



AGENDA

Board Meeting – Wednesday, October 19, 2022

7 p.m. – Open Session

Please note that all public sessions of Board Meetings are live-streamed and recordings are posted on the Peel District School Board website.

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AGENDA

OPEN SESSION

Wednesday, October 19, 2022

1. Call to Order – 6:30 p.m.
2. Motion to Convene into Committee of the Whole (Closed Session)
3. Rise and Report from Committee of the Whole (Closed Session)
4. National Anthem and Acknowledgement of Traditional Lands – 7 p.m.
5. Approval of Agenda
6. Declaration of Conflict of Interest
7. Celebrating Board Activities
 - 7.1 Indigenous Education Month – November
 - 7.2 Hindu Heritage Month – November
 - 7.3 Peel Custodial and Maintenance Workers’ Day, November 25, 2022
8. Staff Recognition
 - 8.1 Retirements
9. Board Chair’s Announcements
10. Report from Student Trustees
11. Reports from Trustees Appointed to External Organizations
12. Director’s Leadership Report (*oral*)
13. Consent Agenda (Matters to be Decided Without Discussion)
14. Approval of Minutes from Previous Board and Special Board Meetings
 - 14.1 Minutes – Board Meeting – September 28, 2022

AGENDA

- 15. Committee Minutes for Receipt and Motions for Consideration**
- 16. Staff Reports**
 - 16.1 Ministry Directives
 - (a) Directive 9 – Annual Equity Accountability Report Card – *presented by Paul da Silva*
 - (b) Directive 17- Reform of the Guidance Program/System-Final Report – *presented by Paul da Silva*
 - (c) Directive 21 – Revision of Policy 48: Safe and Caring Schools – *presented by Harjit Aujla*
 - 16.2 Human Sex Trafficking Prevention – Update #2 – *presented by Paul da Silva*
 - 16.3 Trustee Code of Conduct – *presented by Kathryn Lockyer*
- 17. Trustee Motions for Consideration (Introduced at a Previous Meeting)**
 - 17.1 Motion regarding Term Limits for School Board Trustees
- 18. Trustee Notices of Motion**
- 19. Adjournment**

Board Meeting, October 19, 2022

Retirements

Strategic Alignment:

Plan for Student Success – Safe, positive, healthy climate/well-being

Decision(s) Required:

Receipt

Prepared by: Masuma Khangura, Executive Officer, Human Resources, Partnerships and Equity

Submitted by: Rashmi Swarup, Director of Education

Content

Purpose:

Recognition of retiring PDSB staff.

Context:

Each month, staff who are or have recently retired are recognized.

RETIREMENTS

BANKS, Nancy
Educational Assistant
Effective: October 07, 2022

BUZDON, Loris
Classroom Teacher
Effective: October 31, 2022

CASH, James
Classroom Teacher
Effective: October 28, 2022

CHEN, Xiaoping
Classroom Teacher
Effective: October 31, 2022

DODWELL, Barbara
Classroom Teacher
Effective: October 28, 2022

DRUMMOND, Shirley
Educational Assistant
Effective: December 01, 2022

EARL, Andrew
Educational Assistant
Effective: December 31, 2022

ELDER, Barb
Assistant to Superintendent
Effective: November 01, 2022

LAPIERRE, Karen
Educational Assistant
Effective: October 31, 2022

RETIREMENTS

MAGEE, Lynne
Office Assistant
Effective: October 31, 2022

MCCLURE, Kathryn
Designated Early Childhood Educator
Effective: October 28, 2022

RAMO, Dan
Building Leadhand
Effective: November 01, 2022

RUHOMUTALLY, Samour
Classroom Teacher
Effective: November 30, 2022

SCHMITZ, Pixie
Behavioural Educational Assistant
Effective: December 31, 2022

VINCENT, Dilia
Head Custodian
Effective: October 31, 2022

VINCENT, Stephen
Head Custodian
Effective: October 31, 2022

WALTER, Lynne
Office Assistant
Effective: October 31, 2022

PEEL DISTRICT SCHOOL BOARD

Minutes of the Board Meeting, held on Wednesday, September 28, 2022, at 18:32 hours. The Hybrid meeting was held in the Board Room, the H. J. A. Brown Education Centre, 5650 Hurontario Street, Mississauga, Ontario, and by electronic means, under Ontario Regulation 463/97, as amended.

Present:

Bruce Rodrigues, Supervisor, Chair

Also Present (Trustees):

Susan Benjamin
Stan Cameron
Robert Crocker
Will Davies
David Green

Sue Lawton
John Marchant
Brad MacDonald
Balbir Sohi

Avneet Athwal, Student Trustee North
Evelyn Lee, Student Trustee South

Administration:

Rashmi Swarup, Director of Education
Harjit Aujla, Acting Associate Director, School Improvement and Equity, Leadership, Innovation and Safe Schools
Paul da Silva, Associate Director, School Improvement and Equity, Special Education, Social Emotional Learning and Well Being
Jaspal Gill, Associate Director, Operations and Equity of Access
Camille Logan, Associate Director, School Improvement and Equity, Curriculum and Instruction, Student and Community Engagement
Tania Alatishe-Charles, Controller, Finance Support Services
Dahlia Battick, Acting Superintendent of Education
Craig Caslick, Superintendent of Education
Lara Chebaro, Superintendent of Education
Yonnette Dey, Superintendent of Equity, Community Leadership, Partnership and Engagement
Donna Ford, Superintendent of Education
Soni Gill, Superintendent of Education
Tiffany Gooch, Executive Lead, Public Engagement and Communications
Leslie Grant, Superintendent of Education
Antoine Haroun, Chief Information Officer, Learning Technology Support Services
Lisa Hart, Superintendent of Equity, Indigenous Education, Anti-Racism, Anti-Oppression and School Engagement
Rasulan Hoppie, Superintendent, Curriculum, Instruction and Assessment
Masuma Khangura, Executive Officer, Human Resources, Partnerships and Equity
Lisa Leoni, Superintendent, Leadership, Capacity Building and School Partnerships
Kathryn Lockyer, General Counsel and Governance Officer

Administration: (Continued)

Michael Logue, Superintendent of Education
Luke Mahoney, Superintendent of Education
Ozma Masood, Superintendent of Education
Neerja Punjabi, Superintendent of Education
Claudine Scuccato, Superintendent of Education
Michelle Stubbings, Superintendent, Safe and Caring Schools
Thomas Tsung, Controller, Corporate Support Services
Kervin White, Superintendent of Education
Mary Zammit, Superintendent of Education

Nicole Fernandes, Board Reporter

1. Call to Order

Supervisor, Bruce Rodrigues, called the meeting to order at 18:32 hours.

2. Committee of the Whole (Closed)

Resolution No. 22-128, approved by Bruce Rodrigues,

Resolved, that the Board move into a Committee of the Whole (Closed) meeting (18:32 hours).

The meeting recessed at 18:37 hours, and reconvened at 19:00 hours.

3. Rise and Report from Committee of the Whole (Closed)

Resolution No. 22-129, approved by Bruce Rodrigues,

Resolved, that the report of the Committee of the Whole (Closed) re: Minutes of the Committee of the Whole (Closed) Meeting, held August 24, 2022; Minutes of Physical Planning, Finance and Building Committee Meeting (Closed Session), held September 7, 2022; Motion for Consideration: Physical Planning, Finance and Building Committee Meeting (Closed Session), held September 7, 2022; Principal and Vice-Principal Appointment and Assignments, and Senior Team Update, be received and the recommendations contained therein be approved.

4. National Anthem and Acknowledgement of Traditional Lands

The Chair led the singing of O Canada, and acknowledgement of traditional lands was recited.

5. Approval of Agenda

The following items were added to the agenda:

- Item 11.2 Trustee Green: Ontario Public School Boards' Association – Update
- Item 11.3 Trustee Green: Student Transportation of Peel Region – Update

Resolution No. 22-130, approved by Bruce Rodrigues,

Resolved, that the agenda, as amended, be approved.

6. Conflict of Interest

There were no declarations of conflict of interest.

7. Celebrating Board Activities

Resolution No. 22-131,

Resolved, that information on the following items be received:

1. National Day for Truth and Reconciliation – September 30, 2022
2. Islamic Heritage Month – October
3. Latinx Heritage Month – October
4. World Teachers' Day/Peel Teachers' Day – October 3, 2022
5. Principals and Vice-Principals' Day – October 7, 2022
6. Bus Driver Appreciation Day – October 19, 2022
7. Peel Teaching Assistant & Early Childhood Educators' Appreciation Day – October 21, 2022

Supervisor Rodrigues announced that National Day of Truth and Reconciliation on September 30, 2022 ensures the opportunity to recognize and remember the harmful impact that the legacy of colonialism has had on Indigenous culture and sovereignty through the Residential School System.

Supervisor Rodrigues noted that October is Islamic Heritage Month and Latinx Heritage Month, and the celebration acknowledges and affirms the contributions made by Canadians of Muslim and Latinx heritage. Reporting that the Board marks October 3, 2022 as Peel Teachers' Day in addition to World Teachers' Day, October 7, 2022 as Principals and Vice-Principals Day, and October 21, 2022 is Peel Teaching Assistant & Early Childhood Educators' Appreciation Day, Supervisor Rodrigues expressed appreciation and thanked staff for their commitment and dedication in effecting positive change and helping students succeed. Referring to Item 7.6, Bus Driver Appreciation Day on October 19, 2022, he acknowledged the contributions of bus drivers who help thousands of students get to and from school safely.

8. Staff Recognition

Supervisor Rodrigues acknowledged the many years of dedicated service by the following retiring staff and wished them success in their future endeavours:

Resolution No. 22-132,

Resolved, that the report on Retirements be received:

Archana Anand	Scott Fedorowich	Michelle Papp
Valerie Balkwill	Regina Garbacz	Rosa Rosati
Robyn Beckman	Fidelito Go	Jan Sandhu
Maria Belardi	Effie Grigoropoulos Tsakonas	Shirley Snyder Moore
Jane Boonstra	Janice Hancock	Vaughan Stoyka
Dorothy Boylan	Take Lachhman	Karen Tolles
Paul Delsnyder	Tonya Long	Megan Wilson-Reitknecht
Rita DeSousa	Lexi Miljak	Donna Zaritsky
Wendy Dukhan	Joanne Miller	
Bibi Dulymamode	Nalayini Moorthy	

9. Board Chair's Announcements

Supervisor Rodrigues announced that he has completed a comprehensive review of the Director of Education, Rashmi Swarup's performance. He congratulated her on a positive review and thanked her for her dedication to Peel DSB.

10. Reports from Trustees Appointed to External Organizations

1. Natural Science and Education Committee Update

Trustee Cameron, Peel DSB's representative on the Natural Science and Education Committee (NSEC) for the 2021-2022 term, provided an oral report on the composition and mandate of the Committee. He advised that, in keeping with its objectives, the NSEC had endorsed a series of minimum standards proposed by the Outdoor Education Taskforce on student access to outdoor classroom learning related to natural science, conservation and the environment. This recommendation was accepted by the Toronto and Region Conservation Authority and partner agencies. Trustee Cameron outlined next steps in regard to participation, cross curriculum support, creating a consistent and clear system that ensures equitable access, and broadly communicating the minimum standards.

2. Ontario Public School Boards' Association (OPSBA)

Trustee Green reported on the topics of discussion at the OPSBA's Executive Council meeting, including developing a template for trustee training on diversity, equity, and inclusion, trustee orientation, bargaining, and hiring to replace the outgoing Executive Director of OPSBA. He highlighted the Day of Advocacy, when trustees from several school boards will meet with the government to discuss the challenges in the education system with regard to fair funding, especially funding to hire more teachers and Educational Assistants, and for Special Education.

10. Reports from Trustees Appointed to External Organizations (Continued)

3. Student Transportation of Peel Region (STOPR)

Trustee Green reported that STOPR had a good start of the school year with adequate drivers. STOPR conducted training for new bus drivers over the summer, and held a Safe Ride to School program at which 1500 parents and students participated. Work is ongoing to ensure that drivers are trained and ready to replace those leaving. Trustee Green referred to construction in Mississauga which has led to bus delays, and indicated that trustees may receive calls in this regard.

11. Director's Leadership Report

Director Swarup reported that this year's Starting Point, which launched the new school year, was an opportunity to review Peel DSB's collective work and commitments, and to share an overview of priorities. She stated that student achievement continues to be a priority in Peel DSB's strategic plan to align classroom instructional practices with the goal of addressing disproportionalities in achievement. Remarking that strong partnerships with education providers are integral to creating pathways for students, Director Swarup noted that Peel DSB has partnered with University of Toronto Mississauga on the SEE@UTM program. Students can explore post-secondary options and campus life in a positive, inclusive, and nurturing environment. She explained that the Ministry Directives remain the foundation of the work to ensure equitable outcomes for Peel students, with a focus on Black and Indigenous communities, guided by the Board and School Equity Improvement Plans. She highlighted restructuring of the Human Rights Office, mandatory board-wide human rights training, the complaints procedure for Peel families, and work on supporting the newly created Black Student Success strategy.

Director Swarup stated that September 30, 2022, marks National Day for Truth and Reconciliation, and schools throughout PDSB will engage in meaningful learning and discussions about the impact of the residential school system in Canada. Latinx Heritage Month and Islamic Heritage Month, as well as the staff and Bus Driver appreciation days were noted. Director Swarup spoke about the celebration of the 200th anniversary of Alton village, and 42nd Annual Terry Fox Run in which staff and students participated.

12. Policy 56 – Occupational Health and Safety

The Occupational Health and Safety Act requires all employers in Ontario to approve an Occupational Health and Safety Policy, which must be reviewed annually and posted in a conspicuous location where it will draw the attention of all employees.

Resolution No. 22-133, approved by Bruce Rodrigues,

Resolved, that Policy 56, Occupational Health and Safety, be approved. (APPENDIX I, Item 13.1 of the Agenda)

13. Board and Committee Meeting Schedules 2022-2023 - Updated

Resolution No. 22-134,

Resolved, that the updated Board and Committee Meeting Schedules 2022-2023, be received.

14. Minutes of Board Meetings

Resolution No. 22-135, approved by Bruce Rodrigues,

Resolved, that the Minutes of the Board Meeting, held August 24, 2022, be approved.

15. Committee Minutes

Resolution No. 22-136,

Resolved:

1. That, the Minutes of the Parent Involvement Committee meeting, held May 26, 2022, be received;
2. That, the Minutes of the Special Education Advisory Committee meeting, held June 14, 2022, be received;
3. That, the Minutes of the Physical Planning, Finance and Building Committee meeting, held September 7, 2022, be received;
4. That, the Minutes of the Governance and Policy Committee meeting, held September 14, 2022, be received.

16. Motions for Consideration - Physical Planning, Finance and Building Committee Meeting, September 7, 2022

Resolution No. 22-137, approved by Bruce Rodrigues,

Resolved, that the following recommendation arising from the Physical Planning, Finance and Building Committee meeting, held September 7, 2022, be approved:

1. Report on Tenders: Malala Yousafzai Public School

That, the contract for the construction of Malala Yousafzai Public School be awarded to Quad-Pro Construction Inc. in the amount of \$ 29,719,000. (including HST). (Appendix I, attached to the minutes of the Physical Planning, Finance and Building Committee Meeting)

17. Motions for Consideration, Governance and Policy Committee, September 14, 2022

Resolution No. 22-138, approved by Bruce Rodrigues,

Resolved, that the following recommendation arising from the Governance and Policy Committee meeting, held September 14, 2022, be approved:

1. Policy Development and Review Framework

That, the report be received and the Policy Development and Review Framework (appended to the report), be approved. (Appendix I, attached to the minutes of the Governance and Policy Committee Meeting)

2. Trustee Family Leave Policy

That, the Trustee Family Leave Policy be approved, effective November 15, 2022. (Appendix II, attached to the minutes of the Governance and Policy Committee Meeting)

18. Policy 71 – Trustee Honoraria

General Counsel and Governance Officer, Kathryn Lockyer, reviewed the report, noting that Ontario Regulation 357/06, Honoraria for Board Members, provides the method for calculating the limits on honoraria paid to trustees under Section 191 of the Education Act. She reported that, each year, the honoraria must be calculated based on enrollment. Indicating that trustee honoraria is funded by the Province of Ontario, she advised that the 2022-2023 basic trustee honorarium is \$28,365.63 per year, effective December 1, 2022.

Resolution No. 22-139, approved by Bruce Rodrigues,

Resolved, that revised Policy 72, Trustee Honoraria, effective December 1, 2022, to November 14, 2023, be approved. (APPENDIX II, Item 16.1 of the agenda)

19. Amendments to Peel DSB Procedure By-Law

Kathryn Lockyer stated that the current Board By-laws and related Governance Directives were approved at the June 16th, 2021 Board Meeting. She explained that the Procedure By-law should be reviewed regularly to ensure that it is meeting the needs of the Board and its committees, as well as providing the necessary guidance for effective and efficient meeting management. She noted that, after applying the current By-laws and upon closer review, there was some demonstrated need for a few amendments, clarifications, and additions. The proposed amendments were presented to the Governance and Policy Committee at the June 15, 2022 meeting, and notice to the public regarding the proposed amendments was provided at the June 29, 2022 Board Meeting. No comments have been submitted since then. Kathryn Lockyer indicated that training will be provided on the proposed Procedure By-law in the new term of office.

19. Amendments to Peel DSB Procedure By-Law (Continued)

Resolution No. 22-140, approved by Bruce Rodrigues,

Resolved, that amendments to the Peel DSB Procedure By-law, effective November 15, 2022, be approved (APPENDIX III, Item 16.2 of the agenda)

20. Trustee Annual Learning Plan: 2022-2023

The report on the Trustee Annual Learning Plan: 2022-2023, was reviewed by Kathryn Lockyer. She explained that, pursuant to Ministry Directive 6, the Board was required to establish a mandatory annual learning plan for Board Members. The first mandatory annual learning plan was completed and reported at the May 25th, 2022, Board Meeting. The requirement of an annual learning plan is embedded in the Procedure By-law. Kathryn Lockyer reported that recommended training focuses on the trustee roles and responsibilities, as well as awareness of important system work. The six learning opportunities proposed are: trustee orientation; trustee roles and responsibilities; Peel DSB Consent Culture; Code of Conduct; Budget; conducting expulsion hearings and suspension appeals.

Resolution No. 22-141, approved by Bruce Rodrigues,

Resolved, that the Trustee Annual Learning Plan for 2022-2023, be approved (APPENDIX IV, Item 16.3 of the agenda)

21. Centre for Indigenous Excellence and Land Based Learning

Nicole Reynolds, Coordinator of Indigenous Education, reviewed the recommendation regarding the development of a Centre for Indigenous Excellence and Land-Based Learning as an important part of the Board's commitment to improved outcomes for Indigenous students, and which upholds the distinct and inherent rights of First Nation, Metis, and Inuit peoples. She referred to the Ministry Review report which outlined the significant disparities in achievement of Indigenous students whose opportunities are being erased due to a lack of cultural understanding. Nicole Reynolds remarked that Indigenous students will continue to experience disproportionate outcomes if Eurocentric models of education and success measures continue to apply. She spoke of the need for these students to be immersed in Indigenous education, and she provided examples of Indigenous centres at the Toronto DSB, Halton Catholic DSB, and the University of Toronto Mississauga. Explaining the rationale for the proposed location at the former Credit View Public School, Nicole Reynolds described the activities that will be offered at the recommended Centre, including being a work site for the Indigenous education team, and an affinity space where Indigenous and non-Indigenous students can access cultural education from community partners.

Noting Article 14 of the United Nations Declaration on the Rights of Indigenous People, which speaks to the rights of Indigenous peoples to establish and control their educational systems and institutions, Nicole Reynolds stated that the cultural survival of First Nation, Metis and Inuit communities, and the academic success of their children will largely depend on the implementation of culturally relevant curriculum based on contributions by their communities.

21. Centre for Indigenous Excellence and Land Based Learning (Continued)

Resolution No. 22-142, approved by Bruce Rodrigues,

Resolved, that the development of a Centre for Indigenous Excellence and Land Based Learning, be approved, to affirm Peel DSB's commitment to improved outcomes for Indigenous students and to uphold the distinct and inherent rights of First, Nation, Metis and Inuit people. (APPENDIX V, Item 16.4 of the agenda)

22. Educational Assistants – Absence and Backfill Challenges

Masuma Khangura, Executive Officer, Human Resources Support Services, provided an oral report on the challenges facing school boards in attracting and retaining Educational Assistants (EAs). Thanking Educational Assistants for their invaluable work in supporting students, she reported that the Board had hired approximately 280 EAs since the beginning of this year. She described the several steps to address the challenges, including making changes to posting vacancies and the hiring process. Staff continue to monitor the situation and expand partnerships, advocacy, and outreach to facilitate sustainable improvement.

Masuma Khangura responded to trustees' questions of clarification, including: factors influencing lack of job applicants; school boards' obligation to provide support to students to access education; effect of work pressure on EAs' mental health due to low fill rates and students requiring support; need to review and remove barriers that prevent some EAs from being hired; risk of exposure in not meeting legislated requirements to hire qualified EAs. Masuma Khangura invited trustees to share information about specific cases of qualified EAs not being hired.

Resolution No. 22-143, approved by Bruce Rodrigues,

Resolved, that the oral report re Educational Assistants – Absence and Backfill Challenges, be received.

23. Notices of Motion

Trustee Will Davies submitted the following Notice of Motion:

“Whereas, the Board values enhanced community engagement;

And whereas, the Board is committed to diversity and inclusion;

And whereas, education is a constantly evolving field which benefits from regular infusions of new and fresh ideas;

And whereas, notwithstanding the arduous process to secure political office, trustees should not view themselves as lifetime politicians;

23. Notices of Motion (Continued)

Therefore be it resolved, that a letter be written to the Premier of Ontario to request necessary changes in legislation to permit and implement term limits for the position of school board trustee such that, beginning with the 2022 Municipal election term, trustees of the Peel District School Board be limited to a maximum of 5 terms in office.”

24. Adjournment

Resolution No. 22-144, approved by Bruce Rodrigues

Resolved, that the meeting adjourn (20:12 hours)

..... Chair Secretary

**RESOLUTIONS APPROVED IN COMMITTEE OF THE WHOLE (CLOSED),
SEPTEMBER 28, 2022**

Present:

Bruce Rodrigues, Supervisor, Chair

Also Present (Trustees):

Susan Benjamin
Stan Cameron
Robert Crocker
Will Davies
David Green

Sue Lawton
John Marchant
Brad MacDonald
Balbir Sohi

1. Approval of Agenda

That, the agenda be approved.

2. Minutes of the Committee of the Whole (Closed) Meeting, August 24, 2022

That, the Minutes of the Committee of the Whole (Closed) meeting, held August 24, 2022, be approved.

3. Minutes of Physical Planning, Finance and Building Committee Meeting (Closed Session), September 7, 2022

The Minutes of the Physical Planning, Finance and Building Committee (Closed Session) meeting, held September 7, 2022, were received.

4. Motion for Consideration: Physical Planning, Finance and Building Committee Meeting (Closed Session)

That, the following recommendation arising from the Physical Planning, Finance and Building Committee Meeting (Closed Session), held September 7, 2022, be approved:

1. Turner Fenton Secondary School Cricket Pitch Partnership – Peel District School Board and City of Brampton

That, staff enter into a partnership agreement with the City of Brampton regarding Turner Fenton Secondary School cricket pitch. (Appendix I, attached to the Minutes of the Physical Planning, Finance and Building Committee meeting (Closed Session))

5. Principal and Vice-Principal Appointment and Assignments

The following elementary vice-principal assignments are transfers, effective September 1, 2022:

Kerri Evershed, Vice-Principal at Ellengale Public School and Dixie Public School, be transferred as Vice-Principal at Camilla Road Senior Public School.

Ryan Farrell, Vice-Principal at Chris Hadfield Public School, be transferred as Vice-Principal at Ellengale Public School and Springfield Public School.

The following secondary principal assignment is a transfer, effective October 11, 2022:

Greg Pearson, Coordinating Principal, Curriculum, Instruction and Assessment, be transferred as Principal at Peel Alternative School South.

The following secondary principal assignment is an appointment, effective October 17, 2022:

Angelo Kontos, Principal at Toronto District School Board, be appointed as Principal at Erindale Secondary School.

The following coordinating principal assignments are transfers, effective October 11, 2022:

Amtul Ejaz, Principal at Harold F. Loughin Public School, be transferred as Coordinating Principal, Safe and Caring Schools.

Sumble Kaukab, Principal at Peel Alternative School South, be transferred as Coordinating Principal – Secondary, Curriculum, Instruction and Assessment.

9. Senior Team Appointments

The following are appointments to Senior Leadership:

Thomas Tsung, Controller of Corporate Support Services, will assume the role of Controller of Facilities and Environmental Support Services, effective October 17, 2022.

Wendy Dobson, General Manager of Student Transportation of Peel Region (STOPR), be appointed to the position of Acting Controller of Corporate Support Services, effective October 17, 2022.

The following Senior Leadership appointments are from Acting to Permanent:

Lisa Hart, from Acting Superintendent of Equity, Indigenous Education, Anti-Racism, Anti-Oppression and School Engagement to Superintendent of Equity, Indigenous Education, Anti-Racism, Anti-Oppression and School Engagement, effective September 28, 2022.

Mary Zammit, from Acting Superintendent of Education of Castlebrooke and Sandalwood Heights to Superintendent of Education of Castlebrooke and Sandalwood Heights, effective September 28, 2022.

16.1(a)

Board Meeting, October 19, 2022

Directive 9: Annual Equity Accountability Report Card

Strategic Alignment:

Directive 9: Annual Equity Accountability Report Card

Report Type:

Information

Prepared by: Paul da Silva, Associate Director: School Improvement and Equity

Submitted by: Rashmi Swarup, Director of Education

Overview

Objective:

In accordance with Ministry Directive 9, this report includes the second Annual Equity Accountability Report Card. The report card provides trend data from 2018-19 to 2021-22 for a number of outcome indicators. Its purpose is to provide insights into the disproportionate experiences of Peel District School Board (PDSB) students over the last four school years.

Background:

Following the release of the Ministry of Education Review of the PDSB in March 2020 (Chadha et al., 2020), the PDSB has been undertaking system transformation to ensure that the well documented and historical inequities in student achievement and experiences are eliminated. Racism can be defined as “a series of persistent practices that systematically and unjustly allocate advantages to certain groups and individuals” (Ryan, 1998, p. 2). In Ontario, our education system is a colonial structure that was constructed to favour whiteness and white Eurocentric norms. As a result, systemic discrimination creates unequal and disparate learning outcomes for students based on their identities.

The PDSB’s mission statement asserts, “*We inspire success, confidence and hope in each student.*” In order to do this, we must identify, confront and disrupt the systemic inequities that persist today for students with particular identities and intersectional identities, most notably those who identify as Indigenous, and African, Black and Afro-Caribbean.

The Terms of Reference of the Ministry Review required the investigators to review allegations of systemic racism, particularly anti-Black racism (Chadha et al., 2020, p. 5). The Ministry Review made recommendations about equity and human rights that impact all communities in the PDSB with specific recommendations that affect African, Black, and Afro-Caribbean communities. The authors also pointed out issues that were raised regarding South Asian students (particularly male Punjabi students), about Islamophobia, anti-Semitism, 2SLGBQA+ students, Indigenous and Latinx/Hispanic students (Chadha et al., 2020, p. 6).

Evidence

Outline of the Report Card

The report card organizes the outcome indicators according to the Peel District School Board’s four Board Improvement and Equity Planning focus areas:

1. Student Achievement
 - Credit Accumulation
 - Grade 9 and 10 Literacy and Numeracy
2. Human Rights and Equity
 - Student Discipline
3. Mental Health and Well-Being
 - Persistent Absences
4. Pathways and Transitions
 - Special Education Designations

-
- Academic and University Pathways
 - Regional Learning Choice Programs
 - French Instruction

Where applicable, each of these outcome indicators are disaggregated by Indigenous and Racial Identities, Gender Identities, Sexual Orientation (2SLGBQA+), Socioeconomic Vulnerability Index (SVI), Individual Education Plan (IEP) Status, and English Language Learner (ELL) Status.

Examining the outcomes in this report disaggregated by religion demonstrated two consistent groups that experience disproportionate outcomes: students who indicated they were Christian and those that did not affiliate with a religion. With further investigation it became apparent that there were intersecting identities that better explained these outcomes. As a result, disaggregated outcomes by religion are not included in this report.

Summary of Findings:

Below are some of the key finds for each focus area and emerging trends since the first Equity and Accountability Report Card. Please review the entire report for a more detailed account.

Student Achievement:

- Consistent over-representation of identities that have been traditionally marginalized. African, Black, and Afro-Caribbean, Indigenous, Latinx/Hispanic, Mixed Race and Middle Eastern students have not been granted credits at the expected pace to graduate within four years. This trend is consistent across grade levels and remains the same or increasing across years of study, suggesting that the barriers are still pervasive, and that racism is an active factor.
- Socioeconomic Vulnerabilities are a significant barrier to credit accumulation. Across almost all grades and school years, students who experience very high socioeconomic vulnerabilities accumulate fewer credits (Robson et al., 2016).
- African, Black, and Afro-Caribbean, Indigenous and Latinx/Hispanic students are most likely to be assessed below Levels 3 or 4 in Grade 9 and 10 Academic English. These findings indicate that while de-streaming Grade 9 Mathematics and English courses may remove some barriers, likely there are prior gaps in access to learning that continue to disadvantage some students.
- Students who experience very high socioeconomic vulnerabilities are less likely to be assessed at the Provincial Standard of Level 3 or 4 in Academic English. This disproportionate outcome has increased during the last three years.

Human Rights and Equity:

- Suspensions are disproportionate for African, Black, and Afro-Caribbean and Indigenous students despite decrease in overall suspensions. While there is a reduction in the number of suspensions in 2021-22 compared to 2018-19, African, Black, and Afro-Caribbean and Indigenous students continue to be more than two-times more likely to be suspended
- Students with special education needs experience barriers to learning. Students who have an IEP are more than three times more likely to be suspended. Students identified with an exceptionality that does not require a medical doctor diagnosis (Behavioural,

Language Impairment, Learning Disability, Mild Intellectual Disability), and therefore is more subjective, are even more likely to receive a suspension.

Mental Health and Well-Being:

- Absenteeism is almost twice as high among some marginalized groups. African, Black, and Afro-Caribbean, Indigenous, Latinx/Hispanic and Middle Eastern students experience higher instances of absenteeism compared to other students, suggesting that schools may not be places where they feel safe and/or offer a sense of belonging. (Curry-Stevens & Kim-Gervey, 2016).
- Socioeconomic Vulnerabilities are a significant factor in students' attendance outcomes. Students with high SVI have been absent at a much higher rate consistently over the years indicating that students who experience these vulnerabilities may not find learning environments accessible, safe or conducive to their learning (Van Eck et al., 2017).
- Gender Diverse students are consistently more likely to be absent compared to those who identify as male or female. While there has been parity for boys and girls over the last 4 school years, students who identify with a diverse gender experienced much higher instances of absenteeism, with an important decline in the 2020-21 when schools were primarily online, suggesting that in-person school environments may not be places where they feel safe and/or a sense of belonging (Pampati et al., 2020).

Pathways and Transitions:

- Students who identify as Indigenous, African, Black, and Afro-Caribbean, and White are most likely to be identified with an exceptionality. African, Black, and Afro-Caribbean students are about four times more likely to be identified with a behavioural exceptionality and are one and a half to three times more likely to be identified with language impairment, learning disability and mild intellectual disability. Indigenous students are about four to five times more likely to be identified with the following exceptionalities – autism, language impairment and, learning disability; they are also two times more likely to be identified with a mild intellectual disability exceptionality.
- Students experiencing very low socioeconomic vulnerabilities (SVI) are two and a half times more likely to be identified as gifted compared to students with higher SVI suggesting that gifted assessments privilege those with access to more resources (Parekh, et al., 2018).
- With the discontinuation of Applied programming in Grade 9, a higher proportion of students are accessing Academic (de-streamed) programs which can lead to university level courses. However, reviewing the outcomes, we see that African, Black, and Afro-Caribbean students, Indigenous, Latinx/Hispanic, those with a very high SVI and those with an IEP are still disproportionately streamed out of these opportunities.
- Some marginalized groups are underrepresented in university pathways in grade 12. African, Black, and Afro-Caribbean students, along with Indigenous and Latinx/Hispanic students, those experiencing very high and high socioeconomic vulnerabilities, and students with Diverse Gender Identities, are disproportionately underrepresented in university track pathways compared to others.
- African, Black, and Afro-Caribbean, Indigenous, Latinx/Hispanic, Middle Eastern, and Southeast Asian students are underrepresented in Regional Learning Choice Programs (RLCP). African, Black, and Afro-Caribbean students are severely underrepresented in AP, IB, Business, Science and Technology programs. However, African, Black, and

Afro-Caribbean students are overrepresented in sports programs which may stem from the harmful stereotype that associate Black children and youth with physical prowess and superior athletic abilities further eroding their access to academic success (James & Turner, 2017). Indigenous students are also severely underrepresented in all programs with the exception of the Arts and AP programs.

Emerging Trends

- Online learning may have had varying impact on learners of different racial backgrounds. African, Black, and Afro-Caribbean students across most grade levels consistently show less credit accumulation in more recent years, suggesting they may have experienced more impact by the disrupted schooling during COVID-19 closures. Similar patterns are observed for students who identified with an additional racial background or as having multiple racial backgrounds.
- COVID-19 impact is more severe on students experiencing socioeconomic vulnerabilities. Credit accumulation gaps for students who experience very high socioeconomic vulnerabilities have increased over the last three years, particularly for students in Grade 10. This suggests that COVID-19 may have further exacerbated the barriers experienced by these students.
- COVID-19 may have affected some students' academic achievements more than others: Students who identify as African, Black, and Afro-Caribbean are less likely to be assessed at Level 3 and 4 in grade 9 and 10 Academic English in comparison to their pre-COVID-19 learning (2018-19), suggesting that the barriers they are experiencing have remained and worsened.
- Students with an IEP are more likely to be persistently absent than students without an IEP. Though absenteeism has continued to remain much higher among students with an IEP than students without an IEP, the pandemic may have negatively contributed to their experiences as they have consistently experienced higher instances of absenteeism, compared to pre-COVID-19, when learning was in-person. In the 2021-22 school year, they continued to be absent much more frequently, suggesting that the limited availability of support for students with an IEP during remote learning (Rolland, 2020) may have also been a barrier for Peel students, for whom virtual classes were spaces not conducive to their learning needs.
- Despite, the boards' self-identification process for regional learning choice programs that began in the 2020-2021 school year to address disproportionalities, there continues to be disproportionate involvement for African, Black, and Afro-Caribbean and Indigenous students. Unfortunately, the change in admissions process will likely take several years to be reflected in the data as the nature of RLCPs having one-time entry will mean that past inequities in admissions will persist in enrolment numbers. However, there is a slight increase in African, Black, and Afro-Caribbean students participating in the Arts programs.

Impact Analysis

Equity & Human Rights Review:

This report affirms the need for continued system change and transformation to ensure that African, Black, and Afro-Caribbean, Indigenous, and other students who have been marginalized and underserved because of systemic inequities have access to the high-quality education and experiences they are entitled to under Human Rights and the Education Act (e.g., Culturally Responsive and Relevant pedagogy and resources; Universal Design for Learning that for instance promotes student voice, agency, ownership and equitable assessment).

Board or Ministry Policy Alignment:

This report identifies that African, Black, and Afro-Caribbean, Indigenous and other racialized students, students who identify with a diverse gender, 2SLGBQA+ students, students who receive special education or additional English language supports continue to face systemic inequities in achievement as summarized in the Ministry Review of the Peel District School Board. The data presented is aligned with the requirements of Ministry Directive 9 to: i) report on clearly defined student-centered outcomes including eliminating disparities in achievement of students from the Board's various communities (Chadha et al., 2020).

Resource Implications:

The trends presented of African, Black, and Afro-Caribbean, Indigenous and other racialized students, students who identify with a diverse gender, 2SLGBQA+ students, students who receive special education or additional English language supports require continued attention. Continued inquiry into the intersecting relationships between achievement and schooling experiences, race, and gender is necessary to inform future efforts towards system transformation and sustainability of the necessary changes.

Legal implications:

The Peel District School Board has a duty to uphold each student's human rights and create an education system free from discrimination. The legal framework for the report card is in accordance with the Ontario Education Act and the Ontario Human Rights Code.

Risk Assessment:

The Peel District School Board has been provided a strong mandate through the Ministry Review to address disproportionate outcomes for African, Black, and Afro-Caribbean, Indigenous and other students who have been historically marginalized. As stated in the Ministry Review, "The task for those leaders is to bend best efforts of our education systems into effective service for all" (p.36). As an organization, we must remain steadfastly focused on ensuring that all PDSB students can realize their full potential in classrooms and schools where they are supported, respected, valued, and welcomed (Chadha et al., 2020, p. 2). The students and families in Peel have a right to a high-quality education. As a Board we have a moral and ethical obligation to address and eliminate disproportionate outcomes for African, Black and Afro-Caribbean, Indigenous and other students who have been historically marginalized.

Next Steps

Action Required:

- The content of this annual Equity Accountability Report Card (EARC) will be used by all stakeholders to monitor change over time as well as identify areas for improvement. The Research and Accountability team will work directly with each department and steering committee to support the interpretation and use of this report. Specifically, it will be used to inform:
 - the monitoring of the Board Improvement and Equity Plan (Fall 2022),
 - the development of future Board Improvement and Equity Plan foci (2022-23),
 - goal setting and action planning for individual School Improvement and Equity Plans (Fall 2022),
 - the development of department goals and strategic actions (Fall 2022),
 - the development of professional learning based on areas requiring additional supports (2022-23)
 - the development of the anti-Islamophobia Strategy (2022-23 school year), and
 - the monitoring of the Black Student Success Strategy (Fall 2022).
- To ensure the ongoing development and reporting of disaggregated outcomes in the Annual Equity Accountability Report Card, the following will be completed:
 - the Peel DSB Identity-Data Collection Policy (Winter 2023), and
 - a new student census will be conducted in Spring of 2023.
- Additionally, this report will be used to support ongoing work throughout the 2022-23 school year. For example, it will be used to:
 - promote a culture of transparency and accountability for actions taken at system, school, and classroom levels,
 - inform policy review and development, and
 - guide educators and leaders to interrogate biases and structures rooted in white supremacy and promote action for anti-oppressive practices including strategies to work with community.
- The next annual *Equity Accountability Report Card* will be produced in the Fall of 2023.

Success Measures:

Success Criteria:

- Completion of the Identity-Based Data Collection Policy,
- Completion of the next Student Census in Spring 2023,
- Evidence of a wide range of stakeholders (e.g., system leaders, school leaders, community members) using the report to inform PDSB's next steps,
- Evidence of the EARC providing value and usability for stakeholders,
- Collecting and using feedback to improve the report over time.

Measurement tools:

- Tracking the number of department and steering committee meetings the Research & Accountability Team attend to support groups in the use of the EARC
- Tracking the number of times this report is accessed through the www.peelschools.org and intranet sites.
- Feedback gathered from stakeholders on the value, usability, and suggested changes or additions of the Equity Accountability Report Card.
- The development and implementation of a professional learning strategy based on this report.

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Appendices

EARC Report – Fall 2022



Annual Equity Accountability Report Card:

Looking at trends over time from 2018-19 to 2021-22 of Equity Gaps in Student Outcomes



1.0 Introduction

Following the release of the Ministry of Education Review of the Peel District School Board (PDSB) (Chadha et al., 2020) in March 2020, the PDSB has been undertaking system transformation to ensure that the well documented and historical inequities in student achievement and experiences are interrupted and eliminated. The PDSB recognizes that in order to achieve our stated mission, which is to inspire success, confidence, and hope in every student, we must identify and address the systemic inequities that persist today for students with particular identities and intersectional identities, most notably students who identify as African, Black, and Afro-Caribbean, and/or Indigenous.

1.1 History of the Ministry Review

The Ministry Review of the PDSB was announced on November 7, 2019, by Ontario Minister of Education Stephen Lecce and was conducted by three independent reviewers: Ena Chadha, Suzanne Herbert, and Shawn Richard, under the leadership of Patrick Case. The mandate of the reviewers, under the authority of the Education Act, was to provide observations and recommendations to the Minister of Education and the Peel District School Board related to the performance of the Board, including, but not limited to issues of systemic discrimination, specifically anti-Black racism, human resources practices, leadership, and board governance. These specific issues were investigated as a result of serious concerns that had been raised repeatedly by parents and members of the African, Black, and Afro-Caribbean communities. After consultations with students, staff, families, trustees, and community members, the Ministry of Education released its final review report in March 2020 (Chadha et al., 2020). The report addressed each of the identified areas and contained a series of 27 binding directives with over 54 associated actions.

