



Policy Committee
Thursday, November 7, 2024
EC-340D & Virtual Meeting

AGENDA: 6:00 p.m.

1. Call to Order/Roll Call
2. HWDSB Land Acknowledgement
3. Approval of the Agenda
4. Review of the Policy Committee Workplan
5. Review of the Policy Template

Policy Review:

6. Property Disposition
 7. Medical Health Supports
 8. Student Behaviour and Bias-Free Progressive Discipline
-
9. Adjournment

BE YOU. BE EXCELLENT.

Subject:

Property Disposition

Executive Council Member Responsible:

Matthew Gerard
Associate Director of Business Services & Board
Treasurer

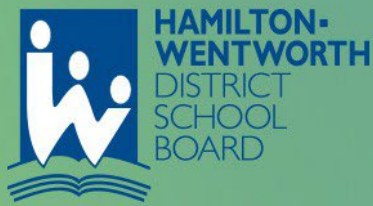


BACKGROUND

The Property Disposition Policy has been reviewed as part of the policy review cycle and in conjunction with the change in legislation related to O. Reg 374/23 (previously O. Reg. 444/98). Staff made minor updates to language throughout the policy.

RECOMMENDATION(S)

That the Property Disposition Policy be recommended for approval.



Property Disposition

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) recognizes that the *Better Schools and Student Outcomes Act, 2023* made amendments to the Education Act (the “Act”) that will help maximize school board capital assets to build modern schools faster, better utilize school capacity and enhance accountability and transparency.

To reflect the changing needs of the province, HWDSB acknowledges that under section 194(3) of the Act, a board that has adopted a resolution that real property is not required for the purposes of the board, may sell, lease or otherwise dispose of the school site, part of a school site or other property of the board as governed by Ontario Regulation 374/23: Acquisition and Disposition of Real Property (the “Regulation”).

GUIDING PRINCIPLES:

HWDSB recognizes the need to demonstrate:

- Trustee fiduciary responsibility
- Effective public-sector governance
- Transparent and timely communication
- Compliant property stewardship

INTENDED OUTCOMES:

When HWDSB is disposing, leasing or granting easements of entrusted real property assets, HWDSB will be in full compliance with all legislative and regulatory requirements within the Act and the Regulation.

RESPONSIBILITY:

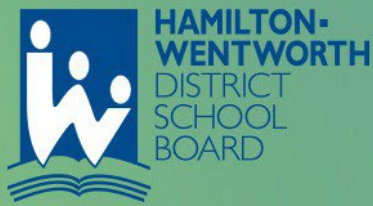
Director of Education
Members of Executive Council

TERMINOLOGY:

Discretionary Disposition: As per the Regulation, HWDSB may sell, lease or otherwise dispose of a school site, part of a school site or other property of HWDSB, with the Minister’s approval for the disposition, if HWDSB adopts a resolution that the property is not required for the purpose of the board, or that the disposition is a reasonable step in a plan to provide accommodation for pupils.

Easement: Right-of-way, right or license to cross or otherwise use HWDSB lands for a specified purpose but does not include such an easement arising by operation of law.

Fair Market Value: The most probable price in terms of money which an estate (or interest) in real



Property Disposition

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property should bring in a competitive and open market under conditions requisite to a fair and typical sale between a willing seller and willing buyer, each acting prudently and knowledgeably, being the highest and best use for the property or interest in question. A site appraisal must be completed by an Appraisal Institute of Canada accredited third-party appraiser.

Mandatory Disposition: If HWDSB has identified, through the reports and information required under section 193.1 of the Act, that a school site or other property of HWDSB is not currently being used and the site or property is not needed to meet HWDSB's current pupil accommodation needs or its pupil accommodation needs for the next 10 years, the Minister may direct HWDSB to sell the property.

