

AGENDA: 6:30 pm

1. Call to Order and Land Acknowledgement
2. O Canada
3. Meeting Roll Call
4. Approval of the Agenda
5. Declarations of Conflict of Interest
6. [Confirmation of the Minutes: September 11, 2023](#)
7. [Correspondence Thames Valley DSB re: GSN Insufficiencies and Special Education Shortfalls](#)

Reports from Trustee Special Committees:

8. [Governance – September 12, 2023](#)
9. [Policy – September 13, 2023](#)
10. [Finance & Facilities – September 19, 2023](#)

Reports from Legislated Committees:

11. [Parent Involvement Committee – September 12, 2023](#)

Reports from Staff:

12. [Multi-Year Strategic Plan 2023-2028](#)
13. [Fall 2023 School Year Calendar Holiday Consultation Framework](#)
14. [Translating Reports and Materials](#)

15. Oral Reports from Liaison Committees:

- A. Hamilton-Wentworth Council of Home & School Associations
- B. Ontario Public School Boards' Association (OPSBA)

16. Adjournment

Meeting times and locations are subject to change. Please refer to our website for the latest information.

<http://www.hwdsb.on.ca/trustees/meetings/>

Trustees: Kathy Archer (electronically), Becky Buck, Sabreina Dahab, Dawn Danko, Amanda Fehrman, Maria Felix Miller, Ray Mulholland, Graeme Noble, Paul Tut (electronically), Todd White and Elizabeth Wong. Student Trustees Thomas Lin and Harry Wang

1. Call to Order

Dawn Danko, Chair of the Board, called the meeting to order at 7:05 p.m.

2. Swearing in of Student Trustees 2023-2024.

Chair Danko welcomed Student Trustees Thomas Lin and Harry Wang to their first official Board meeting. The Student Trustees recently attended the System Leaders meeting on August 29, 2023, as well as school council meetings. Student Trustees Lin and Wang read the Swearing in Oath.

3. Approval of the Agenda

RESOLUTION #23-105: Trustees Buck/Miller moved: **That the agenda be amended to include item 11.B Private CTW under section 207 B of the Education Act 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 pupil or his or her parent or guardian; R.S.O. 1990, c. E.2, s. 207 (2).**

CARRIED

Student Trustees Lin and Wang voted in favour.

4. Declaration of Conflict of Interest

None.

5. Confirmation of the Minutes: June 19, 2023

The minutes of June 19, 2023, were confirmed.

Report from Trustee Special Committees

6. Governance Committee – June 26, July 10, 24, August 14 and August 28, 2023

Trustee White put all the reports together and highlighted the final Governance Committee report of August 28, 2023, as outlined on page 7-6 of the report.

RESOLUTION #23-106: Trustees White/Buck moved: **That the Governance Committee Report – June 26, July 10, 24, August 14 be received and that the Governance Committee Report – August 28, 2023, be approved including that the 2023-2028 Multi-Year Strategic Plan be received including the Mission, Vision, Values and Strategic Directions and that a two-week consultation take place with the final document returning October 2, 2023, for board ratification.**

CARRIED

Student Trustees Lin and Wang voted in favour.

Report from Legislated Committees

7. Parent Involvement Committee – June 13, 2023

RESOLUTION #23-107: Trustees Fehrman/Buck moved: **That Parent Involvement Committee Report – June 13, 2023, be received.**

CARRIED

Student Trustees Lin and Wang voted in favour.

8. Special Education Advisory Committee – June 14, 2023

RESOLUTION #23-108: Trustees Dahab/Miller moved: **That Special Education Advisory Committee Report – June 14, 2023, be received.**

CARRIED

Student Trustees Lin and Wang voted in favour.

Reports from Staff:

9. Hamilton-Wentworth Student Transportation Services (HWSTS) Update

The consortium met on August 18, 2023. Sherry Roswell has taken on the role as Manager. Staff shared that there will be a more in-depth report coming forward with regards to the driver shortage. GPS moving forward will be very helpful and is being tested now. It is an internal process however, in future parents will be involved and families will have an app to follow the routes. If families are looking for courtesy bussing timelines, please reach out to Principals and if there is a concern about routes, please reach out to HWSTS. Staff are asking for patience during the school start up.

10. Back to School Start-up Update

Staff spoke to the following items in the back-to-school start-up:

- Summer Learning
- Re-Imagining Wellness
- New and updated Curricula
- De-streaming and Graduation
- Remote Learning 2023-2024
- Reading
- Math
- Communication to Families
- Public Health
- PPE
- Transportation
- Facility Services
- Director's Update

Staff shared that the Better Schools and Student Outcomes Act received royal assent on June 8, 2023. It identifies three priority areas and each of those areas the Board will be required to report on through a new student achievement plan and they will dovetail extremely well with the recently approved strategic directions.

To see the presentation made to the Board please click on the following link: [Back to School Update 2023-24 \(hwdsb.on.ca\)](https://www.hwdsb.on.ca/back-to-school-update-2023-24)

RESOLUTION #23-109: Trustees Tut/Wong moved: **That the Board move into Private session under section 207.2 B of the Education Act 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 pupil or his or her parent or guardian; (e) litigation affecting the board. R.S.O. 1990, c. E.2, s. 207 (2) this being done at 8:55 p.m.**

CARRIED

Student Trustees Lin and Wang voted in favour.

The meeting resumed in public at 10:06 p.m. Trustees Mulholland, Tut and Student Trustees Lin and Wang did not return to the meeting.

Reports from:

11. Committee of the Whole (private) – June 12, 2023

RESOLUTION #23-110: Trustees Miller/Buck moved: **That the Committee of the Whole Report – September 11, 2023, be approved including that the tentative Collective Agreement between the Canadian Office and Professional Employees, Local 527, and Hamilton-Wentworth District School Board for the term of September 1, 2022, to August 31, 2026, be approved and amended as per the School Boards Collective Bargaining Act.**

CARRIED

12. Oral Reports from:

A. City/School Board Liaison Committee

The Chair shared:

- A meeting was held on July 18, 2023, where there were three items on the agenda:
- There was an update on the Bernie Custis Secondary access to the Tim Hortons Field. They did hear from staff that access has been improved, but of course HWDSB is looking eagerly to the school having its own field. City staff said that we are still a few years off from having the Dominion Glass site rehabilitated and turned into a field, but there was ongoing work with staff to make sure the school can access Tim Horton Field as much as possible.
- There was discussion of active and sustainable school transportation. The program was paused during the pandemic and an update was given by public health staff. There are staff that are working on this and does include work on daily school routes. It is in the pilot stages, but it's where walking routes are identified and ideally will be signed. The more students you have walking on a particular route, the safer that route can be. They can also look at traffic mitigation measures if required. That's where they have school council members, staff members, as well as usually police or bylaw and public health all get together to do a school site visit.
- There was also a brief update on the City of Hamilton agreements with our board for the shared use of properties. There is a desire that the use of shared properties for the Community are maximized., but it's something that staff are continuing to work on from our board and city staff.
- It was nice to see Councillor Beattie at the meeting who was formally a Trustee with our Board.

B. Ontario Public School Board Association (OPSBA)

Trustee Wong shared:

- There is an upcoming Board of Directors session on Wednesday, September 13, 2023, on OSSTF
- OPSBA is introducing a lineup of Good Governance workshops to support Trustees in learning. They are encouraging all trustees to join the Obstacle Leaders Academy for professional development. The first session is with Marion Thomson Howell and this is going to be on September 20, 2023.

The meeting adjourned at 10:13 p.m.

The recording of the Board meeting can be found here:

Part 1

[Board-20230911_190348-Meeting Recording.mp4 \(sharepoint.com\)](#)

Part 2

[Board-20230911_220439-Meeting RecordingPart2.mp4 \(sharepoint.com\)](#)

September 8, 2023

Hon. Stephen Lecce
Minister of Education
5th Flr, 438 University Ave.
Toronto, ON M5G 2K8

Via email: minister.edu@ontario.ca

RE: GNS Insufficiencies

Dear Minister Lecce,

At the June 20, 2023, meeting of the Thames Valley District School Board (TVDSB), Trustees passed a motion directing the Chair to write to the Minister of Education to express the Board's concern that provincial allocations through the Grant for Student Needs (GSN) are insufficient to meet operational needs.

This decision came following Trustee review and approval of TVDSB's Preliminary 2023-2024 Budget.

Specific areas of concern include replacement staff for absences, temporary student accommodations, Educational Assistant wages, Special Education funding, statutory benefits, IT infrastructure and devices, and transportation.

Replacement Staff for Absences

Absences continue to be high in all staffing groups and have not returned to pre-pandemic levels. Replacement costs for absences therefore continue to be a challenge, given the centrally bargained language in Collective Agreements as it relates to the sick leave/short term disability language. The lack of funding in this area is a significant and sustained budget pressure.

Temporary Student Accommodations

With notable increases in enrolment over the past few years, TVDSB is incurring substantial expenses for temporary accommodations (portables). Temporary accommodations costs for the board over the past four years, including the current year's projections, total \$20.1 million, whereas Ministry funding for this expense totals only \$6.4 million. The 2023-2024 temporary accommodation funding provided is only \$1.4 million.

Educational Assistant Wages

Salary amounts for Educational Assistants are significantly lower at TVDSB than surrounding areas. With the recently centrally negotiated and ratified CUPE Collective Agreements, the opportunity to conduct local market value job evaluations and wage adjustments has been eliminated for this group of staff. In addition, the Ministry has not provided any additional funding to address this issue.

Special Education Funding

Special Education expenses are budgeted to exceed the special education funding by \$3.4 million in 2023-2024 (consistent with the prior year). Recognizing that the need here is significant, Trustees passed a motion at the Board meeting on June 27, 2023 to write a separate letter requesting that the government address chronic shortfalls in provincial funding for Special Education. This letter will be forwarded separately.

Statutory Benefits

On June 6, 2023, TVDSB wrote a letter urging the Ministry to address the substantial impact on our budget of longstanding increases in Employment Insurance (EI) and Canada Pension Plan (CPP) benefit expenses. Since 2019, TVDSB has estimated approximately \$12.2 million in additional EI and CPP statutory benefit expenses in excess of funding because of increases in maximum earnings amounts and rate changes. Additional increases are projected in the coming years.

IT Infrastructure and Devices

Additional funding for computing devices was received during the pandemic. This funding supplemented some of the board's immediate short-term needs during remote learning to support students and staff. There is a continued need to sustain additional funding for student and staff computing devices in response to ongoing replacement and curriculum needs.

