

AGENDA: 6:00 p.m.

1. Call to Order/Roll Call
2. Land Acknowledgement
3. Election of Committee Chair
4. Approval of the Agenda
5. Review of Committee Workplan
6. Board Improvement Plan 2024-25 - presentation
7. Board of Trustee Self-Assessment Survey – December 2024 (Year 2)
8. Electronic Meetings and Meeting Attendance – updates per O. Reg. 463/97
9. Trustee Code of Conduct: Procedure – updates per O. Reg. 306/24

Information:

- Referral from Board (October) re: [Bill 98 correspondence from TCDSB](#)

10. Adjournment



GOVERNANCE COMMITTEE

Monday, December 2, 2024

Survey: Board of Trustee Self-Evaluation – December 2024 (Year 2)

Submitted By: Sheryl Robinson Petrazzini, Director of Education

Prepared By: Heather Miller, Officer of Trustee Services

Recommendation:

That the Board of Trustee Self-Evaluation Survey (Year 2) report be received.

Background:

Last year, Trustees completed their initial Board of Trustee Self-Evaluation which asked them to reflect on what they knew (i.e. the traditional roles and responsibilities of the Board of Trustees), but also inspired them to think about how they could evolve practices to reflect the pillars of the Multi-Year Strategic Plan.

Status:

The year-over-year self-evaluation is an effort to measure the progress made by using a maturity model to show growth along the journey and where the board needs to go. Trustees are asked to indicate progress on each item using the maturity scale and to assess the progress of the Board of Trustees as an entity, not as individuals. The assessment provides the Board of Trustees with an opportunity to reflect on their growth.

The results of the surveys received for Year 2 will be aggregated with open responses summarized in themes and provided to the Governance Committee in the new year. The report will show a year-over-year progression from the initial self-evaluation conducted last year.

The survey can be found in [Appendix A](#).

Financial Implications:

There are no financial implications known at this time.

Strategic Directions:

Upholding Human Rights, Safety & Well-Being

We will support all students and staff to feel safe and secure in our classrooms and school communities.

Providing Equitable Quality Education

We will offer equitable quality educational opportunities to improve student engagement, learning and achievement for future-readiness.

Collaborating with Students, Families & Communities

We will build reciprocal relationships and partnerships to enhance access and engagement for students, families, and communities.

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.

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.

APPENDIX A: Board of Trustees Self-Evaluation – December 2024

The Board of Trustees completed the first self-evaluation last year and it's time to embark on year 2 of the self-evaluation in an effort to measure the progress made on a year-over-year basis.

As a reminder, self-evaluations are an effective way to assess strengths and areas for improvement and by using a maturity model (i.e., a continuum of “we haven't even started this” to “we have this in place and are doing it consistently” it fosters growth by asking where we're at on this journey and where we need to go.

This self-evaluation asks Trustees to reflect on what we know, i.e., the traditional roles and responsibilities of the Board of Trustees, but also inspires us to think about how we will evolve practices to reflect tenets of the Multi-Year Strategic Plan. Trustees are asked to indicate progress on each item using the maturity scale and to assess the progress of the Board of Trustees as an entity, not as individuals. This is not a personal assessment. It is our assessment overall, as a group, as a unit, as a board.

The results of the surveys received this year will be aggregated with open responses summarized in themes and provided to the Governance Committee in the new year. The report will show a year-over-year progression from the initial self-evaluation conducted last year. This survey is anonymous and no individual responses will be reported. Raw data will be secured and held for a retention of 5 years by the Officer of Trustee Services.

Scale:

PRE-IMPLEMENTATION:	we have nothing in place to address this, we may need to know more, we may be gathering information, we may be planning
EARLY IMPLEMENTATION:	this happens ad hoc, we're still learning
BUILDING CAPACITY:	this happens but not always consistently, we are learning more, practicing, supporting, shifting practice
SUSTAINING CAPACITY:	we are where we need to be. Practice/knowledge is consistent and ongoing

Using the scale above, indicate where the Board of Trustees is on its journey in relation to each of the statements below.