ACTION REQUIRED:

When disposing, leasing or granting easements of entrusted property assets, HWDBS will adhere to the following:

- The Mandatory and Discretionary Disposition processes, including the granting of easements, as outlined in the Regulation will be followed.
- A Discretionary and Mandatory sale, lease or other disposition must be at fair market value, except as otherwise permitted or required by the Regulation.

The processes are defined in the Property Disposition Procedure and the Regulation as well as the prescribed time frames for notification or reporting to the Minister of Education for any acquisition or disposition.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Be in full compliance with all legislative and regulatory requirements when disposing of, leasing or granting easements of HWDSB real property	Measured through the procedures as outlined within all legislative and regulatory requirements.

REFERENCES:

Government Documents

Education Act

Ontario Regulation 374/23

Ministry of Education Operations Manual: Acquisition and Disposition of School Board Property June 2024

Subject: Medical Health Supports

Executive Council Member Responsible: Sharon Stephanian
Superintendent of Special Education, Inclusion and Equity, K-12



BACKGROUND

The Medical Health Supports Policy has been reviewed as part of the policy review cycle with minor updates being made to language throughout the policy.

RECOMMENDATION(S)

That the Medical Health Supports Policy be recommended for approval.



Medical Health Supports

Date Approved: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board is committed to providing learning environments that are welcoming, respectful, accessible and supportive of students with diverse medical needs. We will uphold human rights, safety and well-being by supporting all students in feeling safe and secure in our classrooms and school communities.

GUIDING PRINCIPLES:

- All health support services must be administered in a manner that respects to the degree possible in the circumstances, the student's right to privacy, dignity, identity-affirming practices and cultural sensitivity.
- Students with medical/health needs will be accommodated in the school in which they are registered whenever possible.
- When considering a student's support plan, objective medical documentation and identity-affirming practices will be used for planning purposes.
- In an emergency, staff and/or volunteers may be required to provide emergency assistance for a student.

INTENDED OUTCOMES:

Hamilton-Wentworth District School Board, will:

- Ensure that all school-aged children receive a quality education, and are accommodated, to the point of undue hardship including considerations for health and safety requirements.
- In collaboration with the Home and Community Care Services and other regulated health professionals, share the responsibility for providing school health support services to support students in attending and participating in learning, recognizing their special health support needs.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Home and Community Care Services: Are the health authorities responsible for regional administration of public healthcare services in the province of Ontario.

Plan of Care: A form that contains individualized information on a student with a medical condition.

Prevalent Medical Condition: As outlined in [Policy/Program Memorandum 161](#) (anaphylaxis, asthma, diabetes, and



Medical Health Supports

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epilepsy)

Regulated Health Professional(s): Members of a regulatory college which are governed by the Regulated Health Professions Act.

ACTION REQUIRED:

Ensure that a set of procedures supporting the medical accommodation of students are developed and regularly reviewed.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Ensure that all school-aged children receive a quality education, and are accommodated, to the point of undue hardship including considerations for health and safety requirements.	<ul style="list-style-type: none"> • Human rights incidents, inquiries, • School climate surveys • Parent/community voice surveys • Student Voice Survey • SEAC Feedback
In collaboration with the Home and Community Care Services and other regulated health professionals, share the responsibility for providing school health support services to support students in attending and participating in learning, recognizing their special health support needs.	Create a feedback mechanism to evaluate the effectiveness of the collaborative partnerships including partner and family voice

REFERENCES:

Government Documents

Education Act

Ontario Human Rights Code

Accessibility for Ontarians with Disabilities Act

Freedom of Information Act

Policy/Program Memorandum 81: Provision of Health Support Services in a School Setting

Memorandum dated August 14, 1989, Catheterization and Suctioning

Policy/Program Memorandum 161: Supporting Children and Students with Prevalent Medical Conditions (Anaphylaxis, Asthma, Diabetes and/or Epilepsy) in Schools

Sabrina's Law – Bill 3 – An Act to Protect Anaphylactic Pupils, 2006

Ryan's Law - Ensuring Asthma Friendly Schools, 2015

Rowan's Law – Bill 193 – Concussion Safety, 2018

Subject: Student Behaviour & Bias-Free Progressive Discipline Policy

Executive Council Member Responsible: Gerry Smith
Superintendent of Safe, Compassionate and Equitable Schools, K-12



BACKGROUND

The Policy Committee provided feedback at their October meeting regarding the Student Behaviour and Bias-Free Progressive Discipline Policy. Staff have reviewed the feedback provided, along with the policy, and devised a consultation plan ([Appendix A](#)) for the committee's consideration.