Cyber threats and security and privacy requirements to protect and support in-person and remote learning have resulted in increased costs in software and hardware needed to maintain these complex networking systems and infrastructure. There is an immediate need for sustained additional funding for this critical technology infrastructure.

Transportation

The Ministry of Education's new Transportation Funding formula announced for the 2023-2024 school year is deficient as it does not provide funding for minivans. Nineteen percent of the TVDSB's Transportation Consortium routes are contracted with bus operators for minivans, the majority of which are for special education students. This has resulted in a decrease in funding of \$13.5 million that is being provided

temporarily as transition funding. We ask that the Ministry address this issue in the 2024-2025 GSNs in order to support the needs of TVDSB's most vulnerable students. As one of the fastest growing school boards in Ontario, TVDSB faces unique and unprecedented pressures. If the GSN is not adjusted, our school board will continue to be met with serious challenges serving the needs of Thames Valley schools, staff, and communities. Moreover, permanent staffing and program reductions will be necessary. As I have done through past letters and Ministry calls, I will continue to advocate on behalf of my fellow Trustees and the entire school board for immediate action to address these critical and time sensitive issues.

I would like to extend an invitation for you to visit Thames Valley so that we can further collaborate on addressing this unprecedented growth.

The Executive Assistant to the Chair's Office, Danielle Hancock, would be happy to arrange a meeting, and can be reached at d.hancock@tvdsb.ca or (519) 452-2000 Ext. 20219.

Sincerely,

A handwritten signature in cursive script that reads "L. Pizzolato".

Lori-Ann Pizzolato
Chair of the Board
Thames Valley District School Board

cc: Trustees

September 8, 2023

Hon. Stephen Lecce
Minister of Education
5th Flr, 438 University Ave.
Toronto, ON M5G 2K8

Via email: minister.edu@ontario.ca

RE: Special Education Shortfalls

Dear Minister Lecce,

On June 27, 2023, Thames Valley District School Board Trustees unanimously supported the Special Education Advisory Committee (SEAC) recommendation that we write you letter about chronic shortfalls in provincial funding for special education.

SEAC's recommendation came as a response to their review of the TVDSB's 2023-24 Special Education Budget and Special Education Plan.

Thames Valley's Special Education Plan, which was developed in collaboration with SEAC, is a comprehensive document that is well-positioned to meet the complex needs of Thames Valley students. The Board of Trustees strongly agrees with SEAC's concern that the availability of financial resources may impact the board's ability to fully implement the Plan. We also stand with the committee in their request for Special Education program expansion, staffing improvements and reduced wait times for services.

Meeting Special Education needs has become more challenging as Thames Valley experiences rapid growth due to residential development and new families moving to the district.

An example of one of the many areas where we have seen an increase is programming for students formally identified through the IPRC (Identification, Placement, and Review Committee) process with a developmental disability. Thames Valley has approximately 11% of its exceptional students identified with a developmental disability, compared to the provincial average of 5.1%. Our data shows that we have an unprecedented

number of 1200 students choosing to stay in school until the age of 21. As a direct result, Thames Valley has needed to increase the number of Developmental Disability classes from 79 during the 2019-20 academic year to 89 for the 2023-24 school year. This adjustment has resulted in an additional cost of \$2.5 million.

Overall, TVDSB's Special Education expenses are budgeted to exceed the Grant for Student Needs by \$3.4 million in 2023-24 (consistent with the prior year). Additional resources are required if we are to successfully meet the needs of special education students and reduce barriers to accessing assessments and resources.

On behalf Thames Valley District School Board Trustees, thank you for your time and consideration of this matter. The Board looks forward to continuing this important conversation and working with the Ministry to provide critical supports to all Thames Valley students.

Sincerely,

A handwritten signature in cursive script that reads "L. Pizzolato".

Lori-Ann Pizzolato
Chair of the Board
Thames Valley District School Board

cc: Trustees

COMMITTEE REPORT (Public)

Presented to: Board

Date of Meeting: October 2, 2023

From: Governance Committee

Date of Meeting: September 12, 2023

The committee held a meeting from 6:00 p.m. to 7:30 p.m. on September 12, 2023, at 20 Education Court, Hamilton, ON, in person and through MS Teams, with Trustee Todd White presiding.

Members present: Trustees Dawn Danko (electronically), Becky Buck (electronically), Maria Felix Miller and Todd White. Regrets were received from Trustee Amanda Fehrman.

ACTION ITEM:

1. Trustee Code of Conduct

Staff provided an update to the committee in regard to Trustee Code of Conduct and Ontario Regulation 246/18, Members of School Boards – Code of Conduct. Following each municipal election, school boards are required to adopt and review a Code of Conduct that is applicable to the Board of Trustees. The Code of Conduct is to be reviewed and adopted by May 15, 2023 and every fourth year thereafter.

Committee Chair White noted that *Bill 98, Better Schools and Student Outcomes Act, 2023* received royal assent in June 2023, which prescribes within the legislation how codes of conduct will change. However, some sections of the legislation have not received proclamation, including the Trustee Code of Conduct, therefore the changes prescribed are not in effect as supporting materials have not yet been made available by the Ministry. Within the revised legislation, the Ministry will prescribe what matters will be addressed under the Code of Conduct. Committee Chair White did highlight that some of the legislative changes include the need for any alleged breach of a code of conduct be presented to the Board of Trustees and that if a resolution is not reached within ten days of receiving the complaint, the matter is then referred to an external Integrity Commissioner. The legislation also speaks to the requirement that boards have a roster of Integrity Commissioners to use, however, both OPSBA and the Ministry of Education will be assisting in creating this document. It is unknown when proclamation will be received at this time.

Considering this information, the committee did not feel any changes should be made at this time in regard to the procedure portion of the HWDSB Trustee Code of Conduct as it is likely to go through substantive changes following the release of the supporting materials provided by the government once proclamation is received. The committee requested that status updates on Bill 98 be provided on a regular basis going forward (winter and spring).

On motion by Trustee Miller, **the Governance Committee recommends: That the Trustee Code of Conduct be affirmed.**

Unanimous.

INFORMATION ITEM:

2. Board of Trustee Self-Assessment

Chair Danko noted for the committee the work that was presented in November 2021 related to a board of trustee self-assessment. The document can be found here that was referenced at the meeting: <https://www.hwdsb.on.ca/wp-content/uploads/meetings/Governance-Agenda-1637695116.pdf>

The committee did express that the Board of Trustee Self-Assessment should be completed following the committee calendar (December to November). The committee also asked that this item return in October where categories for assessment will be refined and then in November where questions will be determined to be included in the questionnaire (with assistance and input from Research & Analytics department). The intent would be to launch the assessment in January 2024.

Respectfully submitted,
Todd White, Chair of the Committee

Reference: [Committee package](#) and [meeting recording](#).



EXECUTIVE REPORT TO GOVERNANCE COMMITTEE

TO: GOVERNANCE COMMITTEE

FROM: Sheryl Robinson Petrazzini, Director of Education

DATE: September 12, 2023

PREPARED BY: Heather Miller, Officer of Trustee Services

RE: Review – Code of Conduct (Ontario Reg. 246/18)

Action X

Monitoring

Recommended Action:

That the Trustee Code of Conduct be affirmed.

Rationale/Benefits:

In accordance with [Ontario Regulation 246/18, Members of School Boards – Code of Conduct](#), School Boards are required to adopt and review a Code of Conduct that is applicable to the Board of Trustees. The Code of Conduct must be reviewed and adopted by May 15, 2023 and every fourth year thereafter.

The code of conduct is designed for trustees by trustees and demonstrates how trustees have determined to regulate themselves. Although Student trustees are not required by law to have a code of conduct, it is expected that in their capacity as recognized leaders contributing to the effective governance of a board, they abide by their board's code of conduct.

A code of conduct serves to define acceptable and respectful behaviours, clarify the rules of civil engagement, promote high standards of practice, and provide a framework for professional conduct and responsibilities. A code of conduct contributes to confidence in public education and respect for the integrity of trustees in the community.

The Ministry of Education conducted a consultation in the fall of 2021, seeking feedback related to the establishment of “minimum standards” for school board trustee codes of conduct. Unfortunately, no further information on the outcome of this consultation has been shared. If in the future, the Ministry does provide further information on the requirement for Trustee Codes of Conduct, it will be brought forward for consideration to a future Governance Committee meeting.

At this time, there are no proposed changes for consideration.

2.4 Code of Conduct

2.4.1 Principles

Maintaining the integrity and dignity of office

1. Trustees shall recognize that the expenditure of HWDSB funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students and other stakeholders.
2. Trustees, as elected officials of the Board of Trustees, must uphold the dignity of the office and conduct themselves in a professional manner, especially when attending Board of Trustees events, or while on Board of Trustees property and shall at all times act with decorum and be respectful of other Trustees, staff, students and the public.
3. Trustees shall ensure that their comments are issue-based and respectful of all concerned. The use of demeaning, disparaging or other such comments is unacceptable and is not allowed at any time within the context of conducting Board of Trustees' business. Failure to adhere to this provision could result in expulsion from the meeting, sanctions, or other measures as deemed appropriate by the Trustees to ensure the safety of the victim.
4. Trustees shall abide by an expulsion or exclusion from a meeting if deemed to be "guilty of improper conduct at a meeting" by the Chair or presiding officer. [*Education Act*, s. 207(3)]

Avoidance of exercising personal advantage

5. No Trustee shall accept a gift from any person or entity that has dealings with the Board of Trustees if the gift could influence the Trustee when performing his or her duties to the Board of Trustees. However, this does not, for example, preclude a Trustee from accepting a free ticket or admission to a charitable or professional development event, or traditional Indigenous gratuities. Also, this does not preclude an acceptance of reasonable hospitality or gifts in accordance with the Board's Trustee Expense Policy.
6. No Trustee shall use his or her office to obtain employment with the Board of Trustees for the Trustee or a family member.

Civil and respectful behaviour

7. No Trustee shall engage in conduct during meetings of the Board of Trustees or committees of the Board of Trustees, and at all other times that would discredit or compromise the integrity of the Board of Trustees.
8. When expressing individual views, Trustees shall respect the differing points of view of other Trustees, staff, students, and the public.
9. All Trustees have an obligation to provide Student Trustees with a safe environment to participate and learn.

Respect for confidentiality

10. Trustees shall keep confidential any information disclosed or discussed at a meeting of the Board of Trustees or committee of the Board of Trustees, or part of a meeting of the Board of Trustees or a committee of the Board of Trustees, that was closed to the public as outlined in the Education Act, and keep confidential the substance of deliberations of such meeting closed to the public, unless required to divulge such information by law or authorized by the Board of Trustees to do so.