1.2 Ministry Directives and Action Items

The directives (Ministry of Education Ontario, 2020) outlined in the Ministry Review build on the longstanding work of African, Black, and Afro-Caribbean parents, families, and communities in creating a truly excellent and equitable public education system. The PDSB is committed to fulfilling these directives through anti-oppression and anti-racism approaches. Disproportionalities in student engagement, experiences, and outcomes are recognized to be a result of system policies, programs, and practices that stem from the “historic and systemic nature of anti-Black racism embedded in Canadian society and institutions – including Ontario’s education system” (James & Turner, 2017, p. 39).

One of the key themes evident in the directives is the importance of monitoring, transparency, and accountability. Directive 9 specifically instructs the Board to develop and implement a comprehensive Annual Equity Accountability Report Card. The Annual Equity Accountability Report Card is intended to inform the Board’s efforts to create deep structural and cultural changes that infuse the core values of equity, inclusion, and human rights into everyday practices, programs, and policies. The report card is intended to assess and measure the implementation of the directives that specifically address student outcomes. The One-Year Peel Board Community Update (PDSB, 2021) provides further progress information on the full set of directives.

1.3 Conceptual Framework

The data presented in this report is interpreted through the lens of Critical Race Theory (CRT). By centralizing the lived experiences and realities of racialized individuals and communities, CRT has become an important tool to speak to the pervasiveness of racism within education and educational institutions (James, 2012), and against the monolithic ways in which Indigenous, African, Black, Afro-Caribbean and racialized people(s) are often depicted, imagined, and stereotyped (Ladson-Billings, 1998). CRT generates narratives that counter hegemonic, problematic, and often racist ideologies (James, 2009).

CRT challenges traditional dominant narratives around race, racism and the experiences of racialized people and communities (Solórzano, D. G., & Yosso, 2002) and enables new and different questions to be asked about race and racism in public education (Howard, 2008). The practice of counter-storytelling is commonly utilized, in which stories about discrimination from the perspectives of racialized individuals are presented to challenge the dominant narratives of white supremacy that are sustained by deficit views of historically marginalized groups (James, 2012). These

counternarratives recognize the agency that racialized individuals exercise to resist oppressive practices and offer transformative solutions to eliminate racial inequities (James, 2012).

1.4 Anti-Black Racism and Education

According to the Ministry Review, “anti-Black racism [in Canada] must be placed in its historical context of slavery and discrimination, including segregation, against Canada’s Black communities” (Chadha et al., 2020, p. 7). The experiences of African, Black, and Afro-Caribbean students in Peel are known to be heavily influenced by factors such as racial separation, low academic expectations, stereotyping and stigma, and racial profiling (Gray et al., 2016). African, Black, and Afro-Caribbean youth in Peel schools have repeatedly reported dealing with low expectations of teachers and administrators, assumptions based on racist stereotypes around their intellectual abilities and commitments to their education, feelings of exclusion and marginalization from schools, and harsher discipline when compared to white students (James, 2019a; James & Turner, 2015).

African, Black, and Afro-Caribbean students who attain high grades despite many difficulties are often met with surprise and disbelief from non-Black students and teachers about their academic achievement. It is through the support of family members, friends, some teachers, and extracurricular activities that these students are able to emotionally navigate school (Gray et al., 2016). Dealing with racism can lead African, Black, and Afro-Caribbean youth to suffer through depression and issues related to low-self-esteem (James & Turner, 2015). As it stands, the students entering our classrooms are consistently navigating and making sense of racism, leading some students to become numb due to the lack of support, or teachers not believing them when they report racist incidents (James, 2019b).

1.5 Anti-Indigenous Racism and Educational Outcomes

For Indigenous peoples of Canada, the education system has been one that actively enabled and engaged in systemic discrimination against them since the early 1600s. Beginning with the establishment of the first school for Indigenous youth in 1620, until the 1900s, the school system “tethered to the erasure of Indigenous culture, language and genocide of communities” by forcing religious conversions and standardizing the removal of children from their families (Sekaly & Bazzi, 2021, p. 4).

Between mid-1800s to 1970s, over 150,000 Indigenous children were forcibly separated from their families as part of Canada’s assimilation policy. This deprived Indigenous children of not only their language and identity, but also subjected them to poor living conditions and systemic abuse that continue to have negative effects on their mental, physical, and social well-being (Han, 2021).

In Ontario, it has been noted that despite the government’s efforts to recognize past wrongs and to support Indigenous learners, policies continue to promote a hidden curriculum that is rooted in colonialism, racism, and cultural/linguistic imperialism (Currie-Patterson and Watson, 2017). This approach enables the ongoing exclusion of Indigenous knowledges from mainstream education, and thus deprives both students and teachers of opportunities to address the ways in which education continues to colonize and hurt them. Moreover, the negative effects of past experiences are evident in the ongoing disparities in achievement for Indigenous students. Some of the academic barriers Indigenous communities experience include lack of educational funding that is in line with Indigenous communities’ needs and identities (Sekaly & Bazzi, 2021), the curriculum which remains outdated and biased (Han, 2021), and contrary efforts in government-led initiatives. This includes the *Ontario First Nation, Métis and Inuit Education Policy Framework*, which advocates for the inclusion of Indigenous culture in the curriculum but makes it difficult to do so due to the focus on large scale provincial testing, a measurement tool that reflects Eurocentric values, and thus further marginalizes Indigenous students (Currie-Patterson & Watson, 2017).

1.6 Intersections of Race, Education, and COVID-19

The COVID-19 pandemic has had a disproportionate health impact on Black and other racialized families across North America. Large concentrated urban areas, particularly neighbourhoods that report having the most ethno-culturally diverse individuals and families in Ontario, have experienced rates of COVID-19 that are disproportionately higher than

neighborhoods that are less diverse (Ontario Agency for Health Protection and Promotion, 2020). Racial categories that are overrepresented in COVID-19 cases when compared to other racial categories within the Peel population are South Asian, African, Black & Afro-Caribbean and Latinx/Hispanic (Region of Peel, 2020, August). In addition to its health impacts, COVID-19 has served to exacerbate pre-existing educational inequities of Black and other marginalized students, particularly in terms of nutrition, academic supports, mental health, and online learning (James, 2020).

2.0 How to Use this Report

The Peel District School Board is committed to improving student achievement and well-being by working to ensure equitable, accessible, and inclusive learning environments. The Board recognizes that some students face systemic barriers through policies, programs and practices that create or maintain disadvantages for these students. Ensuring equitable, accessible, and inclusive learning environments, therefore, requires the intentional identification and removal of systemic barriers to student success and well-being.

2.1 Engaging with these Data

This report outlines findings that point to disproportionalities in student experiences and outcomes based on socio-demographic characteristics such as race, gender identity, sexual orientation, socioeconomic vulnerabilities, English Language Learner (ELL) status, and Special Education Needs.

The PDSB recognizes that the disproportionalities across demographics are the result of inequities within and beyond schools and school boards and are not a reflection of deficits within students and families

As such, it is important to review findings in this report with the understanding that:

- biases must be examined to ensure that students, families and communities are not further marginalized or stigmatized in reviewing and interpreting data;
- disparities in student experiences and outcomes reflect systemic inequities; and,
- responses to disparities in student outcomes must focus on strategies and initiatives to promote equitable institutional structures and practices.

The following questions are intended to support readers in using an anti-oppression framework to review the findings in this report:

- What do you notice about the data?
- What stands out for you?
- How does your social location influence how you interpret the data?
- How will you shift or maintain your focus on looking at systems and structures (e.g., school practices, school environment, Board practices) rather than attributing students' experiences and outcomes to deficits within students and families?
- What does the data suggest about the experiences of students and their families?
- What assumptions or inferences might you be making about students and their families based on the data?
- Whose voices may not be represented in the data?
- In what ways are the data similar to, or different from, other data sources (e.g., municipal, community agencies, other school boards)?
- What additional data sources are needed to understand both complementary and divergent perspectives regarding educational experiences?

2.2 Outcome Indicators

Credit Accumulation – Not on Track is represented by students who did not successfully complete 8 credits by the end of Grade 9, 16 credits by end of Grade 10, 23 credits by end of Grade 11 and 30 credits by end of Grade 12.

English and Mathematics Academic/De-Streamed Report Card Outcomes. Is represented by students who did not achieve Level 3 or 4 (provincial standard) in Grade 9 and 10 Academic English and Mathematics.

Regional Learning Choices Programs (RLCP) includes elementary and secondary students who were enrolled in a Regional Learning Choices Programs. For information about which programs are included, please see the corresponding elementary and secondary RLCP home pages found on our website, www.peelschools.org.

French Immersion/Extended French includes students enrolled in French Immersion and Extended French for elementary and secondary students.

Pathways students take through school are complex and varied. This report reviews access to programs such as special education services, Regional Learning Choice Programs and French Immersion. It also looks at the secondary course pathways students take that impacts students' access to post-secondary opportunities.

Students with Special Education Needs as an outcome indicator is reported on by each of the Ministry categories (autism, behavioural, gifted, language impairment, learning disabilities, mild intellectual disability). Blind and Low Vision, Deaf and Hard of Hearing, Developmental Disability, Physical, and Speech Impairment are not reported on individually due to small numbers. Additionally, students who have an IEP without an IPRC, and Students receiving Placement Services without an IEP or an IPRC is included as categories in this indicator

Suspensions represent elementary and secondary students who received at least one suspension.

Attendance – Persistent Absenteeism represents students who were absent for 15 or more instructional days in the given school year.

Recent accounting of student perceptions of schooling are not available at this time. A climate/census survey is planned for spring to gather data about students' experiences in schools. Some of the topics to be covered are safe and caring schools (including bullying, harassment, and discrimination), students' well-being (e.g., sense of belonging), inclusive experiences at school and students' relationships with staff and peers.

2.3 Identity Factors

Data were coded by the following identity factors: racial background, gender identity, Socioeconomic Vulnerability Index (SVI), Students with Special Education Needs, sexual orientation (grades 7-12), and English Language Learner (ELL) status.

Indigenous and Racial Identity responses were coded into the following categories: African, Black, and Afro-Caribbean; East Asian; First Nations, Métis, and Inuit; Latinx/Hispanic; Middle Eastern; South Asian; Southeast Asian; White; Additional Racial Background (single responses only) and Did not Disclose (includes those that left the question blank, and those that selected "prefer not to answer" and "do not know"). Multiple responses to this question were coded as Multiple Racial Backgrounds. Note that the use of these specific categories is mandated by the Ontario Anti-Racism Data Standards (Government of Ontario, 2019).

Gender Identity responses were coded into the following categories: Female, Male, Diverse Gender Identities (includes Intersex, Questioning, Transgender, Multiple Gender Identities, Nonbinary, Gender fluid, Gender Nonconforming and Additional Identities that were missed in the student census and Did Not Disclose (includes those who left the question blank and those who selected "Prefer not to Answer" and "I am not sure what this question is asking"). Gender has historically been a variable of considerable interest in educational research, and its relationship to academic

achievement, especially Math and Science, has been studied for decades (Meinck & Brese, 2019; Voyer & Voyer, 2014). However, only relatively recently have scholars stopped treating gender identity as a dichotomous variable and started to include gender diverse and gender nonconforming categories into the studies of academic achievement and student well-being (Glavinic, 2010; Klemmer et al., 2019; Poteat et al., 2014; Selkie, 2018).

Sexual Orientation (Grades 7-12) responses were coded into the following categories: Heterosexual/straight, 2SLGBQA+ (includes Asexual, Bisexual, Gay, Lesbian, Pansexual, Queer, Questioning, Two spirit, multiple sexual orientations and other sexual orientation) and Did not Disclose (includes those who left the question blank and those who selected “prefer not to answer,” “do not know” and “I am not sure what this question is asking”). The acronym 2SLGBQA+ does not include T for Transgender nor I for Intersex as these identities are included in Gender Identity. This variable is included in the report given well documented research indicating that 2SLGBQA+ students are more likely to face inequalities, experience discrimination, victimization, and bullying, report a lower sense of well-being and experience a higher prevalence of mental health issues when compared to their heterosexual peers (Poteat et al., 2014; Friedman & Leaper, 2010; Williams, 2017; Woodford & Kulick, 2014). This may in turn impact their overall well-being and academic achievement (Kosciw et al., 2013).

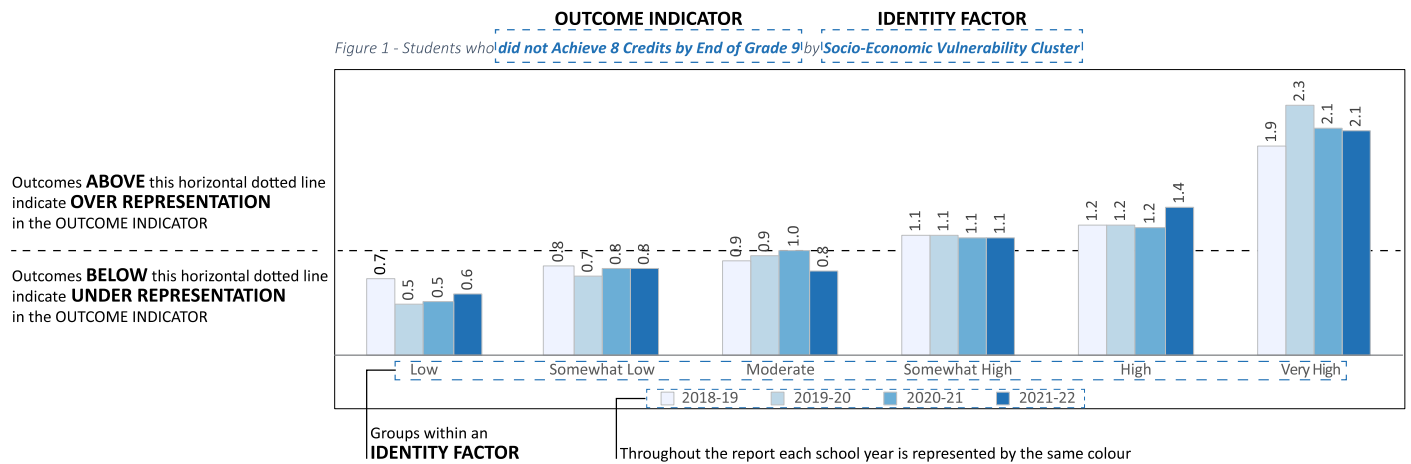
Socioeconomic Vulnerability Index (SVI) is a measure that provides the socioeconomic context of PDSB students (Napierala et al. 2019). The variables used to calculate the index include median household income, percent living in poverty (below \$40,000), percent homeowners, percent without a high school diploma and percent with a university degree within the households of a postal code. SVI scores are grouped into 6 clusters: Very High SVI, High SVI, Somewhat High SVI, Moderate SVI, Somewhat Low SVI and Low SVI. Very High SVI represents high vulnerability and therefore lower socioeconomic status while Low SVI represents lower vulnerability and correlates with a higher socioeconomic status. International educational research established that socioeconomic status is a strong predictor of academic achievement as it contributes to students’ economic, cultural and social capital (Broer et al. 2019; Buchmann, 2002; Lee et al. 2019; Perry & McConney, 2013). Both family and school socioeconomic status have been associated with long-term students’ academic outcomes because children begin school on unequal terms and differences accumulate as they get older (Broer et al, 2019; Lareau, 2011; Lee & Burkam, 2002).

Students with Special Education Needs may be categorized according to the following exceptionalities as specified in the Education Act: behavioural, communicational, intellectual, physical and multiple. According to the Ministry of Education, these categories of exceptionalities “are designed to address the wide range of conditions that may affect a student’s ability to learn and are meant to be inclusive of all medical conditions, whether diagnosed or not, that can lead to particular types of learning difficulties” (Ontario Ministry of Education, 2017, p.A14). Students may have one exceptionality or multiple exceptionalities. In this report card, “main exceptionality” refers to the first or only exceptionality as listed within the Individual Education Plan.

When reporting Outcome Indicators by Students with Special Education Needs, students with an Individual Education Plan (IEP) include both students with a formal identification through an Identification, Placement and Review Committee (IPRC) and students without. Students with one identification of Gifted are excluded from this group.

English Language Learners (ELLs) are categorized as students “whose first language is a language other than English or is a variety of English that is significantly different from the variety used for instruction in Ontario’s schools” (Ontario Ministry of Education, 2007, p. 8). They may be enrolled in English Second Language (ESL) or English Literacy Development (ELD) programs to help them attain the level of proficiency needed for completing schools in Ontario. ELL students may be African, Black, and Afro-Caribbean, Indigenous, or racialized students. They may also include those who have recently arrived from countries experiencing instability and crises or may be Canadian-born and come from areas in Peel with high socioeconomic vulnerabilities.

2.4 How to Read the Graphs



This graph shows that students with a **very high** SVI in 2021-22 were more than two times likely than their representation in the population to not accumulate 8 credits by the end of Grade 9.

2.5 Disproportionality Index

The Ontario Anti-Racism Data Standards defines a racial Disproportionality Index as “a measure of a racial group’s overrepresentation or underrepresentation in a program, service, or function relative to the group’s representation in the reference population” (Government of Ontario, 2019).

This report uses the Disproportionality Index to identify groups that are suspended disproportionately. These indicators are calculated as follows:

$$\text{Disproportionality Index} = \frac{\% \text{ of Students in an Outcome Indicator group who have a specific Identity Factor}}{\% \text{ of Students in the Identity Factor group within the PDSB}}$$

2.6 Data Considerations

- ❖ **Trends over Time.** Four years of outcomes are reported throughout this report: 2018-19, 2019-20, 2020-21, and 2021-22. In the spring of 2020, schools began to experience closures due to the COVID-19 pandemic. For the 2020-21 school year, much of the learning was conducted online, significantly impacting tracked data including attendance measures and reducing in-person disciplinary events.
- ❖ **Access to Identity Data.** The 2018 Student Census Data are used in this report to calculate the disproportionality of experiences by social identity. Only students who participated in the 2018 survey are included in the analyses disaggregated by these identities. There are no sexual orientation data available for students in Grade 9 in the 2021-22 school year as they were in Grade 6 at the time of survey administration and only Grade 7-12 students were asked about sexual orientation. As each year passes since the Census was administered, the available identity data about students decreases. For the 2021-22 school year, social identity data was available for 53% of all PDSB students (43% of elementary and 76% of secondary students).
- ❖ **Students working towards an Ontario Secondary School Diploma (OSSD).** Outcomes related to student achievement and pathways (e.g., credit accumulation, achievement in English and Mathematics) only include students who are working towards an OSSD.
- ❖ **Limitation of Disproportionality Index.** When the category group size (e.g., students with a behavioural identification) is small in comparison with the PDSB population, the Disproportionality Index size may become unexpectedly large. To support interpretation in these cases, the y-axis has been limited to 6.0. The value calculated is still represented in the graph but, visually, the bar has been limited to indicate disproportionate experiences without limiting the interpretation of outcomes for other groups represented in the same graph.

- ❖ **Did not Disclose.** Students who did not disclose their identity on the 2018 Census survey by leaving the question blank or selecting responses of “I prefer not to answer”, “I don’t know” or “I am not sure what this question is asking” were recoded into the variable “Did not disclose.” Outcomes across all measures for this group indicate disproportionate school experiences which suggests that they likely identify with marginalized groups.
- ❖ **Suppression Rate.** Groups of students smaller than 10 are not reported and are labeled N/R in an effort to maintain student confidentiality and validity of the represented data. The value 10 is chosen as a balance between transparent reporting and minimizing the use of outcomes that could be random rather than a meaningful pattern.
- ❖ **Reporting Outcomes by Religion.** Examining the outcomes in this report disaggregated by religion demonstrated two consistent groups that experience disproportionate outcomes: students who indicated they were Christian and those that did not affiliate with a religion. With further investigation it became apparent that there were intersecting identities that better explained these outcomes. As a result, disaggregated outcomes by religion are not included in this report.

2.7 Organization of Findings

The Board Improvement and Equity Plan, defined by the Ministry of Education, consists of four focus areas. Based on outcomes identified in the first Annual Equity Accountability Report Card (PDSB, 2021), these focus areas have been further refined as areas of work for the PDSB, particularly for students who identify as African, Black, and Afro-Caribbean, Indigenous and students with Special Education Needs.

- ❖ Student Achievement: Improved Literacy and Numeracy, and Credit Accumulation
- ❖ Human Rights and Equity: Fair and just application of Exclusions, Suspensions and Expulsions
- ❖ Mental Health and Well-Being: Increased Sense of Belonging
- ❖ Pathways and Transitions: Increased access to pathway opportunities

3.0 Student Achievement

3.1 Credit Accumulation

3.1.1 Summary of Outcomes

Needs:

- ❖ **Consistent over-representation of identities that have been traditionally marginalized.** African, Black, and Afro-Caribbean, Indigenous, Latinx/Hispanic, Mixed Race and Middle Eastern students have not been granted credits at the expected pace to graduate within four years. This trend is consistent across grade levels and remains the same or increasing across years of study, suggesting that the barriers are still pervasive, and that racism is an active factor (see Figure 1-4).
- ❖ **Diverse Gender identities continue to face greater barriers than girls or boys.** Students who identified themselves with a diverse gender identity and those who did not specify a gender continue to accumulate fewer credits across all grades and years compared to those who only selected Male or Female suggesting that there are ongoing systemic barriers towards their inclusion. This is not surprising as students who identify as a gender other than male or female often face discrimination in larger society as well as within the education system (Glavinic, 2010; Poteat et al., 2014) (see Figure 5-8).
- ❖ **Patriarchal Influences.** There are significant gender differences as girls consistently outperform boys and those with diverse gender identities when it comes to credit accumulation, affirming larger social trends; while boys tend to accumulate less credits than girls, there are nonetheless potential signs that boys’ credit accumulation may be improving over the school years (see Figure 5-8). These findings reveal the ongoing presence of a gender gap in learning, often described as a result of various socio-cultural and economic factors influencing boys’ daily life (Booth et al., 2009) as the consistency of the slower paced credit accumulation among boys both

across the grades and school years reveal that the problem may be systemic, and thus rooted in challenges beyond simple accumulation of credits.

- ❖ **Low Credit Accumulation for 2SLGBQA+ students.** Students who identify as 2SLGBQA+ face more barriers than those identifying as heterosexual in accumulating credits. This aligns with larger societal trends that suggest that schools reflect the experiences of non-marginalized groups (Currie et al., 2021), and that heterosexism (Statistics Canada, 2019) is an ongoing barrier hindering educational progress. These barriers increase as the students get older (see Figure 9-12).
- ❖ **Socioeconomic vulnerabilities are a significant barrier to credit accumulation.** Across almost all grades and school years, students who experience very high economic vulnerabilities accumulate fewer credits. This trend also reinforces the idea that classism is a barrier to student success (Robson et al., 2016) (see Figure 13-16).
- ❖ **Students receiving Special Education Supports.** Students with an IEP (identified and non-identified) are less likely to accumulate credits at pace across all grades; however, this trend improves as students move up in grade level. Additionally, Grade 9 students accumulated fewer credits in the last two years than the previous school years suggesting that COVID-19 may have had an impact on students with Special Education Needs facing more barriers to their learning during this time (Gallagher-Mackay et al., 2021) (see Figure 17-20).
- ❖ **Low credit accumulation for English Language Learners (ELL).** English Language Learners, particularly those receiving ELD support, accumulated fewer credits than their non-ELL counterparts in Grades 9-12 (see Figure 21-24).

Emerging trends:

- ❖ **Improvement in credit accumulation is evident for some racially marginalized groups.** For instance, some lessening of gaps over the years are evident in the data, including for African, Black, and Afro-Caribbean students (more have reached the credit accumulation target in later grades compared to grades 9 or 10). This is the same for Middle Eastern students over the years, though not across grades (see Figure 1-4).
- ❖ **Online learning may have had varying impact on learners of different racial backgrounds.** African, Black, and Afro-Caribbean students across most grade levels consistently show less credit accumulation in more recent years, suggesting they may have experienced more impact by the disrupted schooling during COVID-19 school closures. Similar patterns are observed for students who identified with an additional racial background or as having multiple racial backgrounds (see Figure 1-4).
- ❖ **Improvement in credit accumulation is evident for some 2SLGBQA+ students.** These outcomes might be explained by alternate learning environments due to COVID-19. Compared to pre-school closures, it appears that their credit accumulation may have improved across the years, with students accruing fewer credits prior to the beginning of school closures than later when there was a hybrid learning model in place. This trend may align with prior findings suggesting students who normally experience marginalization or bullying prefer online learning over in-person environments (PDSB, 2021b) (see Figure 9-12).
- ❖ **COVID-19 impact is more severe on students experiencing socioeconomic vulnerabilities (SVI).** Credit accumulation gaps for students who experience very high SVI have increased over the last three years, particularly for students in Grade 10. One reason for this might be that COVID-19 may have further exacerbated the barriers experienced by these students (see Figure 13-16).

3.1.2 Indigenous and Racial Identities

Figure 1 - Students who did not Achieve 8 Credits by the End of Grade 9 by Indigenous and Racial Identity

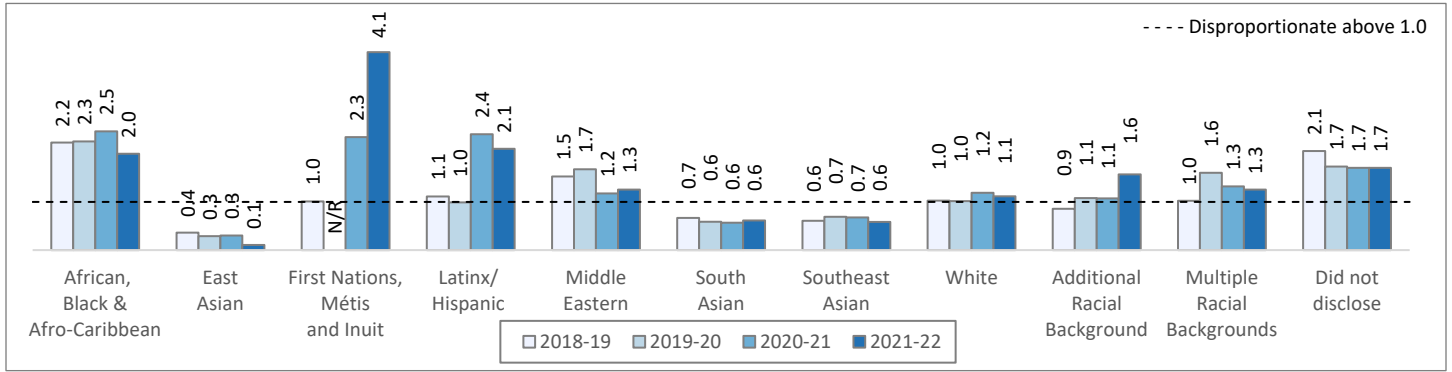


Figure 2 - Students who did not Achieve 16 Credits by End of Grade 10 by Indigenous and Racial Identity

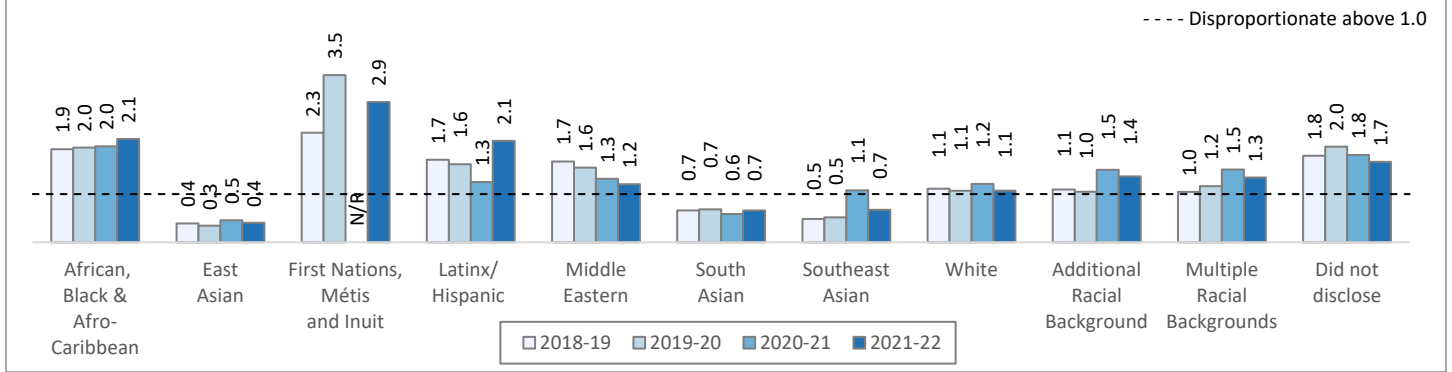


Figure 3 - Students who did not Achieve 23 Credits by End of Grade 11 by Indigenous and Racial Identity

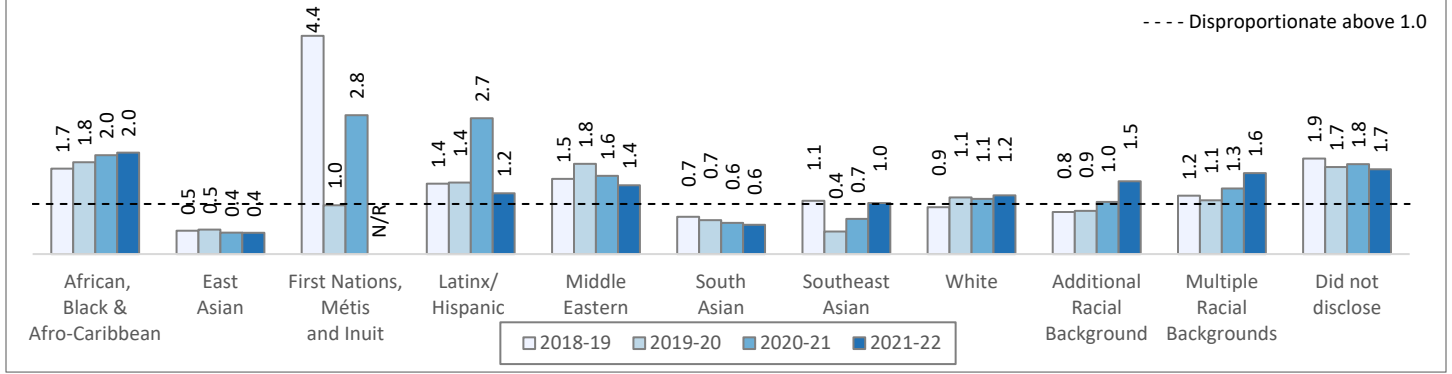
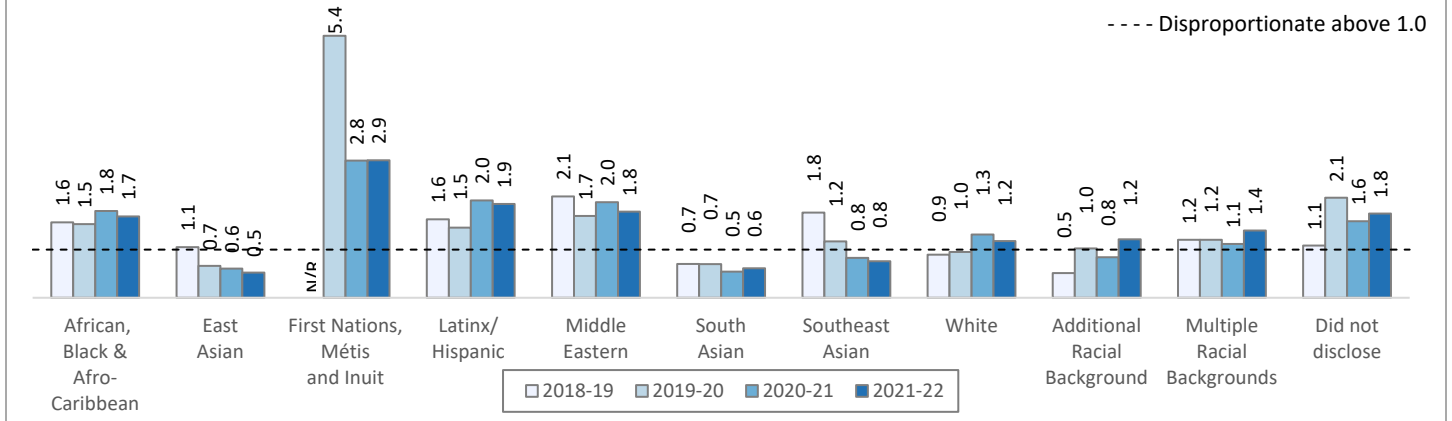


Figure 4 - Students who did not Achieve 30 Credits by End of Grade 12 by Indigenous and Racial Identity



3.1.3 Gender Identity

Figure 5 - Students who did not Achieve 8 Credits by End of Grade 9 by Gender Identity

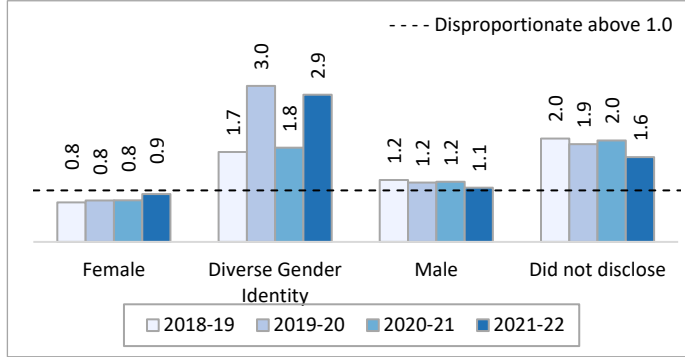


Figure 6 - Students who did not Achieve 16 Credits by End of Grade 10 by Gender Identity

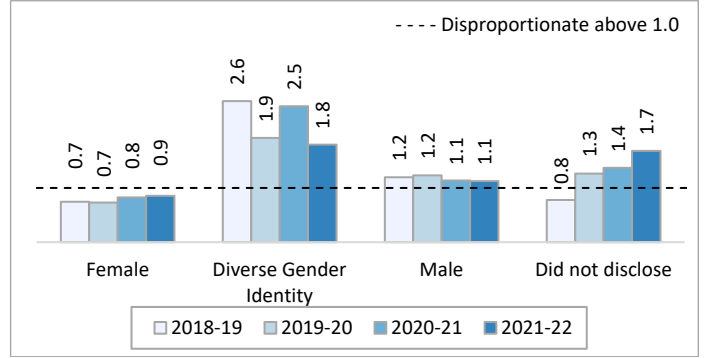


Figure 7 - Students who did not Achieve 23 Credits by End of Grade 11 by Gender Identity

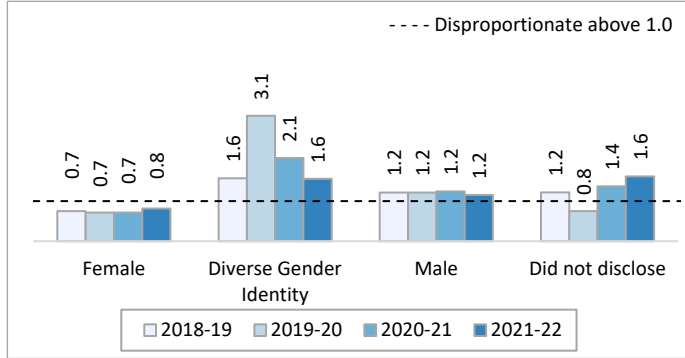
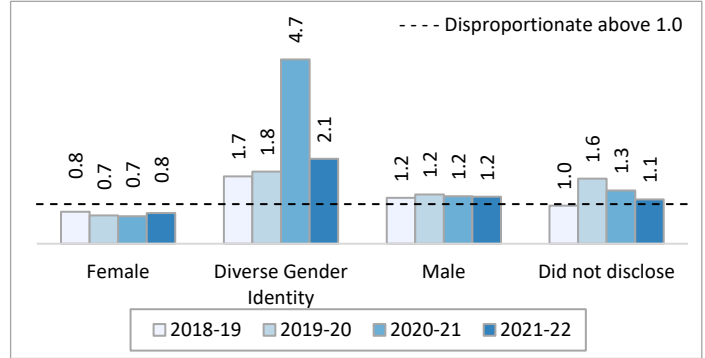
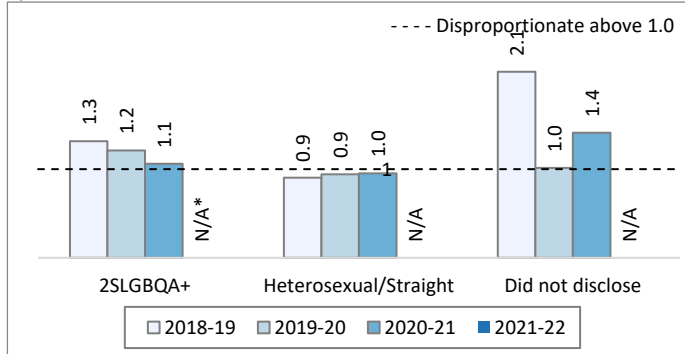


Figure 8 - Students who did not Achieve 30 Credits by End of Grade 12 by Gender Identity



3.1.4 Sexual Orientation (Grades 7-12)

Figure 9 - Students who did not Achieve 8 Credits by End of Grade 9 by Sexual Orientation



* Sexual orientation of Grade 9 students in 2021-22 is not available.