RECOMMENDATION(S)

That the Student Behaviour and Bias-Free Progressive Discipline Policy move to the consultation stage of the Policy Development Process.



Student Behaviour and Bias-Free Progressive Discipline

Date Approved: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) is committed to ensuring every student has the right to learn in an environment that upholds their human rights, safety and well-being, and is free from harassment and discrimination. By utilizing a continuum of strategies—including social skill-building programs, interventions to address interfering behaviours and/or unmet needs, and progressive discipline, when necessary—this policy ensures that both prevention strategies and our response to interfering behaviours are equitable, effective, and bias-free in nature.

GUIDING PRINCIPLES:

- Ensure equitable quality education and opportunities are provided to improve student engagement, learning and achievement focusing on pro-social skills, bullying prevention, and bias-free restorative practices to support effective prevention and intervention strategies.
- Implement restorative practices and bias-free progressive discipline in classrooms to promote healthy relationships, wellness, community building, and early intervention, while upholding anti-racist and anti-oppressive principles.
- Address inappropriate behaviours with developmentally appropriate consequences that provide learning opportunities and focus on learning, behaviour improvement, accountability for improvement, and safety
- Ensure that student discipline considers bias, prejudice, and discrimination, especially for historically and currently underserved populations, to promote fairness and equity.
- Maintain culturally- and trauma-sensitive communication between the school, home, and students to build trust and support student well-being and learning.
- Take all mitigating circumstances into account when addressing student behaviour to ensure fair and appropriate responses.
- Uphold students' rights as outlined in international and national human rights documents and codes, ensuring an equitable and respectful environment.

INTENDED OUTCOMES:

The goal of the Student Behaviour and Bias-Free Progressive Discipline Policy is to:

- Create and maintain a learning and teaching environment where safety, inclusivity, and well-being of diverse identities are prioritized, allowing every student to achieve their full academic potential.
- Encourage and reinforce positive student behaviours by focusing on social skills development, healthy relationships, and respect for all identities, including race, ethnicity, gender, sexual orientation, and socioeconomic status.
- Honour our commitment to Truth and Reconciliation by nurturing respectful and reciprocal relationships with Indigenous Peoples and Treaty Partners. Cultivate intergenerational healing and wellness through a restorative education system that acknowledges and respects Indigenous histories, cultures, and contributions.
- Effectively manage and address both pro-social and disruptive student behaviours using strategies that are



Student Behaviour and Bias-Free Progressive Discipline

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informed by an understanding of students' diverse identities. This approach ensures fairness and equity in behaviour management, supporting overall student well-being.

- Ensure interventions and support(s) are bias-free and sensitive to students' unique identities and backgrounds, fostering a more equitable school environment.

RESPONSIBILITY:

Director of Education
Members of Executive Council
School Principals

TERMINOLOGY:

Adult Pupil: For the purpose of this policy, an “adult pupil” is defined as someone who is 18 years of age or older or who is 16 or 17 and has withdrawn from parental control.

Bias: An opinion, preference, prejudice, or inclination that limits an individual’s or a group’s ability to make fair, objective, or accurate judgements.

Bullying: Aggressive and typically repeated behaviour by a student where:

- a) The behaviour is intended by the student to have the effect of, or the student ought to know that the behaviour would be likely to have the effect of:
 - i. Causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual’s reputation, harm to the individual’s property or,
 - ii. Creating a negative environment at a school for another individual, and
- (b) The behaviour occurs in a context where there is a real or perceived power imbalance between the student and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family dynamic.