11. No Trustee shall use confidential information for either personal gain or to the detriment of the Board of Trustees.
12. Trustees shall not divulge confidential information, including personal information about an identifiable individual or information subject to solicitor-client privilege that a Trustee becomes aware of because of his or her position, except when required by law or authorized by the Board of Trustees to do so.

Upholding decisions

13. Trustees shall accept that authority rests with the Board of Trustees, and that a Trustee has no individual authority other than that delegated by the Board of Trustees.
14. Trustees shall uphold the implementation of any Board of Trustees resolution after it is passed by the Board of Trustees.
15. Trustees may respectfully state a personal position on a decision provided it does not in any way undermine the implementation of the decision.
16. Trustees shall comply with the Board of Trustees' policies and procedures.
17. The Chair of the Board of Trustees is the spokesperson to the public on behalf of the Board of Trustees, unless otherwise determined by the Board of Trustees. No other Trustee shall speak on behalf of the Board of Trustees unless expressly authorized by the Board of Trustees or Chair of the Board of Trustees to do so. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board of Trustees.

2.4.2 Procedures

Identifying a Breach of the Code

1. A Trustee who has reasonable grounds to believe that a Trustee has breached the Board of Trustees' Code of Conduct may bring the alleged breach to the attention of the Board of Trustees. This is done through the Chair of the Board of Trustees.
2. Any allegation of a breach of the Code of Conduct shall be investigated following the Informal Complaint Procedure, or, the Formal Complaint Procedure, as the case may be.
3. Any allegations of a breach of the Code of Conduct by a Trustee shall be investigated following the Informal Complaint Procedure initially as it is recognized that from time to time a contravention of the Code may occur that is committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board of Trustees, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding their obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the Formal Complaint Procedure.
 - a. Should the Trustee who alleges the breach of the Code request a Formal Complaint Procedure due to the serious nature of the breach, the Chair and Vice-Chair should conduct a preliminary investigation to determine if a Formal Complaint Procedure should proceed.
 - b. If a Trustee who alleges the breach of the Code disagrees with the determination of the Chair or Vice-Chair on the determination of whether a Formal Complaint Procedure should proceed, that determination shall be reconsidered and made by an outside consultant.

Chair or Presiding Officer

4. The Code of Conduct applies equally to the Chair of the Board of Trustees. In the case of an allegation of a breach of the Code by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair of the Board of Trustees.
5. Each year two Trustees shall be chosen by the Board of Trustees to play a part in the procedure when the circumstances warrant that one or both Trustees are needed in place of the Chair and/or Vice-Chair of the Board of Trustees to carry out any of the duties of the Trustee who is disqualified. The two Trustees will be designated and ranked as Code of Conduct Review, First Alternate, and Code of Conduct Review, Second Alternate, and, in that order, shall play a part in the procedure corresponding to the disqualified Trustee, if allowed.
6. Nothing in this procedure prevents the Chair or Presiding Officer of any meeting of the Board of Trustees or committee of the Board of Trustees from exercising their power pursuant to s. 207(3) of the Education Act to "expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting." For greater certainty, this may be done at the sole discretion of the Chair or Presiding Officer, as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting. A Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code.
7. The Chair of the Board of Trustees or presiding officer of any meeting of the Board of Trustees or committee of the Board of Trustees shall exercise their powers in a fair and impartial manner having due regard for the opinion or views of all Trustees and Student Trustees.

8. The Chair of the Board of Trustees or presiding officer shall follow the rules of order of the Board of Trustees and/or the adopted rules of order and meeting procedures contained in any policy or procedure of the Board of Trustees. A breach of a rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the enforcement of the Code of Conduct, except for persistent improper use of the applicable rules of order by the Chair or presiding officer.

Informal Complaint Procedure

9. A complaint shall follow the Informal Complaint Procedure, unless the Trustee who alleges the breach of the Code, at the time of making the complaint requests a Formal Complaint Procedure, in which case the decision-making procedure specified in provisions 12-15 shall be undertaken to determine which Complaint Procedure will be followed.
10. The Chair of the Board of Trustees, on their own initiative, or at the request of a Trustee who alleges breach of the Code has occurred, and has completed the appropriate form*, may meet informally with a Trustee who is alleged to have breached the Code, to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private and should be documented.

*The form will be available in the Director's Office.

11. The remedial measures may include, for example, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation's Professional Development Program for School Board Trustees. If the Chair of the Board of Trustees and the Trustee alleged to have breached this Code cannot agree on a remedy, then the Chair may initiate a Formal Complaint Procedure against the Trustee alleged to have breached the Code

Formal Complaint Procedure

Initiating a Formal Inquiry

12. A Formal Inquiry will be undertaken if the Chair and Vice-Chair, or the appointed outside consultant, agree with the Trustee who alleges breach of the Code that a serious breach has occurred. The Board of Trustees will collectively determine whether the Chair and Vice-Chair or an outside consultant should conduct the inquiry according to the qualifications required. If the Board of Trustees decides that an outside consultant should conduct the inquiry, the consultant will be appointed by the Director. In appointing a consultant, the Director will ensure that such an individual or body is qualified to undertake such engagement.
13. If the Chair and Vice-Chair have a declared conflict of interest regarding the complaint, an outside consultant appointed by the Director will conduct the inquiry.
14. If the Chair and Vice-Chair of the Board of Trustees or outside consultant, if engaged, are of the opinion that the complaint is out of time, frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, a Formal Inquiry shall not be conducted and a confidential report stating the reasons for not doing so shall be provided to all Trustees.

15. If an allegation of a breach of the Code of Conduct on its face is with respect to the non-compliance with a more specific Board of Trustees policy with a separate complaint procedure, the allegation shall be processed under that procedure.

Steps of a Formal Inquiry

16. If a Formal Inquiry of an allegation of a breach of the Code of Conduct is undertaken, it shall be done by a qualified professional consistent with the nature of the breach. Existing resources within the HWDSB may be utilized if such expertise exists, if not, external expertise should be brought in.
17. Regardless of who undertakes the Formal Inquiry the following steps shall be followed.
18. The Chair of the Board of Trustees shall provide to all Trustees a confidential copy of the complaint within ten (10) days of receiving it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board of Trustees for a decision as to whether or not the Trustee has breached the Code.
19. The *Statutory Powers Procedure Act* does not apply to anything done regarding the Enforcement of this Code of Conduct. No formal trial-type hearing will be conducted.
20. Procedural fairness and unbiased process shall govern the Formal Inquiry. The Formal Inquiry will be conducted in private.
21. The Formal Inquiry may involve Board of Trustees written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct.
22. The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations Board of Trustees in a private meeting with the person(s) undertaking the Formal Inquiry and in writing.
23. It is expected that the Formal Inquiry will be conducted within a reasonable period of time which will depend on the circumstances of the case. The Trustee who is alleged to have breached the Code of Conduct shall provide a written response to the allegations within ten (10) days of receiving the written allegation, or such extended period of the time as the investigators deem appropriate in the circumstance.
24. 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.
25. Once the Formal Inquiry is complete, the investigators shall provide a confidential draft copy of their report containing the findings of fact to the Trustee who is alleged to have breached the Code of Conduct and the Trustee who brought the complaint for their written comment to the investigator(s). The purpose of providing the draft report to the parties is to ensure no errors of fact are contained in it. The two Trustees shall have ten (10) days (or such reasonable period of time as deemed appropriate by the investigator(s) from the receipt of the draft report to provide a written response. Written responses will be attached to the final report.
26. If the Chair and Vice-Chair of the Board of Trustees conduct the inquiry and cannot agree on the final finding of facts, the Formal Inquiry shall be reconsidered de novo by an outside consultant. The outside consultant will be appointed by the Director.

Suspension of Formal Inquiry

27. If the investigators, when conducting the Formal Inquiry, discover 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 of. This shall be reported to the rest of the Board of Trustees.

Decision

28. Upon completion of the final report and as soon as practical, the Chair shall present the final report to the Board of Trustees so that the Board of Trustees may decide whether or not the Code of Conduct has been breached and whether to impose a sanction.

29. Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter.

30. If the Board of Trustees, based on the outcome of the investigations, determines that there has been no breach of the Code of Conduct or that a contravention occurred, although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed.

31. The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a complaint investigated in accordance with the Formal Complaint Procedure must be done by resolution of the Board of Trustees based on the recommendations, outcome and facts established by the investigation at a meeting of the Board of Trustees, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision shall be recorded in the minutes of the meeting.

32. Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board of Trustees during which a breach or alleged breach of the Board of Trustees' Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:

- a. the security of the property of the Board of Trustees;
- b. the disclosure of intimate, personal or financial information in respect of a member of the Board of Trustees or committee, an employee or prospective employee of the Board of Trustees or a pupil or his or her parent or guardian;
- c. the acquisition or disposal of a school site;
- d. decisions in respect of negotiations with employees of the Board of Trustees; or
- e. litigation affecting the Board of Trustees.

33. The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction. The Trustee who brought the complaint to the attention of the Board of Trustees may vote on those resolutions.

34. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations and shall not be required to answer any questions at that meeting.

35. The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below after these decisions have been made.

Sanctions

36. If the Board of Trustees, based on investigation of a Formal Complaint, determines that the Trustee has breached the Board of Trustees' Code of Conduct, the Board of Trustees may impose one or more of the following sanctions:
- a. Censure of the Trustee.
 - b. Barring the Trustee from attending all or part of a meeting of the Board of Trustees or a meeting of a committee of the Board of Trustees.
 - c. Barring the member from sitting on one or more committees of the Board of Trustees, for the period of time specified by the Board of Trustees.
 - d. Suspending the member from for a period of time specified by the Board of Trustees.
37. The Board of Trustees shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board of Trustees. The Board of Trustees has no power to declare the Trustee's seat vacant.
38. A Trustee who is barred from attending all or part of a meeting of the Board of Trustees or a meeting of a committee of the Board of Trustees is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.
39. The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board of Trustees 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.

Reconsideration

40. If the investigation of a Formal Inquiry determines that a Trustee has breached the Board of Trustees' Code of Conduct the Board of Trustees shall,
- a. Give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board of Trustees;
 - b. the notice shall inform the Trustee that he or she may make written submissions to the Board of Trustees in respect of the determination or sanction by the date specified in the notice that is at least fourteen (14) days after the notice is received by the Trustee; and
 - c. consider any submissions made by the Trustee and shall confirm or revoke the determination and confirm, vary, or revoke a sanction, if applicable, within forty-five (45) days after the submissions are received.
41. If the Board of Trustees revokes a determination, any sanction imposed by the Board of Trustees is revoked and, within fourteen (14) days, the Chair shall give the Trustee written notice of the determination.