Figure 10 - Students who did not Achieve 16 Credits by End of Grade 10 by Sexual Orientation

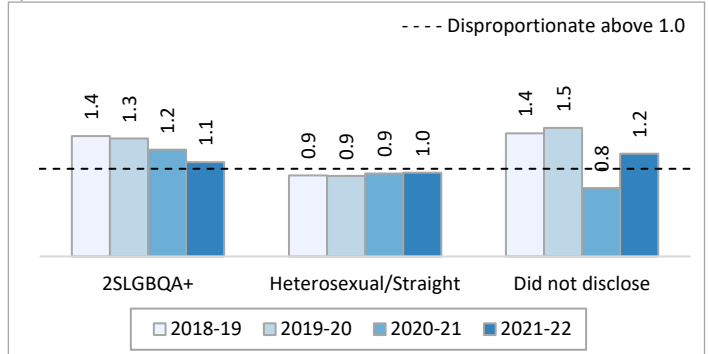


Figure 11 - Students who did not Achieve 23 Credits by End of Grade 11 by Sexual Orientation

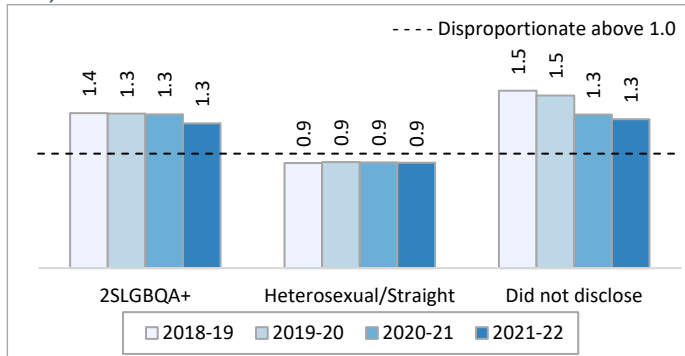
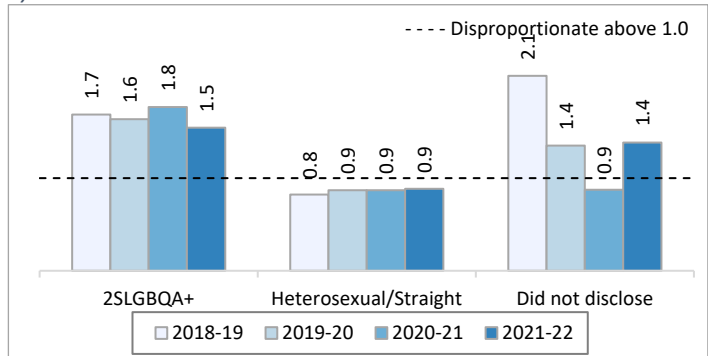


Figure 12 - Students who did not Achieve 30 Credits by End of Grade 12 by Sexual Orientation



3.1.5 Socioeconomic Vulnerability Clusters

Figure 13 - Students who did not Achieve 8 Credits by End of Grade 9 by Socioeconomic Vulnerability Cluster

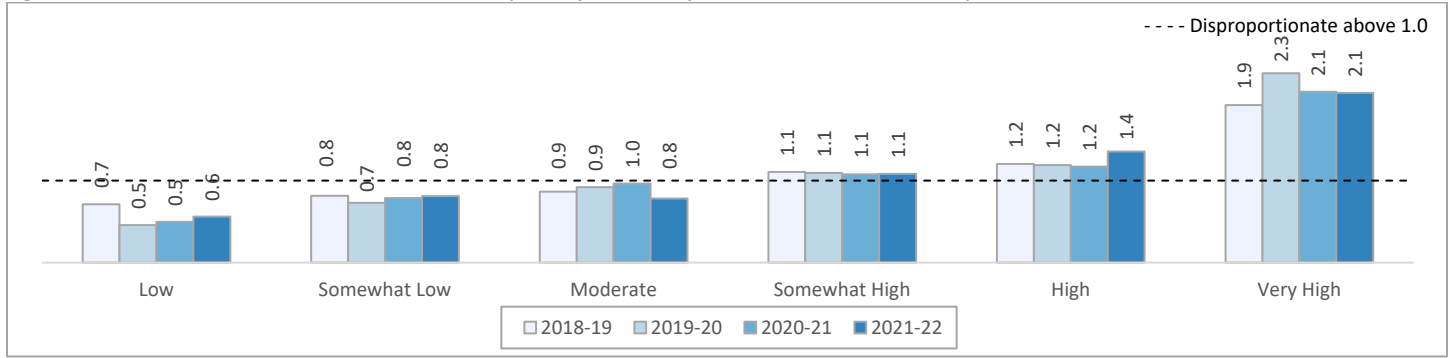


Figure 14 - Students who did not Achieve 16 Credits by End of Grade 10 by Socioeconomic Vulnerability Cluster

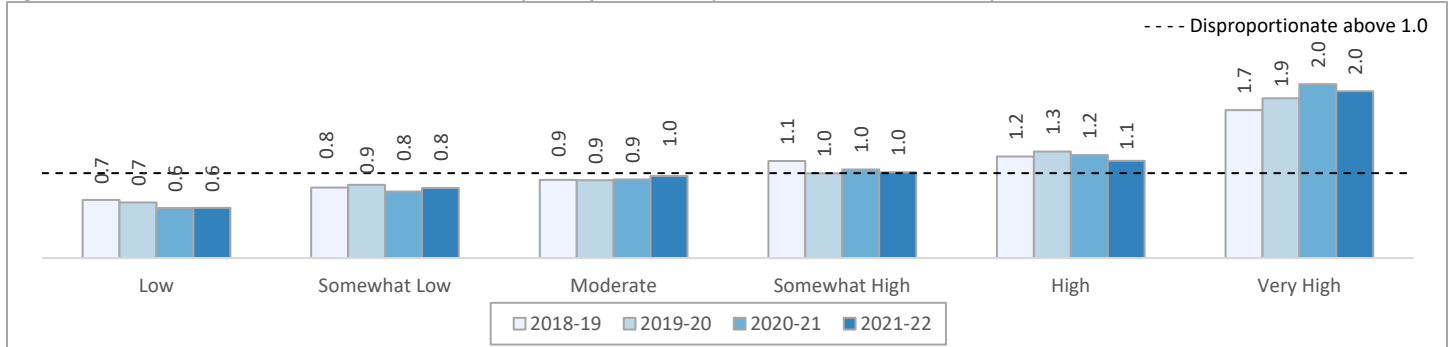


Figure 15 - Students who did not Achieve 23 Credits by End of Grade 11 by Socioeconomic Vulnerability Cluster

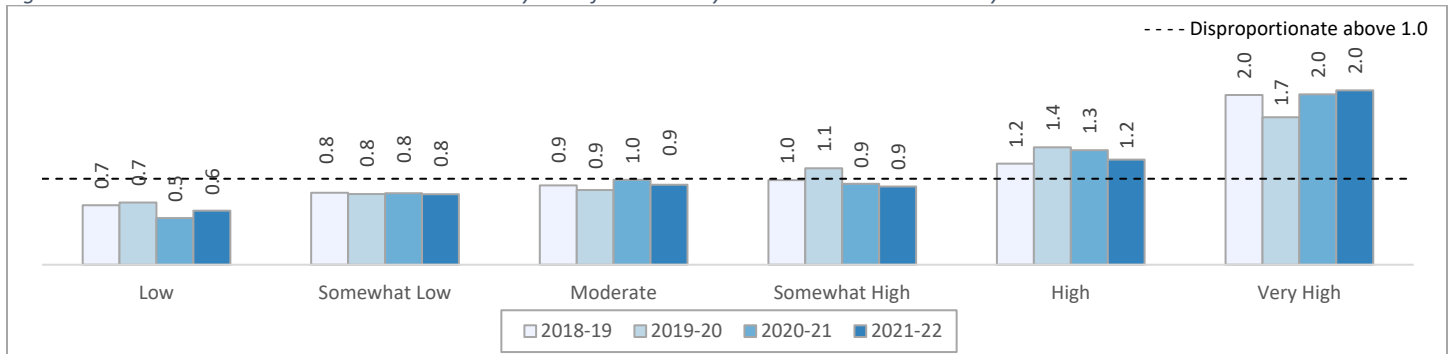
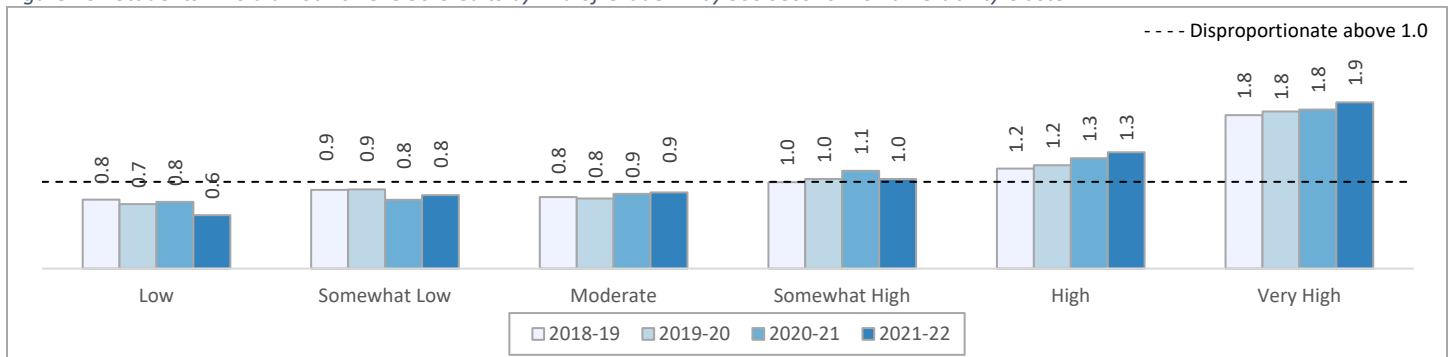


Figure 16 - Students who did not Achieve 30 Credits by End of Grade 12 by Socioeconomic Vulnerability Cluster



3.1.6 Students with Special Education Needs

Figure 17 - Students who did not Achieve 8 Credits by End of Grade 9 by Individual Education Plan (IEP) Status

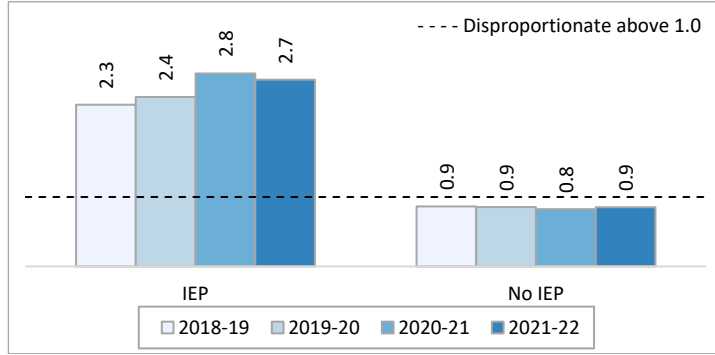


Figure 18 - Students who did not Achieve 16 Credits by End of Grade 10 by Individual Education Plan (IEP) Status

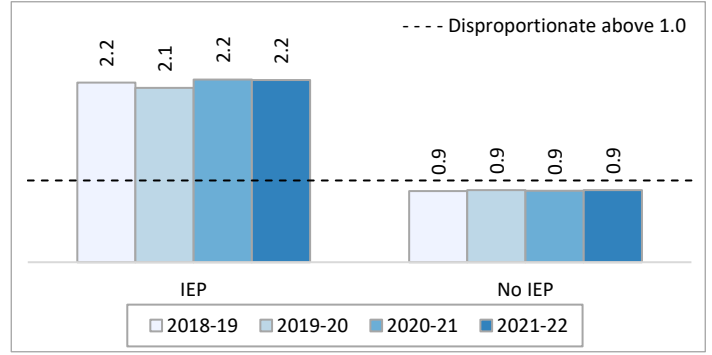


Figure 19 - Students who did not Achieve 23 Credits by End of Grade 11 by Individual Education Plan (IEP) Status

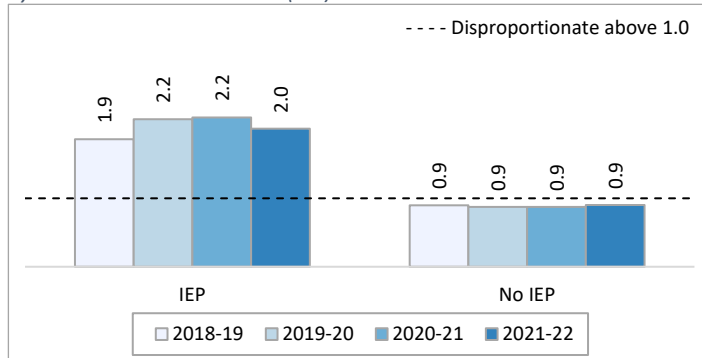
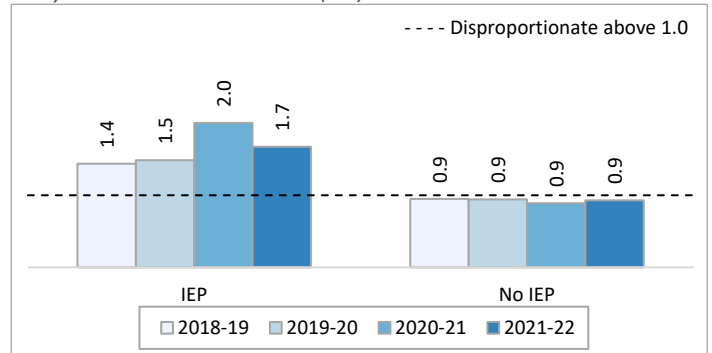


Figure 20 - Students who did not Achieve 30 Credits by End of Grade 12 by Individual Education Plan (IEP) Status



3.1.7 English Language Learners

Figure 21 - Students who did not Achieve 8 Credits by End of Grade 9 by English Language Learner Status

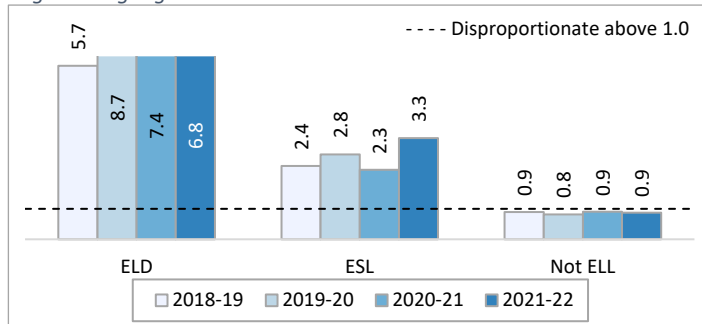


Figure 22 - Students who did not Achieve 16 Credits by End of Grade 10 by English Language Learner Status

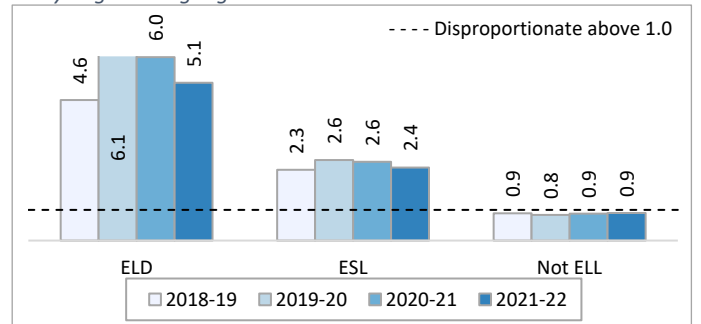


Figure 23 - Students who did not Achieve 23 Credits by End of Grade 11 by English Language Learner Status

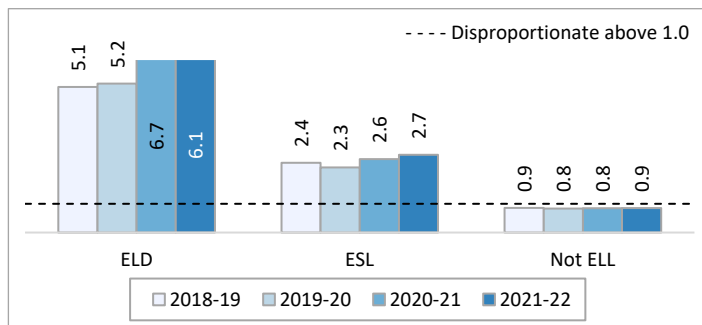
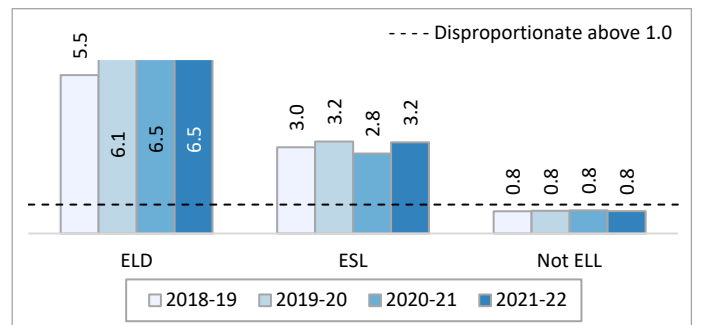


Figure 24 - Students who did not Achieve 30 Credits by End of Grade 12 by English Language Learner Status



3.2 Grades 9 and 10 Literacy and Numeracy

3.2.1 Summary of Outcomes

Needs:

- ❖ **Disproportionate Outcomes by Racial Background.** African, Black, and Afro-Caribbean, Indigenous and Latinx/Hispanic students are the most likely to be assessed below Levels 3 or 4 in Grade 9 and 10 Academic English. These findings indicate that while de-streaming Grade 9 Mathematics and English courses may remove some barriers, likely there are prior gaps in access to learning that continue to disadvantage some students (see Figure 25-26 and Figure 37-38).
- ❖ **Literacy versus numeracy challenges.** Students who identify as Latinx/Hispanic and Middle Eastern have higher rates of disproportionate experiences in Grade 9 and 10 Academic English than Academic/de-streamed Mathematics. These outcomes are also likely a result of gaps in prior access to learning (see Figure 25-26, and Figure 37-38).
- ❖ **Students who identify with a diverse gender identity may be struggling in English and Mathematics.** The population sizes of these groups are relatively small when looking at grade-level outcomes so individual positive or negative outcomes may have impacted the trends displayed in these graphs. Given the trends and experiences of the larger population, assumptions can be made that these students are experiencing barriers to their success (see Figure 27-28, and Figure 39-40).
- ❖ **Girls outperform boys in Literacy.** Girls were consistently assessed at or above the Provincial Standard (Levels 3 or 4) more often than boys (see Figure 27-28, and Figure 39-40).
- ❖ **Socioeconomic vulnerabilities impact English learning.** Students who experience very high socioeconomic vulnerabilities are less likely to be assessed at the Provincial Standard of Level 3 or 4 in Academic English. This disproportionate outcome has increased during the last three years (see Figure 31-32).
- ❖ **Students receiving Special Education Supports.** Students who have an IEP and may or may not have a formal identification are almost two times less likely to be assessed at or above the Provincial Standard in comparison with students who do not have an IEP. This gap is more notable for Academic English outcomes (see Figure 33-34, and Figure 45-46).
- ❖ **English Language Learners.** ELLs are one and half to two times more likely to be assessed not at or above Provincial Standard (Levels 3 or 4) in Academic English or Academic/De-streamed Mathematics compared to non-ELLs (see Figure 35-36 and Figure 47-48).

Emerging Trends:

- ❖ **COVID-19 may have affected some students' academic achievements more than others:** Students who identify as African, Black, and Afro-Caribbean are less likely to be assessed at Level 3 and 4 in grade 9 and 10 Academic English in comparison to their pre-COVID-19 learning (2018-19), suggesting that the barriers they are experiencing have remained and worsened (see Figure 25-26).
- ❖ **Slight improvement for boys in literacy.** The disproportionate outcomes for boys in Grade 9 and 10 Academic English appear to be decreasing (see Figure 27-28).
- ❖ **2SLGBQA+ Students doing well in literacy and numeracy.** Trends suggest that students who identify as 2SLGBQA+ do as well as their heterosexual classmates (see Figure 29-30, and Figure 41-42).
- ❖ **Students with an IEP need support to be successful in de-streamed classes.** Trends suggest that students who have an IEP may need more support to achieve the Provincial Standard (Levels 3 or 4) in both grades 9 and 10 Academic/De-streamed English and Mathematics (see Figure 33-34 and Figure 45-46).

3.2.2 Literacy Outcomes

Figure 25 - Students in Grade 9 Academic English Not Achieving Level 3 or 4 by Indigenous and Racial Identities

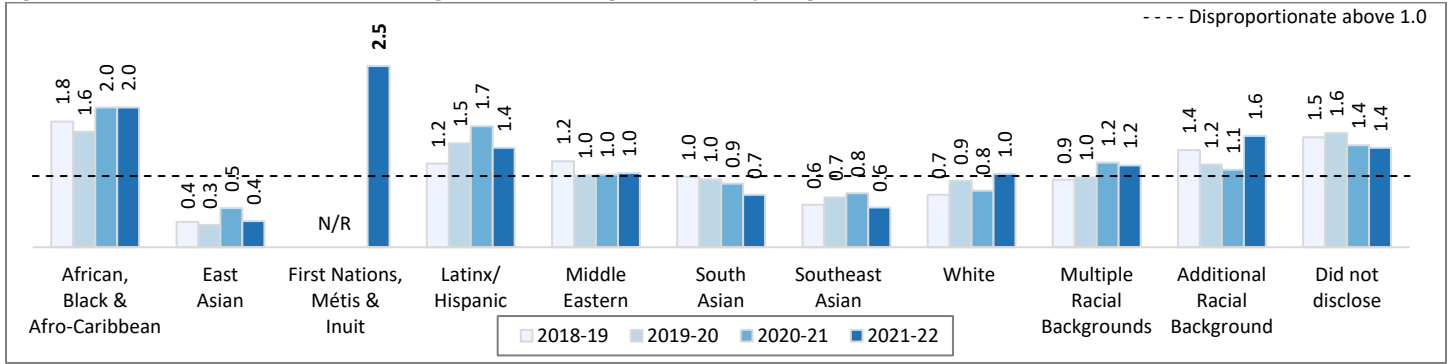


Figure 26 - Students in Grade 10 Academic English Not Achieving Level 3 or 4 by Indigenous and Racial Identities

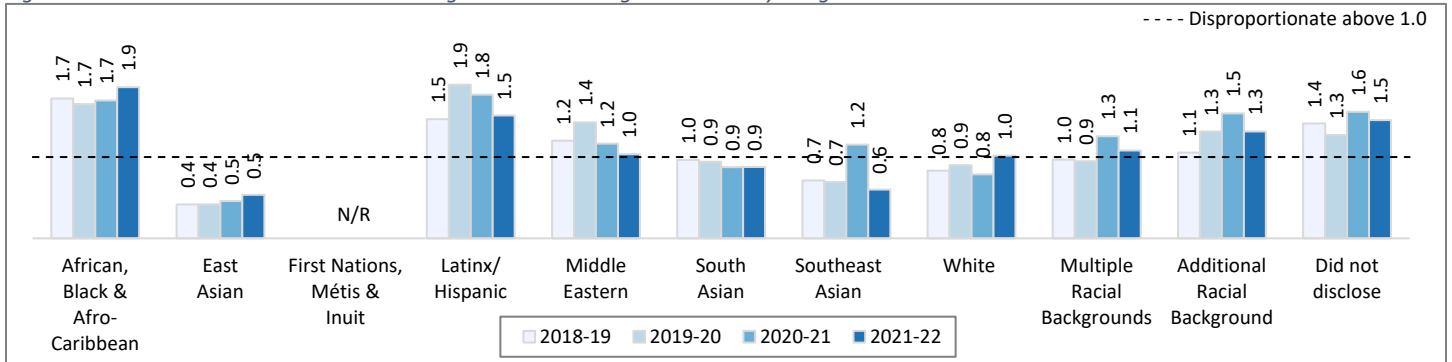


Figure 27 - Students in Grade 9 Academic English Not Achieving Level 3 or 4 by Gender Identity

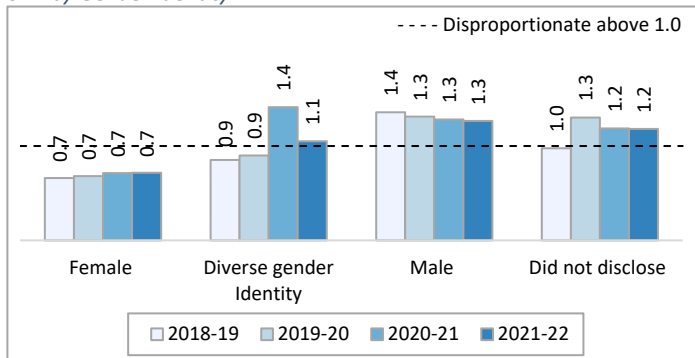


Figure 28 - Students in Grade 10 Academic English Not Achieving Level 3 or 4 by Gender Identity

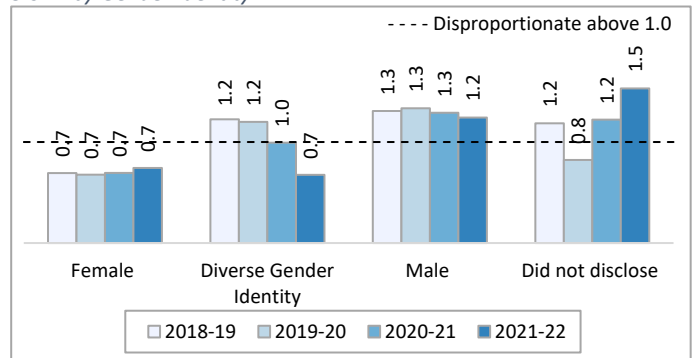


Figure 29 - Students in Grade 9 Academic English Not Achieving Level 3 or 4 by Sexual Orientation

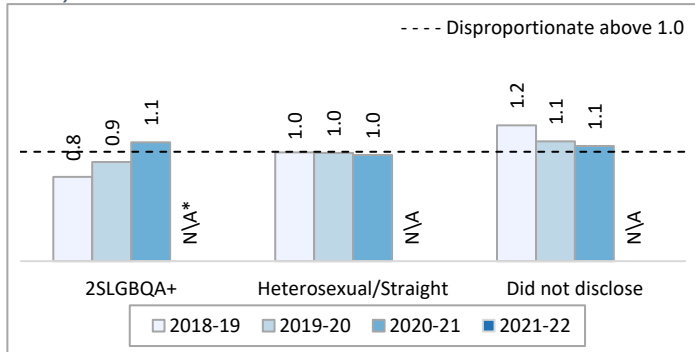
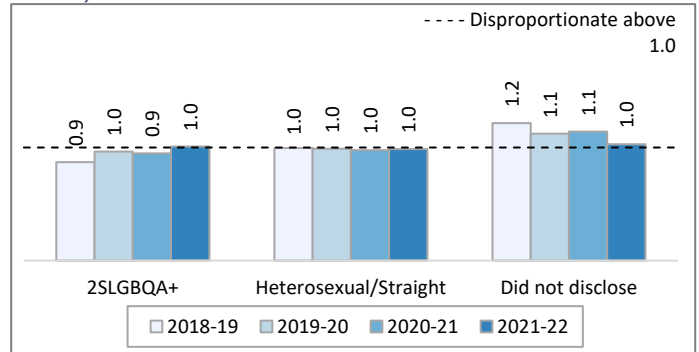


Figure 30 - Students in Grade 10 Academic English Not Achieving Level 3 or 4 by Sexual Orientation



* Sexual orientation of Grade 9 students in 2021-22 is not available.

Figure 31 - Students in Grade 9 Academic English Not Achieving Level 3 or 4 by Socioeconomic Vulnerability Cluster

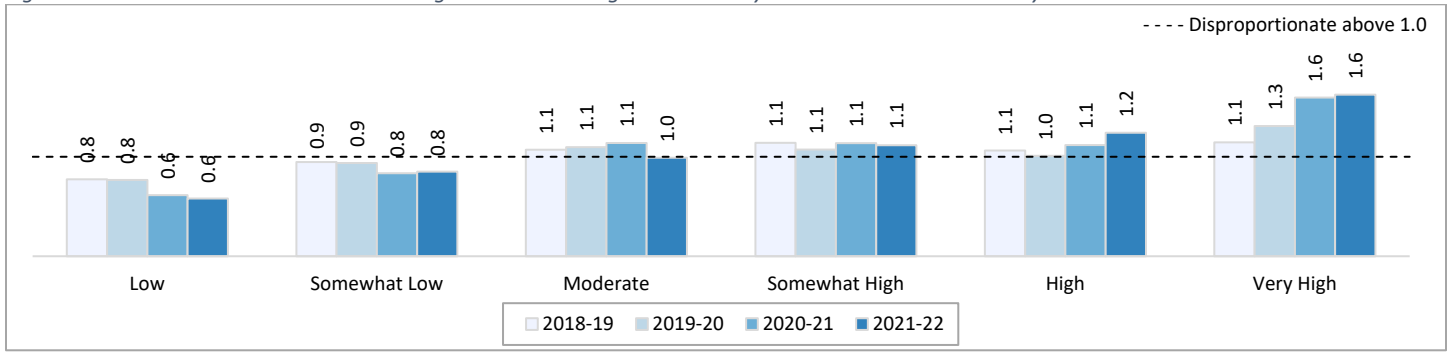


Figure 32 - Students in Grade 10 Academic English Not Achieving Level 3 or 4 by Socioeconomic Vulnerability Cluster

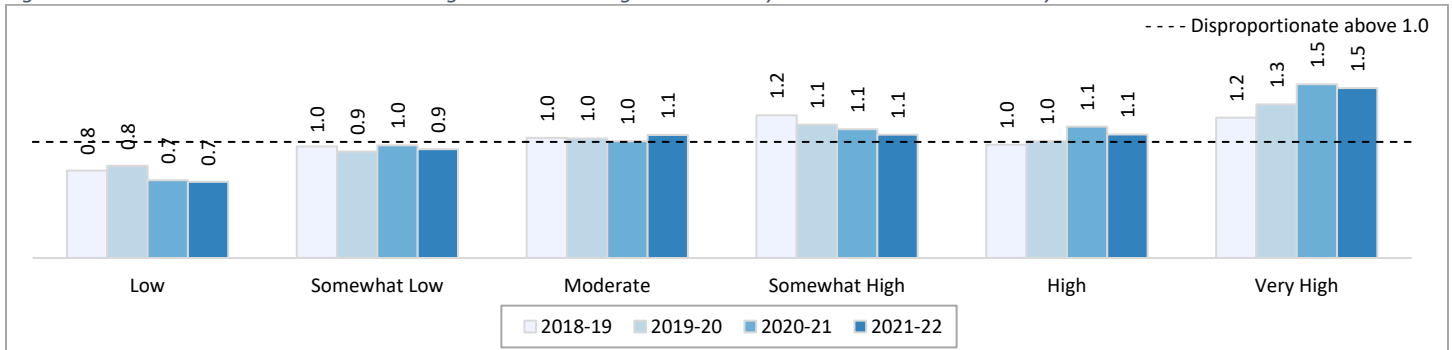


Figure 33 - Students in Grade 9 Academic English Not Achieving Level 3 or 4 by IEP Status

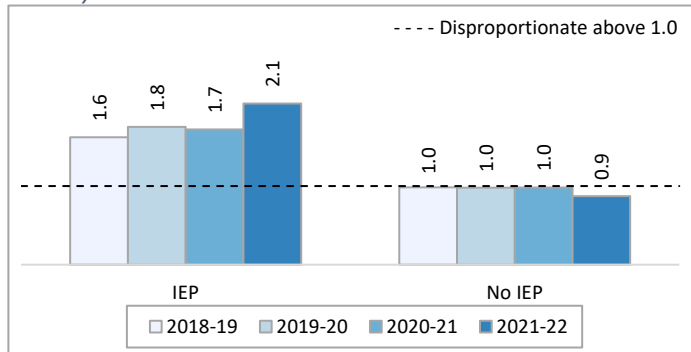


Figure 34 - Students in Grade 10 Academic English Not Achieving Level 3 or 4 by Students with an IEP Status

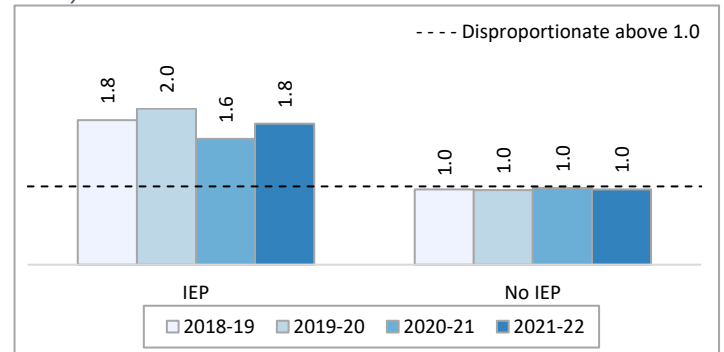


Figure 35 - Students in Grade 9 Academic English Not Achieving Level 3 or 4 by ELL Status

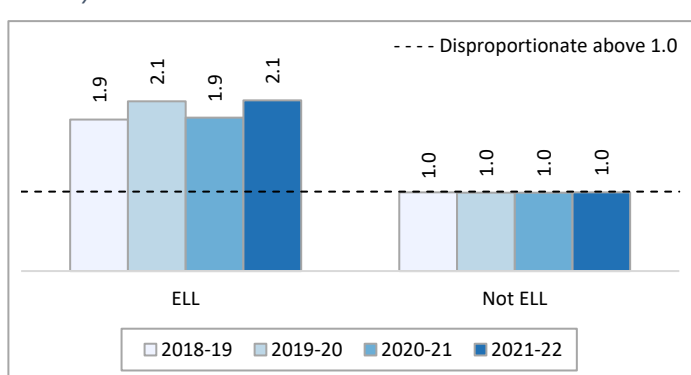
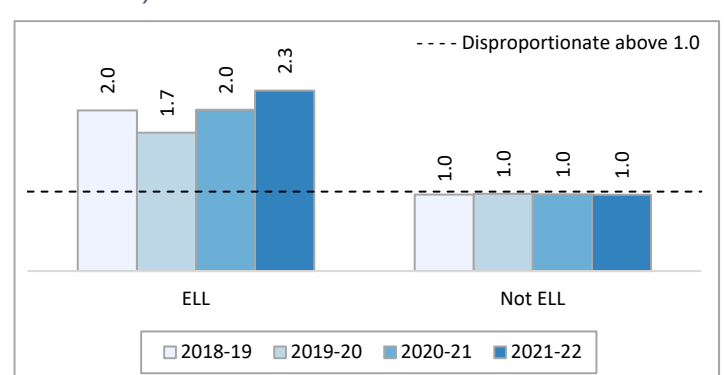


Figure 36 - Students in Grade 10 Academic English Not Achieving Level 3 or 4 by ELL Status



3.2.3 Numeracy Outcomes

Figure 37 - Students in Grade 9 Academic Mathematics Not Achieving Level 3 or 4 by Indigenous and Racial Identities

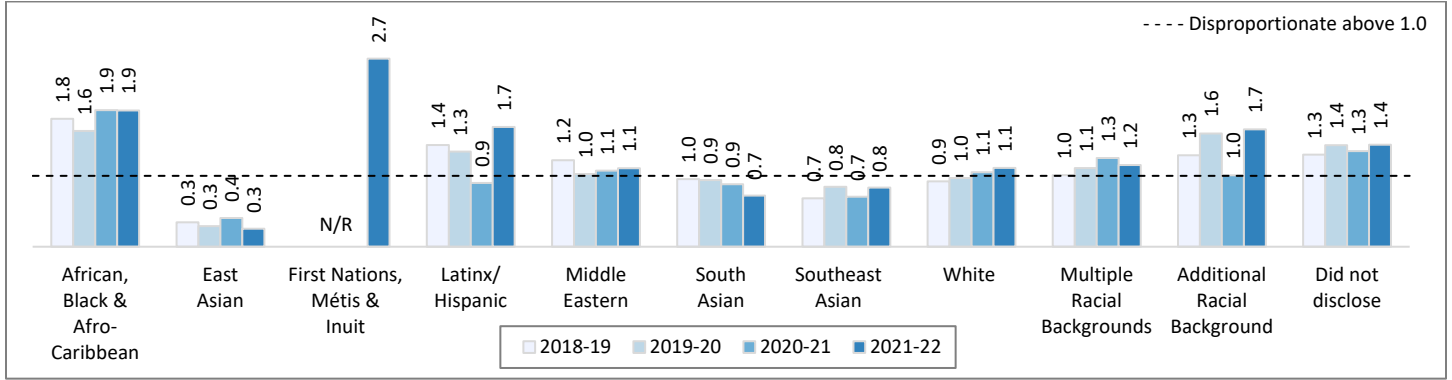


Figure 38 - Students in Grade 10 Academic Mathematics Not Achieving Level 3 or 4 by Indigenous and Racial Identities

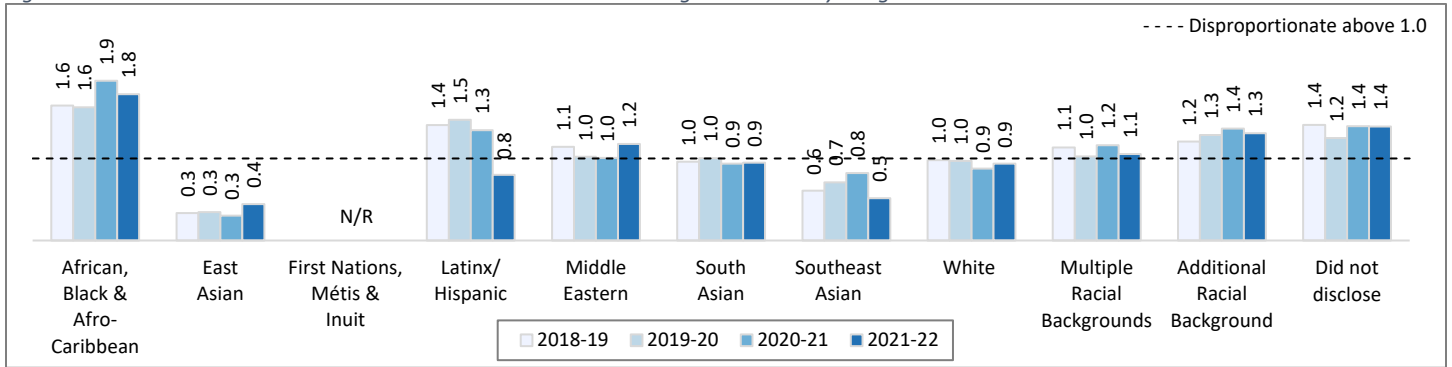


Figure 39 - Students in Grade 9 Academic Mathematics Not Achieving Level 3 or 4 by Gender Identity

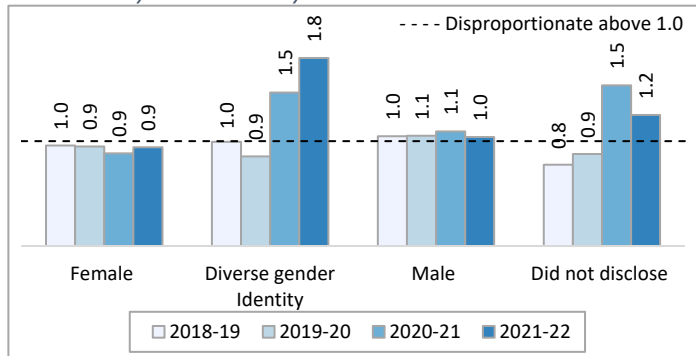


Figure 40 - Students in Grade 10 Academic Mathematics Not Achieving Level 3 or 4 by Gender Identity

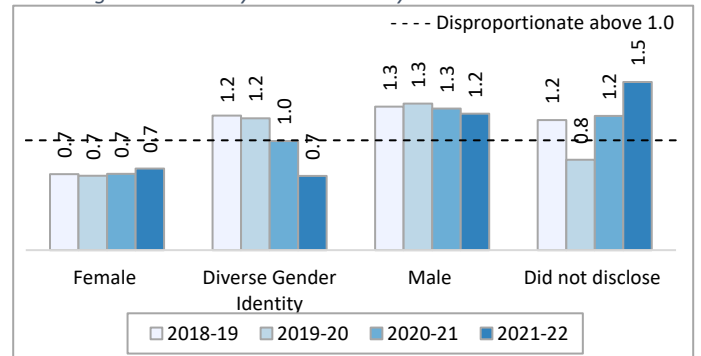


Figure 41 - Students in Grade 9 Academic Mathematics Not Achieving Level 3 or 4 by Sexual Orientation

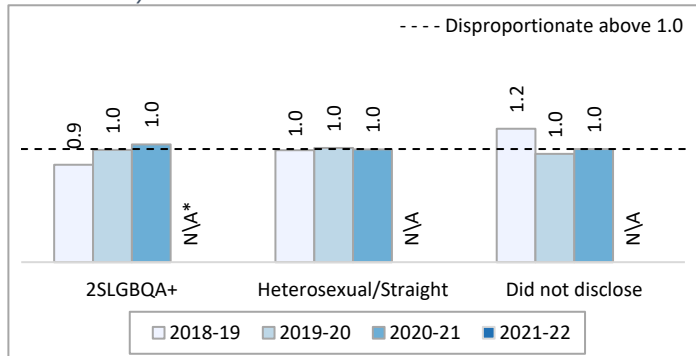
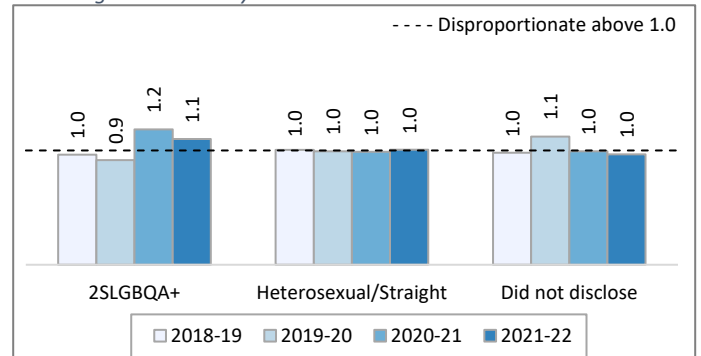


Figure 42 - Students in Grade 10 Academic Mathematics Not Achieving Level 3 or 4 by Sexual Orientation



* Sexual orientation of Grade 9 students in 2021-22 is not available.