Child and Family Services Review Board (CFSR Board): The Child and Family Services Review Board provides a mechanism under the Child and Family Services Act to hear an appeal of a school Board's decision to expel a pupil. The CFSR Board makes specific decisions on the residential placement of children; refusal of placement by private adoption licensees; rules on licenses for children’s residences, adoption placement, day nurseries and private home daycare; refusal to disclose adoption information; and applications for the release of children from emergency secure treatment facilities.

Committees:

- (i) Expulsion Hearing Committee: A committee of three or more Trustees of Hamilton Wentworth District School Board, established to hear a recommended expulsion of a pupil.
- (ii) Suspension Appeals Committee: A committee of three or more Trustees of Hamilton Wentworth District School Board, established to hear an appeal of a principal’s decision to suspend a pupil.



Student Behaviour and Bias-Free Progressive Discipline

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Discrimination: Any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral but have the effect of disadvantaging certain groups of people. It can be direct or indirect, individual or systemic. It may be intentional or unintentional, and it may take obvious forms (direct), or occur in very subtle ways (indirect). In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy. Hate activities and harassment are forms of discrimination. Putting measures to correct, relieve or remedy hardship or systemic discrimination experienced by persons or groups to achieve equity, is not discrimination.

Harassment: is defined in the Code as engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. This policy covers code-based harassment, which is a type of harassment that is directed towards a person or group based on a protected code ground(s). It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome. More than one event may take place for there to be a violation of the Code. However, one incident could be significant or substantial enough to be interpreted as harassment. Some examples of harassment are name-calling, unwelcome remarks, jokes, slurs, displaying derogatory or offensive messages, and bullying. This policy covers code-based harassment. Other types of harassment are addressed through other policies, (e.g., Workplace Harassment and Prevention Policy).

Hate Activity: Comments or actions against a person or group motivated by bias, prejudice or hate based on factors connected to one or more code grounds. Examples are: hate incidents (non-criminal activities), hate crime (criminal activities), hate propaganda, advocating violence, bullying, promoting hate, and publicly displaying hate in notices, signs, symbols, and emblems.

Individual Education Plan (IEP): A plan that provides modifications or accommodations to program of Exceptional students, or, in some cases, students who have specific needs.

Medical Cannabis User: As defined by the Education Act, a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal laws.

Mitigating Circumstance(s): Factors that lessen the severity or culpability of an act requiring a suspension or expulsion.

Parent/Guardian: The custodial parent or guardian of a minor who is under 18 years of age or is not 16 or 17 and removed from parental control.

Positive School Climate: School climate is the learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community (staff, students, parents, community members) feel safe, included, and respected; and actively promote and address the needs of the student population, particularly those currently and historically underserved. Principles of equity and inclusive education are embedded in the learning environment to promote a positive school climate and a culture of mutual respect.

Prejudice: An opinion against a group or an individual based on insufficient facts and is usually unfavourable and/or intolerant.

Progressive Discipline: Progressive Discipline is an approach that utilizes a continuum of prevention programs, interventions, and supports to promote positive student behaviour. Appropriate consequences to address



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inappropriate student behaviour are also included in the continuum. This approach to student discipline also includes learning opportunities for students that reinforce positive behaviours and help students make good choices.

Whole-School Approach: A whole-school approach involves all members of the school community including, but not limited to, staff, students, administrators, community members and parents. It supports efforts to ensure that schools are safe, inclusive and accepting. It involves the development of respectful and caring relationships between staff, students, parents and community. All aspects of school life are included in a whole-school approach, such as curriculum, school climate, teaching practices, policies and procedures.