42. If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.
43. The Board of Trustees decisions to confirm or revoke a determination or confirm, vary, or revoke a sanction shall be done by resolution at a meeting of the Board of Trustees and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination. The Board of Trustees shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. [*Education Act, s. 218.3(12)*] The Trustee who brought the complaint may vote.
44. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the deliberations and shall not be required to answer any questions at that meeting.
45. If appropriate, the original sanction may be stayed pending the reconsideration by the Board of Trustees of the determination or sanction.

COMMITTEE REPORT

Presented to: Board

Date of Meeting: October 2, 2023

From: Policy Committee

Date of Meeting: September 13, 2023

The committee held a meeting from 6:02 p.m. to 7:21 p.m. on April 13, 2023, with Trustee Miller presiding.

Members present were: Trustees Kathy Archer (Electronically), Sabreina Dahab, Maria Felix Miller and Todd White (Electronically).

ACTION ITEMS:

A. Advertising Expenditure Policy

The Committee considered the Advertising Expenditure Policy. This policy incurred one small change that includes the restriction of the number of people that can incur advertising expenditures. This takes the school principals, vice principals and managers off the list of approved users and leaves it to the director, associate directors, superintendents, and senior managers including the senior manager of communications. This will support cost control and protect HWDSB branding moving forward creating consistency.

On motion of Trustee Archer, the Policy Committee recommends that: **The Advertising Policy be approved.**

CARRIED

B. Privacy Policy

The Committee considered the Privacy Policy. This policy is part of the 4-year policy review. Minor changes to the policy have been made including updated language throughout the policy as well as formatting changes.

On motion of Trustee White, the Policy Committee recommends that: **The Privacy Policy be approved.**

CARRIED

MONITORING ITEMS:

C. Fundraising

The Committee considered the Fundraising Policy. The Fundraising Policy has been reviewed and updated by staff following feedback from the committee provided last year. Trustees shared that further changes were required resulting from an email of April 28, 2023, from the Hamilton Home & School Association. Staff will make further changes to the Intended Outcomes, Assessment and Terminology based on Trustee feedback.

On motion of Trustee White, the Policy Committee consented to the Fundraising Policy be approved for as amended and sent out for consultation including the Hamilton-Wentworth Council of Home & School Associations.

D. Policy Development Process

Staff shared that the Policy Development Process has been brought forward for discussion. Under the Human Rights Policy it states that we should ensure all new policies, procedures, guidelines, programs, and reviews of existing ones comply with the Human Rights Policy and the Human Rights code. The Human Rights Accountability Procedure was recently completed in the spring of last year and it includes a section on policies and procedures. Section I lists action steps related to policy and procedures. of the steps All Board policies and procedures will align with the Human Rights so that when new policies are developed, and existing ones are updated, an assessment is conducted to identify and remove any potential human rights and equity barriers. To support this a Human Rights and Equity Assessment tool will be developed and integrated with the policy development process. It was suggested the Policy Development Process document be reviewed for inclusive and equitable language and readability as well.

Trustees would like to see the policy development process reviewed section by section and worked on a continuous basis to keep a forward momentum. The Committee would like to keep it streamlined and consistent with a completion date of September 2024.

Respectfully submitted,
Maria Felix Miller, Chair of the Committee

Reference: [Committee package](#) and [meeting recording](#).



Advertising Expenditures

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) believes that advertising expenditures should be for the purposes of informing and educating the public, as well as creating awareness of education programs, services, issues, events and community activities of specific interest or benefit to students and families. Advertising campaigns will be addressed to groups that have a need for information and will provide objective, factual and explanatory information based on verifiable facts in an unbiased, fair and equitable manner.

GUIDING PRINCIPLES:

When expenditures are made on advertising whether through Board, School Generated or School Council funds, HWDSB is committed to ensuring:

- The level of expenditure is appropriate to a school board's status as a taxpayer-funded organization whose primary purpose is to educate students.
- Due diligence is exercised in determining the advertising medium that maximizes cost effectiveness.
- Appropriate approvals support the nature and the extent of an advertising campaign.
- Advertising campaigns are in compliance with any applicable laws and regulations
- Measurable outcomes are produced as a result of advertising activities (for example increase in number of inquiries or participation rates; awareness surveys)
- There is a process in place to ensure that significant advertising expenditures are competitively placed.

INTENDED OUTCOMES:

- That staff with responsibility to approve expenditures for the Board ensure that advertising expenditures are adequately managed to achieve planned outcomes.
- That the Board's Procurement Policy is followed to ensure that significant advertising expenditures are competitively placed.

RESPONSIBILITY:

Director of Education
Members of Executive Council



Advertising Expenditures

Date Approved: XXXX

Projected Review Date: XXXX

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TERMINOLOGY:

Advertising: the act of practice of calling public attention to services or needs, especially by paid announcements in newspapers and magazines, over radio or television, on billboards, etc.

Expenditure: the act of spending funds

ACTION REQUIRED:

The following Board staff is authorized within their jurisdiction to approve advertising expenditures for Board, School Generated Funds and School Council Funds:

- Director (or designate)
- Associate Directors (or designate)
- Superintendents (or designate)
- Senior Managers (or designate)

These staff members are also responsible for ensuring there is a process in place to ensure that advertising expenditures are adequately managed to achieve planned outcomes.

The Board's Procurement Procedure must be followed to ensure that significant advertising expenditures are competitively placed.

Examples of Suitable Uses for Advertising Include but are not limited to:

- School registration
- Program offerings
- Extracurricular activities
- Public consultations
- Employment opportunities
- Requests for tenders of good and services
- School board accountability to the public (for example, annual publication of board financial statement)
- Informing stakeholders of the Board of key capital priorities of the Board.

Examples of Inappropriate Uses of Advertising Include but are not limited to:

- Providing unverifiable or inaccurate information or comparisons
- Using advertising that is not targeted to appropriate groups, for example through widespread phone calls and automatic phone messages



Advertising Expenditures

Date Approved: XXXX

Projected Review Date: XXXX

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PROGRESS INDICATORS:

Intended Outcome	Assessment
That staff with responsibility to approve expenditures for the Board ensure that advertising expenditures are adequately managed to achieve planned outcomes.	Successful and sound business practices are employed that align with the educational goals of the Board and fair business principles.
That the Board's Procurement Policy is followed to ensure that significant advertising expenditures are competitively placed.	Successful and sound business practices are employed that align with the educational goals of the Board and fair business principles.

REFERENCES:

Government Documents

Ministry of Education School Board Expenditures Guidelines (2006:B-15)

HWDSB Policies

Advocacy Expenditures

Procurement



Privacy

Date Approved: XXXX

Projected Review Date: XXXX

Page 1 of 4

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) respects and promotes the protection of privacy of all staff and students. HWDSB collects personal information to support the provision of educational services to its students.

HWDSB is committed to the protection of privacy and complies with all applicable provisions of the *Education Act, R.S.O. 1990, C. E.2*, the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56* (MFIPPA) and all other applicable legislation. HWDSB is guided by the globally recognized fair information principles from the Canadian Standards Association (CSA) Model Code for the protection of personal information which address how organizations collect, use, disclose, and protect personal information.

GUIDING PRINCIPLES:

HWDSB complies with the fair information principles in the CSA Model Code:

- Demonstrating *Accountability* by assuming responsibility for the personal information under HWDSB control and designating an individual or individuals to be accountable for compliance with the remaining principles.
- *Identifying Purposes* for the collection and use of all personal information at the time of collection.
- Obtaining informed *Consent* for the collection, use, or disclosure of personal information except where permitted by law.
- *Limiting Collection* of personal information to what is necessary for the specified purpose.
- *Limiting Use, Disclosure, and Retention* of personal information to the purposes for which it was collected and not retaining longer than necessary to fulfill those purposes.
- Ensuring the *Accuracy* of the personal information collected, used, retained, or disclosed.
- Implementing *Safeguards* that are appropriate to the sensitivity of the personal information to be protected.
- Promoting *Openness* of all policies and procedures relating to the management of personal information.
- Providing *Individual Access*, upon request, by people to their own personal information and responding to their challenges regarding the accuracy of those record.
- Responding to individuals *Challenging Compliance* of HWDSB with the above principles.

INTENDED OUTCOMES:

- Increase the trust parents, students and the community have in how HWDSB handles personal information.



Privacy

Date Approved: XXXX

Projected Review Date: XXXX

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- Minimize the risks associated with improper collection, disclosure, and use of personal information, including privacy breaches.
- Support and strengthen access to information by authorized individuals.
- Create openness, transparency, and accountability with the public.
- Foster a culture of privacy across HWDSB and within departments.
- Help protect the Board from potential liability and legal action.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Authorized Individuals: Those who have the legal authority to access information. MFIPPA authorizes HWDSB staff members to access the personal information that they need in order to perform their jobs. That means that they are authorized individuals when accessing that information. When family members want to access student personal information from a school, the legislation permits access only to authorized individuals which means legal parents and legal guardians. That means that other family members such as grandparents, siblings, aunts and uncles are not legally authorized under the legislation to access the information unless the school has signed consent from the legal parent or guardian to disclose to somebody else. All individuals have the legal authority to access their own personal information in the possession of HWDSB.

Informed Consent: The person consenting understands the purpose for which consent is sought, understands the potential consequences of signing the consent form, feels free to consent or not consent, and is given the right to revoke their consent at any time.

Municipal Freedom of Information and Protection of Privacy Act (MIFIPPA): Legislation which aims to strike a balance between access to information and protection of one's personal privacy.

Notice of Collection: A statement provided at the time of the collection of personal information that informs people of the purpose for the collection and how it will be used, the legal authority to collect the information, and the name and contact information of somebody they can contact if they have questions or concerns.

Personal Information: Recorded information about an identifiable individual in any format, including:

- a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,



Privacy

Date Approved: XXXX

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- b) Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- c) Any identifying number, symbol or other particular assigned to the individual,
- d) The address, telephone number, fingerprints or blood type of the individual,
- e) The personal opinions or views of the individual except if they relate to another individual,
- f) Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- g) The views or opinions of another individual about the individual, and
- h) The individual's name as it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Retention: The minimum amount of time to keep a record as determined to be necessary by law or other authority. Original records cannot be destroyed until the retention time has expired. Likewise, records should not be retained longer than the retention time without good reason.

Security: The protection of personal information regardless of the format in which it is held and includes, but is not limited to, physical measures such as locked filing cabinets and restricted offices, organizational measures such as limited access, and technological measures, such as the use of passwords and encryption.