Figure 43 - Disproportionality Index of Students in Grade 9 Academic Math Not Achieving Level 3 or 4 by Socioeconomic Vulnerability Cluster

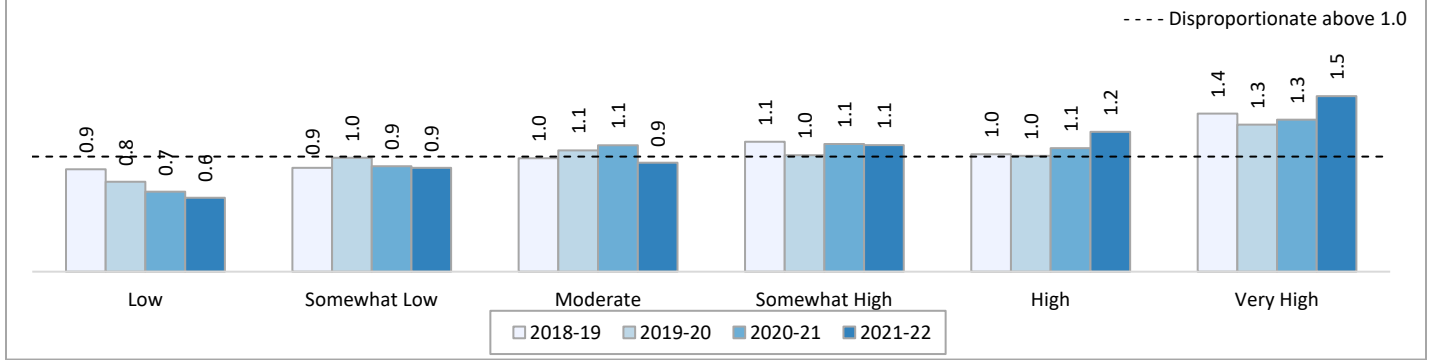


Figure 44 - Disproportionality Index of Students in Grade 10 Academic Math Not Achieving Level 3 or 4 by Socioeconomic Vulnerability Cluster

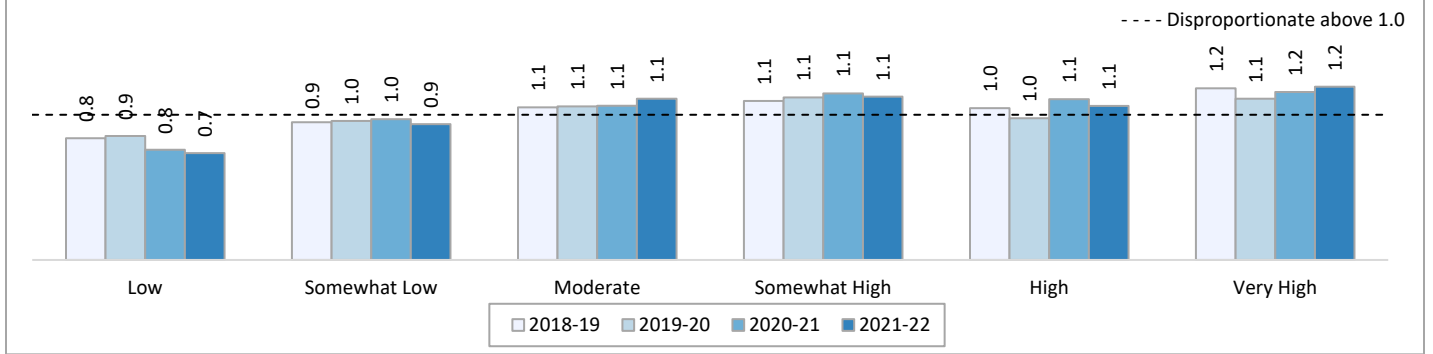


Figure 45 - Students in Grade 9 Academic Mathematics Not Achieving Level 3 or 4 by Students with an IEP Status

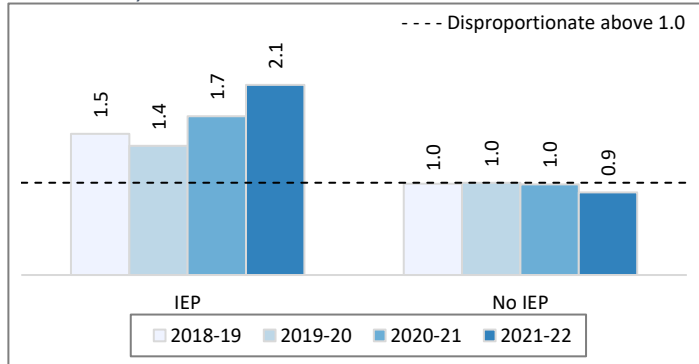


Figure 46 - Students in Grade 10 Academic Mathematics Not Achieving Level 3 or 4 by Students with an IEP Status

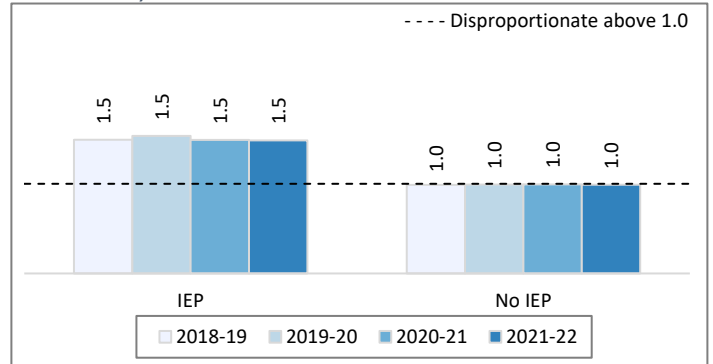


Figure 47 - Students in Grade 9 Academic Mathematics Not Achieving Level 3 or 4 by ELL Status

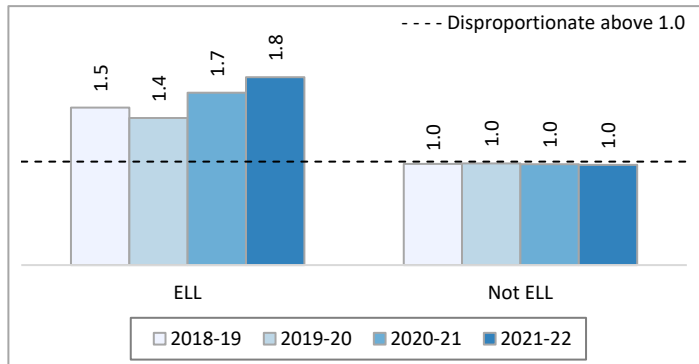
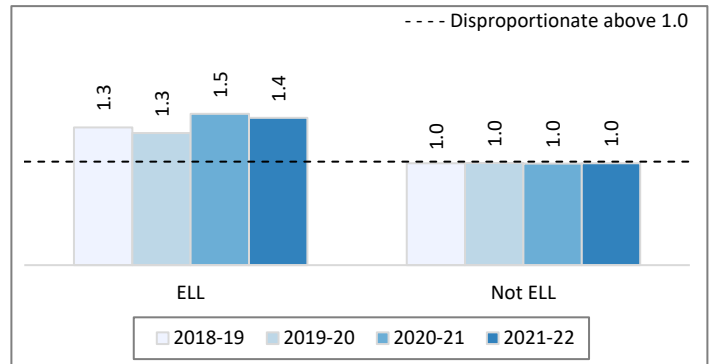


Figure 48 - Students in Grade 10 Academic Mathematics Not Achieving Level 3 or 4 by ELL Status



4.0 Human Rights and Equity

4.1 Student Discipline

4.1.1 Literature Review

Suspensions, expulsions and exclusions are discipline practices that require students to be removed from the classroom or school environment for a specified amount of time (Coles & Powell, 2020; Finigan-Carr, 2017; Lindsay & Hart, 2017). Suspensions are often used as a form of punishment to deter students from future engagement in such behaviour and to “discourage [their] peers from engaging in similar conduct” (Costenbader & Markson, 1998, cited in Chu & Ready, 2018, p. 479). Research suggests, however, that suspensions often serve as an entry point to the school-to-prison pipeline, whereby students, primarily African, Black and Afro-Caribbean, Indigenous and racialized, are pushed out of school and into the criminal justice system (Adamu & Hogan, 2015; Wun, 2016). African, Black and Afro-Caribbean students are disproportionately vulnerable to these adverse outcomes. Likewise, students with Special Education Needs, those of lower socioeconomic status, Indigenous backgrounds, as well as males, face greater implications of suspensions than others (Cholewa et al., 2018; Greflund, et al., 2014; Skiba et al., 2011; Sullivan et al., 2014).

Overrepresentation of African, Black and Afro-Caribbean students in suspension data has raised concerns that suspension policies are “inherently anti-Black” (Coles & Powell, 2020, p. 114), and consequently operate to remove or exclude African, Black and Afro-Caribbean children and youth from schools.

Exclusionary discipline has long-term impacts on student learning outcomes as those suspended in earlier years are more likely to face future disciplining as well as school dropouts (Meek & Gilliam, 2016; Yang et al, 2018). Research suggests that students who are suspended between grades 7-12 are more likely to experience victimization, engage in criminal activity, and be incarcerated, especially African, Black and Afro-Caribbean students (Wolf & Kupchik, 2017).

Indigenous students also experience disproportionate discipline, with research suggesting cultural bias as a key factor (Greflund et al., 2014). Suspensions are nominally used to support sustaining positive and safe classroom and school climates. However, research reveals that suspensions do not lead to improvement in student behaviour (Petras et al., 2011; Paul & Araneo, 2019).

A suspension can range from one to 20 school days, with more than 5 days representing a long-term suspension (Glisic & Favaro, 2017). Expelled students, on the other hand, are removed from school for an indefinite time. They can be expelled from their own school or from all schools in their school board (Ontario Education and Training, 2022). A school principal may exclude a student if, in their judgement, they determine the student’s presence is “detrimental” to the “physical or mental wellbeing” of students in the school (Government of Ontario, 1990).

Special education has drawn critique as being complicit in segregation across racial, class, and disability status (Parekh & Brown, 2019). Research indicates clear evidence of over representation of African, Black and Afro-Caribbean and racialized students within special education classes, pointing to a stronger focus on individual characteristics than on educational potential and attainment (Artiles et al., 2002; De Valenzuela et al., 2006; James & Turner, 2017; Kramarczuk Voulgarides et al., 2017; Losen et al., 2014; Parekh et al., 2018; Parekh et al., 2021).

Racialized students are overrepresented in every special education category including emotional/behavioural disorders, learning disabilities, intellectual disabilities, and speech and language disorders (Kramarczuk Voulgarides et al., 2017). In PDSB’s 2021 Annual Equity Accountability Report Card: Baseline Data on the Equity Gap in Student Outcomes, it was found that African, Black and Afro-Caribbean students are approximately two times more likely to be identified with Special Education Needs than their presence in the overall PDSB student population would predict. Additionally, African, Black and Afro-Caribbean students of all SVI levels are overrepresented among the students with identified Special Education Needs.

Research also highlights the intersection between race, special education placement, and student discipline. African, Black and Afro-Caribbean students have been found to be overrepresented in special education categories that predict increased suspensions while underrepresented in those that predict lower suspension rates (Losen et al., 2014). To

illustrate, Krezmien, Leone, & Achilles (2006) found that African, Black and Afro-Caribbean students with emotional and behavioural Special Education Needs disproportionately experience suspensions (as cited in Haight et al., 2016). African, Black and Afro-Caribbean students have also been overrepresented in instances of suspension when compared to expulsions (Kramarczuk Vougarides et al., 2017; Noltemeyer & Mcloughlin, 2010). Expulsions typically require less subjective judgement, indicating African, Black and Afro-Caribbean students may be targeted for minor behavioural incidents resulting in higher suspension rates (Kramarczuk Vougarides et al., 2017; Noltemeyer & Mcloughlin, 2010). African, Black and Afro-Caribbean students have echoed these concerns, noting a “double standard” in how African, Black and Afro-Caribbean and white students are treated within the classroom. More generally, students report that differential discipline processes are used for African, Black and Afro-Caribbean students with some noting that white students were often not disciplined for disruptive behaviours in class whereas Black students were. Moreover, African, Black and Afro-Caribbean students reported receiving more severe consequences for the same behaviours (James, 2019a). It is important to note that the overrepresentation of African, Black and Afro-Caribbean students in suspension data has not been found to be a result of their misbehaviour more than other racial groups (Gregory et al., 2010).

4.1.2 Summary of Outcomes

In May 2020, the Peel board proactively ordered the cessation of all informal/in school suspensions and all suspensions of students in kindergarten to grade 3. In December 2020, the board further directed that suspension records of all students in kindergarten to grade 3 be expunged where legally permissible. In March 2021 an interim policy was presented, and in May 2021, the expungement process was initiated. This report does not include these expunged records.

There was a very low number of suspensions (124) in 2020-21. The disaggregated outcomes have not been suppressed; however, caution should be taken when interpreting the results. The unexpected outcomes may be explained by randomness rather than systemic patterns.

Needs:

- ❖ **Older students are suspended more than others.** Students in Grades 7-12 appear more likely to be suspended with a notable increase in disproportionate outcomes for students in Grades 7 and 8 for 2021-22 (see Figure 49).
- ❖ **Disproportionate suspensions for African, Black, and Afro-Caribbean and Indigenous students despite decrease in overall suspensions.** While there is a reduction in the number of suspensions in 2021-22 compared to 2018-19, African, Black, and Afro-Caribbean and Indigenous students continue to be more than two-times more likely to be suspended (see Figure 50).
- ❖ **Consistent over-representation of marginalized students among those suspended.** Students who identify as Middle Eastern and Latinx/Hispanic are consistently about one and a half times more likely to receive a suspension (see Figure 50).
- ❖ **Gender.** Boys are about two times more likely to be suspended than girls (see Figure 51).
- ❖ **Multiple identities impacting some students.** Consider the potential intersecting identities impacted by gender, race, socioeconomic vulnerabilities, and Special Education Needs that can play a significant role in students being excluded from classrooms and learning (see Figure 50-51 and Figure 53-54).
- ❖ **High socioeconomic vulnerabilities cause barriers to accessing learning.** Students who experience very high socioeconomic vulnerabilities are about one and half times more likely to receive a suspension (see Figure 53).
- ❖ **Students receiving English Literacy Development need more supports.** Students who are new to Canada and have and continue to experience a variety of vulnerabilities are more than four times more likely to receive a suspension (see Figure 55).
- ❖ **Students with Special Education needs experience barriers to learning.** Students who have an IEP are more than three times more likely to be suspended (see Figure 54). Students identified with an exceptionality that does not require a medical doctor diagnosis (behavioural, Language Impairment, Learning Disability, Mild Intellectual Disability) and therefore is more subjective are even more likely to receive a suspension (see Figure 56).

Emerging Trends:

- ❖ **The number of suspensions is decreasing.** From 2018-19 to 2019-20 the number of suspensions was almost cut in half. In 2020-21 there were a marked reduction in the number of suspensions due to school closures during the pandemic. However, as schools re-opened in 2021-22, the number of suspensions was half of what it was in 2019-20 prior to closures. In this case, outcomes may be a result of randomness rather than systemic patterns (see Table 1).
- ❖ **The number of expulsions increased.** In 2021-22 there were substantially more expulsions than in prior years. The number of expulsions is very small and therefore trends should be considered with caution.

4.1.2 Discipline Outcomes

Table 1. Suspensions, Expulsions and Exclusions

School Year	Number of Suspensions	Number of Students Suspended	Number of Expulsions	Number of Students Excluded
2018-19	4094	2875	2	34
2019-20	2654	2063	3	19
2020-21	124	114	1	11
2021-22	1027	862	14	11

Figure 49 - Students who Received One or More Suspensions by Grade

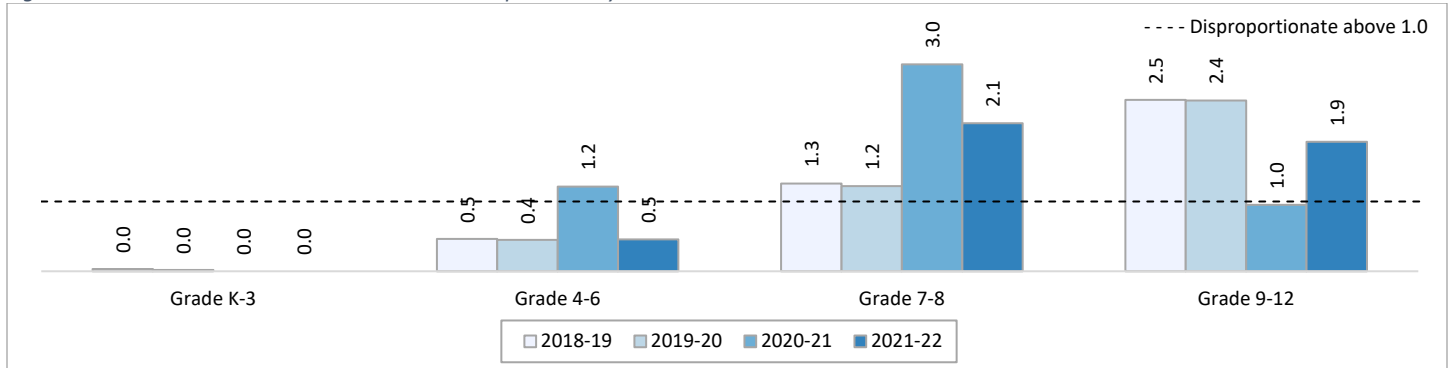


Figure 50 - Students who Received One or More Suspensions by Indigenous and Racial Identities

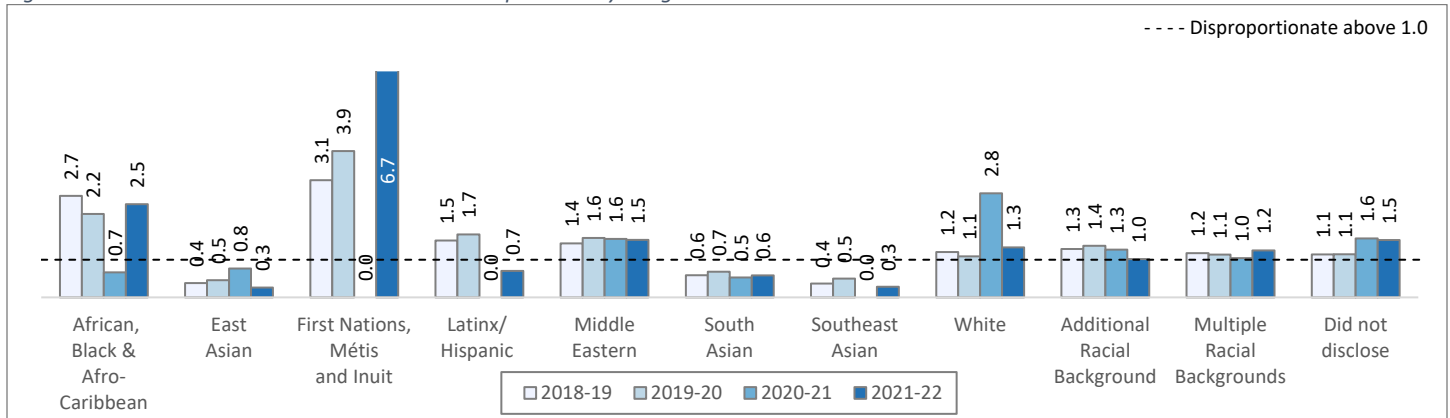


Figure 51 - Students who Received One or More Suspensions by Gender Identity

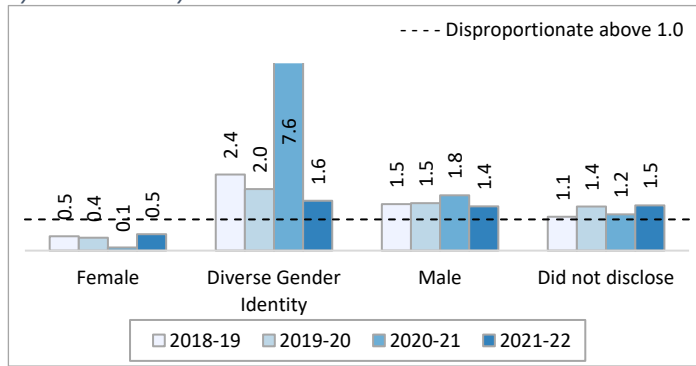


Figure 52 - Students in Grades 7-12 who Received One or More Suspensions by Sexual Orientation

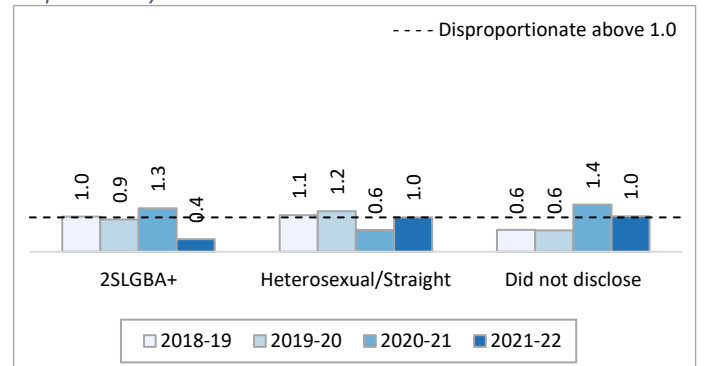


Figure 53 - Students who Received One or More Suspensions by Socioeconomic Vulnerability Clusters

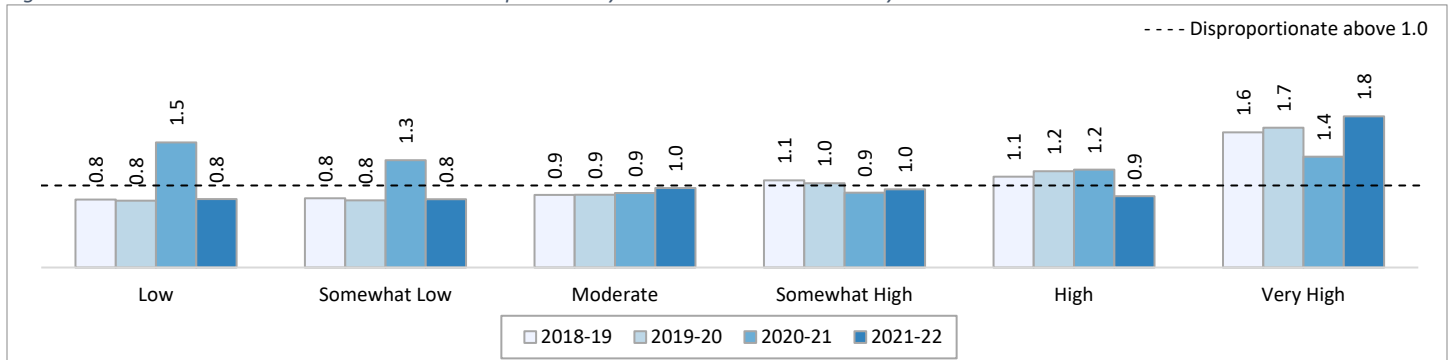


Figure 54 - Students who Received One or More Suspensions by IEP Status

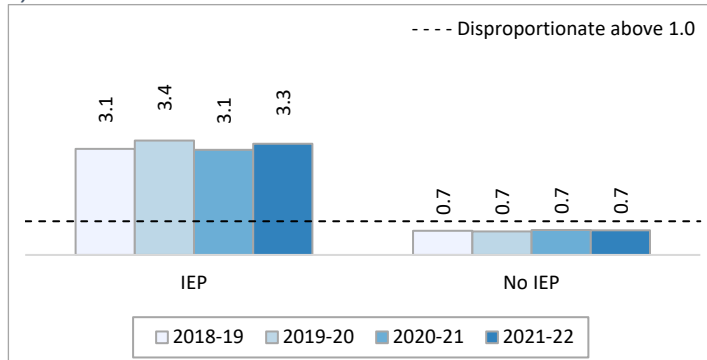


Figure 55 - Students who Received One or More Suspensions by ELL Status

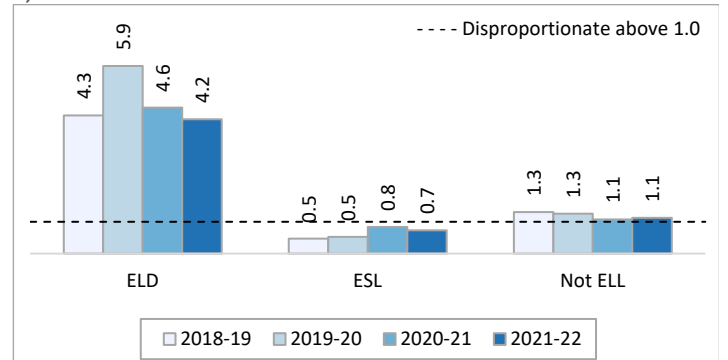
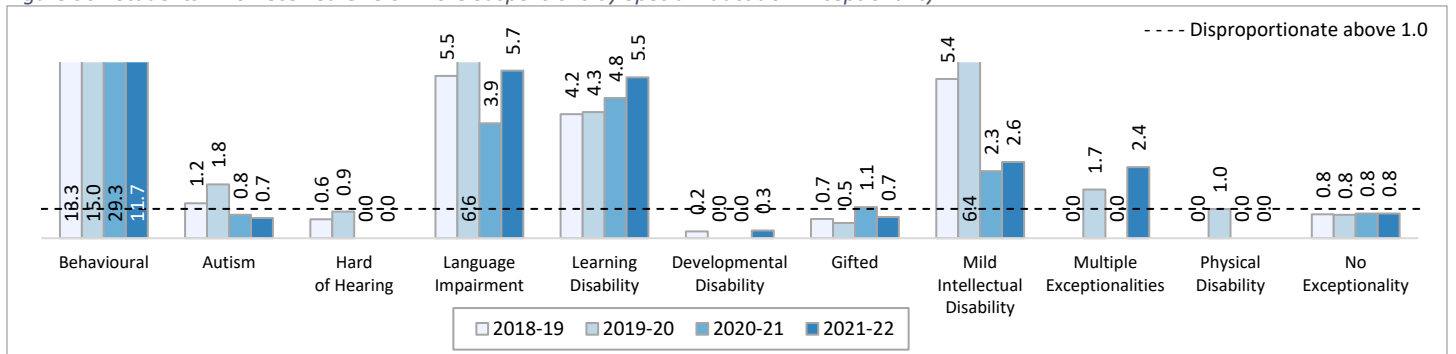


Figure 56 - Students who Received One or More Suspensions by Special Education Exceptionality



5.0 Mental Health, Well-Being and Engagement

5.1 Persistent Absenteeism

5.1.1 Summary of Outcomes

Needs:

- ❖ **Absenteeism is almost twice as high among some marginalized groups.** African, Black, and Afro-Caribbean, Indigenous, Latinx/Hispanic and Middle Eastern students experience higher instances of absenteeism compared to other students, suggesting that schools may not be places where they feel safe and/or offer a sense of belonging due to emotional withdrawal or academic alienation (Hascher & Hagenauer, 2010 and Curry-Stevens & Kim-Gervey, 2016) especially for marginalized students (see Figure 57).
- ❖ **Gender Diverse students are consistently more likely to be absent compared to those who identify as male or female.** While there has been parity for boys and girls over the last 4 school years, students who identify with a diverse gender experienced much higher instances of absenteeism, with an important decline in the 2020-21 when schools were primarily online, suggesting that in-person school environments may not be places where they feel safe and/or a sense of belonging (Pampati et al., 2020) (see Figure 58).
- ❖ **Absenteeism is higher among 2SLGBQA+ students compared to those who identify as heterosexual.** Though absenteeism has remained consistent for students who identify as heterosexual, there have been some fluctuations for 2SLGBQA+ students, with findings revealing a slight decrease during the period where learning was almost entirely online, suggesting that they may favour online learning over in-person (see Figure 59).
- ❖ **Socioeconomic vulnerabilities are a significant factor in students' attendance outcomes.** Students experiencing high socioeconomic vulnerabilities have been absent at a much higher rate consistently over the years indicating that students who experience these vulnerabilities may not find learning environments accessible, safe, or conducive to their learning (Van Eck et al., 2017) (see Figure 60).
- ❖ **Students receiving ESL supports are less likely to be absent from school during regular in-person learning.** For students receiving ESL supports, absenteeism appears much lower, though there is a sudden increase during the 2020-21 in-person school closures and shift to online learning, suggesting that they may not have received the support they needed during this time including lack of digital skills needed for learning from home, and maintaining adequate home-school communication with learners whose home language is different from the language of instruction (Gallagher-Mackay, 2021) (see Figure 62).

Emerging Trends:

- ❖ **ELD students are over three times more likely to be absent than non-ELL or ESL students.** Students receiving ELD programming are much more likely to be persistently absent from school. Findings suggest that, in the post-COVID-19 years, they may have experienced greater challenges, as their rate of persistent absence was much higher during this time. However, there was a drop in their absences during online learning (2020-21) (see Figure 62). This may be related to in-person ELD programs being located at central locations rather than at the student's local school, meaning that online learning may have been easier to participate in than having to travel to other, potentially distant, locations.
- ❖ **Students with an IEP are more likely to be persistently absent than students without an IEP.** Though absenteeism has continued to remain much higher among students with an IEP than students without an IEP, the pandemic may have negatively contributed to their experiences as they have consistently experienced higher instances of absenteeism, compared to pre-COVID-19, when learning was in-person. In the 2021-22 school year, they continued to be absent much more frequently, suggesting that the limited availability of support for students with an IEP during remote learning (Rolland, 2020) may have also been a barrier for Peel students, for whom virtual classes were spaces not conducive to their learning needs. (see Figure 61).

❖ **Decreases in the disproportionate rates of persistent absenteeism** for Latinx/Hispanic and Middle Eastern students as well as those who identify as 2SLGBQA+ are notable but may be a result of the decreasing proportion of students with available social identity data from the 2018 student census.

5.1.2 Absenteeism Outcomes

Figure 57 - Students who were Persistently Absent by Indigenous and Racial Background

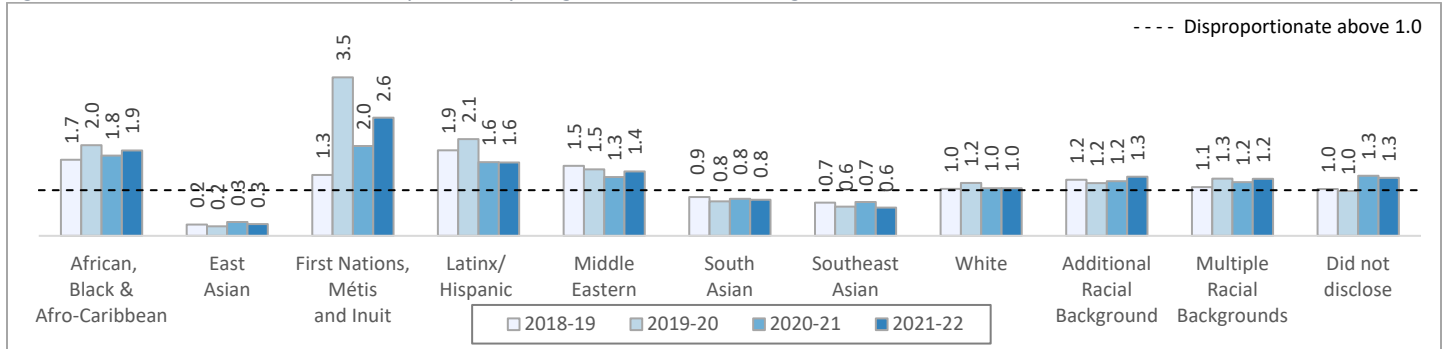


Figure 58 - Students who were Persistently Absent by Gender Identity

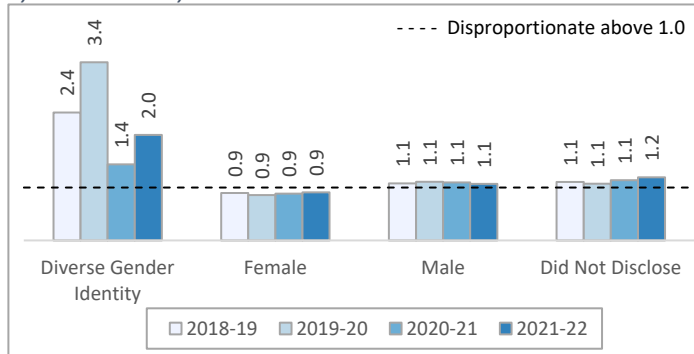


Figure 59 - Students who were Persistently Absent by Sexual Orientation

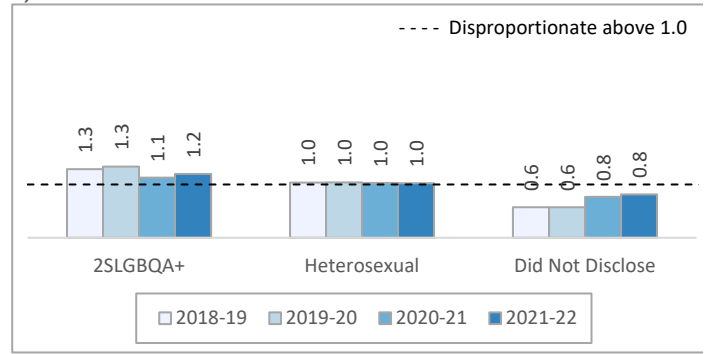


Figure 60 - Students who were Persistently Absent by Socioeconomic Vulnerability Clusters

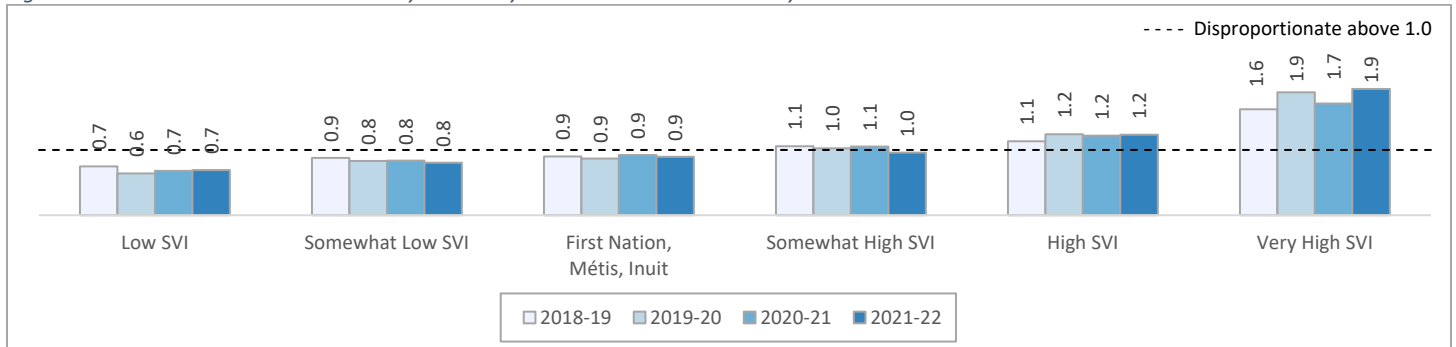


Figure 61 - Students who were Persistently Absent by IEP Status

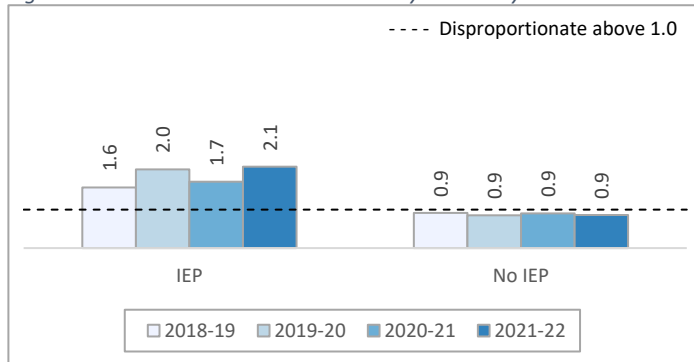
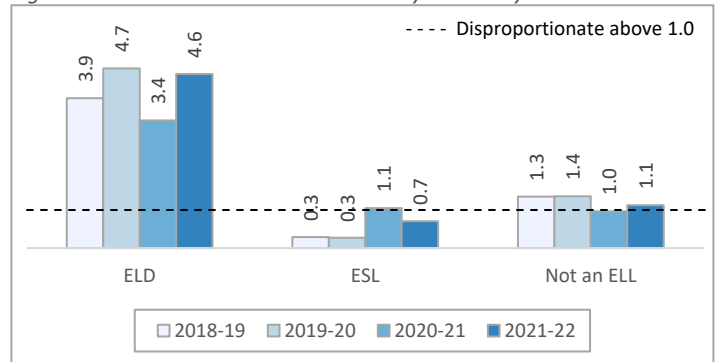


Figure 62 - Students who were Persistently Absent by ELL Status



6.0 Pathways and Transitions

6.1 Special Education Designations

6.1.1 Summary of Outcomes

Needs:

- ❖ **Students that identify as Indigenous, African, Black, and Afro-Caribbean, and white are the most likely to be identified with an exceptionality.** African, Black, and Afro-Caribbean students are about four times more likely to be identified with a behavioural exceptionality and are one and a half to three times more likely to be identified with language impairment, learning disability and mild intellectual disability. Indigenous students are about four to five times more likely to be identified with the following exceptionalities – autism, language impairment and, learning disability; they are also two times more likely to be identified with a mild intellectual disability exceptionality. White students are overrepresented in students identified with behavioral and learning disabilities (see Figure 63-70).
- ❖ **Students identifying as a diverse gender are overrepresented in almost all exceptionalities, but overrepresentation in behavioural exceptionality has especially increased in recent years.** Students who identify as a diverse gender are approximately two and a half times more likely to be identified with autism and learning disability exceptionalities. In recent years, these students were approximately four times more likely to be identified with a behavioural exceptionality compared to 2018-19 where they were one and half times more likely (see Figure 71-78). This increase may be a result of the relatively smaller group sizes for both diverse gender identities and those with a behavioural exceptionality.
- ❖ **Overrepresentation of 2SLGBQA+ students.** Students that identify as 2SLGBQA+ are overrepresented in students identified with the following exceptionalities – autism, behavioural, and mild intellectual disability (see Figure 79-86).
- ❖ **Students experiencing higher socioeconomic vulnerabilities are more likely to be identified with an exceptionality.** Students who experience high socioeconomic vulnerabilities are more likely to be identified with autism, language impairments and mild intellectual disabilities. They are also much more likely to be identified with a behavioural exceptionality (approximately three times more likely) compared to students experiencing less socioeconomic vulnerabilities (see Figure 87-94).
Students who identified as white are more likely to be identified as gifted, suggesting that there may be assumptions about students' race which influence how school staff perceive their learning. This trend supports broader ones that show that teachers tend to favor white students over racialized students in academic progression and hold stereotypes about racialized groups that limit their academic progress (James & Turner, 2015) (see Figure 65).
- ❖ **East Asian students and students who experience lower socioeconomic vulnerabilities are overrepresented in students identified with a gifted exceptionality.** East Asian students are approximately 6 times more likely to be identified as gifted and white students are also one and a half times more likely to be identified with a gifted exceptionality suggesting that there may be assumptions about students' race which influence how school staff perceive their learning (Conchas & Perez, 2003, James, 2004; Walton & Truong, 2021). Students who experience very low socioeconomic vulnerabilities are also two and a half times more likely to be identified as gifted compared to students who experience higher socioeconomic vulnerabilities suggesting that gifted assessments privilege those with access to more resources (Parekh, et al., 2018) (see Figure 89).
- ❖ **Gender diverse and 2SLGBQA+ students are also overrepresented in students identified with a gifted exceptionality** (see Figure 73 and Figure 81).

Emerging Trends:

- ❖ Potential increase in Indigenous, African, Black, and Afro-Caribbean and Latinx/Hispanic students identified with autism; with a slight decrease in African, Black, and Afro-Caribbean students identified with behavioural exceptionality and a decrease in Indigenous students identified with language impairment (see Figure 63-70).