ACTION REQUIRED:

- Maintain a Schools Action Plan aimed at enhancing the well-being of students and staff and addressing gaps in support for students who are disproportionality represented in suspension and expulsion data. The plan must support and be informed by other departments' action plans and strategies (Human Rights and Equity, Mental Health and Wellness).
- Prioritize differentiated school climate strategies to strengthen relationships with students, families and community that promote inclusion, pro-social behaviours, and healthy relationships.
- Collaborate with students, teachers, other staff members, community, School Council, and Home and School Association (where applicable), to create and maintain a school-based bullying prevention and intervention plans.
- Implement and deliver programs and professional development for all school personnel, including principals, vice-principals, teachers, occasional teachers, and support staff, to increase their awareness and understanding of skill-building programs, interventions to address interfering behaviours and/or unmet needs, and progressive discipline.
- Implement culturally relevant and responsive programming and assessment practices, taking proactive instructional steps to identify, prevent and mitigate systemic barriers in all classrooms.
- Continue to seek feedback from students, staff, and the HWDSB community through surveys and publicly share this information to further inform and strengthen Board practices and programs.
- Ensure that all students, school and support staff, parents/guardians/caregivers, community agencies, school bus drivers and operators and volunteers are aware of the policy and its commitment to creating a safe, respectful, and identity-affirming environment for all.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Create and maintain a learning and teaching environment where safety, inclusivity, and well-being of diverse identities are prioritized, allowing every student to achieve their full academic potential.	School Climate and Parent Surveys indicate improved student sense of inclusion. Board data shows improvement in all categories. Input /data from student forums indicates students feel comfortable and safe at school.



Student Behaviour and Bias-Free Progressive Discipline

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Encourage and reinforce positive student behaviours by focusing on social skills development, healthy relationships, and respect for all identities, including race, ethnicity, gender, sexual orientation, and socio-economic status.	School plans include programs/opportunities for students to learn/engage in building healthy relationships and pro-social skills. The plans are reviewed with the Superintendent during the School Improvement Visit using school-based data.
Cultivate intergenerational healing and wellness through a restorative education system that acknowledges and respects Indigenous histories, cultures, and contributions.	Gather feedback in a variety of ways from Indigenous community members, including elders and knowledge keepers, about the perceived cultural sensitivity of school disciplinary practices. Measure if the implementation of restorative and culturally responsive practices has reduced disproportionate discipline outcomes for Indigenous students.
Effectively manage and address both pro-social and disruptive student behaviours using strategies that are informed by an understanding of students' diverse identities.	Decrease in incidents resulting in suspensions or expulsions. Incidents of bias, prejudice and hate are reported and addressed Fewer incidents of bullying leading to suspension.
Ensure interventions and support(s) are bias-free and sensitive to students' unique identities and backgrounds, fostering a more equitable school environment.	Reduced suspension and expulsion disproportionality rates.

REFERENCES:

Government Documents

Accessibility for Ontarians with Disabilities Act (AODA)

Canadian Charter of Rights and Freedoms

Part XIII of the Education Act (300.0-316.0): Student Behaviour, Discipline, and Safety

An Act to Amend the Education Act (Accepting Schools Act), 2012

Policy/Program Memorandum 141, Programs for Students on Long Term Suspension Policy/Program

Memorandum 142: Program for Expelled Students

Policy Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour

Policy Program Memorandum 119: Developing and Implementing Inclusive Education Policies in Ontario Schools 2009

Policy Program Memorandum 166: Keeping Students Safe: Framework for school Board Protocols to Combat Sex Trafficking (2021)

Keeping Our Kids Safe at School Act (Bill 157) 2010

Ontario Regulation 472/00 Shaping A Culture of Respect in Our Schools 2008 Ontario Regulation 181/98

"Identification and Placement of Exceptional Pupils" Access to School Premises – Ontario Regulation 474/00

OCT Standards of Teaching Practice

Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs Through Progressive Discipline, K-12 2010