ACTION REQUIRED:

HWDSB is committed to upholding the privacy rights of individuals and demonstrating good data stewardship by managing and protecting the personal information entrusted to it, by being transparent about its information practices and by promoting access.

The fair information principles will guide and inform collection, use, retention, disclosure and destruction of information and the requirements therein will be embedded in all related materials and practices.



Privacy

Date Approved: XXXX

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PROGRESS INDICATORS:

Intended Outcome	Assessment
Increase the trust parents, students and the community have in how HWDSB handles personal information.	Reduction in privacy complaints and concerns.
Minimize the risks associated with improper collection, disclosure and use of personal information, including privacy breaches.	Increased reporting of potential privacy breaches, prompt enactment of privacy breach procedure.
Support and strengthen access to information by authorized individuals.	Demonstrated efficiency in responding to access to information requests.
Create openness, transparency and accountability with the public.	Increased openness and transparency of public information.
Foster a culture of privacy across HWDSB and within departments.	Increased discussion of privacy matters within service areas and schools; increased engagement by staff in privacy activities; Increased inclusion of privacy protection and information management into procedures across the Board and in departments.
Help protect the Board from potential liability and legal action.	Increased compliance with legislation, and privacy and information management standards.

REFERENCES:

Fair Information Principles

Canadian Standards Association (CSA) Model Code for the Protection of Personal Information

Government Documents

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56

Education Act, R.S.O. 1990, c. E.2

COMMITTEE REPORT

Presented to: Board

Date of Meeting: October 2, 2023

From: Finance and Facilities Committee

Date of Meeting: September 19, 2023

The committee held a hybrid meeting from 6:02pm to 8:05pm on September 19, 2023 with Trustee Dawn Danko presiding as Chair.

Members participating were: Trustees Dawn Danko, Todd White and Elizabeth Wong
 Regrets were received from: Trustees Maria Felix Miller and Paul Tut

Delegation

The committee received a delegation from Evan Ubene, representing km4PublicHealthcare. The delegate shared their views on Long Term Facilities Master Plan, Section 3: Facility Operations

ACTION ITEMS

A. 2023 Capital Priorities Project Submission

On August 14, 2023, the Ministry of Education released Memorandum 2023:B08 – Launch of 2023-24 Capital Priorities Program (CPP). The CPP provides school boards with an opportunity to submit detailed project proposals by October 20, 2023. The 2023-24 Capital Priorities projects require a priority ranking, expected to be shovel ready, should include a completion date with detailed milestones and must fall under one or more of the following category descriptions:

- Accommodation pressures,
- School Consolidation,
- Facility Condition,
- Access to French-language schools, and
- Creating new licensed childcare spaces in schools as part of larger capital requests.

On the motion of Todd White, the Finance and Facilities Committee **RECOMMENDS: That the Board approve the 2023 Capital Priorities Projects (Appendix A) for submission to the Ministry of Education for funding considerations, as per Memorandum 2023:B08 – Launch of 2023-24 Capital Priorities Program (Appendix B).**

Consent.

B. New Nash (Upper Stoney Creek) School Update

Staff provided a verbal update on the status of the new school location in Upper Stoney Creek. Staff shared they have been investigating the cause of the current community concerns with the Ministry of Environment, Conservation and Parks (MECP), City of Hamilton, Public Health Services and the landfill owner/operator, GFL Environmental to understand the current community concerns.

On the motion of Todd White, the Finance and Facilities Committee **RECOMMENDS: That the Board pause posting a competitive process for the new build; investigate the changing conditions due to activity at the GFL Stoney Creek Regional Facility with respect to the impacts to the health and well-being of students, staff, families and interested parties at the future school site over the expected lifespan of the school; to explore alternate options for accommodation of students; that the Chair of the Board and the Ward Trustee engage with City and Provincial officials as part of the investigation; and report back to Trustees prior to posting a competitive process for this project.**

Consent.

MONITORING ITEMS**C. 2022-23 Average Class Size - Secondary**

Reporting Secondary Average Class size is an annual requirement of the Ministry of Education. HWDSB is compliant with the Ministry's secondary average class size requirements for both in-person classes and online classes for 2022-23.

D. Long Term Facilities Master Plan – Annual Update 2023

Staff presented the annual update. HWDSB's is committed to providing equitable, affordable, and sustainable learning facilities for students. To address the numerous facets related to this mandate and to provide clear direction, HWDSB, led by the Facility Services Department, produced the Long-Term Facilities Master Plan (LTFMP) to guide toward achieving sustainable facilities. The LTFMP is a fluid document with embedded links to websites and reports that are updated on a regular basis. The goal is to ensure that the LTFMP has current and relevant information beyond the date of its publication. The document is broken down into three main sections, which include Accommodation and Planning, Capital Projects and Facility Operations.

At the May 8, 2023 Board Meeting, Trustees received and approved the Accommodation Strategy Schedule. The schedule indicates a Ministry of Education implemented moratorium on Accommodation Reviews for the 2023-2024 school year. All future accommodation reviews have not been scheduled and are identified as remaining. Two boundary reviews were approved for the 2023-2024 school year; they include Shannen Koostachin/ Gatestone and Mary Hopkins / Flamborough Centre.

E. Capital Projects Construction Update

Staff provided an updated summary of all the capital projects in process. The report included a summary of the capital projects underway and their status, categorized by each projects' funding source and project initiative.

Respectfully submitted,
Dawn Danko, Chair of the Meeting

Priority	Project	Project Type	Accommodation Review Completed	Accommodation Pressures	Facility Condition	School Consolidation	Childcare	Rationale
1	Waterdown Bay	New School	N/A	✓			TBA	Proposing a second JK-8 elementary school in East Waterdown, South of Highway 5. The new school is required to address the short and long term accommodation needs of the Waterdown community due to residential growth. This is evident by the increased enrolment and projections for Mary Hopkins which will significantly exceed its capacity and therefore its ability to accommodate the students in its attendance boundary. The new school site has been purchased. The land is in the area of the intersection of Skinner Rd and Mallard Trail.
2	Mount Hope Addition	Addition	✓	✓			TBA	Addition of approximately 6 classrooms or 138 pupil places, results in a 501 pupil place school. Additional consideration to retrofit existing spaces to align school with Ministry benchmark for instructional space will be considered as project is designed.

Eligibility and Evaluation Summary

Accommodation Pressures: Projects will accommodate pupils where enrolment is presently or projected to persistently exceed capacity of the school or within a group of schools, and students are currently housed in non-permanent space (for example, portables). Evaluation Criteria:

- Assessment of the projects will include reviewing capacity of the impacted schools, as well as those in close proximity, historical enrolment trends, enrolment forecasts, and geographic distribution of students.
- Priority consideration for funding purposes will be given to the projects with a utilization equal to or greater than 100% (including area schools) in the 5th year after the proposed school opening date as per the business case template.

Facility Condition/Consolidation : Projects that support the replacement of existing facilities in order to reduce excess capacity or eliminate renewal needs. Evaluation Criteria:

- Priority will be given to projects with an expected positive Net Present Value (NPV). This will be calculated using the expected cost of the project compared to the expected savings resulting from the proposed solution as per the business case template.
- Expected cost savings include the reduction in ongoing operating costs, reduction in ongoing renewal costs and the elimination of renewal backlog for the school(s) identified to be closed.
- The school(s) identified to be closed in the solution are expected to be closed and removed from the board’s assets within two years of completion of the new school or addition project.
- Consolidations that have not already been approved as part of a previous Pupil Accommodation Review (PAR) are not eligible. Projects subject to a future PAR are not eligible for funding consideration.

French-Language School Access: Projects will provide access to French-language facilities where demographics warrant. Evaluation Criteria:

- Such projects will only be considered for funding if the school board can demonstrate that a French -language population is not being served by existing French-language school facilities.
- Project requests associated with French-language facilities in existing geographic areas experiencing accommodation pressures will be reviewed for funding consideration based on the Accommodation Pressure criteria.
- Assessment of projects will include enrolment forecasts, geographic distribution of students, reviewing school -level capacity of impacted schools including those in proximity and with potential alternative solutions.

Child Care Criteria for Capital Priorities Submissions: The ministry will consider funding child care centre capital projects in schools where there is a need for new child care construction and/or renovations to existing child care spaces for children 0-3.8 years of age. All submissions must be linked to a larger capital priorities project submission.

Additional Ministry Considerations

- Schools in Joint-Use Facilities
- Urban and Innovative Schools
- Project Readiness Assessment
- Site Ownership
- Project Design
- Project Milestones
- Cost Estimates
- Historical Board Performance
- Long-Term Growth Needs
- New-Standardized Designs

Ministry of Education**Ministère de l'Éducation**Capital and Business Support
DivisionDivision du soutien aux immobilisations
et aux affaires

315 Front Street West

315, rue Front ouest

15th Floor

15e étage

Toronto ON M7A 0B8

Toronto (ON) M7A 0B8

2023: B08**Date:** August 14, 2023

Memorandum to: Directors of Education
Children's Service Leads, Consolidated Municipal Service
Managers (CMSMs) and District Social Services Administration
Boards (DSSABs)
Secretary/Treasurers of School Authorities

From: Didem Proulx
Assistant Deputy Minister
Capital and Business Support Division

Subject: **Launch of 2023-24 Capital Priorities Program**

The Ministry of Education (“the ministry”) is pleased to announce the launch of the 2023-24 Capital Priorities Grant Program (CP). Schools and child care centres are crucial in supporting the well-being and positive development of students and children. As part of the provincial government’s efforts to build and invest in infrastructure, the Ministry of Education is committed to finding solutions to speed up the construction of new schools through enhanced design standardization, reduced approval requirements and greater transparency and accountability to support high-quality instruction in healthy, safe and modern learning facilities. The Ministry of Education recognizes the importance of working together with its partners, including school boards and the Ministry of Municipal Affairs and Housing to meet the government’s commitment to helping build modern schools faster to support the needs of growing communities, to better utilize school capacity, and ensure value for taxpayer dollars. As a result, the 2023-24 Capital Priorities Program has been enhanced to reflect these key government commitments.