1. Mission and Strategic Planning

	1	2	3	4
Trustees are knowledgeable about the culture, history and values of the district	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees has ensured there is a strategic planning process in place and that Trustees appropriately take part in that process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees has ensured that HWDSB strategic plans are responsive to community needs.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees has adopted and monitors implementation of HWDSB's strategic plan.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Policy & Governance

	1	2	3	4
The Board of Trustees clearly understands its policy role and differentiates its role from those of the Director and staff.	○	○	○	○
The Board of Trustees clearly delegates the administration of the district to the Director.	○	○	○	○
Trustees refrain from attempting to manage staff work.	○	○	○	○
HWDSB's Policies are up-to-date and comprehensive.	○	○	○	○
The Trustees Governance "Policy Manual" is up-to-date and comprehensive	○	○	○	○
The Board of Trustees relies on policies in making decisions to guide the work of the district.	○	○	○	○
The Board's Human Resources policies provide for fair and equitable treatment of staff.	○	○	○	○
The Board of Trustees protects and promotes Human Rights and ensures Equity while focused on student achievement and well-being.	○	○	○	○

3. Relationships

	1	2	3	4
The Board of Trustees has built a positive relationship with the Director.	○	○	○	○
The Board of Trustees has set and clearly communicates clear expectations for the Director's performance.	○	○	○	○
The Board of Trustees annually evaluates the Director's performance.	○	○	○	○
The Board of Trustees has built effective relationships with Executive Council	○	○	○	○
The Board of Trustees has built effective relationships with labour unions	○	○	○	○
The Board of Trustees actively promotes respectful representation of HWDSB in the media and community	○	○	○	○
The Board of Trustees acts as an advocate on behalf of the entire community to respond to community needs and concerns.	○	○	○	○
The Board of Trustees understands the Two-Row relationship framework and the idea of working in parallel or alongside.	○	○	○	○
The Board of Trustees considers Indigenous families in the context of beneficiaries of knowledge and knowledge production and takes steps to ensure Indigenous voices inform reporting practices.	○	○	○	○
Trustees are active in the community.	○	○	○	○
The Board of Trustees ensures that Trustees practice regular, deliberate efforts to seek out student and community voice from throughout the system (e.g., attending a student performance, engaging with student/parent groups, touring a school)	○	○	○	○
The Board of Trustees advocates on behalf of the district to the Ministry of Education, municipal, provincial and federal politicians to ensure they understand local issues and needs.	○	○	○	○
The Board of Trustees actively supports the district's Foundation as HWDSB's Charity of Choice.	○	○	○	○
The Board of Trustees has ensured that information about the roles and responsibilities of Trustees is easily understood, widely communicated and accessible.	○	○	○	○
The Board of Trustees is knowledgeable on tools available to use to engage with community.	○	○	○	○

4. Fiduciary Role

	1	2	3	4
The Board of Trustees has assured that the budget reflects priorities in HWDSB's Multi-Year Strategic Plan and Board Improvement Plan.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trustees understand the budget process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trustees are effective stewards of district resources.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Board policies have assured effective fiscal management and internal controls.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees regularly receives and reviews reports on the financial status of the organization.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees has ensured a whistleblower mechanism is in place as part of controls and risk management.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. Board of Trustee Leadership

	1	2	3	4
Trustees understand their roles and responsibilities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of the Board of Trustees elevate the diverse voices in our communities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members share, trust and respect for each other.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All Trustees participate in active discussion and decision-making.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Communication among Trustees is effective, i.e., promotes understanding, cooperation, and transfer of information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees expresses its authority only as a unit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trustees understand they have no legal authority outside board meetings.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees utilizes a human rights and equity lens in decision-making.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6. Effective Committee and Board Meetings

	1	2	3	4
Board meetings are accessible to the public and information about how to participate is deliberately shared to reach a wide, diverse audience.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Board meetings and learning opportunities are sufficient to explore key issues.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Agenda items provide enough information to enable informed decision-making.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trustees ensure that confidential and personal information is secured and stored according to district policies and privacy legislation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees has identified colonial characteristics or practices and is working towards dismantling those that pose as barriers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Committee structures are well-defined, and each committee has a terms of reference.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees has ensured that board meeting agendas and reports are manageable, thus ensuring Trustees can come to meetings prepared.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees makes room at the table so divergent views can be heard.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7. Board of Trustee Leadership

	1	2	3	4
Trustees understand their roles and responsibilities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of the Board of Trustees elevate the diverse voices in our communities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members share, trust and respect for each other.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All Trustees participate in active discussion and decision-making.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Communication among Trustees is effective, i.e., promotes understanding, cooperation, and transfer of information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees expresses its authority only as a unit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trustees understand they have no legal authority outside board meetings.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Board of Trustees utilizes a human rights and equity lens in decision-making.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

This concludes the maturity model portion of this self-evaluation.

Please answer the following questions based on your experience as a Trustee.

