recovery - Enrolment: 399</b>		<b>Kick Start - Enrolment: 1867</b>	
Session 1 -18 Teachers Session 2 - 13 Teachers		80 Teachers 83 Secondary Students - Student Mentors/Tutors 18 Educational Assistants	
<b>SHSM Co-op - Enrolment: 288</b>		14 teachers	
<b>Dual Credits - Enrolment: 8</b>		1 teachers	
<b>Focus on Youth Program - Enrolment: 15</b>		<ul style="list-style-type: none"> <li>Students were assigned to a Co-op</li> <li>Pre-arranged placements @ <a href="#">Toronto Athletic Camps</a></li> </ul>	
<b>eLearn Program</b>		<b>Virtual School</b>	
<b>Session 1</b>	<b>58 Teachers</b>	<b>Session: July 4 - 27/22</b>	<b>119 Teachers</b>
<b>Session 2</b>	<b>55 Teachers</b>	<b>Con Ed Secondary Office Staff</b>	
<b>Session 3</b>	<b>25 Teachers</b>	<b>Admin Assistant</b>	<b>1</b>
<b>Program Support Team</b>		<b>Student eLearn Clerks</b>	<b>3</b>
<b>Secretaries</b>	<b>6</b>	<b>IT</b>	<b>3</b>
<b>Guidance Teachers</b>	<b>3</b>	<b>TELTS</b>	<b>5</b>
<b>Administration</b>	<b>16</b>		



<b>Special Education Teachers</b>	<b>8</b>
<b>Supply Teachers</b>	<b>8</b>



# OCTOBER 2022

## TRUSTEE SERVICES

Month of the Holy Rosary



Monthly Virtue: Compassion

### November 2022

Nov 1—All Saints Day  
 Nov 2—All Souls Day  
 Nov 2—Take Our Kids to Work Day  
 Nov 8—Audit Committee 5pm  
 Nov 8—Special Board Mtg 6:30 pm  
 Nov 9—Director's Council  
 Nov 11—Remembrance Day  
 Nov 14—SEAC 7pm  
 Nov 18—PA Day—E/S  
 Nov 21—Inaugural Mass 6:30 pm  
 Nov 21—Inaugural Board Meeting 7:30 pm  
 Nov 22—Executive 3pm (Public)  
 Nov 22—Executive 4pm (Private)  
 Nov 28—YCPIC 7pm  
 Nov 29—Committee of the Whole 6:30 pm  
 Nov 29—Regular Board 7:30 pm

### December 2022

Dec 5—Student Success /Pathways 6:30pm  
 Dec 6—Corporate Services Private 6:30pm  
 Dec 6—Corporate Services Public 7:30pm  
 Dec 7—Directors Council  
 Dec 12—SEAC 7pm  
 Dec 13—Executive 3pm  
 Dec 14—HRC 5pm  
 Dec 20—Committee of the Whole 6:30 pm  
 Dec 20—Regular Board 7:30 pm  
 Dec 26 to Jan 6 —Christmas Holidays

SUN.	MON.	TUES.	WED.	THURS.	FRI.	SAT.
						1
2	3 <b>Y C D S B</b>	4 <b>S A F E T Y</b>	5 <b>A W A R E N E S S</b>	6 <b>W E E K</b>	7	8
9	10 	11	12 Directors Council	13	14	15
16	17 7 pm SEAC	18 3pm Executive (Public) 6:30pm Corporate Services—Private 7:30pm Corporate Services—Public	19 5pm HRC	20 4pm Joint Board	21 PA Day—E/S	22
23	24 Municipal Elections 6:30pm Student Success & Pathways	25 6:30pm CTW 7:30pm Regular Board	26	27	28	29
30	31 					

## **YORK CATHOLIC DISTRICT SCHOOL BOARD**

REPORT TO: Board of Trustees

FROM: Administration

DATE: September 27, 2022

RE: Promenade Centre Secondary Plan

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### **EXECUTIVE SUMMARY**

Planning is underway for the development of the Promenade Centre Secondary Plan within the City of Vaughan. The Promenade Centre Secondary Plan area is bound by Centre Street to the north, Bathurst Street to the east, Clark Avenue West to the south and New Westminster Drive to the west, as outlined on Map 1. St. Elizabeth CHS is located within the secondary plan area.

Included in this report is an overview of the secondary plan including proposed land use designations, residential unit forecasts and timing.

A school site designation in the Promenade Centre Secondary Plan is not required.