2023-24 Capital Priorities Program Submissions – At a Glance

- The submission deadline for all capital funding requests is **October 20th, 2023**. No submission will be accepted after this date. Funding announcements will be made in Winter 2024.
- Business Case templates, Program Guidelines, Design Catalogue and other supporting material are available for download from the SharePoint site shared in the email to the school board.
- School boards will submit proposals through the Capital and Business Support Division SharePoint site.
- For the 2023-24 Capital Priorities program, school boards are asked to:
 - Submit detailed project proposals to address **current** accommodation needs related to:
 - Accommodation Pressures,
 - School Consolidation,
 - Facility Condition, and
 - Access to French Language schools.
 - Provide high level summary information on **future, longer term growth needs** related to the Housing Supply Action Plan municipal growth plans.
 - Provide a priority ranking for the proposals.
- School boards have an opportunity to request Child Care Capital funding for child care projects associated with a larger Capital Priorities project.
- The detailed project submissions for needs will need to include fully completed business cases that identify a utilization equal to or greater than 100% (including areas schools) in the 5th year after the proposed school opening date , provide a positive investment return (Net Present Value greater than \$0), or identify students that do not have access to a French Language school. Projects are also expected to include a completion date with a clear and detailed schedule for milestones and deliverables.
- School boards are encouraged to identify opportunities to work together on joint-use project submissions.

NEEDS ASSESSMENT

As with previous years, project submissions must demonstrate a critical and urgent pupil accommodation need in order to be considered for funding approval. These pupil accommodation needs may include Accommodation Pressures, Replacement Schools and French Language Access. In addition to addressing pupil accommodation needs, projects may also include the creation of new licensed child care spaces.

URBAN AND INNOVATIVE SCHOOLS

The ministry recognizes that intensification in high density urban areas poses unique challenges. Finding suitable land for the construction of a school is challenging and expensive. As residential

development is expected to continue to be high in urban areas, school boards may not be able to construct schools according to the traditional model. The ministry encourages school boards to pursue opportunities to explore new, innovative ways to build schools – such as vertical schools and podium schools. The ministry looks forward to working with you on advancing these and numerous other initiatives that are part of the ministry’s ambitious capital agenda to ensure funding, programs and supports continue to meet the needs of students and school boards across the province.

NEW: PROJECT READINESS ASSESSMENT

Starting this year, school boards are asked to complete a project readiness assessment and provide a summary of key project milestones. In this new assessment section, the ministry is requesting detailed information regarding site identification, design plans, project timelines and cost estimates. Priority will be given to projects that are best positioned to be completed in a timely manner. Submissions will require details regarding sites planned or acquired, design plans with cost estimates, and a clear schedule with project milestones indicating a path to project completion.

NEW: DESIGN STANDARDIZATION

The Ministry of Education recognizes the importance of ensuring that school board capital assets are used effectively and efficiently to meet the government’s commitment of helping build modern schools faster to support the needs of growing communities, so that students can attend school as close to home as possible. In June 2023, the *Better Schools and Student Outcomes Act* amended the *Education Act* to provide authority for the Minister to require school boards to use particular functional specifications, designs or plans when constructing, renovating or making additions to school buildings or premises, speeding up approvals and helping get new schools built faster.

Design standardization will help save time, avoid unnecessary costs through scope control, remove duplication of design development; cost avoidance through acceleration, and streamlined approvals.

Since 2010, the ministry has had functional design and space standards reflecting classroom capacity loadings and curriculum requirements. All school boards are required to design within ministry space standards and funding benchmarks. The ministry is now moving forward with further enhancements in design planning that will require school boards to submit designs for new school requests that will result in greater opportunity for construction efficiencies including costs and scheduling.

The ministry recognizes that many school boards use various measures in their design planning process to find efficiencies. This includes using standardized repeat designs that are scalable and modified to accommodate sites for both new elementary and secondary schools. There are also instances where school designs are also being used amongst school boards.

With the support of various school boards, as well as information collected through the Rapid

Build Pilot, the ministry has developed an EDU Design Catalogue of new school builds that have been completed or are currently in progress. The catalogue includes schematic designs of elementary and secondary schools from 8 school boards based on the following criteria:

- All designs are aligned within current ministry space benchmark requirement
- All designs have been approved/tendered since 2021 to reflect current costs
- Project costs are aligned and consistent with current market conditions in the average range of \$360-\$400/sq ft excluding unique site costs.
- Designs represent a variety of pupil place sizes to provide scalability
- School boards have received permission from the Architects for inclusion

The catalogue is intended to evolve as ministry staff continue to work with boards and identify additional designs used by school boards through the Capital Priorities Program.

The catalogue will be used as a primary tool for school boards to identify potential project designs for their project submissions. Recognizing that the catalogue does not encompass all design needs, there remains options for school boards to identify other project designs, as applicable (i.e. school board's own repeat design, additions, renovations, podium/vertical builds, etc.).

NEW: BOARD PERFORMANCE ASSESSMENT

As part of the Capital Priorities evaluation process, school boards will be assessed on their performance history delivering capital projects, including the following:

- Adherence to project timelines
- Time to completion
- Cost overages
- Existing inventory of active projects
- Adherence to space benchmarks
- Capital Accountability Framework compliance

NEW: ENHANCED ACCOUNTABILITY FRAMEWORK

As a result of the ministry's Lean review of its Capital Accountability Framework, the ministry has redesigned the accountability framework for the major capital construction projects. The ministry's new streamlined process will reduce administrative burden while allowing for a clear path for project success.

- Successful projects will result in a Project Commitment which will include a clear schedule, budget and scope of the project as submitted by the school board and agreed upon by the ministry. The Project Commitment will establish ministry expectations for successful project delivery.
- School boards will be responsible and accountable for implementing appropriate measures to ensure that projects are completed within the schedule, budget and scope established in the Project Commitment.

- The ministry will meet with school boards to review project progress reports on a regularly scheduled basis to monitor the progress of approved projects.
 - Projects that are progressing within the parameters of the Project Commitment will not be required to obtain any further approval from the ministry and will be able to proceed through key project milestones to project completion including design, tender, and construction stages.
 - During a project's development, however, school boards that encounter issues that puts the project at risk of not adhering to the Project Commitment, may require ministry approval to revise the Project Commitment. This could involve schedule delays, increased costs or changes in project scope. In extreme cases, the project may be subject to cancellation.
 - At the end of the project, per the Project Commitment and confirmation by the board, the project will be designated as closed. A letter will be issued by the ministry with reconciliation of the total project costs. At the Ministry's discretion, unspent funds will be considered as offset for active projects or will be reallocated back to the ministry.
- The new accountability framework will also be applied to the existing pipeline of projects. Over the coming months, Capital Analysts will work with school boards to develop Project Commitments for existing projects.

PROJECT SUBMISSIONS

2023-24 Submission templates, guidelines and design catalogue can be downloaded from the Capital and Business Support Division SharePoint site.

School boards will submit proposals through the SharePoint site to be considered for funding approval. A complete submission will include the following:

- 1) Business Case - Part A (Excel Template) will include:
 - a. Project Information
 - b. Closest Facilities
 - c. Space Template
 - d. Enrolment Projections
 - e. Child Care Joint Submission (If Applicable)
 - f. Child Care Space Template (If Applicable)
 - g. Cost Estimates
 - h. Submission Check

- 2) Business Case - Part B (Written Report) will include:
 - a. A written description of the project, including detailed information on the rationale, proposed scope of work and demonstration of why alternative options are not feasible.

- b. Evidence and details on how site identification and design plans and cost estimates were derived. Identify the Land Priorities funding needed. This does not mean Land Priorities funding will be provided automatically.
- c. Detailed information on costing estimates and assumptions made
- d. Detailed project plan that includes timelines for key project milestones.

3) Design

- a. School boards should submit, at minimum, schematic designs based on either:
 - o EDU Design Catalogue; or
 - o Recent school board repeat design which must have been tendered since 2021.

New elementary school projects should proceed under one of the two options above. For other projects where a repeat design may not be feasible, School Boards may be provided an exception and submit a new design. These projects include:

- o additions/ renovations,
- o projects with unique site constraints,
- o podium or vertical schools,
- o secondary schools, and
- o schools in joint-use facilities.

NOTE: Projects submitted without a design **may be ineligible** for funding.

4) Long-Term Growth Needs (LTGN)

- a. Boards are asked to provide details of their longer term growth needs for addressing current and projected pupil accommodation needs linked to the Ontario Housing Action Plan and related municipal growth plans.
- b. Please see program guidelines for further information.

Please refer to the **Checklist** to ensure your board has included all required documentation.

INFORMATION SESSIONS

The ministry will host information sessions for the Capital Priorities Program in **August** and **September** on the following dates:

- Thursday August 24, 2023 - 1:00 pm to 3:00 pm
- Thursday August 31, 2023 (French) - 1:00 pm to 3:00 pm
- Thursday September 7, 2023 - 1:00 pm to 3:00 pm

These sessions will provide school board staff with support regarding the completion of Capital Priorities business cases.

MINISTRY CONTACT

If you have any questions regarding the Capital Priorities Program, or require additional information, please contact the Capital Analyst assigned to your school board or:

- Lesley Cunningham, Manager, Capital Program Branch at 647-404-1133 or Lesley.Cunningham@ontario.ca, or
- Sophie Liu, Manager, Capital Program Branch at 647-402-9597 or Sophie.Liu@ontario.ca, or
- Paul Bloye, Director, Capital Program Branch at 416-325-8589 or at Paul.Bloye@ontario.ca.

We look forward to working with you on advancing these projects and other initiatives as part of the Ontario government's commitment to meeting the needs of students and school boards across the province.

Sincerely,

Didem Proulx
Assistant Deputy Minister
Capital and Business Support Division

- c. Senior Business Officials
Superintendents and Managers of Facilities Managers of Planning
Early Years Leads
CAOs of Consolidated Municipal Service Managers CAOs of District Social Services
Administration Boards
Holly Moran, Assistant Deputy Minister, Early Years and Child Care Division, Ministry of Education
Roxanne Hotte, Assistant Deputy Minister (A), French-Language Teaching, Learning and Achievement Division, Ministry of Education
Andrew Locker (A), Director, Field Services Branch, Ministry of Education
President, Association des conseils scolaires des écoles publiques de l'Ontario (ACÉPO)
Executive Director, Association des conseils scolaires des écoles publiques de l'Ontario (ACÉPO)
President, Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)
Executive Director, Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)
President, Ontario Catholic School Trustees' Association (OCSTA)
Executive Director, Ontario Catholic School Trustees Association (OCSTA)
President, Ontario Public School Boards' Association (OPSBA)
Executive Director, Ontario Public School Boards' Association (OPSBA)
Executive Director, Council of Ontario Directors of Education (CODE)
Executive Director, Association des directions et directions adjointes des écoles franco-ontariennes (ADFO)
Executive Director, Catholic Principals' Council of Ontario (CPCO)
Executive Director, Ontario Principals' Council (OPC)

Committee Report

Presented to: Board

Meeting date: October 2, 2023

From: Parent Involvement Committee

Meeting date: September 12, 2023

The committee held a PIC meeting on September 12, 2023, from 6:30 pm. to 8:30 p.m. with Chair Mike Palma presiding.