8. In your opinion, what are the Board of Trustees' greatest strengths?
9. What are the Board of Trustees' greatest opportunities for improvement?
10. As a member of the Board, I have concerns about...
11. I think the Board of Trustees would benefit from learning on these topics:
12. What additional resources & supports does the Board of Trustees need to understand roles and responsibilities as members of Trustee special committees, advisory committees, legislative committees, etc.?
13. Please describe how the board functions as a cohesive unit. Is it functioning as a unit as well as it should? Why or why not?

Thank you for making the time to do this self-evaluation. Your voice is important.

Done



GOVERNANCE COMMITTEE

Monday, December 2, 2024

Electronic Meetings and Meeting Attendance

Submitted By: Sheryl Robinson Petrazzini, Director of Education

Prepared By: Heather Miller, Officer of Trustee Services

Recommendation:

That the revised *5.1 Electronic Meetings and Meeting Attendance* report be approved and updated in the Board of Trustees Governance Manual.

Background:

The Electronic Meetings and Meeting Attendance legislation (Ontario Regulation 463/97) was updated in July, with the implementation of the changes taking effect September 1, 2025. The amendments to the Regulation include physical attendance requirements and circumstances that may exist which prohibit physical attendance at meetings.

Status:

The Ontario Public Schools Boards' Association (OPSBA) has provided member boards with a template which reflects revisions to the Regulation and the changes have been embedded into the updated attached document ([Appendix A](#)).

Financial Implications:

There are no financial implications known at this time.

Strategic Directions:

Upholding Human Rights, Safety & Well-Being

We will support all students and staff to feel safe and secure in our classrooms and school communities.

Providing Equitable Quality Education

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Note that the highlighted text reflects the practices used currently by Trustees.

5.0 Governance & Accountability

5.1 Electronic Meetings and Meeting Attendance

(O. Reg. 463/97, *Electronic Meetings and Meeting Attendance*)

1. At the request of any trustee, including a student trustee, the Board shall provide the trustee and student trustee with electronic means for participating in meetings of the Board (regular or special) or of a committee of the board, including a Committee of the Whole Board (regular or special).
 - a. Student trustees may always participate in these meetings by electronic means and do not require approval to do so.
2. If a trustee proposes to participate in a meeting by electronic means, the trustee shall submit a request in writing and the reasons for the request to the Chair of the Board in advance of the scheduled meeting.
 - a. Trustees shall endeavour to submit their request for electronic participation no later than:
 - i. Friday at 12 noon prior to the scheduled Board meeting.
 - ii. Three (3) business days prior to the scheduled Committee meeting.

In the event of extenuating circumstances, the trustee shall submit their request for electronic participation as soon as they are able to do so.
3. If the trustee requesting electronic participation is the Chair of the Board, the Chair shall submit the request and reasons to the Vice-Chair of the Board, or if the Board has no Vice-Chair, to another trustee of the Board.
4. The Chair, Vice-Chair, or other trustee, as applicable, may approve a request if they are satisfied that one or more of the circumstances exist.
5. The electronic means provided for shall permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.
6. When participating electronically, trustees are reminded of the following:
 - a. During roll call, trustees must be visible on camera to be counted as present in the meeting and part of quorum;
 - b. Trustees are reminded to immediately inform the Chair and Minute Recorder when they have stepped away from the meeting/returned to the meeting;
 - c. Trustees shall be visible on camera to speak in a meeting of the board/committee;
 - d. Trustees are strongly encouraged to be visible on camera at all times during a meeting so that they are visible and accountable to committee members and the public.

Note: Resolution #22-143, November 7, 2022

Circumstances for requesting electronic participation

7. Effective July 29, 2024, the circumstances are:
 - a. the distance from the trustee's primary place of residence within the area of jurisdiction