### **BACKGROUND**

In May, 2019 the City of Vaughan initiated the development of the Promenade Centre Secondary Plan to establish the policy framework to guide future development of a mixed-use, transit supportive community in Promenade Centre. The secondary plan area is bound by Centre Street to the north, Bathurst Street to the east, Clark Avenue West to the south and New Westminster Drive to the west, as outlined on Map 1 and is approximately 46 hectares in total area.

Promenade Centre, which includes the existing Promenade Mall and surrounding land uses, is identified as a required secondary plan area within Schedule 14-A of the Vaughan Official Plan, 2010. Lands within Promenade Centre are currently designated primarily as “High-Rise Mixed-Use,” with a small area designated as “Parks.”

The proposed secondary plan divides Promenade Centre into a number of Precincts. St. Elizabeth CHS is located within the proposed Community Hub Precinct, consisting of the existing public services that contribute to its overall function as a Community Hub. The lands that include St. Elizabeth CHS are identified as “Low-Rise Mixed-Use” which permits a school use. The existing playing fields are designated as “Park.”

The Promenade Centre Secondary Plan is currently being circulated for final review and is proposed to proceed to the September 2022 Council meeting for adoption.

### **UNIT SUMMARY**

The table below summarizes the unit estimates included in the block plan report for the Promenade Centre Secondary Plan area.

<b>Secondary Plan Area</b>	<b>Single Family</b>	<b>Semi Detached</b>	<b>Town-house</b>	<b>Apartment</b>	<b>Total</b>
Promenade	0	0	0	8,154	8,154

*Source: Promenade Centre Secondary Plan June 2022*

## **TIMING**

City staff have stated that the ultimate build out of these lands will be over a 20-30 year period. Despite the long-term horizon for build out, site specific applications within the secondary plan area have been submitted to the City of Vaughan and will proceed subject to the City's development approval process.

## **PUPIL YIELD**

The cumulative pupil yield from the Block Plan area identifies a projected enrolment of approximately 200-250 elementary students and an estimated 50-75 secondary students at full build out of the secondary plan area. Projected enrolment from the Promenade are included in the Board's most recent enrolment projections, and are updated annually as new information becomes available.

## **ACCOMMODATION**

### **Elementary**

The Promenade Centre Secondary Plan is within the boundary of St. Joseph the Worker CES. As of October 2021, enrolment at the school was 449, and was operating at 97% utilization. Enrolment projections indicate a gradual decline in enrolment at the school over the long term. In addition to St. Joseph the Worker, other schools in the Thornhill community are anticipated to have capacity to accommodate additional students if necessary.

### **Secondary**

Secondary students in this area are currently served by St. Elizabeth CHS. As of October 2021, enrolment at the school was 1,260 (88% utilization, not including portables or the port-a-pak). Enrolment at St. Elizabeth is anticipated to continue operating under its capacity over the long-term.

## **ANALYSIS**

As was reported to the Board in February 2022 as part of the Semi Annual Development Report, a school site designation within the Promenade Centre Secondary Plan is not required. The Board has sufficient capacity to accommodate future students anticipated from the secondary plan area.

The proposed land use designations recognize St. Elizabeth as a permitted use within the "Low-Rise Mixed Use" designation and identifies the existing playing fields to the south of the school site as "Park." Areas immediately to the east of St. Elizabeth are designated as "Park" and "Natural Area," maintaining an existing buffer between the school and the High-Rise Residential and Mixed-Use areas of the secondary plan.

## SUMMARY

The Promenade Centre Secondary Plan is currently being circulated for final review and is proposed to proceed to the September, 2022 City of Vaughan Council meeting for adoption. Given the units proposed, anticipated pupil yield and availability of existing schools to accommodate the future growth from this area, a school site designation is not required.