PIC Members Present: Cindy Bourassa, Kristina Collier, Alissa Fairley, Channah Fonseca Becar, Adriana Harris, Emma Haslam Topping, Cheryl Hue, Mohamed Khamis, Heather Lambert Hillen, Amanda Lloyd, Tim Louks, Lorraine Lowry, Katrusia Marunchak, Laura Mulder, Alyse Nishimura, Mike Palma, Heidi Oglesby, Megan Ryan, Christine Sandor, Cindy Stewart, Cindy Stranak

PIC Regrets: Shelley Clemence, Chantell Crawford, Christine Joseph Davies, Nikita Mahood, Mehar Nandra, Christine Schewee, Omer Ahmed Sheikh, Alissa Shuker

Trustees Present: Amanda Fehrman

MONITORING ITEMS:

A. PIC Meeting Dates 2023-24

The committee was presented with the following proposed PIC meeting dates for the 2023-24 school year:

- Tuesday, September 12, 2023 – 6:30 p.m.
- Tuesday, October 10, 2023 – 6:30 p.m.
- Tuesday, November 7, 2023 – 6:30 p.m.
- Tuesday, December 12, 2023 – 6:30 p.m.
- Tuesday, January 9, 2023 – 6:30 p.m.
- Tuesday, February 13, 2023 – 6:30 p.m.
- Tuesday, April 9, 2023 – 6:30 p.m.
- Tuesday, May 14, 2023 – 6:30 p.m.
- Tuesday, June 11, 2023 – 6:30 p.m.

B. Old Business

Simon Goodacre provided an update to the Terms of Reference; the current Terms of Reference are from 2016. A PIC subcommittee will be created for new Terms of Reference. The PIC hybrid meeting format will continue as usual.

C. New Business

Members had an opportunity to participate in introductions, a team-building activity, and were introduced to the PIC member mentors.

Simon Goodacre shared an overview of the upcoming School Council Start-Up Session. The committee is seeking interest for School Council Community of Practice. Email Simon Goodacre or Jessica Montgomery to express interest.

Amanda Lloyd shared that PIC is forming several Subcommittees which are seeking members:

Hybrid Meetings
Membership for 2024-25
PRO Grants
School Council Handbook
Terms of Reference

Members participated in the group activity Meeting Topic Planning.

D. Trustees report

Trustee Amanda Fehrman provided an update on the Multi-Year Strategic Planning and HWDSB Engage. An update on school start-ups was also provided.

E. Reports from other Committees

- a) French as a Second Language Advisory Committee – No report.
- b) Hamilton-Wentworth Council of Home & School – Heather Lambert Hillen provided an overview of HWSHS and its mandate. The first council meeting at the Education Centre is on September 21st at 7:00 p.m.
- c) Rural Schools Community Advisory Committee – No report.

Respectfully submitted,
Mike Palma, Chair



EXECUTIVE REPORT TO BOARD

TO: BOARD

FROM: Sheryl Robinson Petrazzini, Director of Education

DATE: October 2, 2023

PREPARED BY: Heather Miller, Officer of Trustee Services

RE: HWDSB Multi-Year Strategic Plan 2023 - 2028

Action **X** Monitoring

Recommended Action:

That the Multi-Year Strategic Plan for 2023 to 2028 be approved.

Vision – Growing Together

Mission – Every student experiences a sense of belonging and engages in dynamic learning to reach their potential and build their own future.

Values – Our values of Compassion, Dignity, Trust, and Joy guide our daily work and ensure that we honour the unique identities and needs of all.

- **Compassion:** Leading with peace, friendship and love creates space for compassionate accountability, where we are responsible to one another in creating a culture of care.
- **Dignity:** Reciprocity, anti-racism and anti-oppression lead to a just and equitable learning community, where every person is included, respected and valued.
- **Trust:** Humility and transparency build the trusted relationships, connections and education system necessary for growth, change and evolution.
- **Joy:** Curiosity, play and fun are catalysts for meaningful student learning outcomes and support joyful and enriching experiences.

Strategic Directions

1. Upholding Human Rights, Safety & Well-being – We will support all students and staff to feel safe and secure in our classrooms and school communities.
2. Providing Equitable Quality Education - We will offer equitable quality educational opportunities to improve student engagement, learning and achievement for future-readiness.

3. Collaborating with Students, Families & Communities - We will build reciprocal relationships and partnerships to enhance access and engagement for students, families, and communities.

4. Building a Sustainable Education System – We will adapt to a rapidly changing world through responsible fiscal management, investing equitably in accessible and sustainable facilities, and supporting a robust workforce.

5. Reinforcing Indigenous Educational Wellness & Reconciliation - We will honour our commitment to Truth and Reconciliation by nurturing respectful and reciprocal relationships among Indigenous Peoples and Treaty Partners, and by cultivating intergenerational healing and wellness in a restorative education system.

Background:

On September 11, 2023, the Board of Trustees passed a motion to receive the Multi-Year Strategic Plan and requested that the plan be made available to the community through Engage for comments and feedback prior to Board ratification on October 2, 2023.

The MYSP was posted on September 12, 2023, and closed for comment on September 26, 2023. The project can be accessed here: <https://www.engagehwdsb.ca/strategic-planning-2023>.

There were 158 visitors to the project:

- 71 visitors opened the document to read, but did not comment; and
- 3 visitors participated in the quick poll (responding that they liked it “a lot”, they liked it “a little” and they don’t “really like” it).

There were no additional comments received.



EXECUTIVE REPORT TO BOARD

TO: BOARD

FROM: Sheryl Robinson Petrazzini, Director of Education

DATE: October 2, 2023

PREPARED BY: Simon Goodacre, Superintendent of Student Achievement

RE: Fall 2023 School Year Calendar Holiday Consultation Framework

Action

Monitoring X

Report Contents

- Background
- Consultation Frameworks Options.
- Possible Options for Addressing Religious and Creed Observances and Days of Significance.
- Recommendation

Background:

In March 2023, the Chair of the Board sent a letter to the Minister of Education at the direction of the Board of Trustees asking for a review of the school year calendar “in a manner [that] is inclusive to people of all religions and faiths.”

The response from the Minister indicated that school boards should work within the existing school year calendar framework.

At the May 8, 2023, Board meeting the following motion was passed:

RESOLUTION #23-69: Trustees Dahab/White moved: That staff provide an update on a framework for the consultation process for the school year calendar for the days of Religious Observances for the early fall of 2023.

Consultation Framework Options

Option A - One Year Process

Religious Creed Observances and Days of Significance are an important topic that requires careful consideration of the consultation process. The requirements of the school year calendar process provided challenges to the timeline available for this consultation. Given the importance of the issues involved, the available time restricts the options available for quality consultation. This option is also

only possible by shortening the consultation period for the draft school year calendar to three weeks from the traditional four. A proposed calendar must be approved by the Board of Trustees and submitted to the Ministry of Education for approval before March 1st of the prior school year.

Working backwards from the March 1st submission date, here are the timelines for consultation:

- October 2 – November 3: Window for consultation regarding religious accommodations and holiday placement.
- November 6- 17: Consolidation of consultation results.
- Week of November 20 – 24: Review of proposed draft calendar with School Calendar Advisory Committee.
- December 4 – Standing Committee – Draft 2024 – 2025 School Year Calendar report seeking recommendation from board for consultation.
- December 18 - Board of Trustee ratification of the draft school year calendar report for consultation.
- January – Public Consultation survey regarding the draft calendar.
- February 12– Standing Committee – Draft 2024 – 2025 School Year Consultation report post-consultation seeking recommendation from board for approval and submission to Ministry.
- February 26 – Board of Trustee ratification of the School Year Calendar report.
- March 1 – Submission to the Ministry of Education.

Option B - Two Year Process

This option would allow for a greater range of consultation options related to religious and creed observances and days of significance. This framework would inform the school year calendar consultation for the 2025-2026 school year calendar. This framework allows for more consultation options with interested parties.

- October 2023 – March 2024: consultation on religious and creed observances and days of significance involving online and in-person consultation methods.
- April 2024 – Consolidation of results.
- May 2024 – Report to Board regarding results.
- November 2024 – Incorporation of report findings into the traditional school year calendar consultation process for the 2025-2026 school year calendar.
- December 2024 – Draft 2025-2026 school year calendar presented to the Board of Trustees, seeking approval for consultation.
- January 2025 – Traditional consultation regarding draft.
- February/ March 2025 – Ratification of the Draft 2025 – 2026 school year calendar and submission to the Ministry.

Focus Group Consultation

Given the time available and staff resources, it is not possible to have a series of outreach sessions specific to individual community groups during the Option A timelines. The tight timelines require the use of existing HWDSB structures, including:

- School Year Calendar Advisory Committee.

- Parent Involvement Committee.
- Faith Advisory Committee.
- Human Rights and Equity Advisory Committee.
- Student Senate.
- Indigenous community consultation coordinated in cooperation with the Indigenous Education Department.

The topic of changing the traditional holiday schedule has the potential for comments that may be harmful. As such, it is not recommended that open consultation structures such as town halls (in-person or online) be organized.

The Option B process would allow for greater flexibility in consultation and allow multiple input sessions with advisory committees. It would also allow for the facilitation of focus groups with a broader range of interested parties.

Online Consultation

Online tools will be used to gather wider community input. We would provide information about the school year calendar options and the religious accommodation procedure; data collection would include options for comments. This information will be sent to all HWDSB families. While it has limitations, the use of an online format allows for the safest and most efficient collection of input from the widest range of community members possible.

It is a concern that the limited options available to adjust the calendar will create an environment where different faith communities are asked to prioritize the holidays of one faith over another. A situation where any public consultation becomes a vote on the value of any specific holiday can be harmful and divisive.

Possible Options Regarding Religious and Creed Observances

Human Rights and the HWDSB Religious Accommodation Procedure

The HWDSB has an obligation to provide accommodations to all staff and students related to days of observance based on creed, including religion. The HWDSB follows the direction of the *Ontario Human Rights Commission Policy on Creed and Accommodation of Religious Observances*.

The [HWDSB Religious Accommodation Procedure \(Policy 5.4\)](#) acknowledges each individual's right to follow or not to follow religious beliefs and practices, free from discriminatory or harassing behaviours and is committed to taking reasonable steps to provide religious accommodations to staff and to students. Section 3.2 of this procedure outlines the ability of staff and students to request absences to observe Holy Days. Section 21(2) (g) of the Education Act provides that a person is excused from school attendance in observance of a "holy day by the church or religious denomination to which he/she belongs."