- of the board to the meeting location is 125 kilometres or more;
 - b. weather conditions do not allow the trustee to travel to the meeting location safely;
 - c. the trustee cannot be physically present at a meeting due to health-related issues;
 - d. the trustee has a disability that makes it challenging to be physically present at a meeting;
 - e. the trustee cannot be physically present due to family responsibilities in respect of:
 - i. the trustee's spouse;
 - ii. a parent, step-parent, or foster parent of the trustee or the trustee's spouse;
 - iii. a child, step-child, foster child, or child who is under legal guardianship of the trustee or the trustee's spouse;
 - iv. a relative of the trustee who is dependent on the trustee for care or assistance;
 - v. a person who is dependent on the trustee for care or assistance and who considers the trustee to be like a family member.
8. The Chair shall not approve a request for a trustee to participate by electronic means in a regular board meeting or regular committee of the whole board meeting if the request would result in fewer than one trustee of the board, in addition to the Chair of the Board or their designate, being physically present in the meeting room.
9. The Vice-Chair or other member of the board shall not approve a request for the Chair of the Board to participate by electronic means in a regular board meeting or regular committee of the whole board meeting unless the Chair's designate will be physically present in the meeting room.
10. The chair of a committee of the board, other than the chair of a committee of the whole board, or their designate shall be physically present in the meeting room of every regular meeting of a committee of the board. The committee chair or designate may participate by electronic means, if approved, provided that at least one other member of the committee, who is also a trustee of the board, is physically present in the meeting room.

Attendance

11. A trustee who participates in a meeting through electronic means in accordance with *Ontario Regulation 463/97* is deemed to be present at the meeting.
12. Effective September 1, 2025, if a trustee fails to be physically present at a regular meeting of the board or a regular meeting of the committee of the whole board unless their request to attend electronically is approved as set out above and in accordance with *Ontario Regulation 463/97*, the trustee's seat is vacated (s.228(1) (e) of the *Education Act*).

Effective September 1, 2025, the following attendance requirements are revoked:

- a. *the Chair of the Board or designate shall be physically present in the meeting room of the board for at least half of the meetings of the board during each 12-month period beginning November 15, 2022; and*
- b. *a trustee shall be physically present in the meeting room of the board for at least 3 regular meetings of the board during each 12-month period beginning November 15, 2022 (and pro-rated for trustees elected or appointed to fill a vacancy on the board in accordance with ss. 7(9) and ss.11(2) of Ontario Regulation 463/97).*

13. A trustee vacates their seat if they absent themselves without being authorized by resolution of the board entered in the minutes, from three consecutive regular meetings of the board (s.228(1)(b) of the *Education Act*).
14. The Director of Education or their designate must be physically present in the meeting room for each meeting of the board and each meeting of a committee of the board, including a committee of the whole, except when all schools of the board are closed.
15. If all schools of the board are closed under an order made in accordance with *Ontario Regulation 463/97* then the requirement for physical attendance at any meetings by a trustee or the Director of Education is not required in accordance with that Regulation and all trustees and student trustees may participate electronically. In those circumstances, the meeting room of the board or a committee of the board will not be open to permit physical attendance by members of the public.
16. Except those committee meetings from which the public has been excluded, the meeting room of the Board or of a committee of the Board, as the case may be, shall be open to permit physical attendance by members of the public at every regular meeting of the Board or of the committee of the Board, regardless of whether one or more trustees (including the student trustees) participate at such meetings electronically, unless all schools of the board are closed.
17. The Board shall provide members of the public with the ability to connect electronically to a meeting of the Board or of a committee of the Board. The electronic means used shall permit the public to hear the meeting, and where permitted by the Board (for example, a delegate), to participate in a meeting then all participants in the meeting shall be able to communicate with each other simultaneously and instantaneously.
18. At all meetings at which a trustee, including a student trustee, participates by electronic means, it is the responsibility of those trustees to comply with the requirements of the *Municipal Conflict of Interest Act*, including, in the case of a meeting that is closed to the public, to disconnect from the electronic participation for so long as is necessary to comply.
19. The Board shall ensure that appropriate processes are put in place to ensure the security and confidentiality of electronic participation in proceedings held during meetings that are closed to the public, including ensuring student trustees who participate through electronic means do not participate in any proceedings that are closed to the public under clause 207(2)(b) of the *Education Act* (subject matter under consideration involves the disclosure of intimate, personal or financial information in respect of a trustee of the board or member of a committee, an employee or prospective employee of the board or a pupil or their parent or guardian).
20. Where a meeting or part of a meeting is to be held in closed session, the trustee participating electronically shall confirm that they are in a private location where an unauthorized individual can not hear the trustee or meeting participants.
 - a. Trustees shall be visible on camera when participating in closed meetings (Board and/or committee meetings)
21. A trustee who has received written approval for electronic participation shall be responsible for correcting technical problems including disruptive noise and accidental disconnections that occur as a result of problems with their environment or equipment.

22. The record of the meeting shall indicate that the trustee was present and participated by electronic means.

DRAFT



GOVERNANCE COMMITTEE

Monday, December 2, 2024

Trustee Code of Conduct - Procedure

Submitted By: Sheryl Robinson Petrazzini, Director of Education

Prepared By: Heather Miller, Officer of Trustee Services

Recommendation:

That the Trustee Code of Conduct – Procedure be approved.