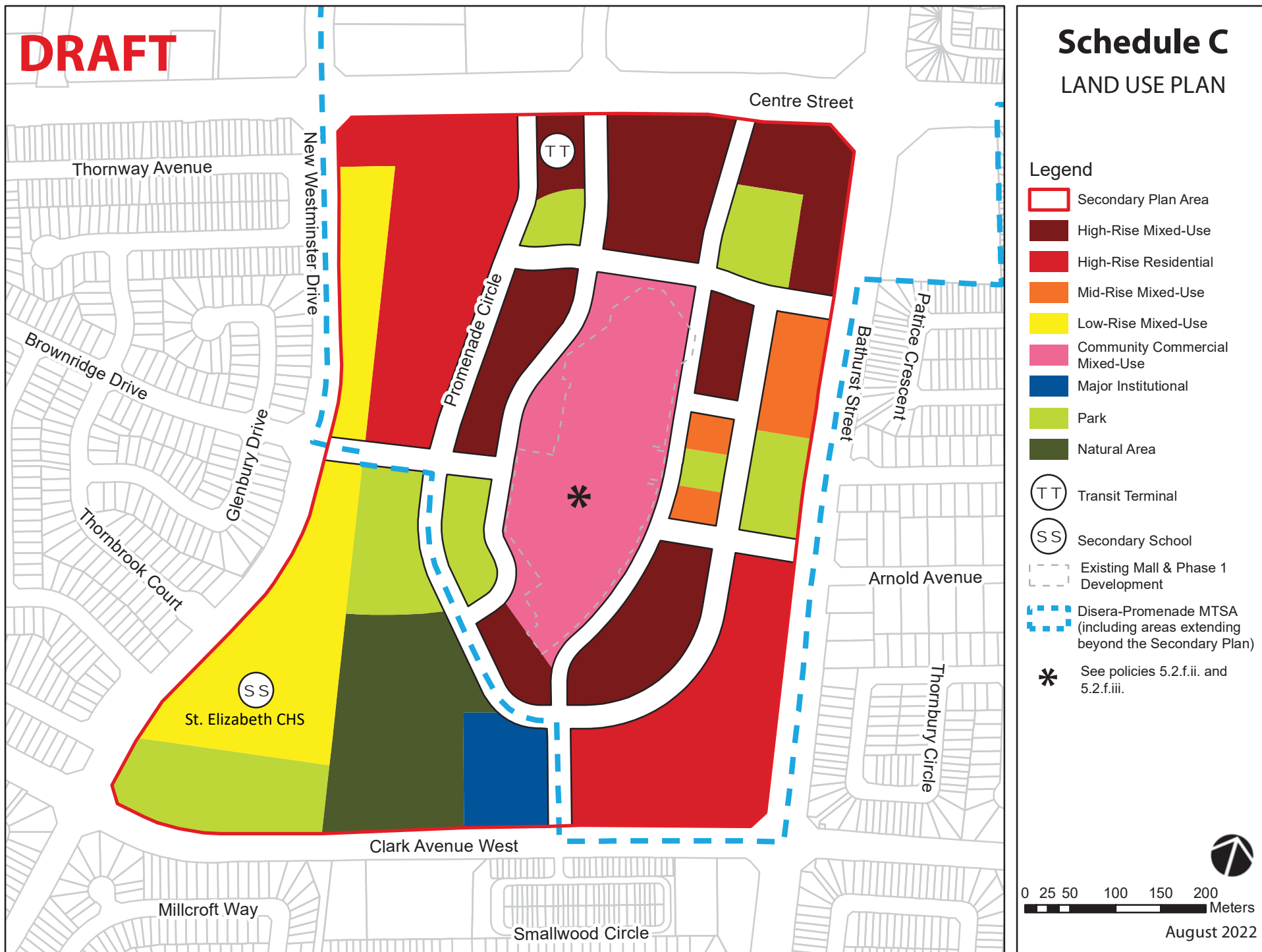
## APPENDICES

### [Map 1 – Promenade Centre Secondary Plan Land Use Plan](#)

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Prepared By:	Karyn McAlpine-Tran, Senior Planner
Submitted By:	Tom Pechkovsky, Coordinating Manager of Planning & Operations
Endorsed By:	Domenic Scuglia, Director of Education & Secretary of the Board
Endorsed By:	Eugene Pivato, Associate Director

Map 1: Promenade Centre Secondary Plan - Land Use Plan



## YORK CATHOLIC DISTRICT SCHOOL BOARD

REPORT TO: Board of Trustees  
York Catholic Parent Involvement Committee

FROM: Administration

DATE: September 27, 2022

RE: Backpacks for Ukraine Students.

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### EXECUTIVE SUMMARY

The purpose of this report is to inform the Board of Trustees and the York Catholic Parent Involvement Committee (YCPIC) of how YCDSB Administration utilized the transferred funds to support Ukraine families.

### BACKGROUND

On June 6, 2022, YCPIC discussed the transfer of remaining funds of \$8,477 from YCPIC to the Board, to support Ukrainian families. The following motion was passed unanimously.