6.1.1 By Indigenous and Racial Identities

Figure 63 - Students Identified with the Exceptionality Autism by Indigenous and Racial Background

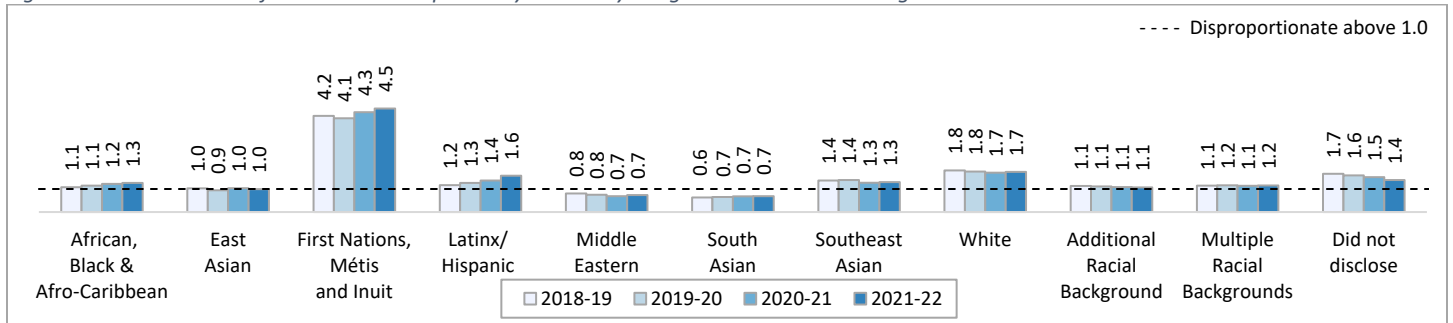


Figure 64 - Students Identified with the Exceptionality Behavioural by Indigenous and Racial Background

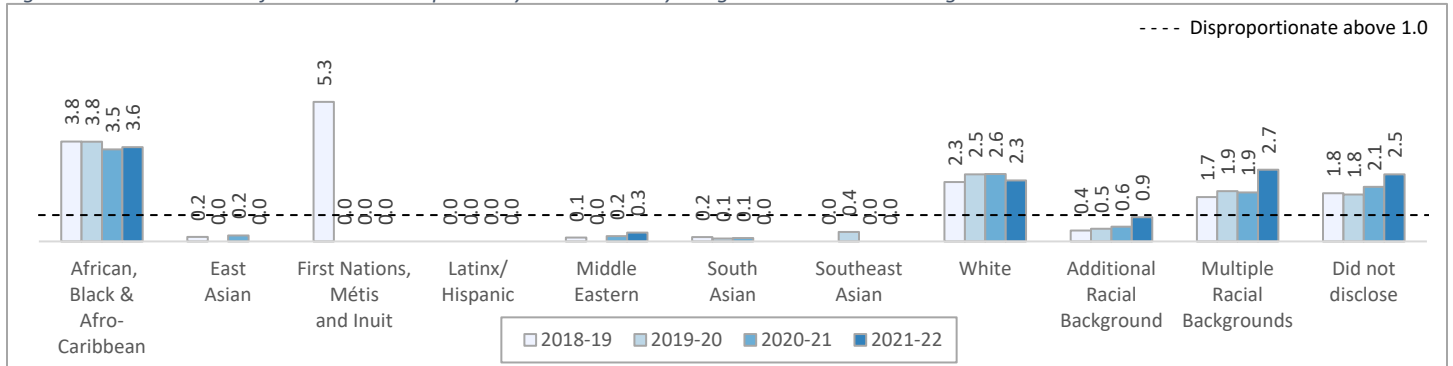


Figure 65 - Students Identified with the Exceptionality Gifted by Indigenous and Racial Background

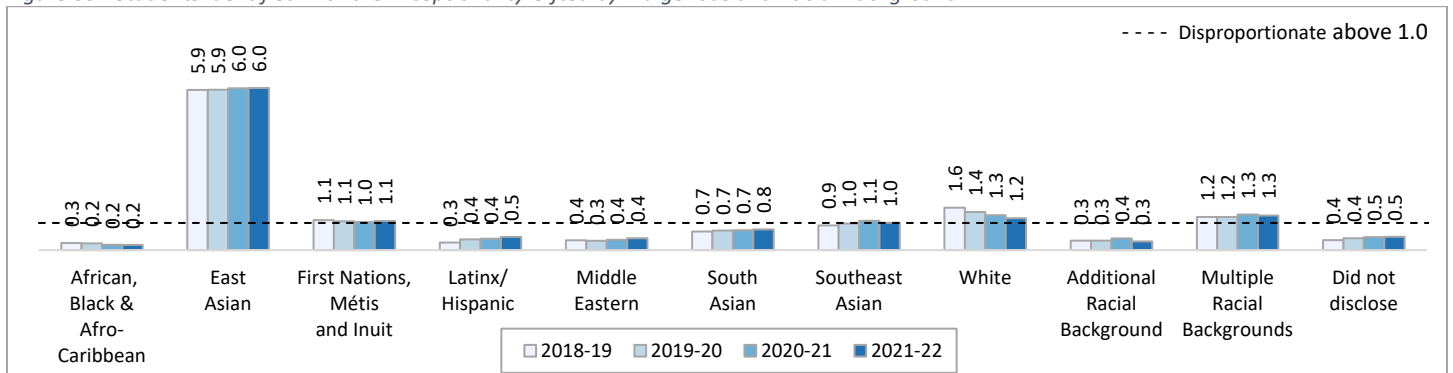


Figure 66 - Students Identified with the Exceptionality Language Impairment by Indigenous and Racial Background

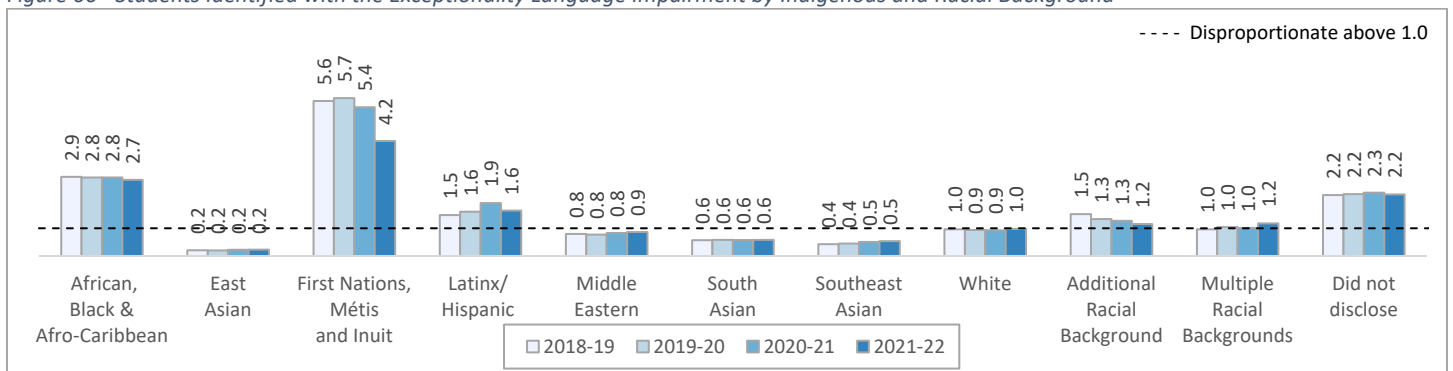


Figure 67 - Students Identified with the Exceptionality Learning Disability by Indigenous and Racial Background

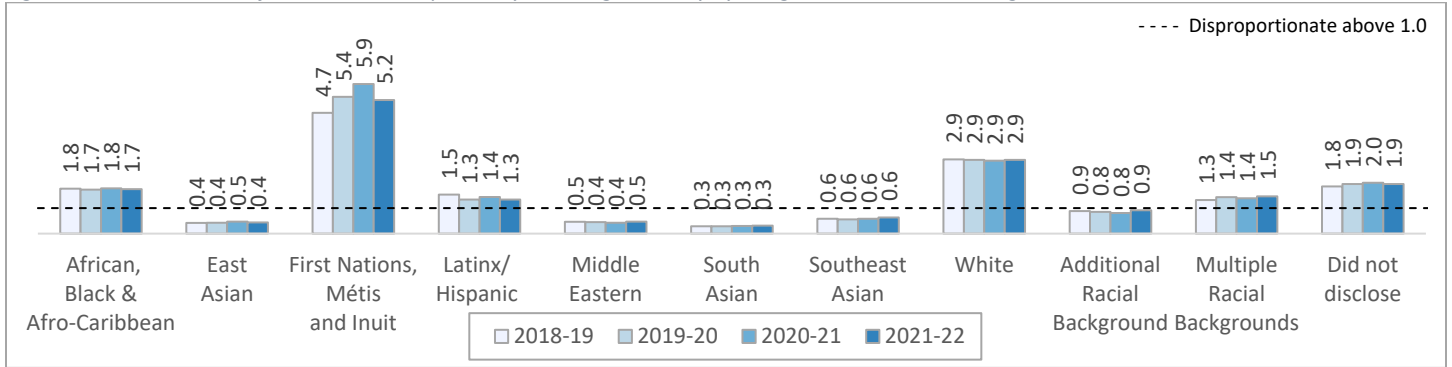


Figure 68 - Students Identified with the Exceptionality Mild Intellectual Disability by Indigenous and Racial Background

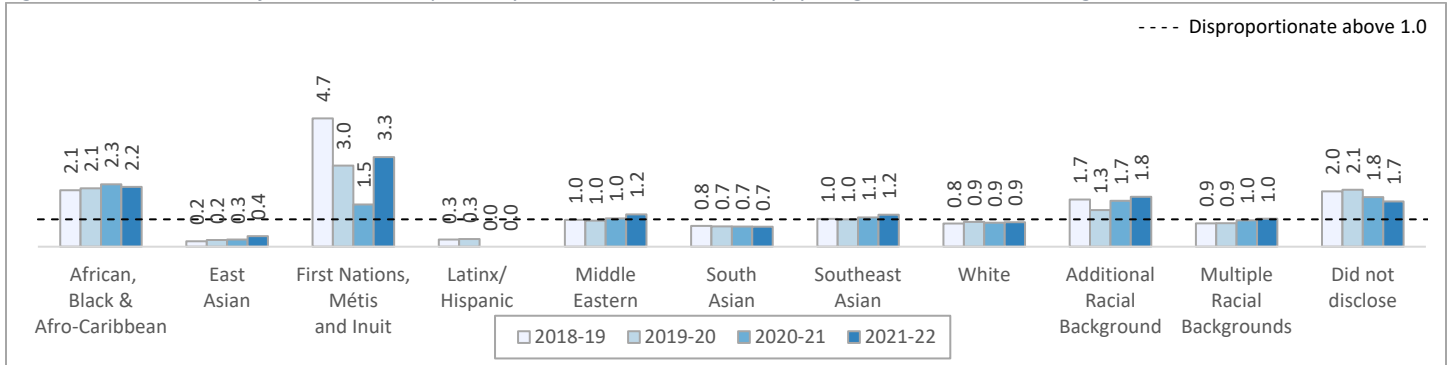


Figure 69 - Students with an IEP but not a formal Identification by Indigenous and Racial Background

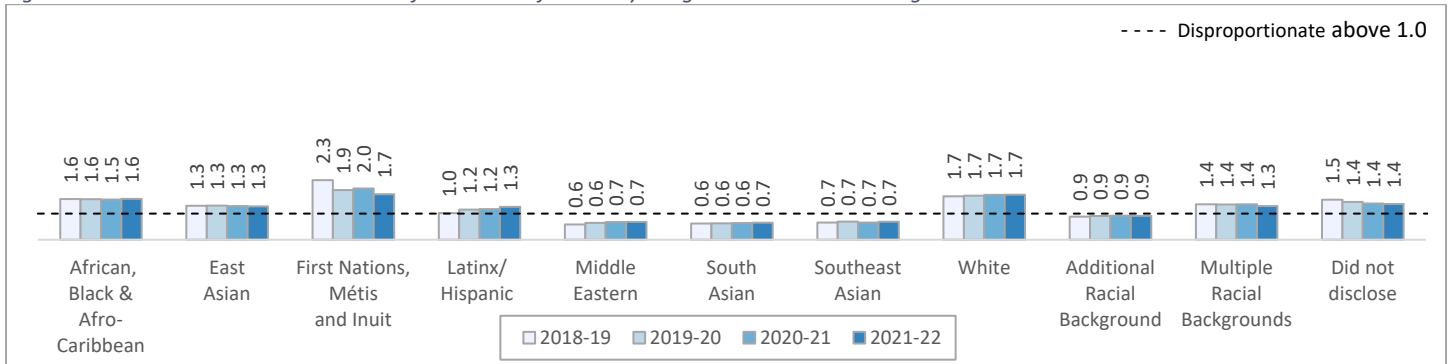
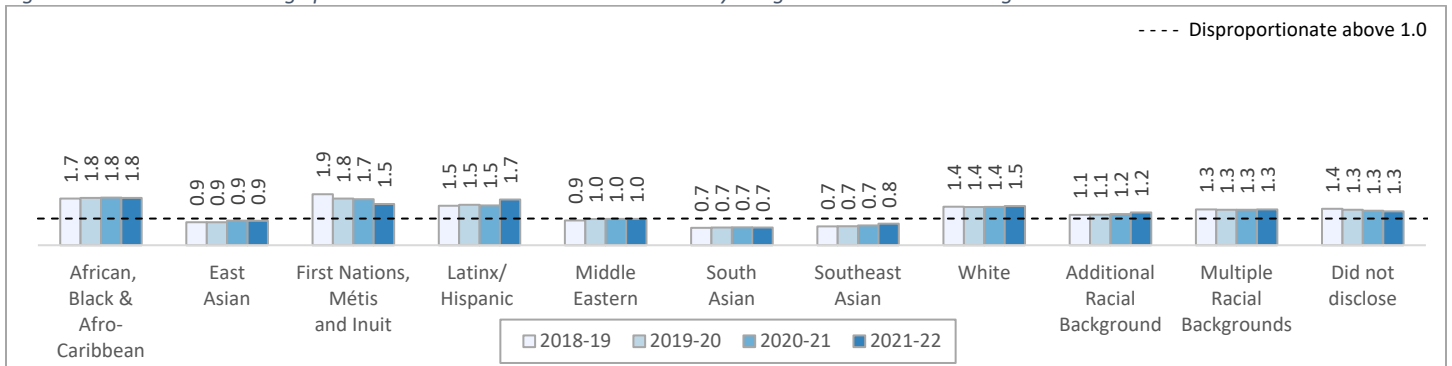


Figure 70 - Students Receiving Special Education Services without an IEP by Indigenous and Racial Background



6.1.2 By Gender Identity

Figure 71 - Students Identified with the Exceptionality Autism by Gender Identity

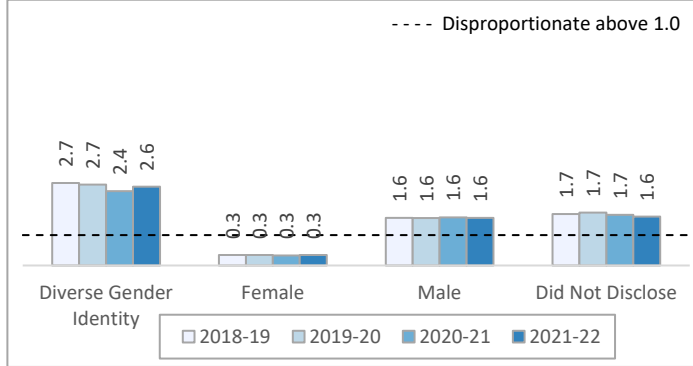


Figure 72 - Students Identified with the Exceptionality Behavioural by Gender Identity

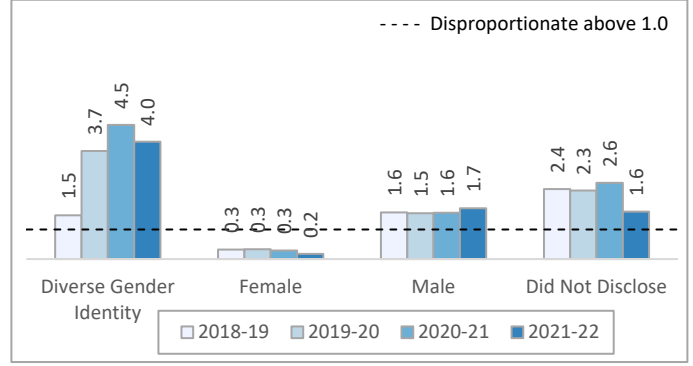


Figure 73 - Students Identified with the Exceptionality Gifted by Gender Identity

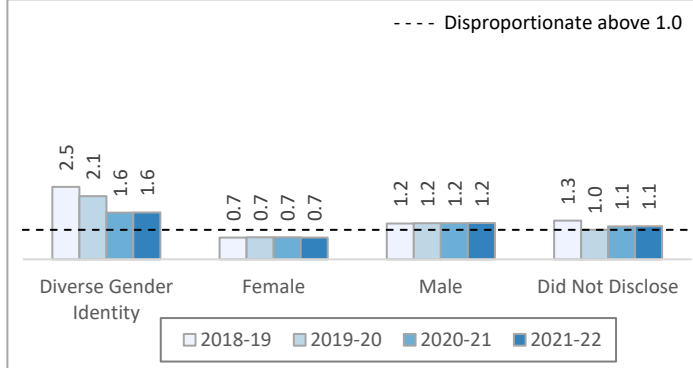


Figure 74 - Students Identified with the Exceptionality Language Impairment by Gender Identity

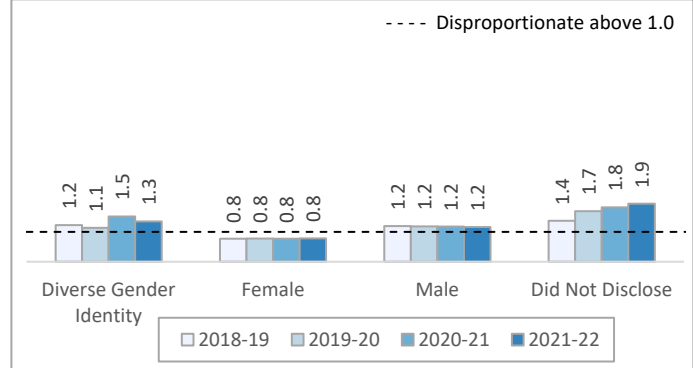


Figure 75 - Students Identified with the Exceptionality Learning Disability by Gender Identity

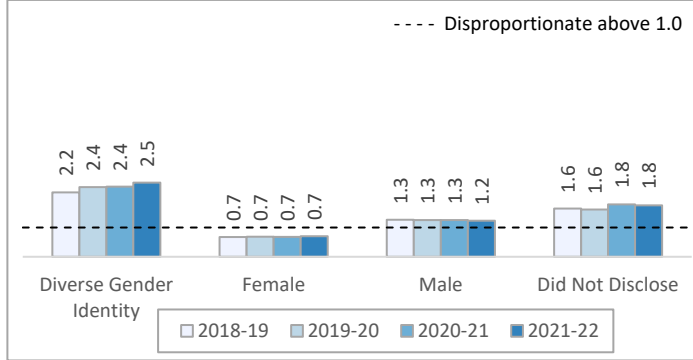


Figure 76 - Students Identified with the Exceptionality Mild Intellectual Disability by Gender Identity

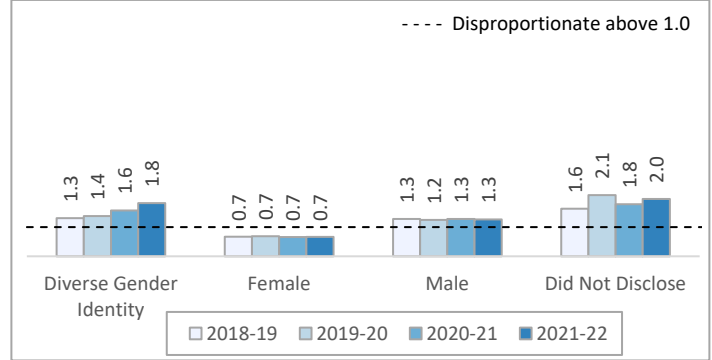


Figure 77 - Students with an IEP but not a formal Identification by Gender Identity

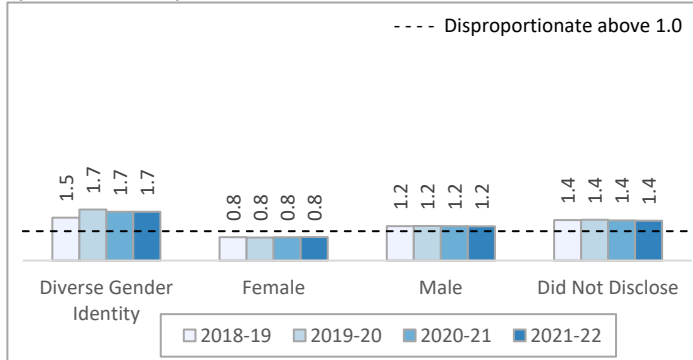
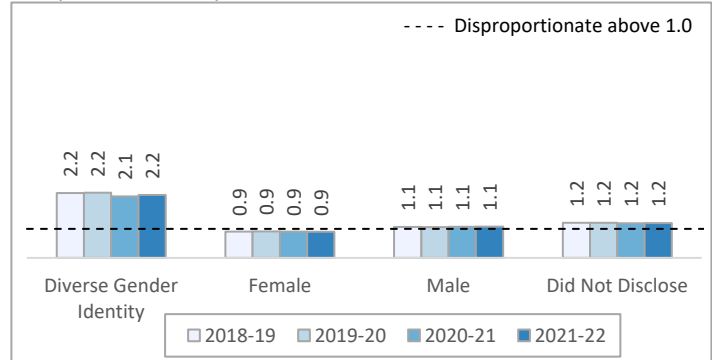


Figure 78 - Students Receiving Special Education Services without an IEP by Gender Identity



6.1.3 Sexual Orientation

Figure 79 - Students Identified with the Exceptionality Autism by Sexual Orientation

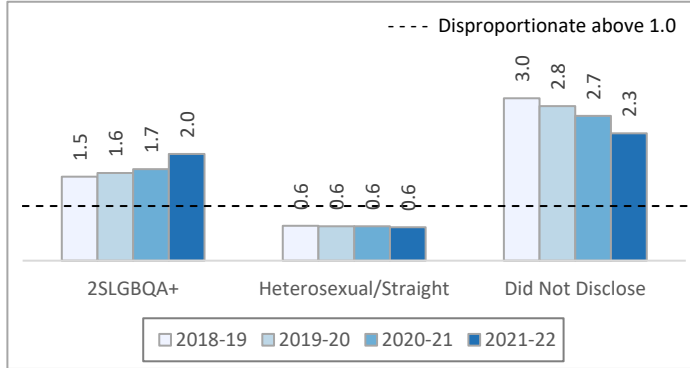


Figure 80 - Students Identified with the Exceptionality Behavioural by Sexual Orientation

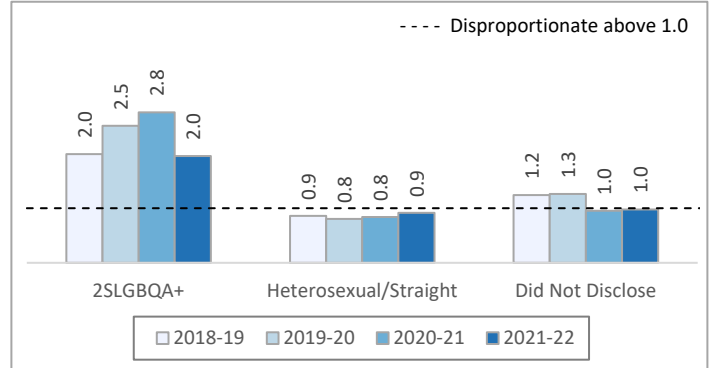


Figure 81 - Students Identified with the Exceptionality Gifted by Sexual Orientation

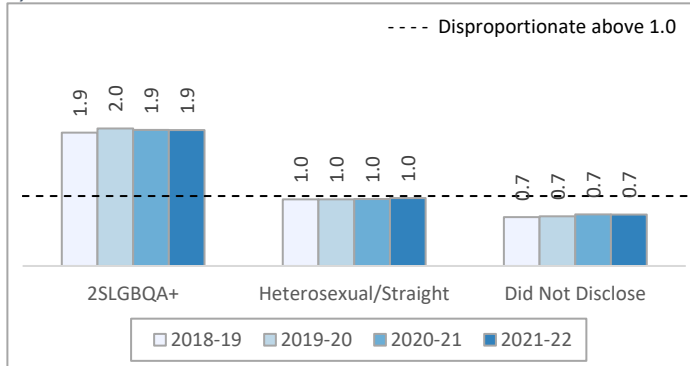


Figure 82 - Students Identified with the Exceptionality Language Impairment by Sexual Orientation

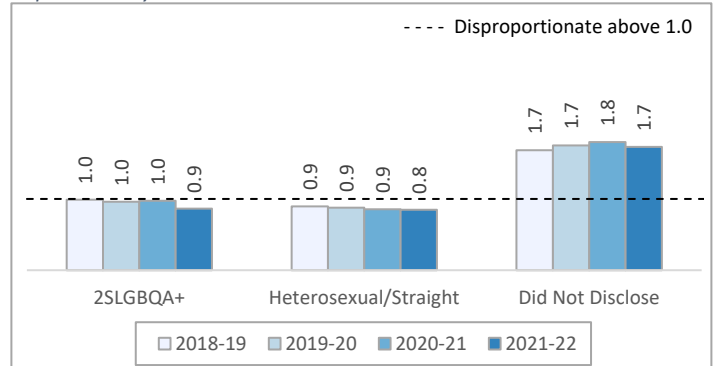


Figure 83 - Students Identified with the Exceptionality Learning Disability by Sexual Orientation

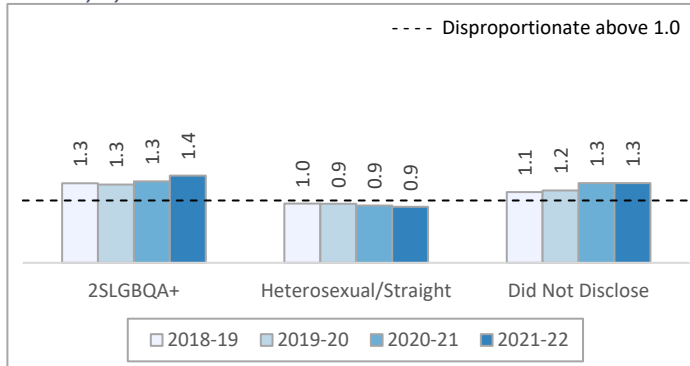


Figure 84 - Students Identified with the Exceptionality Mild Intellectual Disability by Sexual Orientation

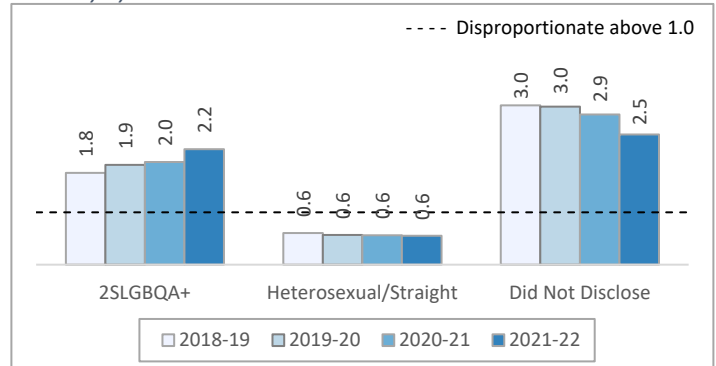


Figure 85 - Students with an IEP but not a formal Identification by Sexual Orientation

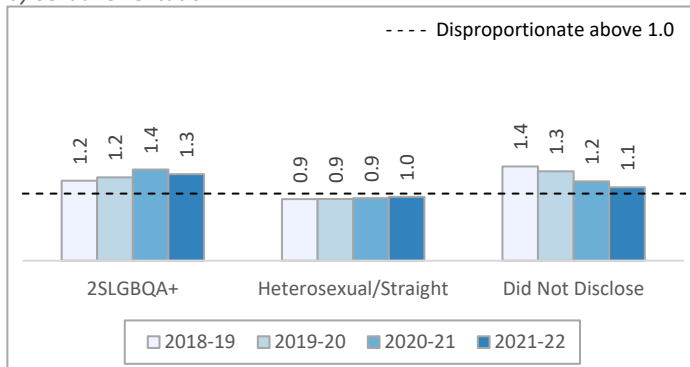
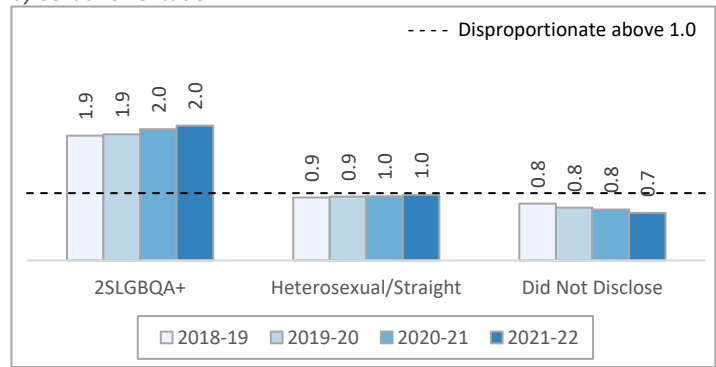


Figure 86 - Students Receiving Special Education Services without an IEP by Sexual Orientation



6.1.4 Socioeconomic Vulnerability Clusters

Figure 87 - Students Identified with the Exceptionality Autism by Socioeconomic Vulnerability Cluster

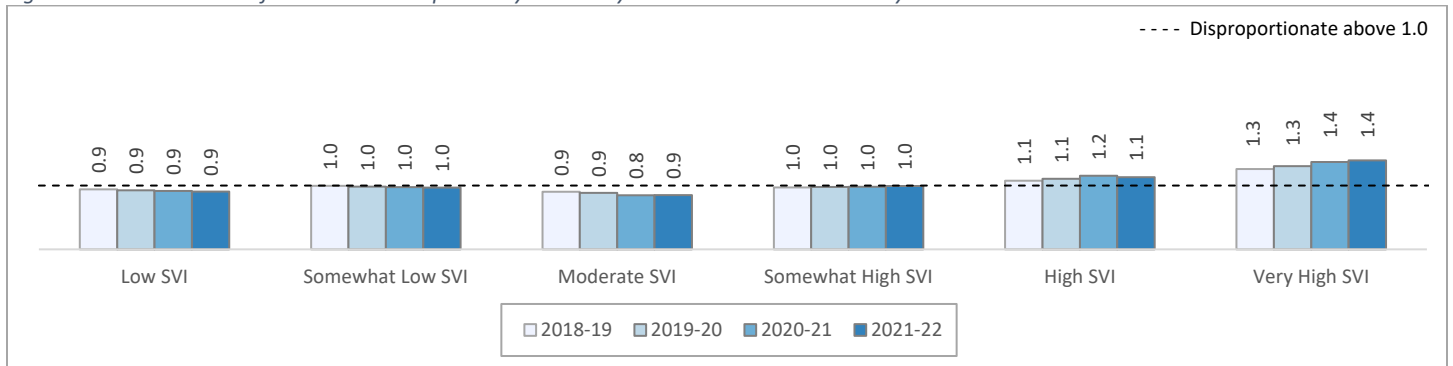


Figure 88 - Students Identified with the Exceptionality Behavioural by Socioeconomic Vulnerability Cluster

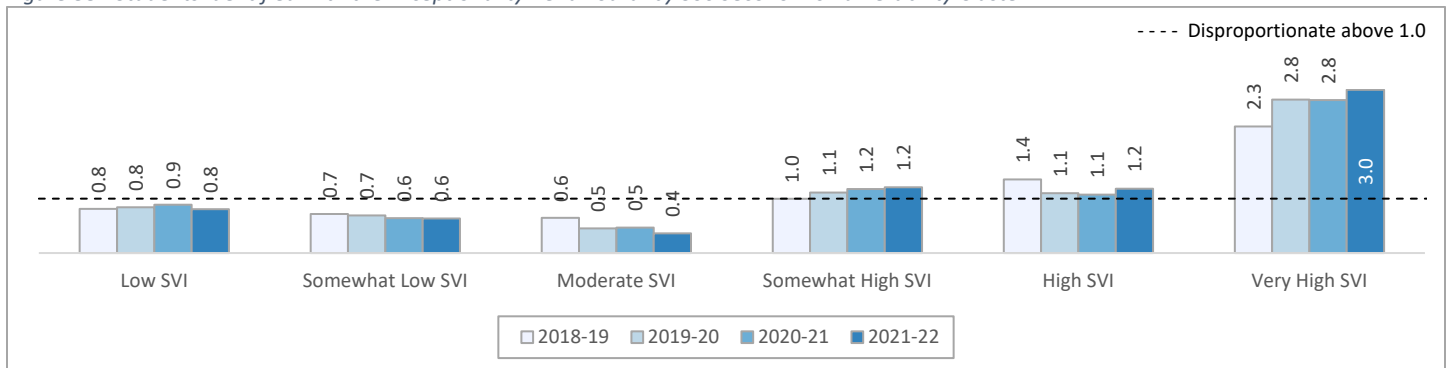


Figure 89 - Students Identified with the Exceptionality Gifted by Socioeconomic Vulnerability Cluster

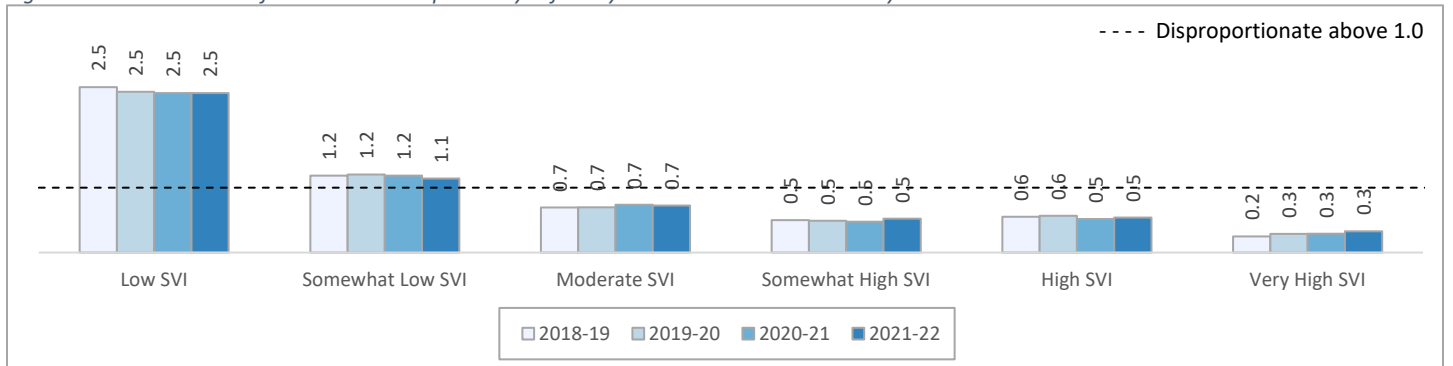


Figure 90 - Students Identified with the Exceptionality Language Impairment by Socioeconomic Vulnerability Cluster

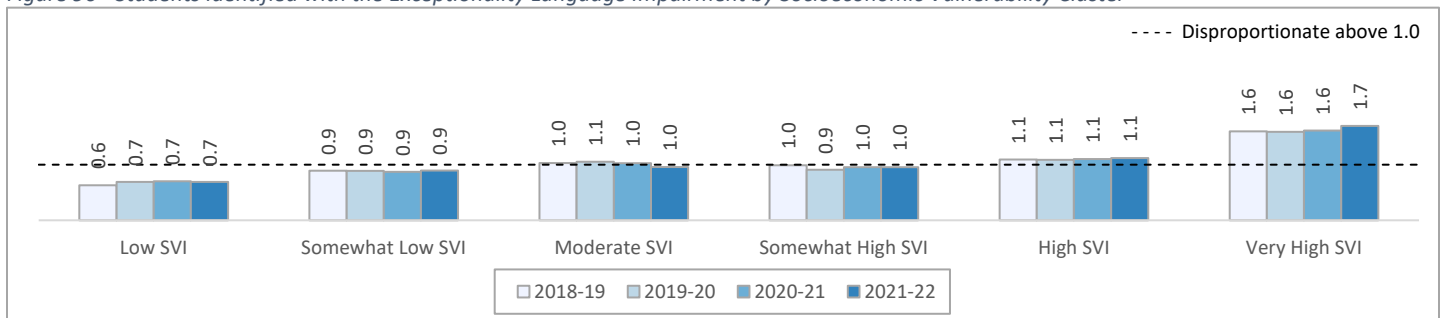


Figure 91 - Students Identified with the Exceptionality Learning Disability by Socioeconomic Vulnerability Cluster

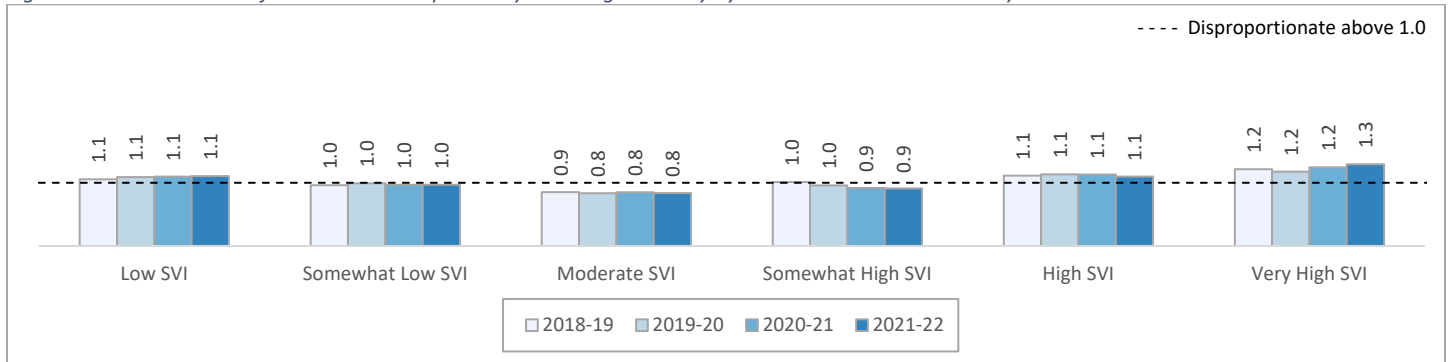


Figure 92 - Students Identified with the Exceptionality Mild Intellectual Disability by Socioeconomic Vulnerability Cluster

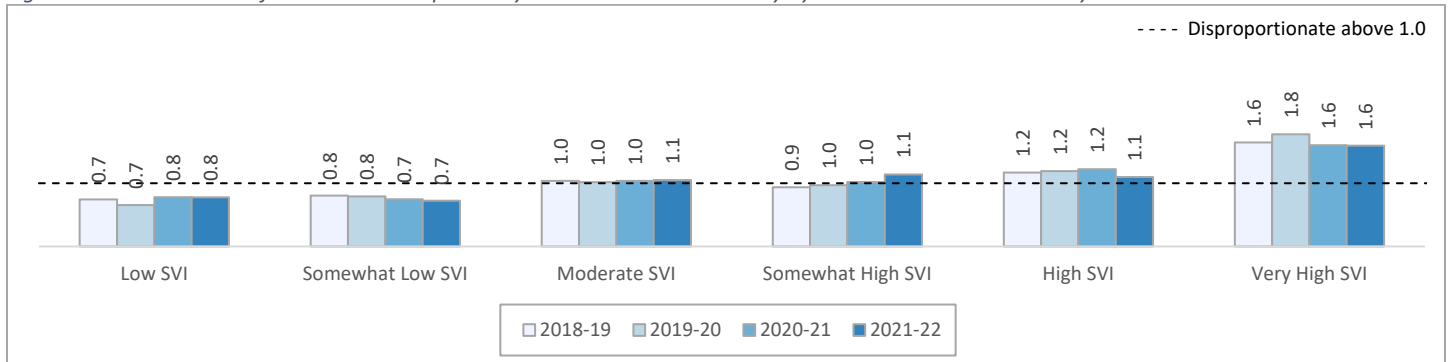


Figure 93 - Students with an IEP but not a formal Identification by Socioeconomic Vulnerability Cluster

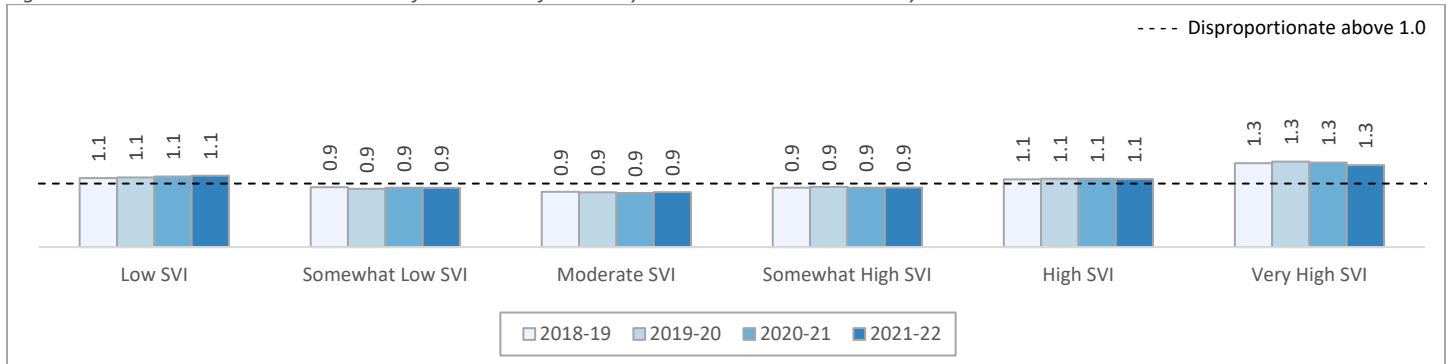
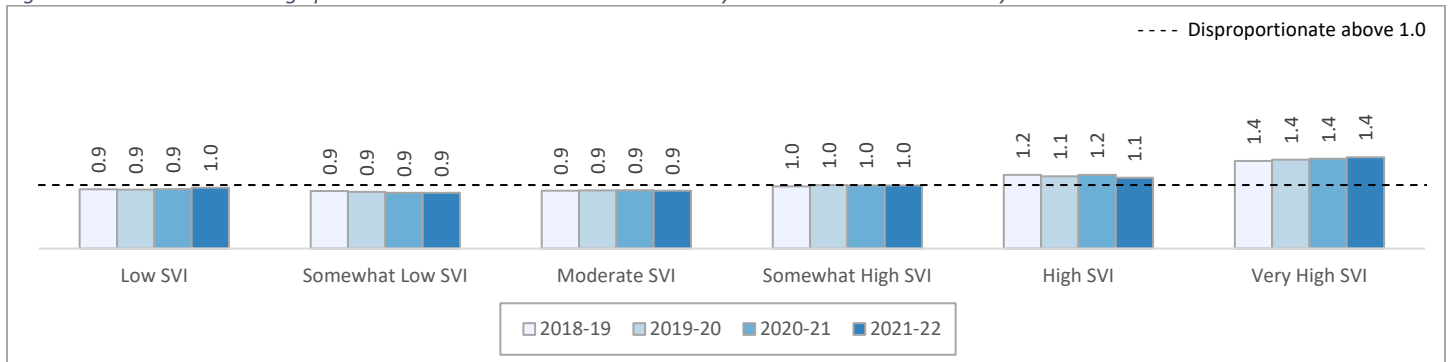


Figure 94 - Students Receiving Special Education Services without an IEP by Socioeconomic Vulnerability Cluster



6.2 Academic and University Pathways

The Disproportionality Index has been calculated based on the exclusion of students from Academic/de-streamed pathways. As Peel District School Board moves to eliminating Applied pathways from Grade 9 and 10 courses, the numbers of students not in Academic pathways can be quite small. Using this approach produces clearer outcomes that describe the disproportionate experiences for specific groups of students.