Background:

The Trustee Code of Conduct was updated (July 29, 2024) under Ontario Regulation 312/24 *Member of School Boards – Code of Conduct*. A second and related regulation is [Ontario Regulation 306/24: Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct](#) effective January 1, 2025, and boards must update their code of conduct procedures to ensure compliance with the Regulation, which includes a three-step process for resolving alleged breaches of code of conduct.

Status:

Staff have reviewed the current Trustee Code of Conduct Procedure and propose revisions based on the Regulation ([Appendix A](#)). The requirements of the Regulation include a mandatory three-step process:

1. Complaints regarding alleged breaches of the Code of Conduct may be resolved internally (informal process)
2. If resolution is not achieved within 20 days of the responding Trustee receiving written notice of the complaint, the matter must be referred to an Integrity Commissioner.
3. An appeal of the Integrity Commissioner's decision can be made to the Deputy Minister of Education (or designate).

Regulation 306/24: provides that "A board shall pay all fees charged by an integrity commissioner appointed under the Act."

The current Code of Conduct Procedure includes both an informal and formal process. The new Regulation dictates what the formal process is, should a complaint not be resolved locally within 20 days using the internal process. The proposal to be considered by the Governance Committee includes both the informal and formal process as well as a preamble for resolving

concerns that are not related to the Trustee Code of Conduct but could impact the overall functioning of the Board of Trustees.

It was anticipated that the Ontario Public Schools Boards' Association (OPSBA) would be providing member boards with a template which reflects revisions to the Regulation, however, at the time of this report, a framework was not received. Staff will endeavour to review any proposals provided by OPSBA as soon as it is available and will update Trustees if additional changes are needed.

Financial Implications:

There are no financial implications known at this time.

Strategic Directions:

Upholding Human Rights, Safety & Well-Being

We will support all students and staff to feel safe and secure in our classrooms and school communities.

Providing Equitable Quality Education

We will offer equitable quality educational opportunities to improve student engagement, learning and achievement for future-readiness.

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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.

Preamble:

The Board of Trustees is committed to reaching a prompt and fair resolution of any disputes, conflicts, or disagreements that may arise from time to time, which could impact the overall functioning of the Board.

Trustees are encouraged to attempt to resolve concerns with one another expeditiously, while also considering:

- Respect for each other's point(s) of view;
- Commitment to resolving the issue identified;
- Confidentiality;
- Freedom from repercussions;
- Commitment to working together moving forward.

There may be times when a dispute, conflict or disagreement can not be resolved between trustees and may require involvement from the Chair of the Board (or Vice Chair, should the concern be directly with the Chair) to assist in finding an appropriate and mutually agreed upon resolution. Trustees are encouraged to reach out directly to the Chair of the Board to request assistance in resolving their concerns.

Note: The following procedure section is proposed to comply with Ontario Regulation 306/24: Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct.

Matters related to allegations of a breach of the Code of Conduct

- 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 First Alternate, and Code of Conduct Second Alternate, and, in that order, shall play a part in the procedure corresponding to the disqualified Trustee, if allowed.

In the event of an allegation of a breach of the Code of Conduct, the following *informal* procedure shall be utilized to investigate:

1. A Trustee who has reasonable grounds to believe that another Trustee has breached the Board of Trustees Code of Conduct may bring the alleged breach to the attention of the Board of Trustees through the Chair of the Board.
2. 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.
3. 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.
4. Following receipt of the alleged breach of the Code of Conduct, the Chair shall acknowledge

receipt of the document within two (2) business days.

5. The Chair of the Board shall meet informally with the 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 meeting is conducted in private and should be documented.
6. 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.
7. The board will have 20 business days – as defined as a day between Monday and Friday, excluding holidays – to resolve any allegations of a breach of a Code of Conduct, using the informal procedure. If the matter is not resolved, the allegation shall be referred to an Integrity Commissioner using the process outlined in [Ontario Regulation 306/24: Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct.](#)

Matters referred to an **Integrity Commissioner, following O. Reg. 306/24**

Formal Process

NOTE: the information contained within this section is a direct reflection of the process as outlined in the Regulation. The highlight will be removed, once the Trustee Code of Conduct – procedure has been ratified by the Board of Trustees.