Religious and Creed Observance and Days of Significance Calendar

The [HWDSB Religious Creed Observance and Days of Significance calendar](#) helps guide planning events and assessments for students and staff that may require consideration or accommodation.

The current calendar identifies 12 faith communities. Within these faiths there are 77 holy days and 55 days of significance. As individuals within a faith often practice in unique ways, it is difficult to make universal statements regarding the importance of any particular date for specific individuals. While extensive, it is recognized that this list is not comprehensive of all days of significance within the diverse communities in Hamilton.

According to the Student Census in 2022, the following religion and/or spiritual affiliations were reported for students: Christian 28%, No religious affiliation 21%, Muslim 21%, Atheist 10%, Agnostic 9%, Spiritual (not religious 6%, Hindu 3%, Buddhist 2%, Sikh 2%, under 1% (Baha'i, Humanist, Indigenous Spirituality, Jain, Jehovah's Witness, Jewish, Pagan, Wiccan, not sure).

According to the Staff Census 2019, the following religion and/or spiritual affiliations were reported for staff: Christianity 57.6%, no religion or spirituality 31.3%, multiple responses 2.8%, other 1.9%, Muslim 1.6%, Buddhism 1.0%, spiritual .9%, Hinduism 0.7%, Indigenous Spirituality 0.7%, Judaism 0.7%, Atheist 0.6%

School Year Calendar Requirements

School boards are required to follow all requirements of the Education Act Regulation 304 *School Year Calendar/ Professional Activity Days*. A school board must receive approval from the Ministry of Education for a school year calendar that incorporates all required holidays and 194 school days consisting of 187 Instructional days and 7 Professional Activity (PA) days between the beginning of September and the end of June.

According to reg. 304, the holidays for the school year calendar include:

- Labour Day.
- Thanksgiving.
- A Christmas vacation consisting of fourteen consecutive days.
- Family Day.
- A break in March consisting of 5 consecutive days.
- Good Friday.
- Easter Monday.
- Victoria Day.

To receive approval for the school year calendar, school boards are required to consult with:

- Parents.
- School councils.
- Parent involvement committee.
- Local branch affiliates of teachers' federations and unions.
- Ratepayers and other members of the community.
- Coterminous and neighbouring boards.

School boards are normally required to complete all required consultations and approve a proposed calendar for submission to the Ministry of Education by March 1.

Consultation with the co-terminus school board is important as both boards share transportation costs through the Hamilton-Wentworth Student Transportation Services. School boards must confirm with the Ministry of Education that co-terminus boards work together to reduce transportation costs.

Employee Collective Agreements

The HWDSB has Collective Agreements indicating the terms of employment for a number of different employee groups. Many of these Collective Agreements have language relating to working conditions and the length of the school year.

Possible Options for Addressing Religious and Creed Observances and Days of Significance

To address Religious and Creed Observances and Days of Significance there are three possible options:

- A focus on a robust religious accommodation procedure.
- A submission of a modified school year calendar for Ministry of Education approval.
- Continue advocacy with the Ministry of Education for a provincial approach.

Religious Accommodation Procedure

The [HWDSB Religious Accommodation Procedure \(Policy 5.4\)](#) allows all students and staff to be excused from school to observe a religious or faith-based holy day. This procedure acknowledges each individual's right to follow, or not to follow, religious beliefs and practices, free from discriminatory or harassing behaviours.

Religious accommodation allows all students, staff, and families to engage within their religious/creed observances without penalty or reprisal. Unfortunately, feedback from students, families, staff, and the community is that this procedure is not being fully realized and that students and staff feel that there are significant barriers to accessing this accommodation in practice. A key concern heard from students is that they are expected to make up any work covered in class on a day taken for an observance.

Staff have already been consulting with various student groups, community members and Trustee Special Committees (Faith Advisory Committee) on how better to apply the Religious Accommodation Strategy. Staff plan to implement current feedback and continue to work with students, staff, and families on ensuring the principles within the Religious Accommodation Procedure can be accessed by all HWDSB Students, Staff and Families.

Modified Calendar Submission

It is possible for HWDSB to submit a modified school year calendar to the Ministry of Education for approval. The Ministry of Education must provide final approval for all school year calendar submissions.

Possible modifications to the Ministry of Education's suggested calendar include:

- **Move of an existing holiday day** - HWDSB could submit a modified calendar that changes one of the existing required holiday dates and moves this holiday to another date. Within the requirements mentioned above, the only possible day available to move would be Easter Monday. With the proportion of staff that identify as Christian, there is concern that appropriate levels of school staffing would be available to operate schools given the high number of potential staff that could require a religious accommodation.

- **PA Day placement** - While HWDSB does have the ability to place PA Days within the school year calendar, some of these dates are connected to specific timeframes and must occur at certain times of year (e.g., PA Day designated for report card creation or end of semester tasks).

Of the seven PA Days in the school calendar, only two PA days have some flexibility in the date of placement. Of these two, one must still occur in the early Fall.

- **Board Holiday within the school year** - School Boards are required to schedule 194 days (Instructional and PA Days) between the start of September and the end of June. Depending on the calendar layout for a specific year this timeframe may include between 194 to 196 possible days. For the 2024-2025 school year there are 195 days available. Traditionally, any remaining eligible days at the end of June are designated as a Board Holiday. A proposed modified school year calendar could place a Board Holiday on a day within the school year.

This option does have some potential complications related to employee collective agreements. COPE employees would have an unpaid day. This option could also lead to a grievance related to other collective agreements.

This option would also not be available consistently year-to-year as the number of available calendar days varies.

The above options have a single day to move that would only address a single day for a single faith community. It does not address the number of days of significance within our diverse community. Community consultation on this option would have to include asking the community to prioritize days of religious/creed observance in order for trustees to approve the one religion/creed day of observance to place the holiday. This type of decision has the potential to be extremely divisive.

The use of PA Day placement also has the limitation of only addressing a single day of observance for students. This option does not address the requirement of HWDSB to accommodate observance days for employees. The HWDSB has an obligation under the *Ontario Human Rights Code* to provide accommodations for all days of observance for both students and staff; a modified calendar does not fulfill this obligation.

Continued Advocacy to the Ministry

As the regulations relating to the school year calendar are set by the Province through the Ministry of Education, HWDSB has limited options available to address the structural inequities that favour a traditional Christian holiday schedule.

An additional option is to ask the Ministry for broader changes to the school year calendar regulations. The school year calendar is more successful if all school boards are operating from a common structure. A provincial framework would better allow all school boards to develop calendars that honour the communities that they serve.

Staff Recommendation

As reviewed above, many aspects of the school year calendar are dictated by requirements set out by the Ministry of Education. The Ministry of Education is also responsible for final approval of any school year calendar proposed by the HWDSB.

It is also difficult for the HWDSB to propose school year calendars that differ substantially from the co-terminus and neighbouring school boards. A renewed provincial framework for the school year calendar will be easier for all school boards to implement consistently.

However, it is important to note that even a more representative calendar does not fulfil the HWDSB's obligations to provide accommodations for all religious and creed observance and days of significance for staff and students.

Within the current calendar regulations, the recommendation is to maintain the current holiday and professional activity day structure. Recognizing that the current structure is an imperfect structure that centres traditional Christian holidays, the limited changes available to the HWDSB in a modified calendar cannot adequately address the needs of the diverse community.

The recommendation is to focus on improving the experience of students and staff in accessing the Religious Accommodation Procedure while continuing to advocate to the Ministry. A robust Religious Accommodation procedure is the best way for the HWDSB to fulfill its obligations under the Ontario Human Rights Code and best meet the needs of all students and staff within our diverse community.

In addition to an emphasis of quality implementation of the Religious Accommodation Procedure continued advocacy to the Ministry of Education can continue at the same time. This would allow for modifications regarding the school year calendar to be carried out province-wide and nested within decisions regarding holidays for all employees across society. This would allow for a greater number of options and flexibility that are difficult for a single school board to unilaterally implement.



EXECUTIVE REPORT TO BOARD

TO: BOARD

FROM: Sheryl Robinson Petrazzini, Director of Education

DATE: October 2, 2023

PREPARED BY: Sharon Stephanian, Superintendent of Student Achievement - Specialized Services

RE: Translating Reports and Material

Action

Monitoring

Background:

At the June 19, 2023 Board meeting, Trustees approved the following motions:

RESOLUTION #23-96: Student Trustee Mahmoud/Trustees Dahab/White moved: That HWDSB commit to determining the feasibility of consistent and accessible communication to families and community members about the release of the disaggregated suspension and expulsion data by translating reports into multiple languages, including but not limited to, the top 10 non-English languages spoken by families, and sharing this with the Board.

That HWDSB commit to determining the feasibility of providing translated resources to families that includes a guide to the suspension and expulsion process, the appeal process, and the rights of all students and families during a suspension and sharing this with the Board.

Staff have investigated multiple approaches to improving the accessibility of reports beyond what is currently provided. The following have been found to be feasible options that staff could utilize, based on the particular need or circumstance:

- Written translation;
- Video translation;
- Interpreters (one-on-one)

	Advantages	Challenges	Costs (not including printing)
Written Translation Documents translated and available online (top 10 languages)	<ul style="list-style-type: none"> • Good for documents that don't change • Available online or in print • Fast turnaround (approx. one week) • Existing process 	<ul style="list-style-type: none"> • Translation of language (word for word) but not always useful if context is unfamiliar which can lead to misunderstanding • Costly when content changes 	<i>June 5, 2023 - Board Updated 2021-2022 Suspension and Expulsion Data with Suspension Disproportionalities and Introduction to Disproportionalities: \$2,600</i> <i>September 21st Program Committee Full Disproportionalities Report with Appendix A, B and C, plus Updated Suspension and Expulsion data from June 5th: \$24,300</i> Suspension Guide for Families: \$3,900 Expulsion Guide for Families: \$5,500
Video Translation Recorded videos provided in various languages	<ul style="list-style-type: none"> • Good for resources that don't change • Available online • Message shared by a familiar face (e.g. SWIS worker) • Context can be explained 	<ul style="list-style-type: none"> • Staff preparation of a script in addition to document • Online only • Time to record • New process 	\$35.00/hour
Interpreters To support individual conversations with families	<ul style="list-style-type: none"> • Families can select someone they are comfortable with and the school arranges • Best for one-to-one conversations • Context can be explained 	<ul style="list-style-type: none"> • One-to-one and not for a wider audience 	\$45.00/hour