6.2.1 Summary of Outcomes

Needs:

- ❖ **With the discontinuation of Applied programming in Grade 9, a higher proportion of students are accessing the Academic (de-streamed) stream which can lead to university level courses.** However, reviewing the outcomes, we see that some groups are still disproportionately streamed out of this opportunity (see Figure 95-118).
- ❖ **African, Black, and Afro-Caribbean, Indigenous, and Latinx/Hispanic students are much more likely to not access Academic English.** African, Black, and Afro-Caribbean students were over two times less likely to be enrolled in Academic English. Even when Grade 9 Applied English, was discontinued in 2021-22, their rate of exclusion continues to remain high (see Figure 95).
- ❖ **African, Black, and Afro-Caribbean, Indigenous and Latinx/Hispanic students, along with those who did not disclose their race, are much more likely to be in a non-university-bound track pathway.** In both grades 11 and 12, African, Black, and Afro-Caribbean, Indigenous, and Latinx/Hispanic students and those who did not disclose a race are much more likely to be in a non-University track pathway. This trend suggests that progression to higher education may be much lower among these groups revealing the persisting impact of racism and discrimination in the educational system (Doran et al., 2015) (see Figure 119-120).
- ❖ **Some marginalized groups are underrepresented in University pathways in grade 12.** African, Black, and Afro-Caribbean students, along with Indigenous and Latin American students, those who experience very high and high socioeconomic vulnerabilities, and students with Diverse Gender Identities, are disproportionately underrepresented in University track pathways compared to others. This aligns with larger social trends as these groups are often also under-represented in Ontario's post-secondary education (Doran et al., 2015) (see Figure 120, Figure 123, and Figure 126).
- ❖ **Girls are more likely to pursue Academic English and Academic Mathematics compared to other genders.** Students who did not disclose their gender, along with gender diverse and male students are less likely to pursue Academic English or Math (where the gap is slightly less) in Grade 9 and Grade 10. These trends point to the presence of ongoing barriers to learning, especially for gender diverse students (see Figure 97-98 Figure 109-110).
- ❖ **Girls are also more likely to pursue University track pathway compared to boys or gender diverse students.** Findings also reveal that, while female enrollment in a university track pathway has increased over the last few school years, the disproportional gap has increased for gender diverse students and those who did not disclose their gender. For male students, the proportion of students in non-Academic and non-University pathways has remained consistently high. Likewise, COVID-19 closures appear to have further exacerbated challenges for gender diverse students and those who did not disclose a gender, pointing to the presence of ongoing barriers to their educational progression. Girls' progress, notably in Grade 12, has remained the same during the pandemic with lower representation in non-University pathways (Figure 121 and Figure 123).
- ❖ **There are no differences in representation by sexual orientation in Grade 9 Academic English though heterosexual/straight student enrollment is slightly higher in Grade 10 Academic English compared to others** (Figure 99-100). A similar pattern is evident for Grade 9 and 10 Academic Mathematics (see Figure 111-112). For University track pathway, barriers are evident for 2SLGBQA+ students, and those who did not disclose their sexual orientation, across Grade 11 and 12, suggesting the presence of ongoing discrimination in learning pursuits and school experiences (see Figure 122 and Figure 124).
- ❖ **Students experiencing high socioeconomic vulnerabilities are much more likely to be excluded from Academic English (Figure 101-102) and Math (Figure 113-114), across grades, and also much less likely to pursue a**

university track pathway. Findings consistently reveal that students of low socioeconomic vulnerabilities (SVI) are much more likely to pursue advanced learning compared to those from higher SVI backgrounds. These findings suggest that classism-related barriers likely have an impact on students' progression towards post-secondary education.

- ❖ **Students with an IEP are about two times less likely to take academic or de-streamed classes.** Likewise, students with an IEP are about two times less likely to be enrolled in university track pathway, revealing the presence of significant barriers to their academic progression (See Figure 103-104, Figure 115-116 and Figure 127-128).
- ❖ **ELL students are underrepresented in academic or de-streamed classes.** Students receiving support as English language learners are less likely to be enrolled in pathways towards post-secondary education which raises further concerns not only about the availability of resources and support, but also about the potential impact of such limitations on their future academic and employment pursuits.

Emerging Trends:

- ❖ Students experiencing higher socioeconomic vulnerabilities may have increased barriers with the de-streaming of Math.
- ❖ Students identifying as 2SLGBQA+ were overrepresented in those not taking Grade 10 Academic English and Math with the disproportionality increasing over time in Academic English.
- ❖ The gap in access for students receiving ELL support appears to be improving as the university track pathway gap is less for grade 12 ELL students compared to Grade 11, suggesting that students may be catching up between the two school years.
- ❖ Access to university track pathways for students with diverse gender identities may also be increasing.

6.2.2 Grades 9 and 10 English

Figure 95 - Students Not in Grade 9 Academic English by Indigenous and Racial Background

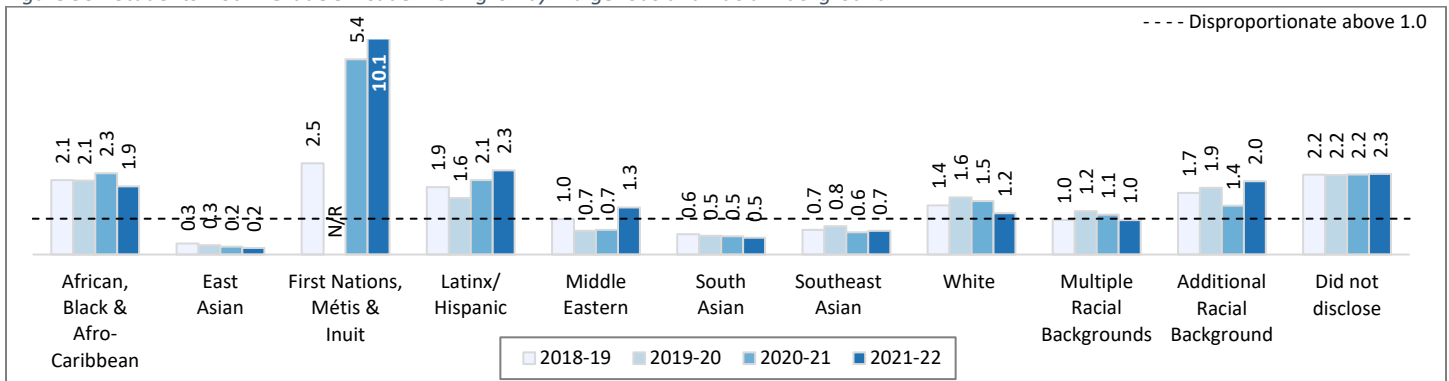


Figure 96 - Students Not in Grade 10 Academic English by Indigenous and Racial Background

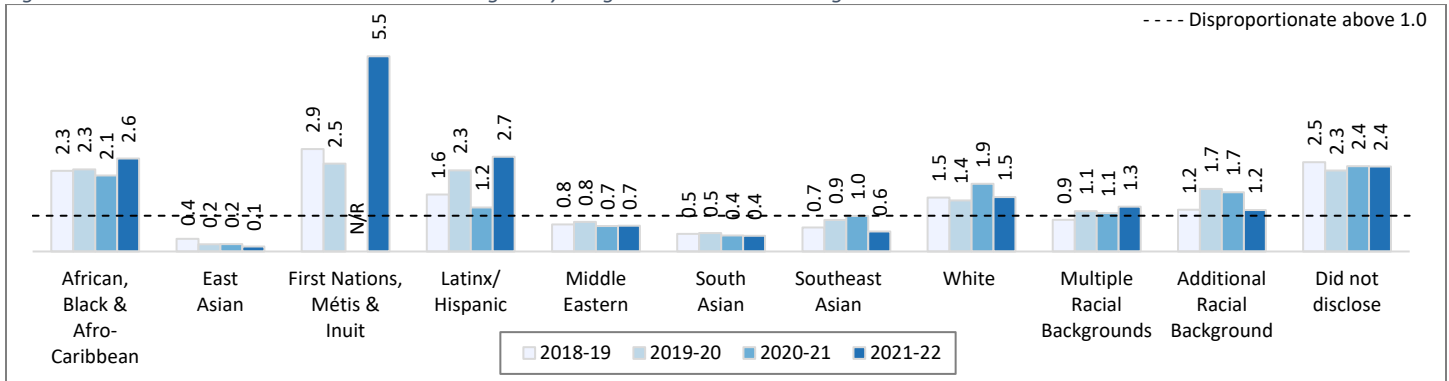


Figure 97 - Students Not in Grade 9 Academic English by Gender Identity

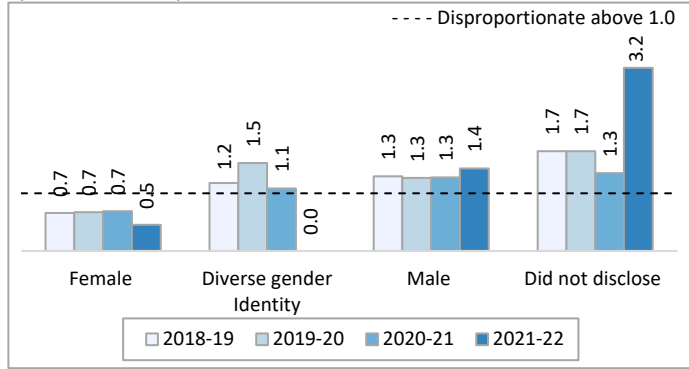


Figure 98 - Students Not in Grade 10 Academic English by Gender Identity

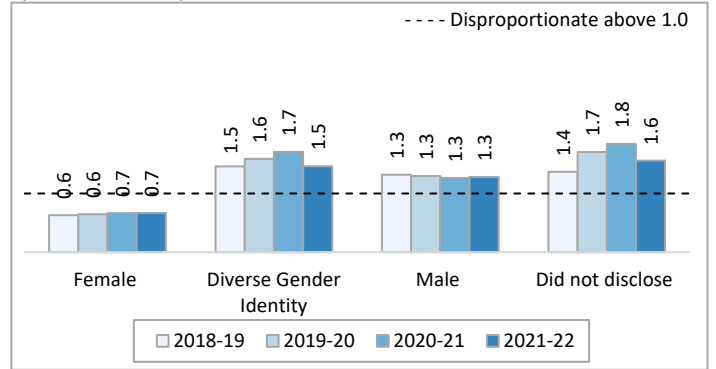
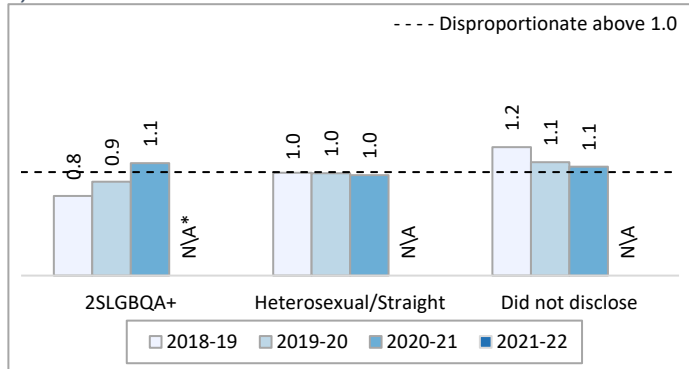


Figure 99 - Students Not in Grade 9 Academic English by Sexual Orientation



* Sexual orientation of Grade 9 students in 2021-22 is not available.

Figure 100 - Students Not in Grade 10 Academic English by Sexual Orientation

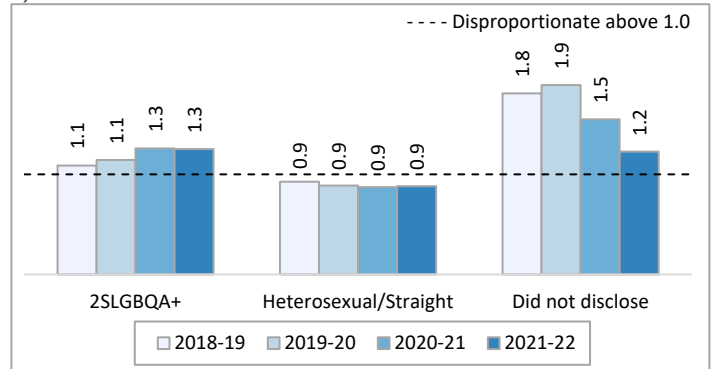


Figure 101 - Students Not in Grade 9 Academic English by Socioeconomic Vulnerability Cluster

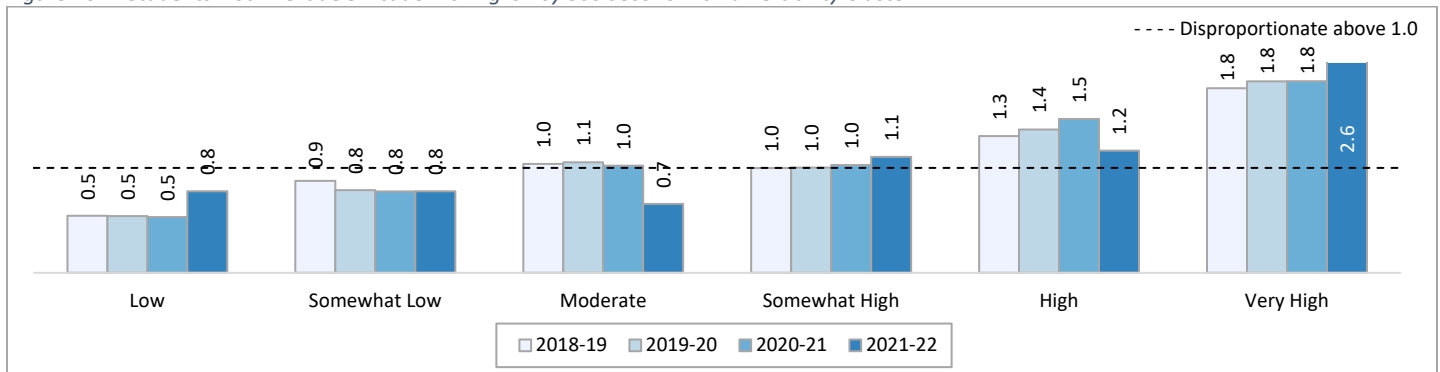


Figure 102 - Students Not in Grade 10 Academic English by Socioeconomic Vulnerability Cluster

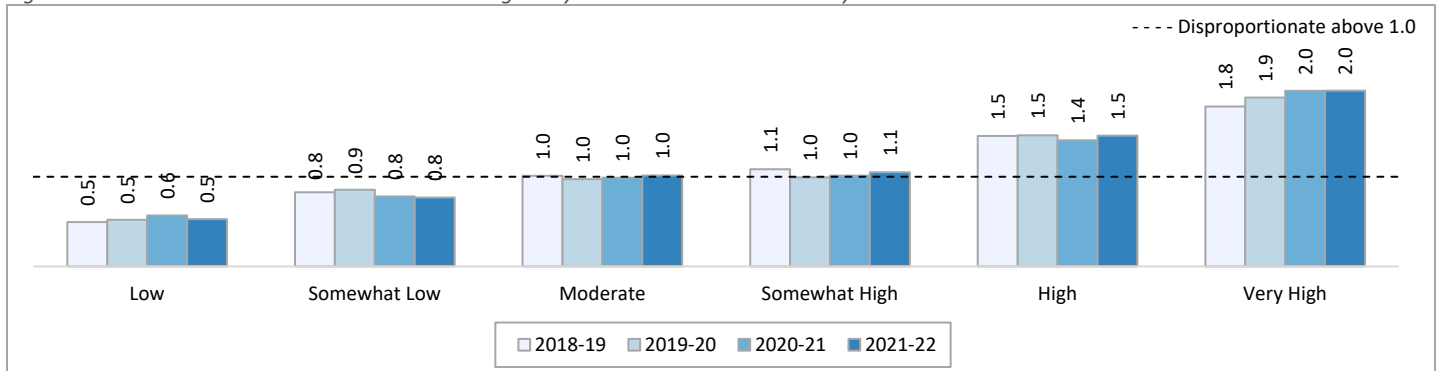


Figure 103 - Students Not in Grade 9 Academic English by Students with an IEP Status

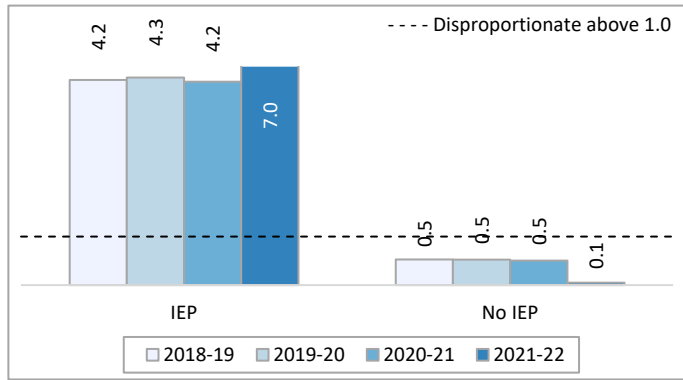


Figure 104 - Students Not in Grade 10 Academic English by Students with an IEP Status

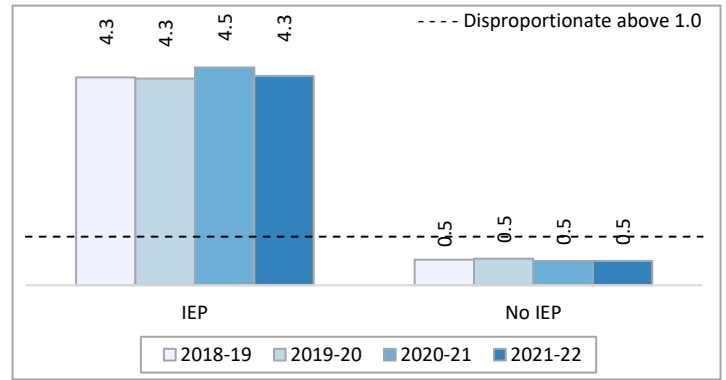


Figure 105 - Students Not in Grade 9 Academic English by ELL Status

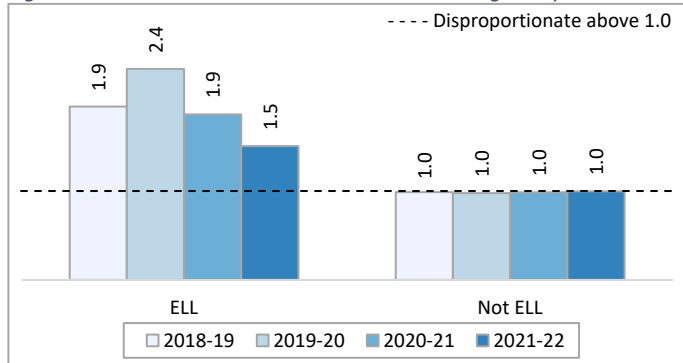
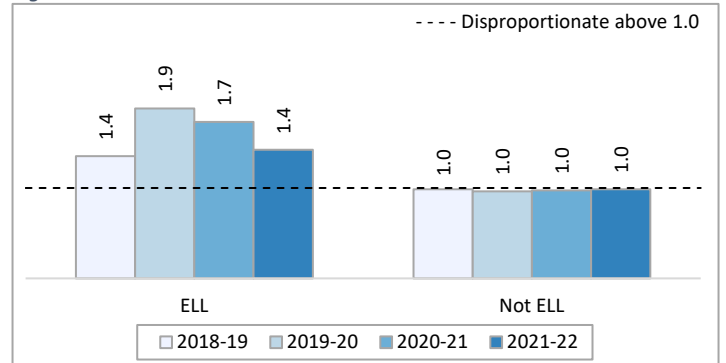


Figure 106 - Students Not in Grade 10 Academic ELL Status



5.2.3 Grades 9 and 10 Academic/De-streamed Mathematics

Figure 107 - Students Not in Grade 9 Academic/De-streamed Math by Indigenous and Racial Background

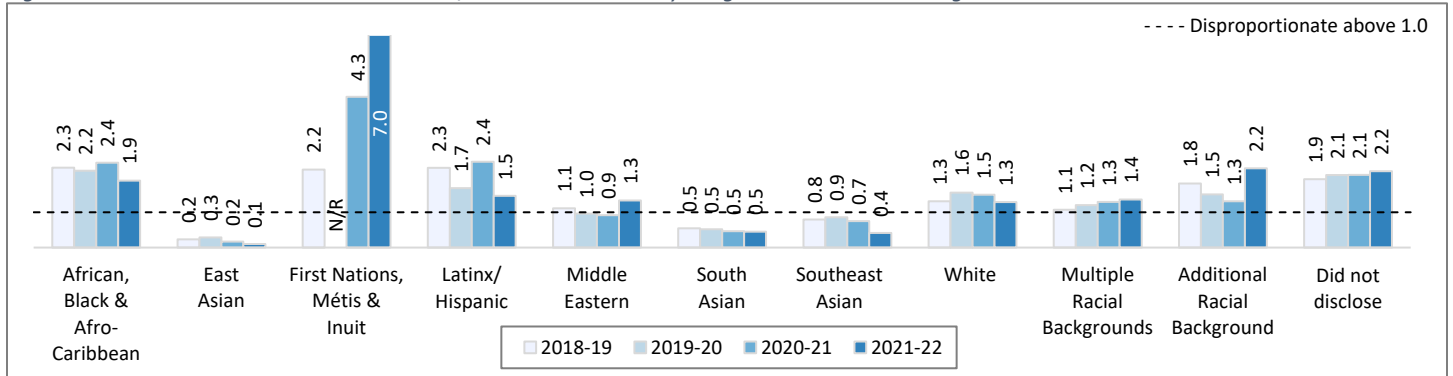


Figure 108 - Students Not in Grade 10 Academic Mathematics by Indigenous and Racial Background

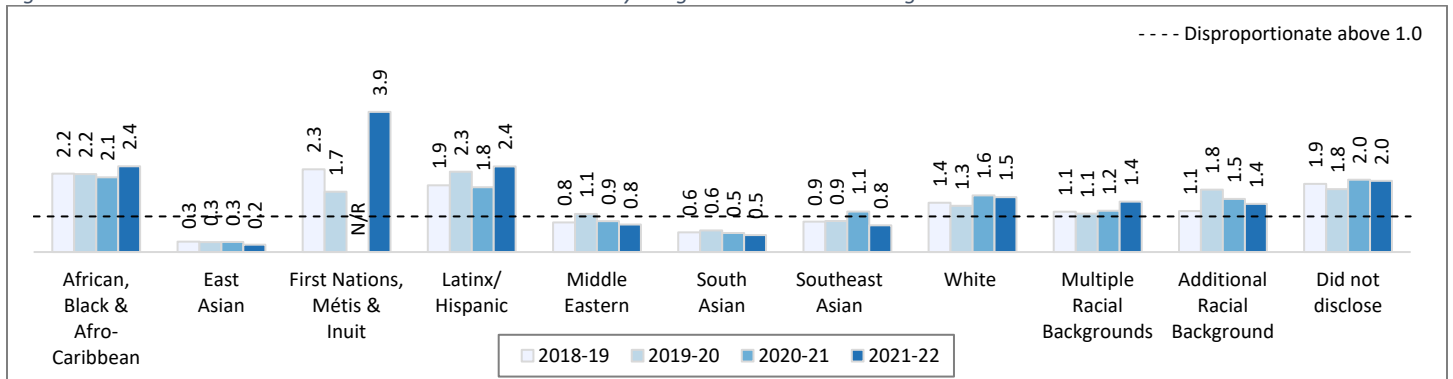


Figure 109 - Students Not in Grade 9 Academic Mathematics by Gender Identity

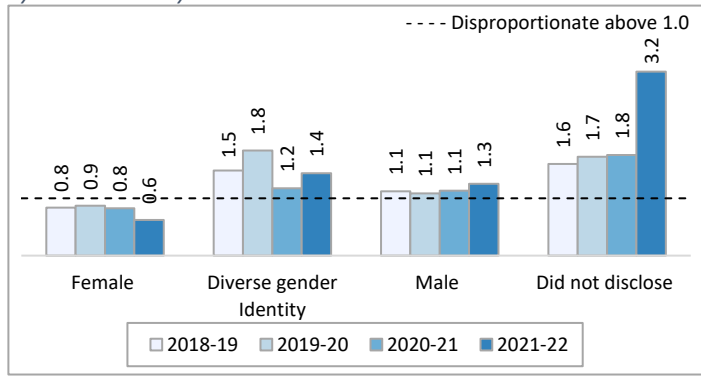


Figure 110 - Students Not in Grade 10 Academic Mathematics by Gender Identity

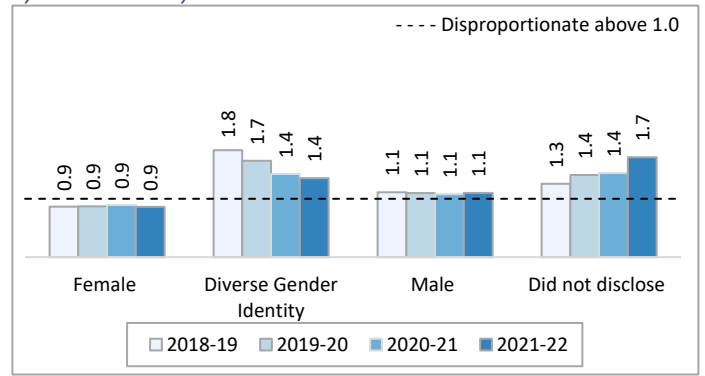
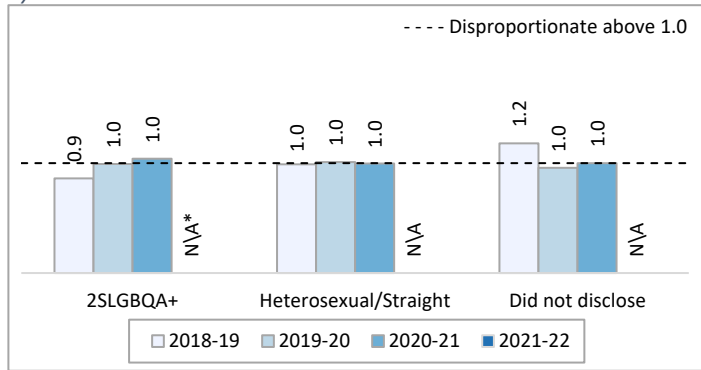


Figure 111 - Students Not in Grade 9 Academic Mathematics by Sexual Orientation



* Sexual orientation of Grade 9 students in 2021-22 is not available.

Figure 112 - Students Not in Grade 10 Academic Mathematics by Sexual Orientation

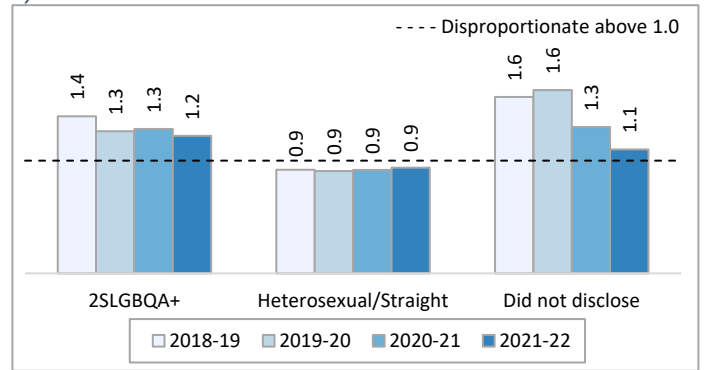


Figure 113 - Students Not in Grade 9 Academic Mathematics by Socioeconomic Vulnerabilities

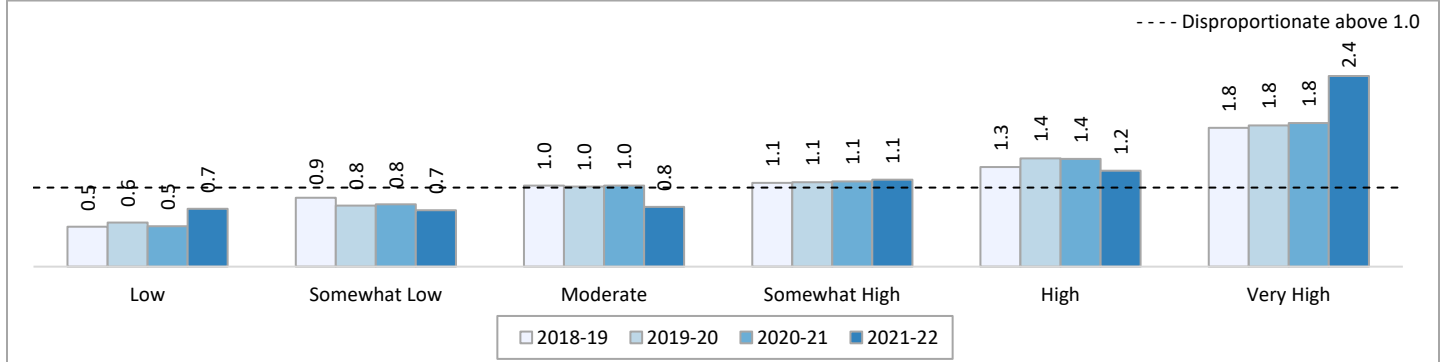


Figure 114 - Students Not in Grade 10 Academic Mathematics by Socioeconomic Vulnerabilities

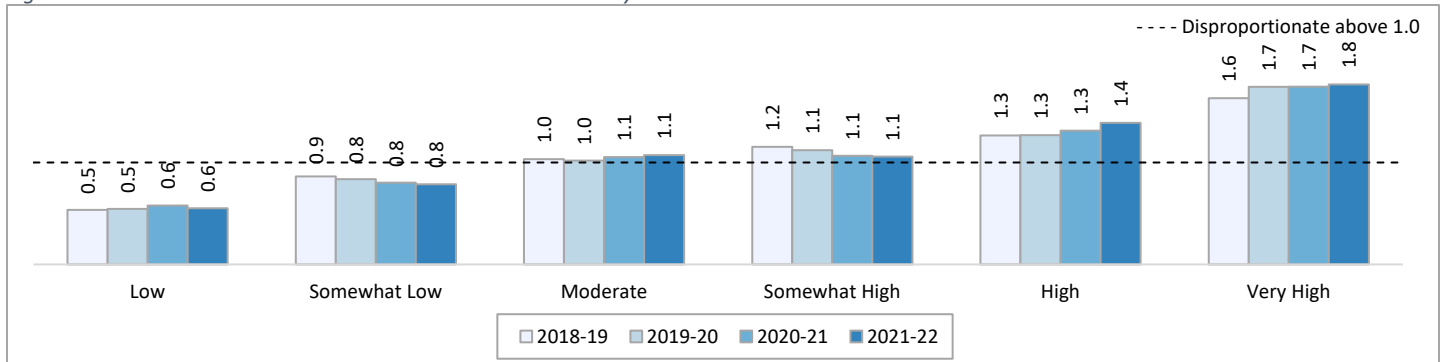


Figure 115 - Students Not in Grade 9 Academic Mathematics by Students with an IEP

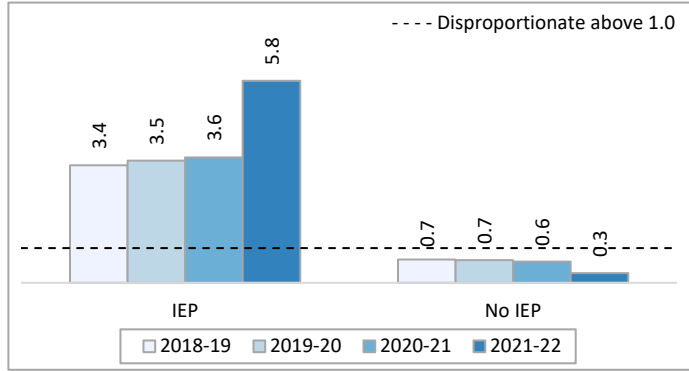


Figure 116 - Students Not in Grade 10 Academic Mathematics by Students with an IEP

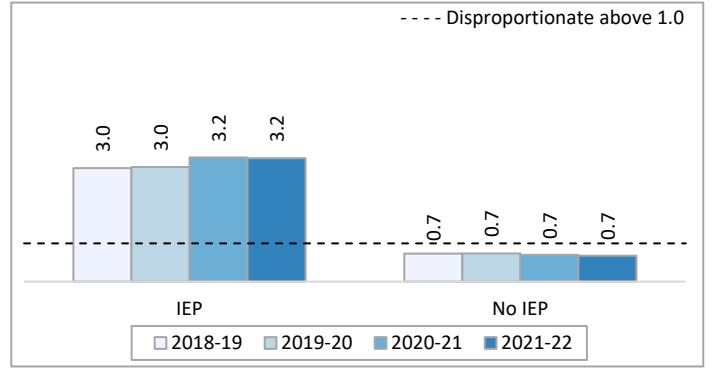


Figure 117 - Students Not in Grade 9 Academic Mathematics by ELL Status

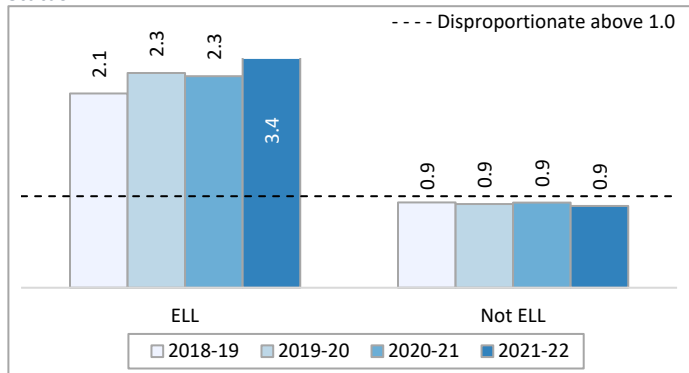
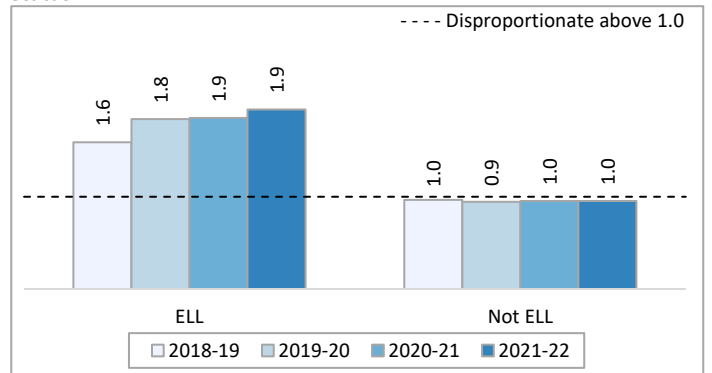


Figure 118 - Students Not in Grade 10 Academic Mathematics by ELL Status



5.2.4 Grade 11 and 12 University Pathway

Figure 119 - Grade 11 Students Not in a University Track Pathway by Indigenous and Racial Identities

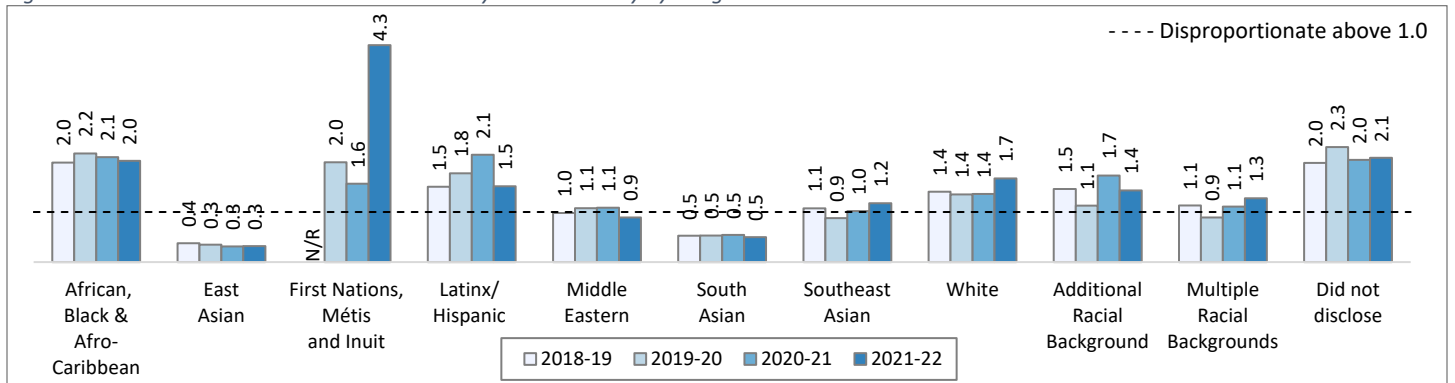


Figure 120 - Grade 12 Students Not in a University Track Pathway by Indigenous and Racial Identities

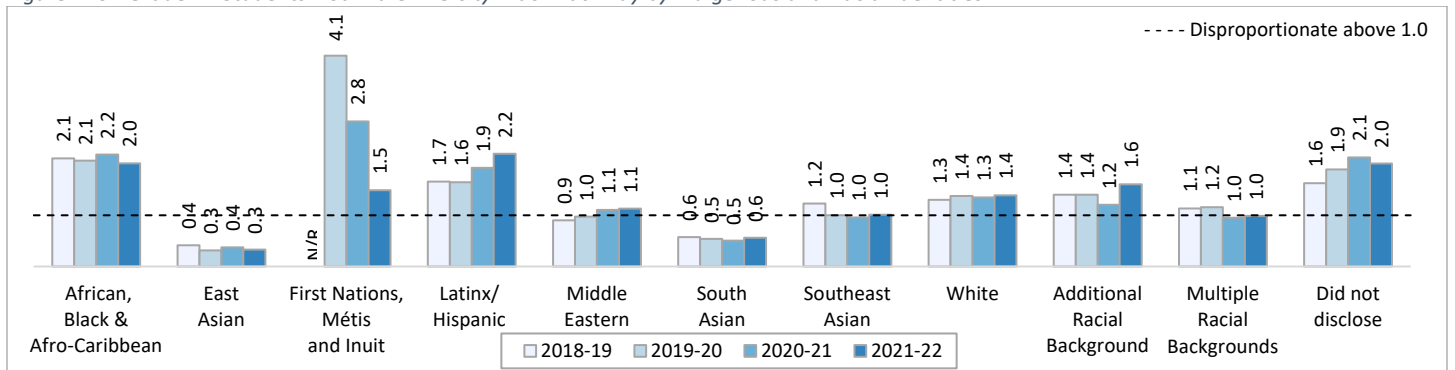


Figure 121 - Grade 11 Students Not in a University Track Pathway by Gender Identity

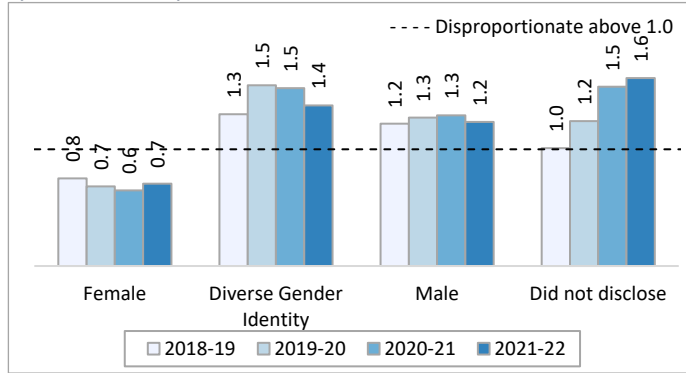


Figure 122 - Grade 11 Students Not in a University Track Pathway by Sexual Orientation

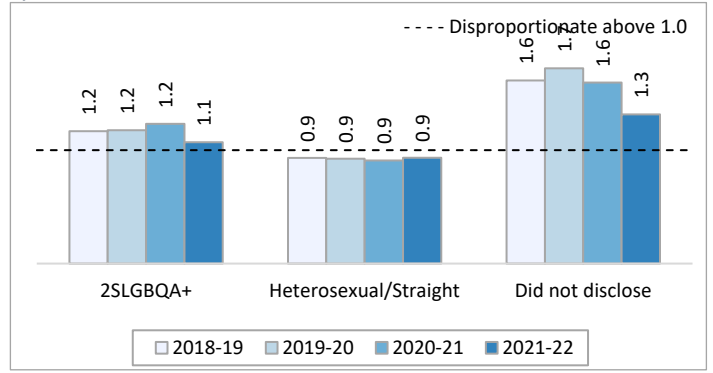


Figure 123 - Grade 12 Students Not in a University Track Pathway by Gender Identity