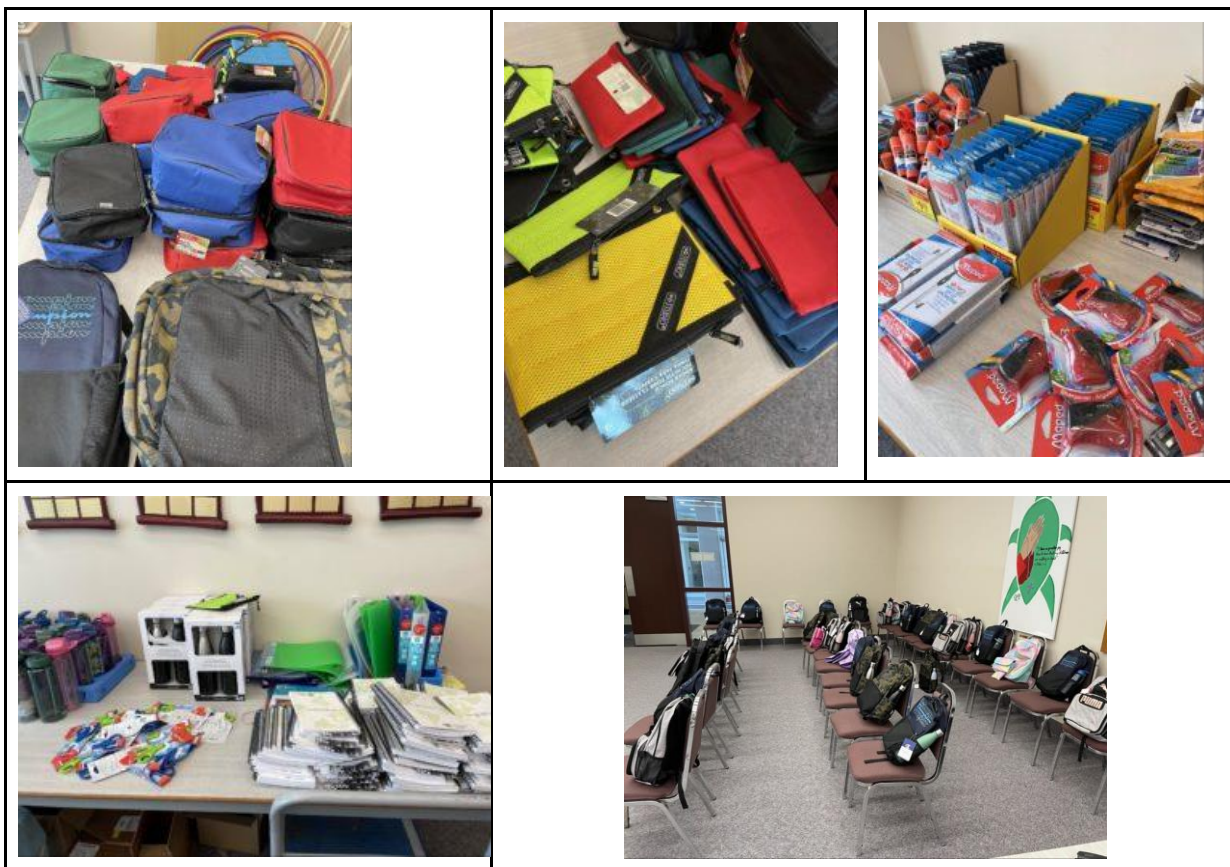
***THAT the remaining YCPIC funds of \$8,477 be transferred to the Board for Administration to determine how to best engage the Ukraine families so that their children can experience a gentle transition into the YCDSB school system.***

### BACKPACKS

To assist in a gentle transition to the YCDSB school system the decision was made to provide welcome backpacks to the students identified from Ukraine. Coordinated by Iolanda Faraone (Principal International and Continuing Education Programs) with assistance from Christina DiGianni (Marketing Assistant International Education) and Antonella Rubino (Retired YCDSB Principal), backpacks and school supplies were prepared for approximately 109 students.

Each backpack was grade and gender specific as they included such things as water bottles, lunch bags, pencils, erasers, glue sticks, scissors, pencil crayons (grades 2-12), crayons (JK-grade 1), highlighters (grades 7-12), pens (gr 7-12), protractor sets (gr 4-6), scientific calculators (gr 7-12), an International Education touque, an International Education spiral lined book, a "Welcome" letter from the Director of Education (Appendix A) and in Ukrainian. The backpacks were labeled per student and distributed with the assistance of school principals. As new students arrive, principals have been asked to notify Mrs. Faraone, for additional backpacks.

As of September 14, 2022, a total of \$5,486 had been spent from the original allocation providing backpacks to over 109 students in 42 schools.