Notification of alleged breach

8. The notification of an alleged breach of a board's code of conduct shall be provided to,
 - a. the vice-chair, if the notice relates to the conduct of the chair;
 - b. another member of the board who is neither the complainant nor the subject of the complaint, if the notice relates to the conduct of both the chair and vice-chair; and
 - c. in all other situations, the chair.
9. A member of a board who gives a notification shall provide a copy of the notification to the director of education.
10. A notification alleging a breach of the code of conduct shall include,
 - a. the name and contact information of the member alleging the breach;
 - b. the name and contact information of the member whose conduct is the subject of the notification;
 - c. the date of the alleged breach;
 - d. a description of the alleged breach; and
 - e. the provision of the code of conduct that was allegedly breached.

Referral

11. The time period within which a matter must be referred to an integrity commissioner is 20 business days.
12. The integrity commissioner to whom an alleged breach is referred may define the scope of the investigation commenced under subsection 218.3 (7) of the Act.

Notice of appeal

13. The appellant shall give the written notice of appeal referred to no later than 15 business days after receiving written notice of the integrity commissioner's determination.

Appointment of panel

14. The panel of three integrity commissioners shall be appointed no later than 15 business days after the Deputy Minister or their delegate receives the notice of appeal.
15. One of the integrity commissioners appointed shall be named by the panel to act as chair and coordinate the hearing of the appeal.
16. The chair of the panel shall notify the parties to the appeal of,
 - a. the appointment of the panel; and
 - b. the requirements under subsections *Written appeal, submissions* and *Decision*.

Written appeal, submissions

17. The panel shall hear the appeal in writing.
18. The appellant shall provide written submissions to the panel and the respondent no later than 20 business days after receiving notice that the panel has been appointed.
19. The respondent shall provide written submissions to the panel and the appellant no later than 20 business days after receiving the appellant's submissions.
20. The appellant shall provide their written reply to the respondent's submissions no later than 10 business days after receiving the respondent's submissions.
21. The chair of the panel may extend any timeline set out in subsection (2), (3) or (4) at the written request of a party in order to provide for the fair, just and expeditious resolution of the appeal.
22. A decision to extend a timeline under subsection (4) shall be provided to the parties in writing and a copy of the decision shall be provided to the Deputy Minister.

Consideration by panel

23. The panel shall convene to consider the appeal at such times and in such places as they may determine.

24. The panel may be convened by electronic means.

Panel decisions

25. The panel may,

- a. define or narrow the scope of the appeal;
- b. limit the length of submissions from the parties;
- c. make interim decisions and orders, and
- d. on its own motion, and without holding a hearing, dismiss an appeal as frivolous or vexatious or commenced in bad faith.

26. A panel's decision made under clause (25) (d) is final.

27. The chair of the panel shall notify the parties of any decisions made by the panel.

Decision

28. The panel shall provide its decision and its reasons, including any dissent, to the parties in writing no later than 30 business days after receiving the respondent's submission.

29. The panel shall provide a copy of the decision, reasons and dissent to the Deputy Minister.



Office of the Chair of the Board

September 11, 2024

SENT BY EMAIL

Dear Chairs,

The importance of local democracy in education has been a cornerstone of the many successes achieved at Ontario's publicly funded schools. Local advocacy through the work of school board trustees in partnership with the families they represent is essential.

The recent memorandum from the Ministry of Education includes changes to the core operations of school board governance, as follows:

- Ontario Regulation 312/24: Trustee Code of Conduct Directives
- Ontario Regulation 306/24: Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct
- Ontario Regulation 311/24: Honoraria for Board Members
- Ontario Regulation 313/24: Electronic Meetings and Meeting Attendance

At a recent Toronto Catholic Board Meeting, the Board of Trustees passed a motion requesting that a communication be sent to all Ontario School Boards to consider asking their Trustee Association's to challenge Bill 98.

I look forward to your consideration of this request. It is only through collective action that we can better serve our local school communities. For this reason, it is important that your Board and respective Trustee Associations review all options to challenge some of the regulations outlined in the Better Schools and Student Outcomes Act, including but not limited to Boards bearing the financial cost of the required Integrity Commissioner.

As always, I am available to discuss this matter with you.

Sincerely,

A handwritten signature in black ink that reads "Nancy Crawford".

Nancy Crawford

Chair of the Board of Trustees, Toronto Catholic District School Board (TCDSB)

CC: TCDSB Trustees
Ontario Catholic School Trustees' Association (OCSTA)
Ontario Public School Boards' Association (OPSBA)
Association des conseils scolaires des écoles publiques de l'Ontario (ACÉPO)
Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)