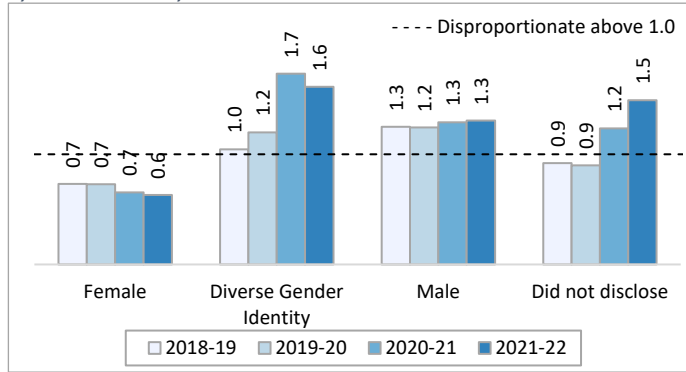


Figure 124 - Grade 12 Students Not in a University Track Pathway by Sexual Orientation

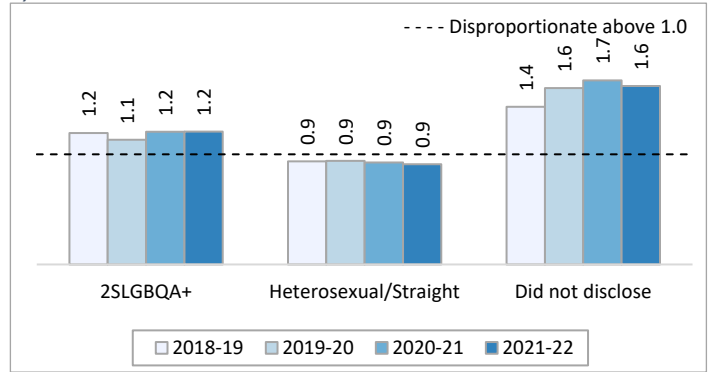


Figure 125 - Grade 11 Students Not in a University Track Pathway by Socioeconomic Vulnerability Cluster

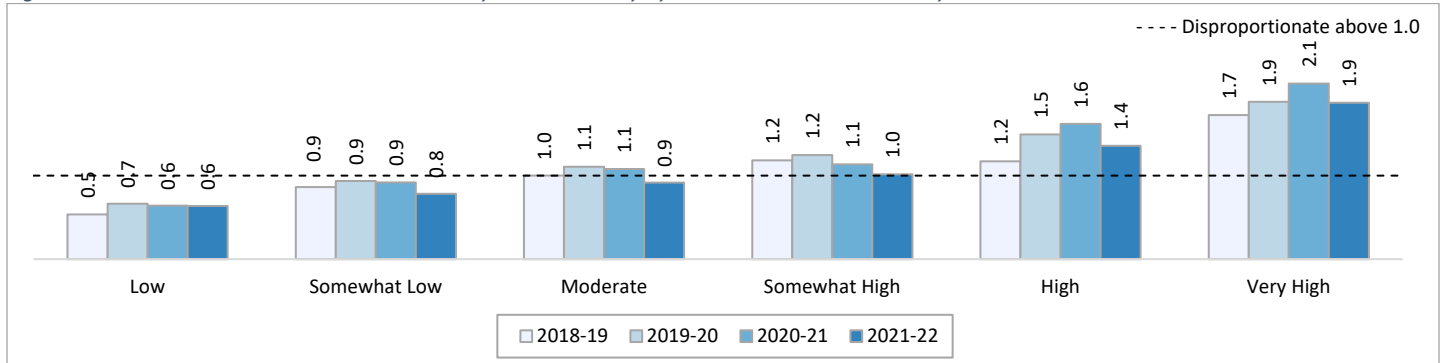
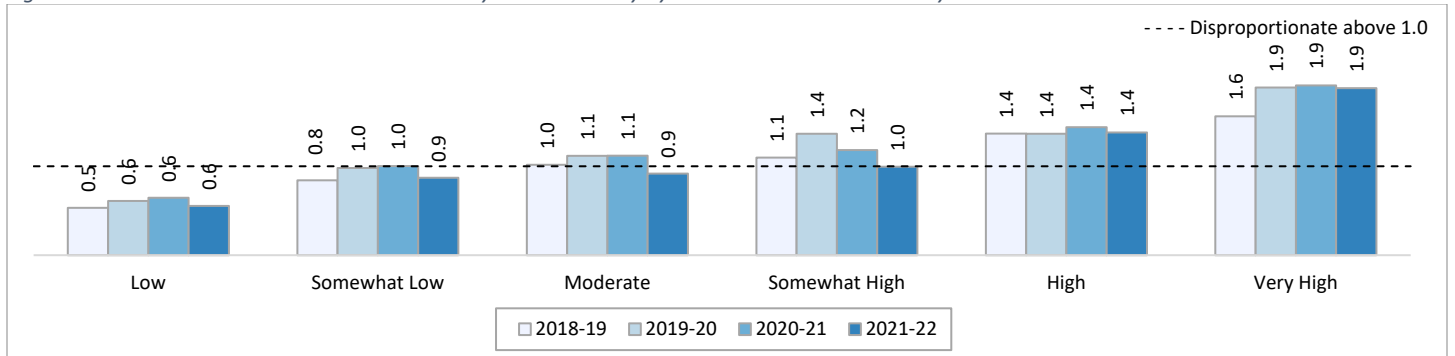
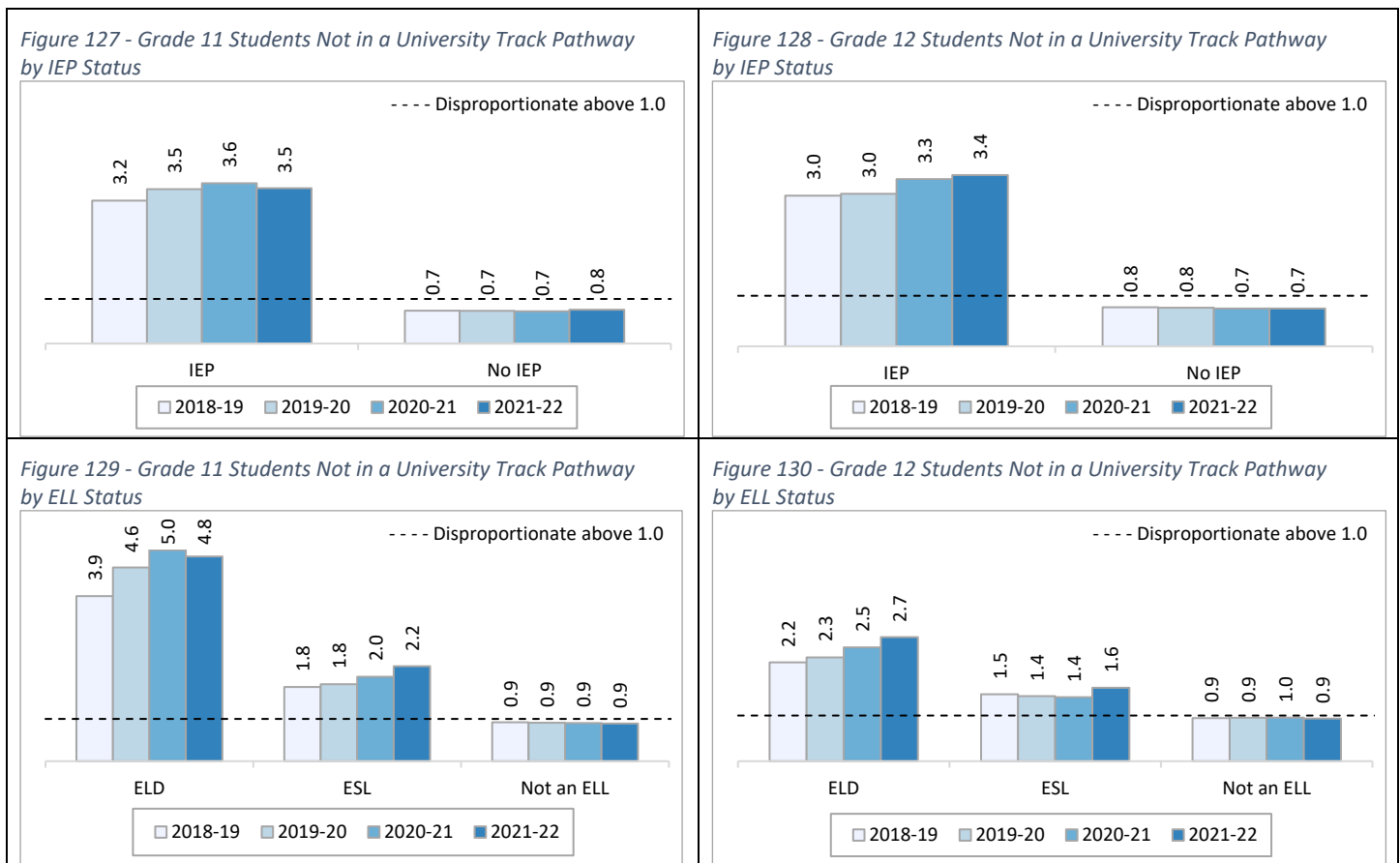


Figure 126 - Grade 12 Students Not in a University Track Pathway by Socioeconomic Vulnerability Cluster





6.3 Regional Learning Choice Programs

RLCPs are specialty education programs offered at many locations across Peel DSB that empower students by providing an opportunity to develop and explore skills in a particular area of interest. While educational programs that focus on the students’ strengths and interests are invaluable to supporting their growth and development, access to these programs needs to be fair and equitable so that these opportunities are not limited to select groups. Analyses of similar programs in the neighbouring Toronto District School Board have shown that students in specialized programs were less likely to represent minoritized identities including Black and Indigenous populations and more likely to be from families with a higher socioeconomic status (SES) (Gaztambide-Fernández & Parekh, 2017).

The charts below show the representation of student identities in (a) any RLCP, (b) Advanced Placement (AP) courses, (c) Arts related programs, (d) Business programs, (e) the International Baccalaureate program, (f) the Sci-Tech program, (g) Sports-related programs, and (h) Technology-focused programs. Some identities are over-represented in one program (Disproportionality Index greater than 1.0), meaning they’re more likely than others to be enrolled in it. The same identity group may be underrepresented in another program (index below 1.0) showing they’re less likely to be enrolled in that one. This perfectly demonstrates the varying effects that prejudice, and different stereotypes can have on the same group of students.

6.3.1 Summary of Outcomes

Needs:

- ❖ **African, Black, and Afro-Caribbean, Indigenous, Latinx/Hispanic, Middle Eastern, and Southeast Asian students are underrepresented in RLCP.** African, Black, and Afro-Caribbean students are severely underrepresented in AP, IB, Business, Science and Technology programs. However, African, Black, and Afro-Caribbean students are overrepresented in sports programs which may stem from the harmful stereotype that associate African, Black, and Afro-Caribbean children and youth with physical prowess and superior athletic

abilities further eroding their access to academic success (James & Turner, 2017). Indigenous students are also severely underrepresented in all programs with the exception of the Arts and AP programs. (See Figure 131-138)

- ❖ **Persistent disproportionate gender outcomes in RLCPs.** Girls are overrepresented in AP, IB and the Arts compared to boys who are overrepresented in technology programs. Students who identify with a diverse gender identity are underrepresented in AP, IB, Science, Technology and sports programs (See Figure 139-146).
- ❖ **Students who identify as 2SLGBA+ more likely to be in RLCPs.** 2SLGBQA+ students are well represented in RLCPs and are particularly overrepresented in Arts programs (Figure 147-154). They are, however, underrepresented in Sports programs likely related to the well documented exclusion of 2SLGBTQIA+ students and adults from organized sports (Egale Canada 2020, for example).
- ❖ **Students who experience low socioeconomic vulnerabilities are more likely to be enrolled in Regional Learning Choice Programs compared to students who experience high to very high socioeconomic vulnerabilities.** This is especially evident in the AP program where students who experience very high socioeconomic vulnerabilities are three times less likely to be in the AP program (Figure 155-162). The correlation between this measure of socioeconomic status and participation in RLCPs cannot be further examined with available data, however, it is potentially due to the financial investment needed to apply for these programs as well as required annual enrolment fees (though financial support is available for students who require it). Transportation is also likely a barrier to accessing these programs as bussing is not available for students outside of the area normally serviced by a program's hosting school.
- ❖ **Representation of students with Special Education Needs and English Language Learners are not presented.** Analysis of representation in RLCPs by students' special education status and English language learner status did not yield any useful findings and were not included in this report. Students with Special Education Needs (excluding giftedness) and ELLs were underrepresented in all programs likely related to the restricted timelines to enter an RLCP, the enhanced nature of the programs, and/or a gap in knowledge about the existence of these programs.

Emerging Trends:

- ❖ Despite, the boards' self-identification process for regional learning choice programs that began in the 2020-2021 school year to address disproportionalities, there continues to be disproportionate involvement for African, Black, and Afro-Caribbean and Indigenous students. Unfortunately, the change in admissions process will likely take several years to be fully visible in these charts as the nature of RLCPs having one-time entry will mean that past inequities in admissions will persist in enrolment numbers. However, there is a slight increase in African, Black, and Afro-Caribbean students participating in the Arts programs.
- ❖ The Increased proportion of students identifying as a diverse gender identity in Sports-related RLCPs (Figure 145) is an interesting trend that runs contrary to recognized trends in society at large (Egale Canada 2020, for example). These results may be due to the relatively small sample size but will warrant further observation when new student census data is available.
- ❖ Increased number of students experiencing very high socioeconomic vulnerabilities participating in technology programs over recent years (See Figure 162).

6.3.2 Indigenous and Racial Identities

Figure 131 - Students Disproportionate Representation in Any Regional Learning Choice Program by Indigenous and Racial Identities

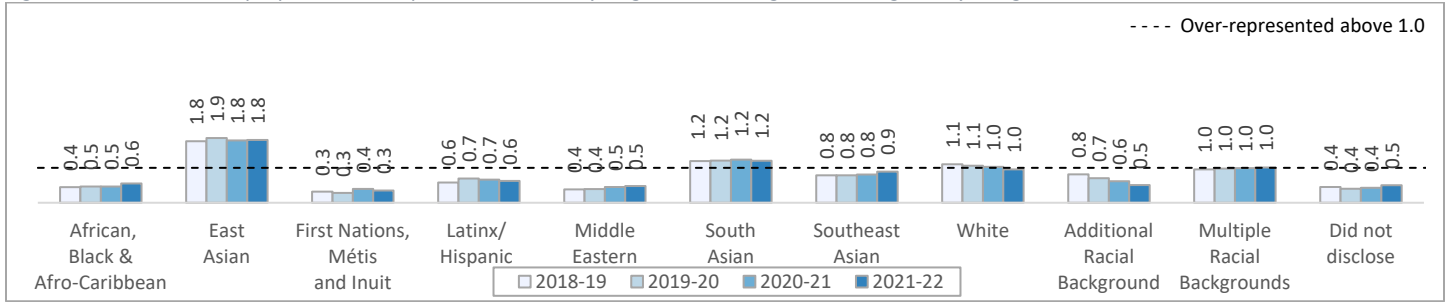


Figure 132 - Students Disproportionate Representation in the Advanced Placement Program by Indigenous and Racial Identities

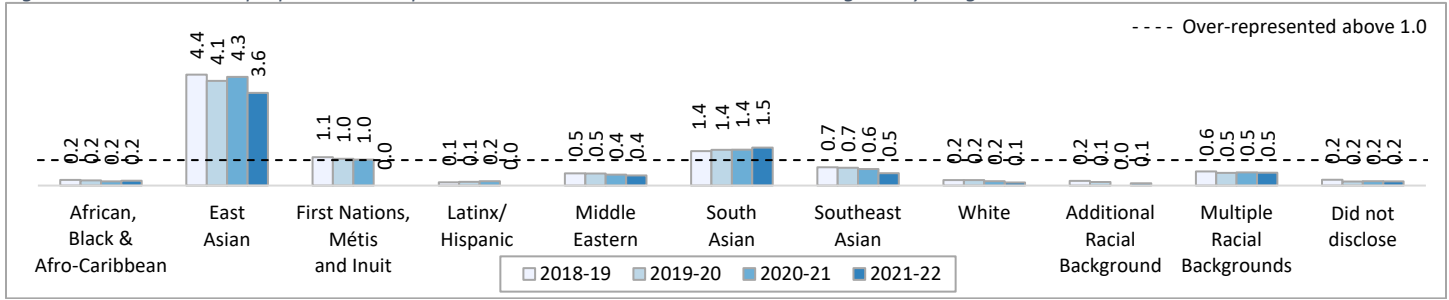


Figure 133 - Students Disproportionate Representation in the Arts Program by Indigenous and Racial Identities

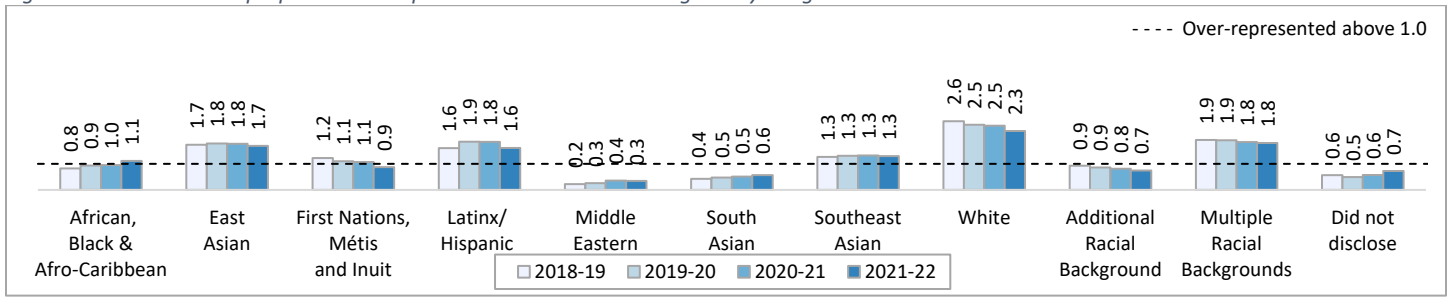


Figure 134 - Students Disproportionate Representation in the Business Program by Indigenous and Racial Identities

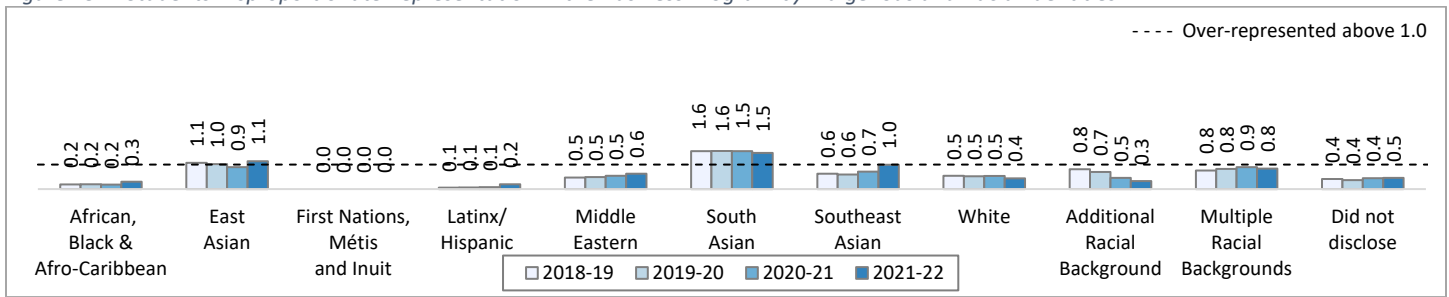


Figure 135 - Students Disproportionate Representation in the International Baccalaureate® Program by Indigenous and Racial Identities

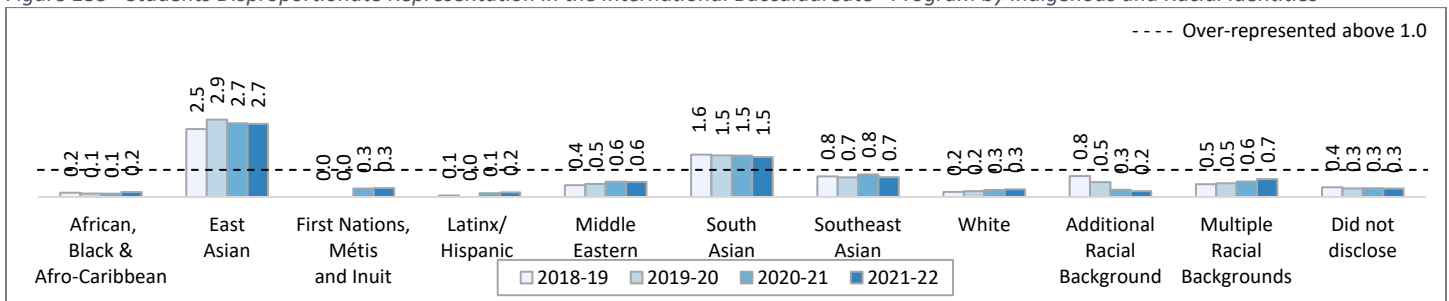


Figure 136 - Students Disproportionate Representation in the Science / Technology Program by Indigenous and Racial Identities

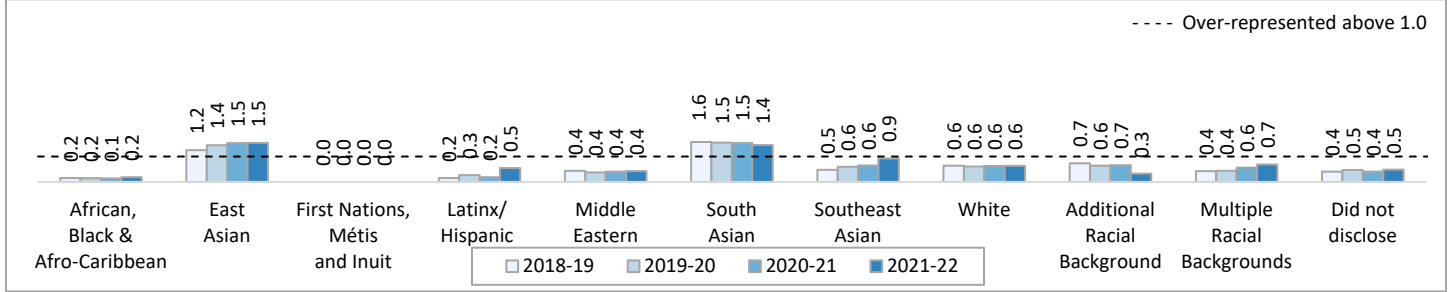


Figure 137 - Students Disproportionate Representation in the Sports Program by Indigenous and Racial Identities

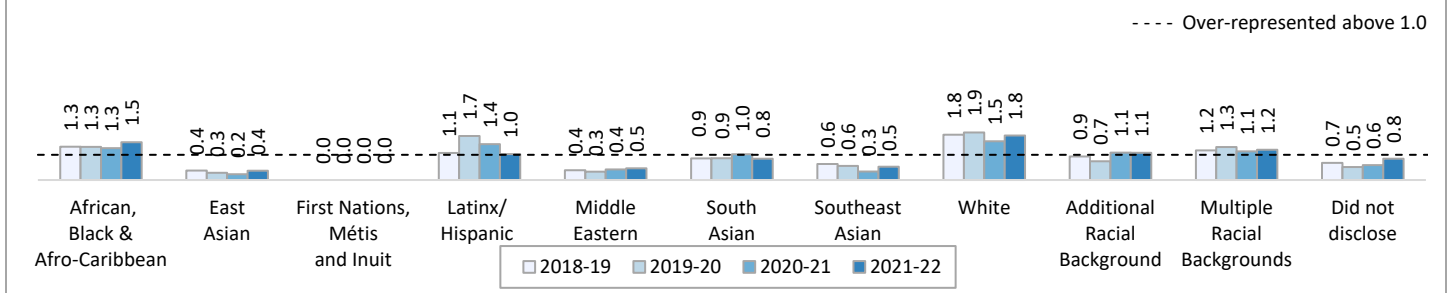
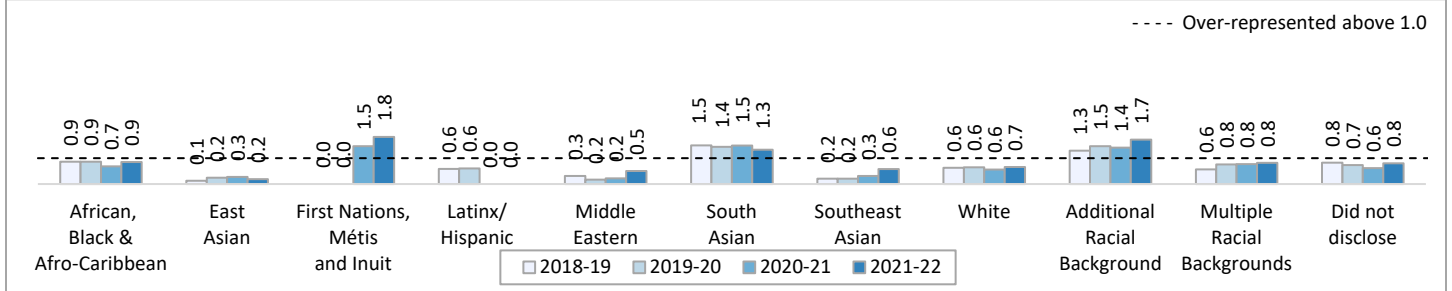


Figure 138 - Students Disproportionate Representation in the Technology Program by Indigenous and Racial Identities



7.3.2 By Gender Identity

Figure 139 – Students’ Disproportionate Representation in Any Regional Learning Choice Program by Gender Identity

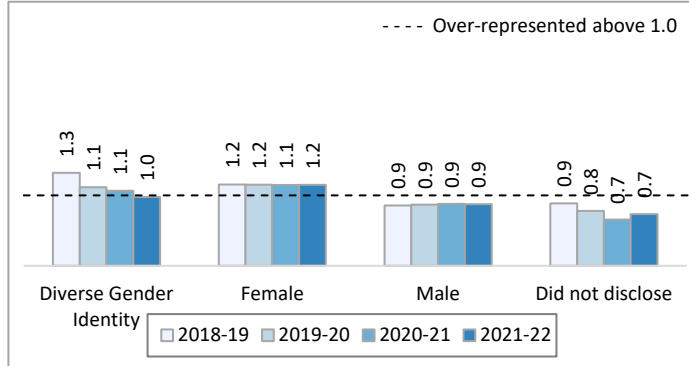


Figure 140 – Students’ Disproportionate Representation in the Advanced Placement Program by Gender Identity

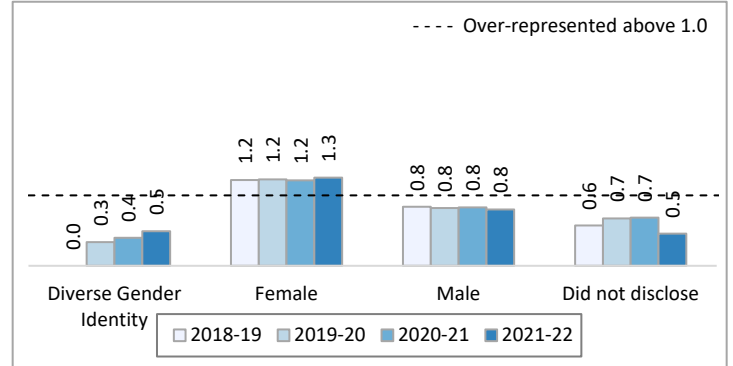


Figure 141 – Students’ Disproportionate Representation in the Arts Program by Gender Identity

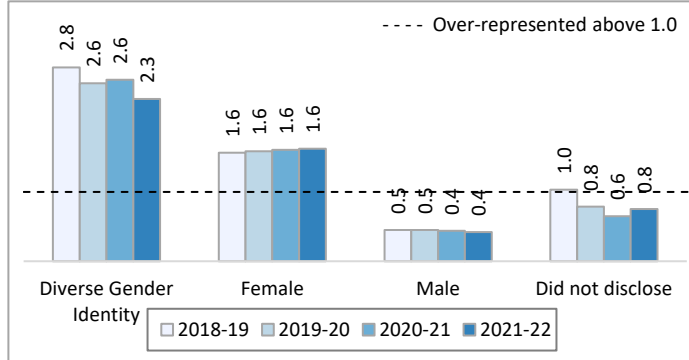


Figure 142 – Students’ Disproportionate Representation in the Business Program by Gender Identity

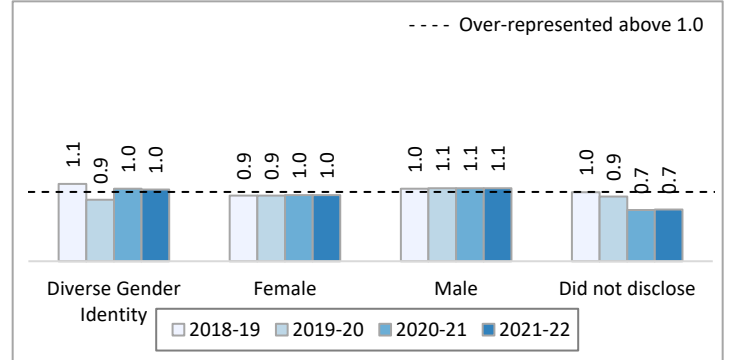


Figure 143 – Students’ Disproportionate Representation in the International Baccalaureate® Program by Gender Identity

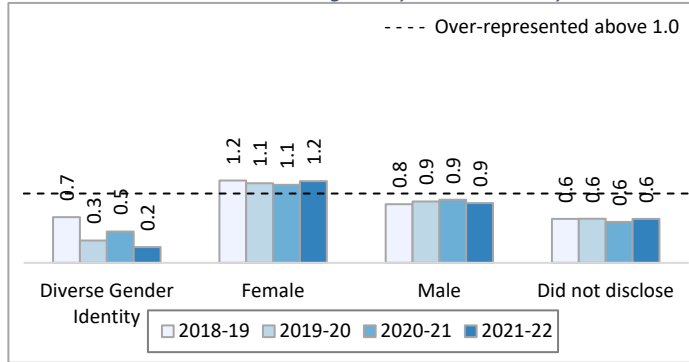


Figure 144 – Students’ Disproportionate Representation in the Science / Technology Program by Gender Identity

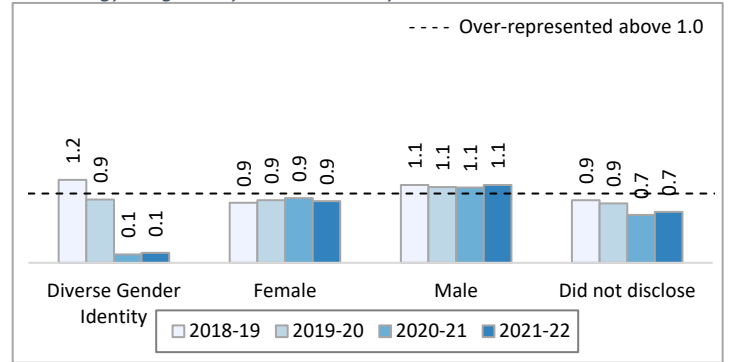


Figure 145 – Students’ Disproportionate Representation in the Sports Program by Gender Identity

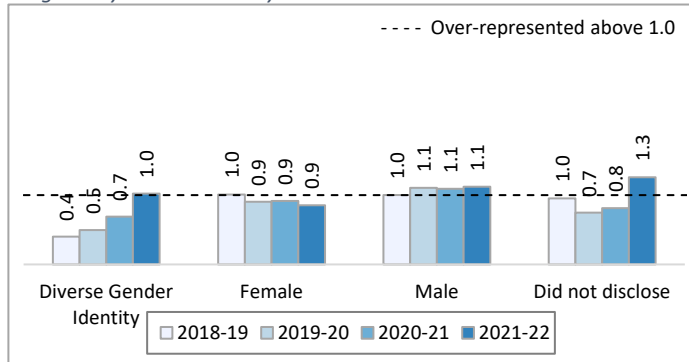
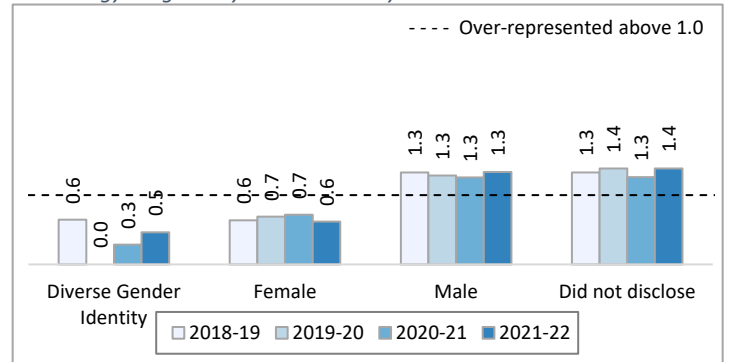


Figure 146 – Students’ Disproportionate Representation in the Technology Program by Gender Identity



7.3.3 By Sexual Orientation

Figure 147 – Students’ Disproportionate Representation in Any Regional Learning Choice Program by Sexual Orientation

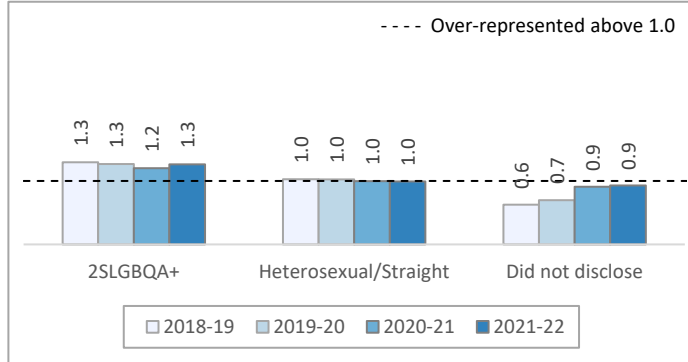


Figure 148 - Students’ Disproportionate Representation in the Advanced Placement Program by Sexual Orientation

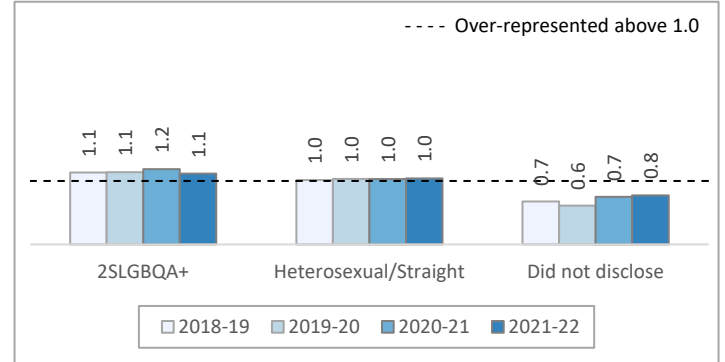


Figure 149 - Students’ Disproportionate Representation in the Arts Program by Sexual Orientation

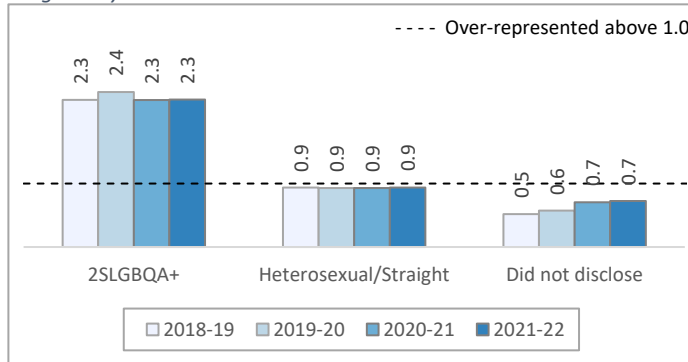


Figure 150 - Students’ Disproportionate Representation in the Business Program by Sexual Orientation

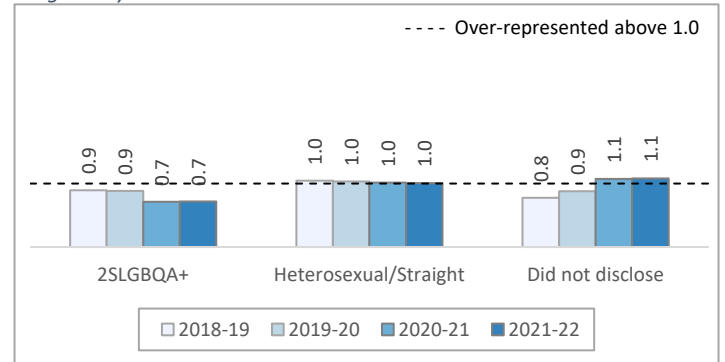


Figure 151 - Students’ Disproportionate Representation in the International Baccalaureate® Program by Sexual Orientation

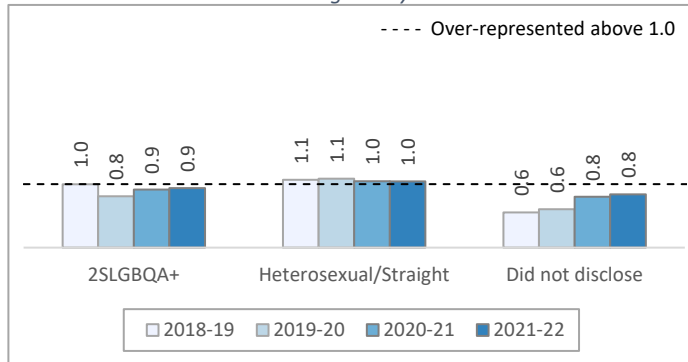


Figure 152 - Students’ Disproportionate Representation in the Science / Technology Program by Sexual Orientation

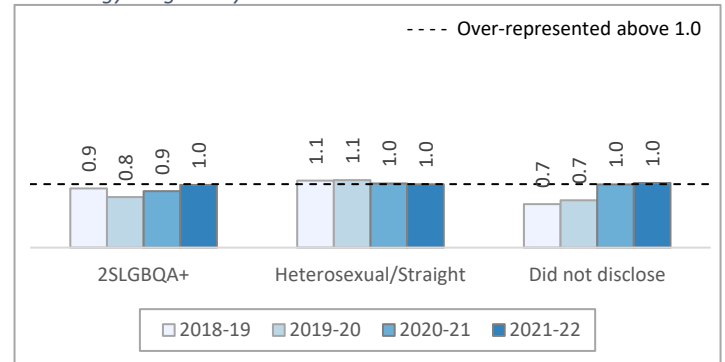


Figure 153 - Students’ Disproportionate Representation in the Sports Program by Sexual Orientation

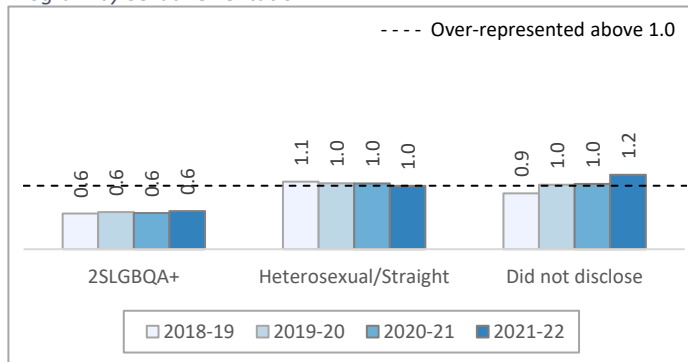
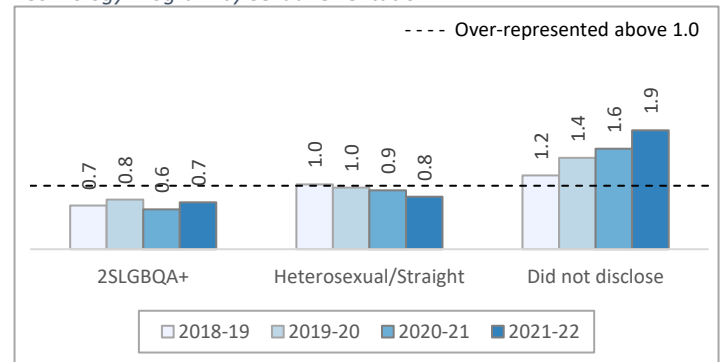


Figure 154 - Students’ Disproportionate Representation in the Technology Program by Sexual Orientation



7.3.4 by Socioeconomic Vulnerability Clusters

Figure 155 - Students' Disproportionate Representation in Any Regional Learning Choice Program by Socioeconomic Vulnerability Cluster