## NEXT STEPS

The number of Ukrainian students entering the YCDSB continues to increase. Given the outstanding balance available, suggestions have been made for an additional initiative at Christmas likely in the form of hats and gloves, etc, however a specific plan will be generated closer to the Christmas break with updated enrolment numbers.

## SUMMARY

With the generous support from YCPIC, students arriving from the Ukraine have received a small welcoming gift with some supplies to ease their transition into the YCDSB. The initiative was coordinated through the office of International Language, and sincere thanks and gratitude go out to the York Catholic Parent Involvement Committee, Ms. Faraone, Ms. DiGianni and Ms. Rubino.

As new students enter the system, additional backpacks are being prepared, prior to Christmas the situation will be reviewed for possible actions, or gifts.

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Prepared and Submitted By: Tom Pechkovsky, Coordinating Manager of Planning & Operations  
 Endorsed By: Domenic Scuglia, Director of Education



## Appendix A - Welcome Letter



### York Catholic District School Board

Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L6G 0M1  
Tel: 905-713-1211, 416-221-5051, 1-800-383-2711  
Fax: 905-713-1272 • [www.ycdsb.ca](http://www.ycdsb.ca)

September 2022

To Our New Students Who Are Joining Us From Ukraine:

I warmly welcome you to the York Catholic District School Board! Our school community hopes this special package makes you feel welcome and a little more at home while you are learning in Canada.

As a family of faith, York Catholic District School Board is happy to be joined by a number of students who are leaving the fighting that continues to afflict Ukraine. It is our Gospel mission to welcome others with love, and so please know that you are now a member of our York Catholic community.

Canadians pride themselves on creating a society that welcomes people from around the world. As such, many businesses, organizations and members of our community contributed to this package. We thank them for their generous support.

The York Catholic District School Board has a number of resources available to help students with both academic and personal requests. Please do not hesitate to ask your teacher, principal or guidance counselor if you need any support.

Again, welcome to York Catholic District School Board. We look forward to learning about you and learning with you!

Yours in Christ,

Domenic Scuglia  
Director of Education

\* \* \* \* \*

Нашим новим студентам, які приєднуються до нас з України:

Я щиро вітаю вас у Шкільній Раді Католицького Округу Йорка! Наша шкільна спільнота сподівається, що завдяки цьому спеціальному пакету ви почуватиметеся як вдома під час навчання в Канаді.

Шкільна рада Католицького Округу Йорка, як родина віруючих, рада приєднатися до учнів, які залишили зони бойових дій, які продовжуються в Україні. Наша Євангельська місія — приймати інших з любов'ю, тому, будь ласка, знайте, що тепер ви є членом нашої Католицької Громади Йорка.

Канадці пишаються тим, що створили суспільство, яке приймає людей з усього світу. Таким чином, багато компаній, організацій і членів нашої спільноти зробили внесок у цей пакет. Ми дякуємо їм за щирі підтримку.

Шкільна Рада Католицького Округу Йорка має низку доступних ресурсів, щоб допомогти учням як з академічними, так і з особистими запитам. Будь ласка, не соромтеся запитати свого вчителя, директора чи консультанта, якщо вам потрібна якась підтримка.

Ще раз ласкаво просимо до Шкільної Ради Католицького Округу Йорка. Ми з нетерпінням чекаємо на те, щоб дізнатися про вас і навчатися разом з вами!

Ваш у Христі,

Доменік Скуґлія  
Директор Освіти

**Appendix B: List of Schools Receiving Backpacks (as of September 14, 2023)**

<b>SECONDARY SCHOOLS</b>	<b>ELEMENTARY SCHOOLS</b>
Our Lady Queen of the World CA	Blessed Scalabrini CES
Sacred Heart CHS	Canadian Martyrs CES
St. Elizabeth CHS	Father Frederick McGinn CES
St. Joan of Arc CHS	Father Henri Nouwen CES
St. Robert CHS	Father John Kelly CES
	Good Shepherd CES
	Holy Spirit CES
	Our Lady of Good Counsel CES
	Prince of Peace CES
	St Anne CES
	St. Cecilia CES
	St. David CES
	St. James CES
	St. John Paul II CES
	St. Joseph CES, Richmond Hill
	St. Joseph the Worker CES
	St. Mary of the Angels CES
	St. Patrick CES, Markham
	St. Raphael the Archangel CES
	St. Rene Goupil-St. Luke CES
	St. Stephen CES
	St. Veronica CES