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English Language Learners: ESL and ELD First Nation, and Inuit Education Policy Framework 2007 Ontario's Equity and Inclusive Education Strategy, 2009
Ontario Human Rights Code
Ontario Criminal Code
United Nations Universal Declaration of Human Rights Convention on the Rights of the Child



HWDSB COMMUNITY POLICY CONSULTATION PLAN

Policy	Student Behaviour and Bias-Free Progressive Discipline Policy
Superintendent Responsible	Gerry Smith, Superintendent of Safe, Compassionate and Equitable Schools, K-12
Timeline	November 2024 – March 2025
Presentation of the Draft Policy	April 10, 2025

Background

This consultation plan, informed by the Human Rights and Impact Assessment tool, provides a foundation for a responsive, inclusive, and effective Student Behaviour and Bias-Free Progressive Discipline Policy, prioritizing a safe and respectful school environment.

Commitments to Participants

Guiding commitments to ensure transparency, inclusivity, and trust-building:

- **Transparency:** Share regular updates through the website and trustee reports.
- **Student, Family, and Staff Voice:** Ensure policy is shaped by stakeholder input, with outcomes shared publicly.
- **Inclusive Engagement:** Prioritize engagement with those most affected by behaviour policies.
- **Trust-Building:** Foster relationships through listening, responsiveness, and accountability at both school and system levels.

Consultation Phase 1	
Goal	Direct Student and Family Engagement
Timeline	November 2024 – January 2025

Purpose

Focuses on gathering insights and feedback from students and families most affected by disciplinary measures, especially from students who are disproportionately represented in HWDSB's suspension and expulsion data, to identify policy and procedural gaps and areas for improvement.

Objectives:

- Engage impacted groups to identify what is supportive, harmful, or missing in the policy.
- Inform revisions based on collected feedback.

Human Rights and Impact Assessment Tool:

Key questions guiding this phase include:

- **Equity & Accessibility:** Who is most impacted, and what barriers might exist to their participation?
- **Bias & Representation:** How can the policy address potential biases and acknowledge past harm?
- **Positive Impact & Harm Reduction:** How will the policy positively impact underserved groups?
- **Inclusive Decision-Making:** How will feedback from impacted communities be integrated?

Focus Groups:

- Students who identify as Indigenous, Black, Racialized, Two-Spirit and LGBTQIA+, students with disabilities, the Safe Schools Student Advisory Group, and the Organizational Advisory Table (union partners, employees),
- Students and families who have been suspended (both short-term and long-term),
- Students (and families) who have participated in Pheonix or are currently in the Pheonix Program, and
- Students and families who have participated in a suspension appeal process.

Process

- Fall 2024: Initial input via HWDSB departments/staff.
- Winter 2025: Engage impacted students in school-based sessions facilitated by consultants, where possible, student leaders cofacilitate the engagement.

Consultation Phase 2	
Goal	Broader Community Input
Timeline	February – March 2025

Purpose

Engage the larger community to refine the policy further, focusing on feedback from the public and key HWDSB leadership groups.

Objectives

- Review Phase 1 insights.
- Revisit consulted groups from phase 1 to share and clarify their feedback.
- Assess readiness for final policy approval.
- Gather feedback on specific policy areas needing refinement.

Focus Groups

HWDSB Community, Staff, Safe Schools Advisory, Student Senate, Community Advisories, Union Presidents, Parent Involvement Committee (PIC), and Special Education Advisory Committee (SEAC)

Process

The Working Group will pose two questions in the online survey to guide feedback:

- Does the policy reflect the Board's shared values and commitments to students and communities it serves?
- Is the policy ready for approval? What needs to be clarified or added?

Communication Strategy

To inform the HWDSB community that the 30-day consultation period has started, and individuals can provide comments and feedback on the Student Behaviour and Bias-Free Progressive Discipline Policy.

Strategy	Activity
Internal	Memo to all staff, Media Release, Social Media, Website, HWDSB Engage
External	Letter, Media Release, Social Media, Website, School Newsletter, School Website, HWDSB Engage