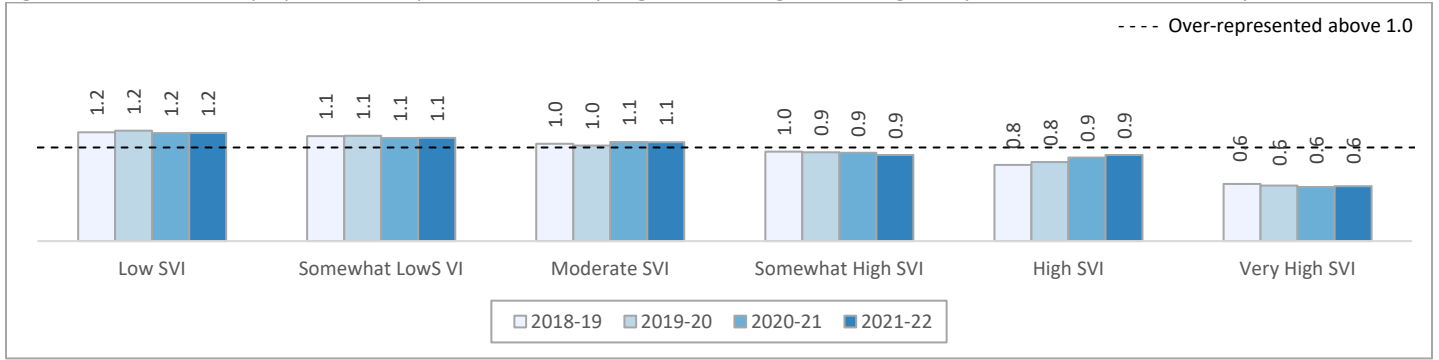


Figure 156 - Students' Disproportionate Representation in the Advanced Placement Program by Socioeconomic Vulnerability Cluster

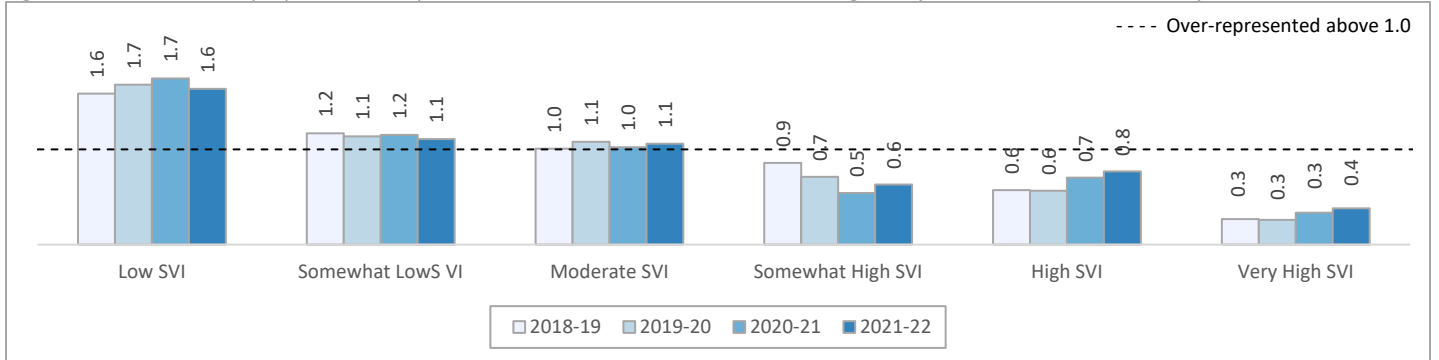


Figure 157 - Students' Disproportionate Representation in the Arts Program by Socioeconomic Vulnerability Cluster

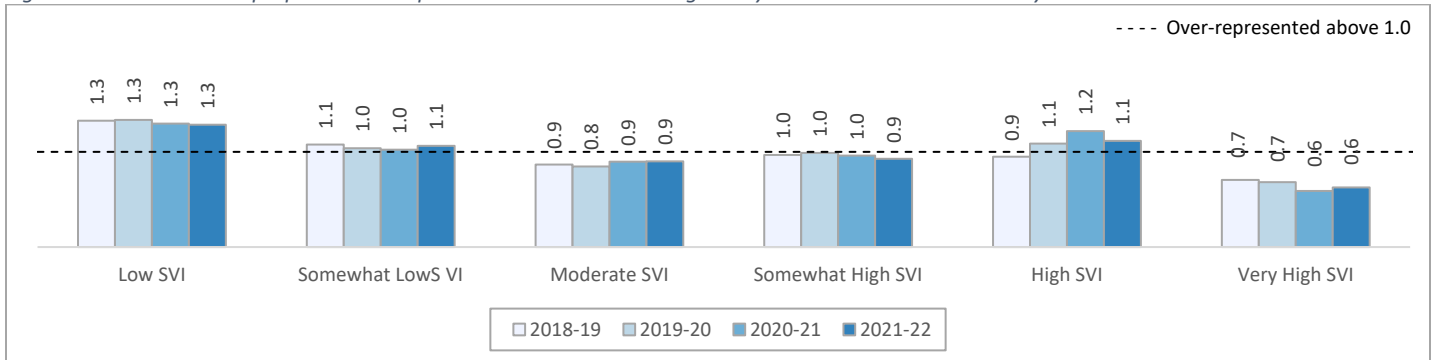


Figure 158 - Students' Disproportionate Representation in the Business Program by Socioeconomic Vulnerability Cluster

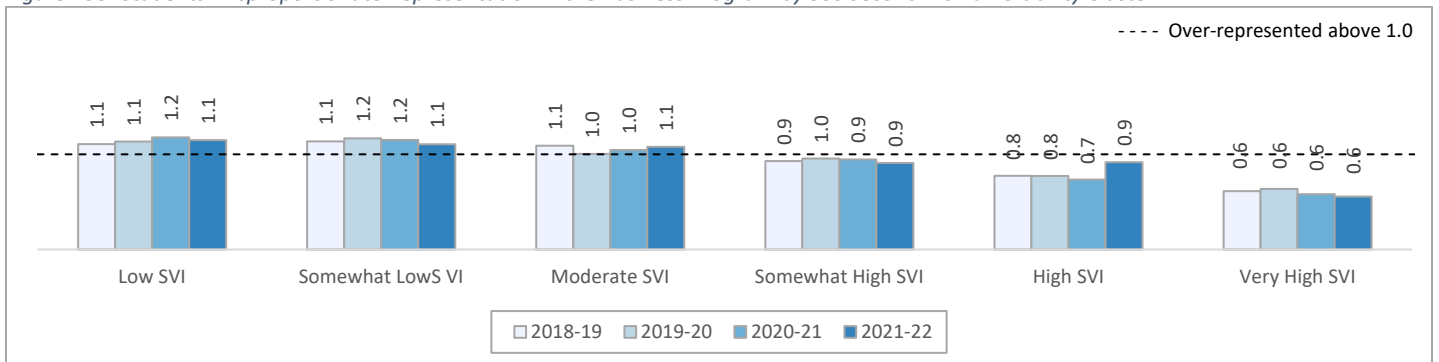


Figure 159 -Students' Disproportionate Representation in the International Baccalaureate® Program by Socioeconomic Vulnerability Cluster

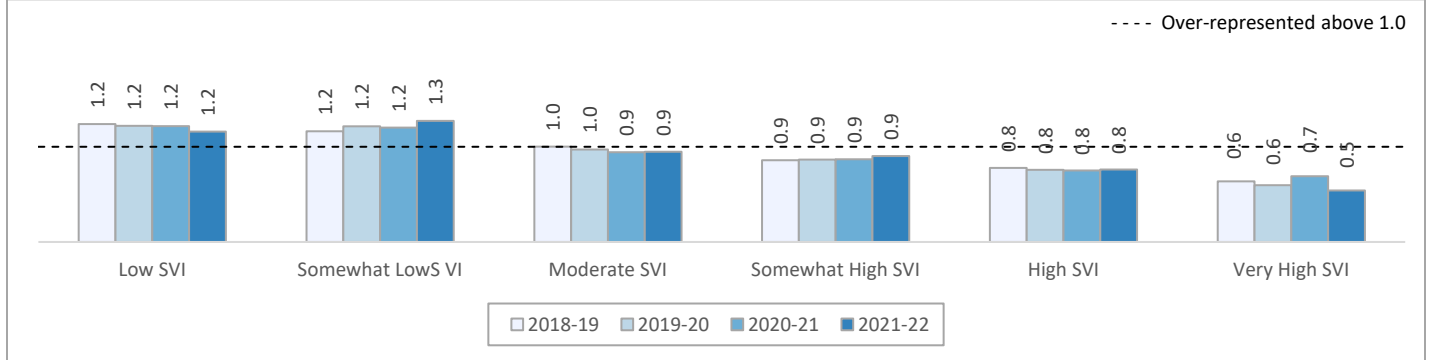


Figure 160 -Students' Disproportionate Representation in the Science / Technology Program by Socioeconomic Vulnerability Cluster

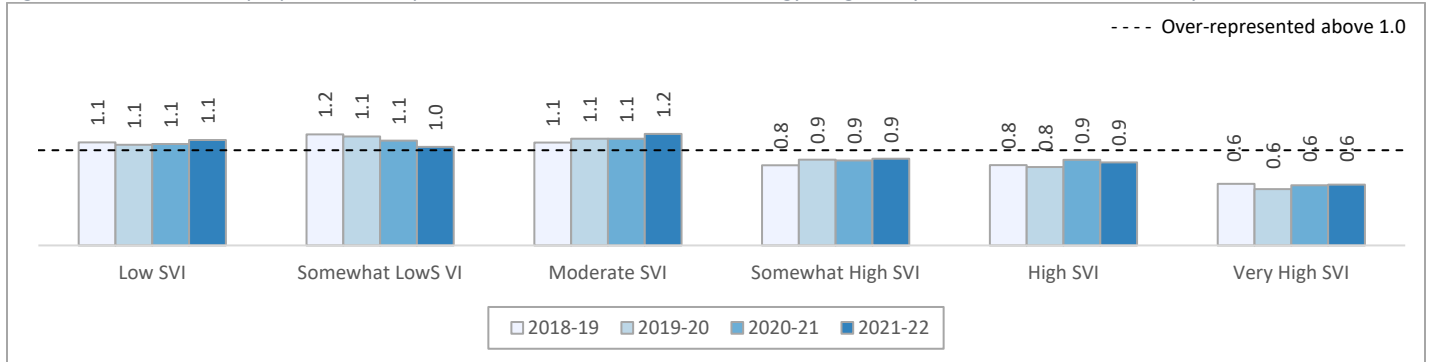


Figure 161 - Students' Disproportionate Representation in the Sports Program by Socioeconomic Vulnerability Cluster

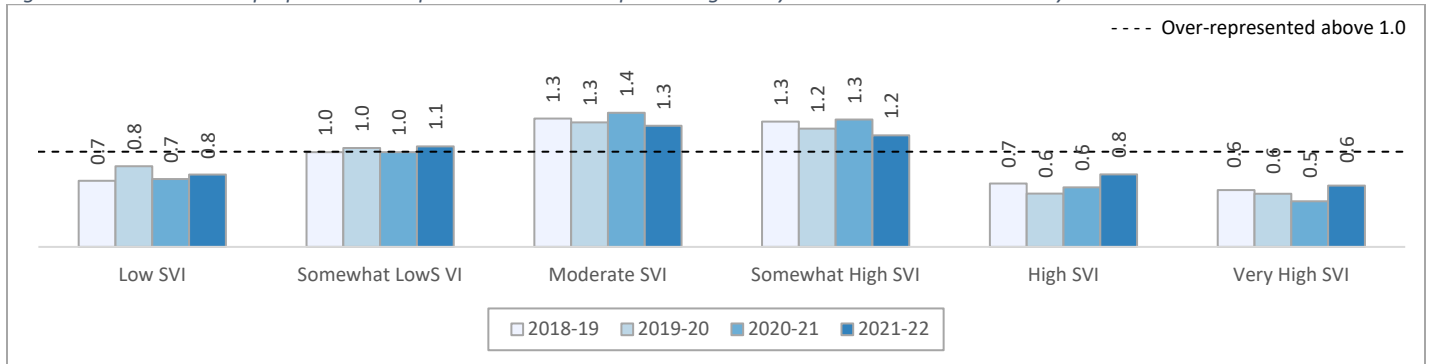
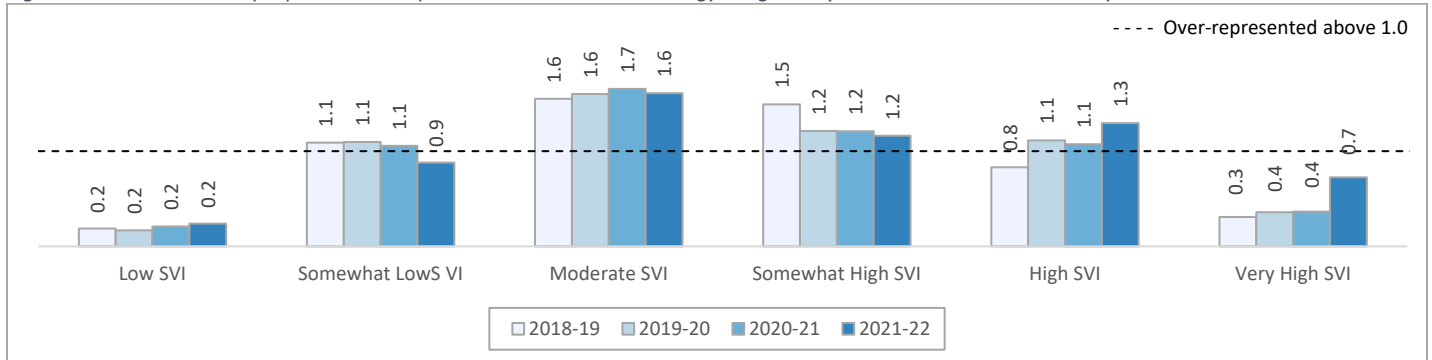


Figure 162 - Students' Disproportionate Representation in the Technology Program by Socioeconomic Vulnerability Cluster



6.4 French Instruction

6.4.1 Summary of Outcomes

Needs:

- ❖ Representation in French Immersion by social identity has been stable over the last four years with only Indigenous students being consistently under-represented to a large extent (Figure 163).
- ❖ Representation in Extended French has shown more variation due to the smaller total number of students included. Only students indicating Southeast Asian descent (Figure 164) and those indicating a diverse gender identity (Figure 166) have been well-underrepresented consistently over the four years.
- ❖ Students who experience low socioeconomic vulnerabilities are more highly represented in the French Immersion program compared to students who experience high to very high socioeconomic vulnerabilities (Figure 169).

Emerging Trends:

- ❖ An increasing proportion of students accessing Extended French in PDSB indicated Middle Eastern and Latin American racial identities.

6.4.2 French Outcomes

Figure 163 - Students' Disproportionate Representation in French Immersion by Indigenous and Racial Background

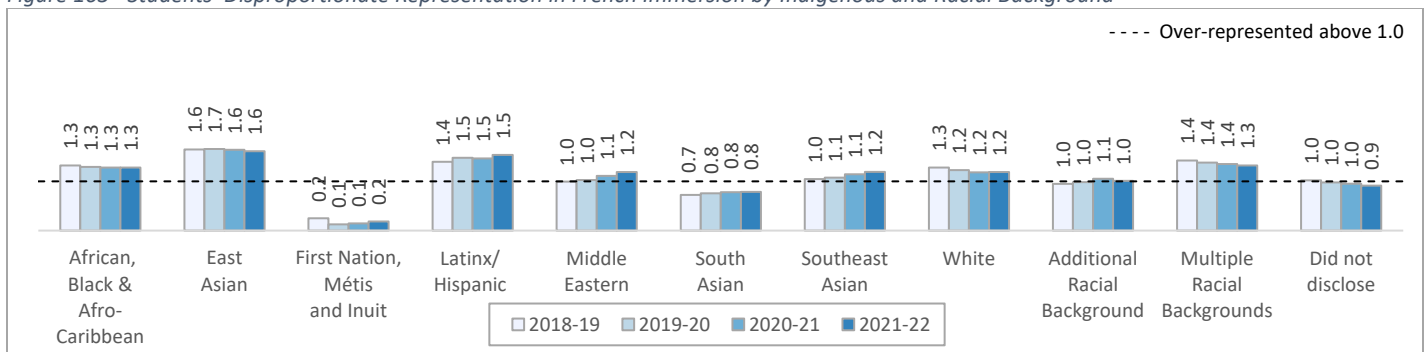


Figure 164 - Students' Disproportionate Representation in Extended French by Indigenous and Racial Background

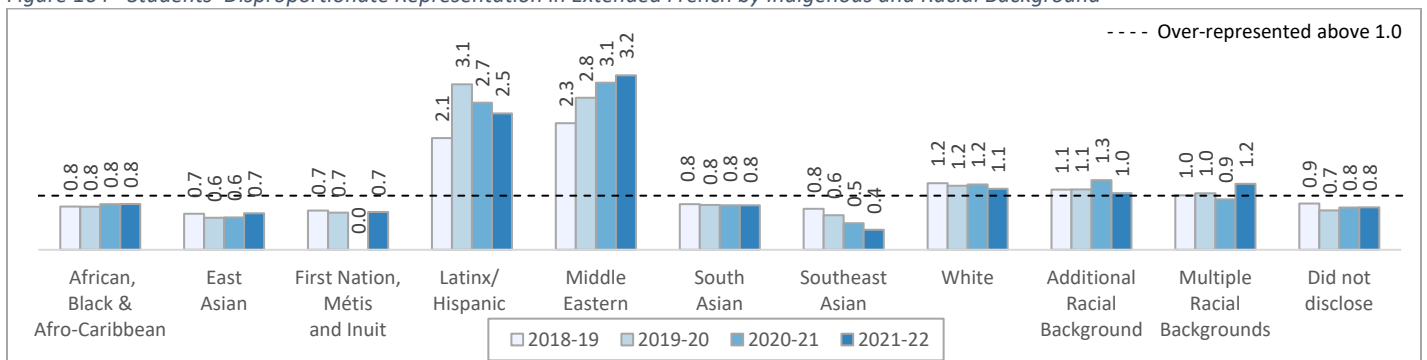


Figure 165 - Students' Disproportionate Representation in French Immersion by Gender Identity

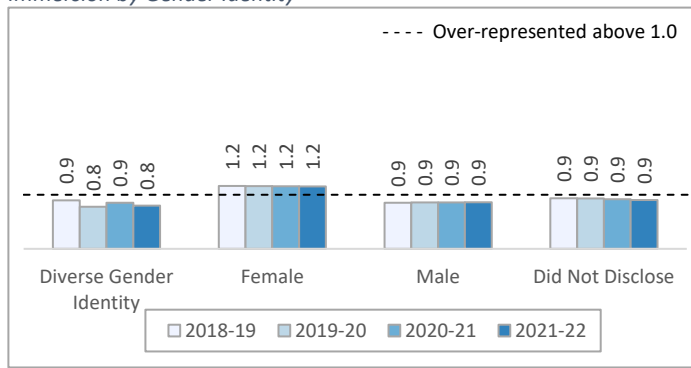


Figure 166 - Students' Disproportionate Representation in Extended French by Gender Identity

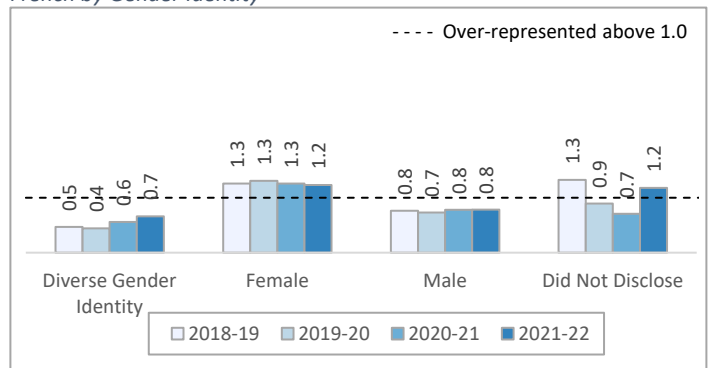


Figure 167 - Students' Disproportionate Representation in French Immersion by Sexual Orientation

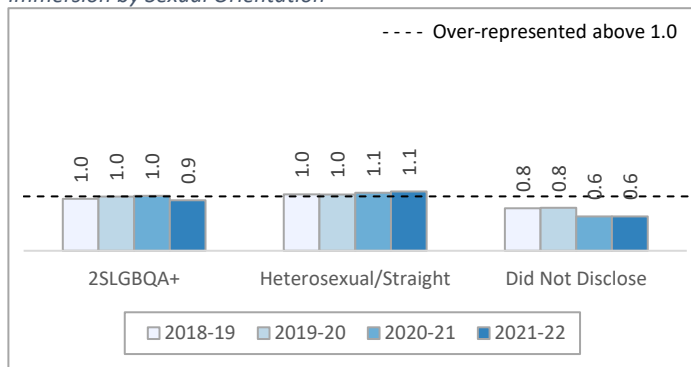


Figure 168 - Students' Disproportionate Representation in Extended French by Sexual Orientation

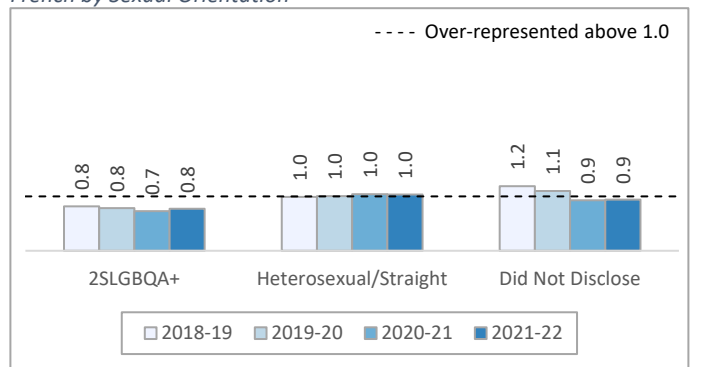


Figure 169 - Students' Disproportionate Representation in French Immersion by Socioeconomic Vulnerability Cluster

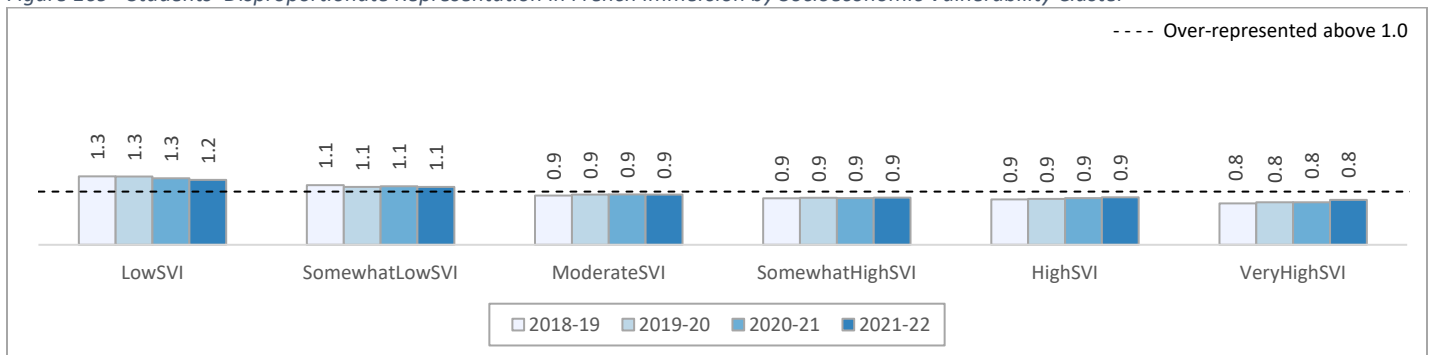
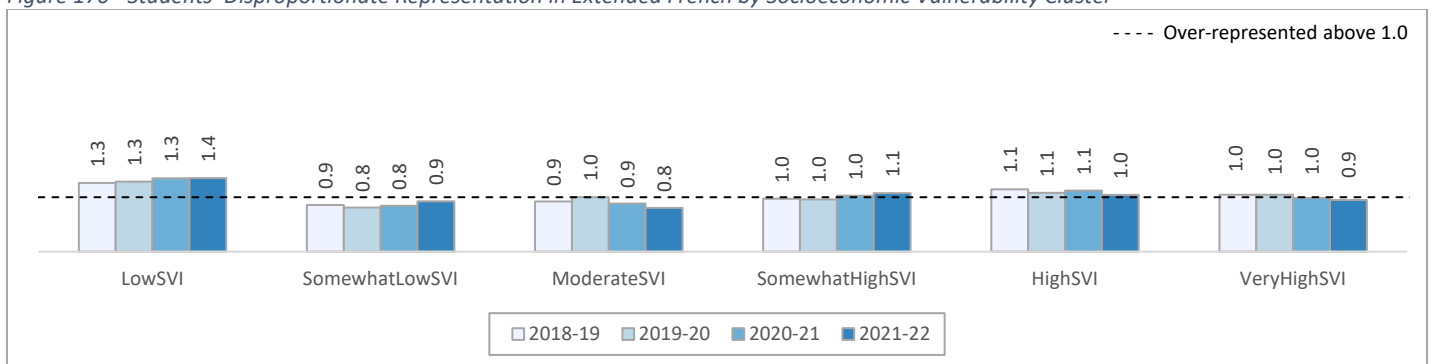


Figure 170 - Students' Disproportionate Representation in Extended French by Socioeconomic Vulnerability Cluster



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16.1(b)

Board Meeting, October 19, 2022

Directive 17 - Reform of the Guidance Program/System - Final Report

Strategic Alignment:

Directive 19: De-Streaming Pilot

Directive 20: Communications Plan for Secondary Schools Pathways

Report Type:

Recommendation

Prepared by: Paul Da Silva, Associate Director, School Improvement and Equity
Rasulan Hoppie, Superintendent, Curriculum, Instruction & Assessment
Claudine Scuccato, Superintendent of Education

Submitted by: Rashmi Swarup, Director of Education

Overview

Recommendation: That Directive 17 - Reform of the Guidance Program/System - Final Report, be approved.

Purpose

The purpose of this report is to provide an update on Directive 17. In the Minister of Education's Directions to the Peel District School Board (March 2020), Directive 17 states that "the Board shall develop and implement a plan, with reasonable goals and timelines, to reform its guidance system to address the needs and expectations of all students and their families, and to remedy the inadequacies and gaps in supports and guidance for historically and currently underserved demographic groups, with particular focus on Black students."

Context

At the Regular Meeting of the Board, March 23, 2020, three action items were identified for the 2020-2021 school year:

- Establish a Directive 17 steering committee
- Provide professional learning for staff grounded in our commitment to equity, anti-racism, anti-oppression with a focus on dismantling anti-Black racism.
- Holistic Reform of the guidance program and system to support the critical work of disrupting and dismantling the disproportionalities and disparities that exist in terms of outcomes for African, Black, Afro-Caribbean, and Indigenous students

Establish a Directive 17 Steering Committee

In March 2021, a Directive 17 Steering Committee was established and included members of Peel Association of African Canadian Educators (PAACE), Elementary Teachers Federation of Ontario (ETFO), Ontario Secondary School Teachers Federation (OSSTF), We Welcome the World, Secondary Vice Principals, Elementary Principals, Central staff, OSSTF Racism Reporting Officer, and the Peel District School Board (PDSB) Curriculum Consultant.

Professional Learning

In the Spring of 2021, a Directive 17 Working Group was established and included Coordinating Principal- Student Success/Learning to 18, Coordinating Principal- Special Education, Coordinator- Pathways, Guidance, and Career Education, Resource Teacher- Transitions 7-10, OSSTF Racism Reporting Officer, and the Curriculum Consultant. The Directive 17 Working Group collaborated to design and deliver the Guidance Professional Learning Series in May to June 2021. The professional learning series was attended by approximately 300 staff and consisted of six sessions: 3 asynchronous sessions and 3 synchronous sessions (1.5 hours in

length each). The professional learning series was mandated for all Elementary and Secondary Guidance Counsellors with 77% of elementary guidance counsellors and 76% of secondary Guidance Counsellors participating. Schools also had the option to have Student Success Teachers, In School Support Program (ISSP) teachers, and Contact teachers attend the professional learning series. A voluntary, online survey of all participants, consisting of 18 closed and 7 open-ended questions was conducted. The survey provided key insights into the efficacy of the training and also provided a baseline reference for future professional learning offerings.

A Holistic Reform of the Guidance Program

As was reported at the Regular Meeting of the Board, November 24, 2021, there were a few steps that were taken towards the holistic reform of the guidance program:

- In October 2020, the Grade 8 Course selection form (Ontario Secondary School Diploma (OSSD) was standardized, implemented across all secondary schools, and posted to the school board website. The Grade 8 Course Selection form includes information about de-streaming, course types, pathways, Regional Learning Choice Programs (RLCP), Explore High Skills (EHS) and myBlueprint as a post-secondary planning tool, to better inform students and families of pathways and the course selection process.
- In July 2021, a Directive 17 Guidance Writing Team was established to create resources to support guidance teachers implementing the Individual Pathways Plan (IPP) in their school guidance program. This team developed a revised Transition process based on Universal Design for Learning (UDL) to replace “At-risk Transition Profiles in” SIS, which have been identified as an oppressive past practice in Guidance. Email communication to all Secondary and Elementary Counsellors was sent outlining the revised process on March 30, 2022. Further resources will be created by the Directive 17 Guidance Writing Team including the standardization of high school Guidance forms (i.e., course drop, course substitution, course exemption, etc.) to be implemented across all secondary schools in Peel.
- For the 2021-2022 school year, the Ministry of Education offered school boards the opportunity to apply for bursaries for up to \$685 to support educators who self-identify as Black, Indigenous, LGBTQ2S+ and educators with disabilities to enroll in any Guidance and Career Education AQ courses at any institution. The Ministry funding allowed for 94 guidance counsellors from Peel to participate. The Curriculum, Instruction and Assessment (CIA) Department provided additional funding for 193 Peel staff who self-identified as representatives of marginalized communities to also receive reimbursement for the Guidance AQ course. All staff were to complete the Guidance AQ course by the end of August 2022. Several of the participants who completed the course are presently in a Guidance role in Peel. Please see *Guidance Counsellor Assignments and Staffing and Placement for the 2022-2023 School Year*, in the Next Steps section of this report, for the current number of Guidance counsellors that identify as Black, which has almost doubled since 2021.

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- In November 2021, all Grade 8 Course Selection forms were translated into Peel's top ten languages: Gujarati, Hindi, Arabic, Punjabi, Simplified Chinese (Mandarin), Spanish, Tamil, Traditional Chinese, Urdu, and Vietnamese.

Continued Holistic Reform of the Guidance Program

Further to the actions already noted, the following steps have also been taken as part of the holistic reform process:

- The Guidance Professional Learning series was offered again in Spring 2022 and was led by the Guidance Coordinator and Transitions Resource Teacher. This session was attended by 41 guidance counsellors who missed the first session held in Spring 2021. The topics covered in this three-part Professional Learning series included: Culturally Responsive Pedagogy, Critical Race Theory, anti-racist teaching practices, trauma-informed practices, community building ideas, and the sharing of best practices by current Guidance counsellors. The anchor text used in the learning series was *We Want to do More Than Survive* by Dr. Bettina Love, and three copies were provided to all schools. The professional learning series will be offered again for new counsellors in Spring 2023.
- Ongoing professional learning series (four synchronous sessions and four unpacking sessions) on the newly developed Student Review Process (SRP) was provided to secondary guidance and all special education and ISSP staff. The SRP includes Student Review Meetings (SRM) and outlines the cyclical process that elementary and secondary schools will follow to provide support for an individual student's success and well-being. The new process will emphasize collaboration with families so that teachers can develop programming that is rooted in students' identities. The series was created in collaboration between members of the CIA Department and the Special Education and Social Emotional Learning and Well Being (SESEL) Departments.
- To solicit student voice on the reformation of the Guidance system in Peel, members of the central Guidance team met with the Student Equity Team. The goals for the meeting included an overview of Directive 17 and the Guidance reformation thus far, and to gather student feedback to remedy the gaps and inadequacies in Guidance supports, particularly for students that identify as Black, African and/or Afro-Caribbean. As part of this dialogue, the students shared that they wish to be better informed about scholarship and leadership opportunities for students that identify as Black. To meet their request, in May 2022 a *Leading 4 Me* camp was offered, to provide leadership and pathway opportunities with preference for Black-identifying and/or Indigenous groups (see Appendix B). Additionally, scholarships were posted to the public PDSB Scholarships website and emailed to all guidance counsellors on a weekly basis. The Guidance Coordinator met with the CEO of the *Scholarship Report* (a company focused on collating information on scholarships, bursaries, awards, etc.), and specifically requested that a section be dedicated for Black and Indigenous students which has since been shared on the public website and shared with counsellors.
- In alignment with the Ministerial Review which stated the immediate and pressing need for Black guidance counsellors, particularly Black males, PDSB in the 2020-2021 and

2021-2022 school years, gave direction to secondary principals to provide all staff with an optional opportunity to indicate their staffing allocation preferences before beginning the staffing process, allowing individuals to share if they self-identify as Black, Indigenous, racialized or from another underserved group as part of their teaching-assignment preference form. Further to this opportunity, directions were given for principals to consider staff who identify as Black, African and/or Caribbean and Black, African and/or Caribbean males, when making decisions about staffing guidance roles. As well, Principals were informed that they should consider the demographic composition of their schools and how improved staff representation can be achieved areas such as guidance. Lastly, to capitalize on the Guidance Additional Qualification bursaries from the Ministry and additional funding provided by the board, Principals were told they may assign any staff member to a Guidance role who indicates an interest in a guidance role and is currently enrolled in a Guidance qualification course. In effect, a teacher who had enrolled in a Guidance Additional Qualification should not have been excluded from consideration for a guidance role in 2022-2023 if they indicate that they would have completed the course by June 2022.

- The Guidance Coordinator receives resources and information on a regular basis from the Equity Coordinating Principal and the Coordinator for Indigenous Studies which are subsequently shared with elementary and secondary counsellors.
- The Transitions Resource Teacher shared a lesson on honouring intersectional student identities using the resource *This Book is Anti-Racist* during Guidance Office Hours in the Spring of 2022 and for the *Leading for Me* camp participants.
- The Guidance Coordinator continues to collaborate with the Coordinator for Student Well-Being and to share resources and events with school Guidance teams to support Black and/or Indigenous students and their families (e.g., RESILIENCE mission is to be a culturally specific, proactive therapeutic support that empowers Black students to foster a sense of positive identity and enhance well-being.)
- A mentorship program will be in place in the fall of 2022 to support new counsellors in their role
- The resource Trauma Informed Healing Centred and Unconditional Positive Regard was shared with counsellors prior to the start of the 2022-23 school year

Equity & Human Rights Review

As has been previously reported, the plan to reform the Guidance program looks to mitigate the disproportionate degrees to which students from historically and currently underserved demographic and identity groups are counselled into various pathway programs. The reform of the Guidance system provides equity of opportunity and adequate Guidance support to all students, with a particular focus on Black, African, and Afro-Caribbean students, and an opportunity to gather feedback from families to review and revise the Guidance program reformation.

Board or Ministry Policy Alignment

Directive 17 specifically addresses the need for Guidance Reform and intersects with other directives that are responsible for changes that are part of the overall systemic transformation:

Directive 14 (Addressing Disproportionalities)

A third-party review of the Regional Learning Choice Programs is underway, with the specific aim of addressing and eliminating statistically significant disproportionalities in enrolment, achievement, and outcomes of Black, African, Afro-Caribbean, Indigenous and other racialized students. Additionally, changes to locally developed and, Special Education programs have also been initiated to begin to address and eliminate statistically significant disproportionalities in enrolment and achievement of the same aforementioned student populations. Guidance counsellors have been informed of the changes and as part of their professional learning have been given direction and are therefore responsible to and accountable for informing families and providing these specific student populations of these opportunities accordingly.

Directive 19 (De-streaming Pilot Project):

The Board has designed and implemented a secondary school destreaming pilot project for Grades 9 and 10. The Ministerial directive precedes and exceeds the Ministry's direction on destreaming to all provincial jurisdictions and, as can be seen from the Directive 19 report submitted in June 2022, PDSB's efforts to address and eliminate statistically significant disproportionalities in enrolment, achievement and outcomes of Black, African, Afro-Caribbean, Indigenous and other racialized students, is well on its way to achieving its goal.

Directive 20 (Communication):

As part of the communications plan to better inform the diverse PDSB community, including all parents and students, that secondary school program placement and course selection decisions are ultimately to be made by students and parents, steps were taken to establish new avenues of communication directly with students/families and guidance counsellors.

Guidance Counsellor Assignments and Staffing and Placement for the 2022-2023 School Year

There is a link between the direction that was given to principals regarding their intentional staffing of guidance programs and the number of the number of Black, African and/or Afro-Caribbean guidance counsellors. As such, we have been monitoring, through Superintendent staffing surveys, the number of Black counsellors assigned to the Guidance role at both secondary and elementary panels. The results of the ongoing staffing surveys are indicated below. Another Superintendent survey will be sent after the fall staffing re-organization process to continue to monitor the number of counsellors in Peel who identify as Black.

	Secondary # of Black educators in the guidance role	Elementary # of Black educators in the guidance role
March 2021 (pre-staffing process)	12	6
September 2021	20	13
June 2022	37.6	21.3

Next Steps

Regular Family-Facing Communication

Beginning in the 2022-2023 school year, a regular communication will be distributed to families to inform them of scholarship and bursary opportunities that are posted on the public facing portion of the board site.

Establishing Family of Schools (FOS) Black Student Associations (BSA) and Black Parent Associations (BPA)

For the 2022-2023 school year, all Superintendents of Education will work with the principals at each of their schools to create BSAs and BPAs that will become part of future BSA and BPA networks.

Black Excellence: Centrally Assigned Guidance Counsellor

A centrally assigned guidance counsellor to provide guidance services to students & parents/guardians/caregivers who identify as Black and are not able to access a guidance counsellor at their school site, will be hired in the Fall of 2022. This counsellor will understand the lived experiences of Black students and families. They will provide resources & supports to existing school guidance counsellors to develop understanding and build capacity to better

service Black students and families. They will work with the Instructional Coordinator of Guidance, the Transitions Resource Teacher, and community stakeholders to plan, support, and implement guidance services, programs, and opportunities for Black students and families across the system. They will collect both quantitative and qualitative data to report on the rate, and success of, referrals, student and family engagement. This individual will also work collaboratively with Grad Coaches and Guidance Counsellors across the district to provide direct community and school support and resources. To increase accountability, this counsellor will ensure that their work is in direct alignment with the Black Student Success Strategy, specifically the applicable actions found in Focus Area 3 - Foster anti-racist learning and working environments, Focus Area 4 - Continue engagement with the Black community and Focus Area 5 - Inspire and support Black student success.

Timelines

Appendix A provides a timeline of events that have, and are scheduled to occur, in relation to the reform of the guidance program as outlined above.

Appendix A

YEAR ZERO

Date	Actions Taken	Ministry Directives Addressed
May 2020	<ul style="list-style-type: none"> • First Directive 17 Steering Committee Meeting • Directive 17 Working Group established • Initial Action Items established in response to Directive 17: <ol style="list-style-type: none"> 1. Examination of practices that contribute to pre-middle school screening/streaming 2. Developing uniform, consistently delivered, board-wide practices that support students and their families in creating their own informed Individual Pathways Plan (IPP) 3. Empower and equip parents/guardians with knowledge and tools to make informed decisions regarding their child's pathway 4. School Success Planning - Student Success Teams will co-facilitate the development of a school plan that defines how the school will support marginalized students in closing academic gaps, developing social capital and attending to student well-being 5. Re-design and implementation of professional learning for guidance counsellors with an anti-oppressive lens 6. Representative staffing of Guidance Departments 	Directive 17
June 2020	<ul style="list-style-type: none"> • Initial Directive 17 report presented to the school board • Guidance focus groups established 	Directive 17
July 2020	<ul style="list-style-type: none"> • Coordinator of Pathways, Guidance and Career Education and the Ontario School Counsellor Association (OSCA) work to offer 10 bursaries for PDSB for staff who identify as Black or Indigenous to sign up for a Guidance Additional Qualification course completely subsidized 	Directive 17 - action area 6

YEAR ONE

Date	Actions Taken	Ministry Directives Addressed
September 2020	<ul style="list-style-type: none"> • Directive 17 Working Group meetings • PDSB/OSCA bursary opportunity shared with PDSB staff via Broadcast page 	Directive 17 - action area 6
October 2020	<ul style="list-style-type: none"> • Your Path. Your Choice. Grade 8 Course selection forms (OSSD) are standardized and rolled out across all secondary schools and posted to the school board website which include de-streaming information course types, pathways, and myBlueprint information. 	Directive 17 - action area 2 Directive 20 (Communication) Directive 19: (De-streaming)
March 2021 Progress Report # 1 presented to the Board March 23, 2021 https://www.peelschools.org/about/ministry-directives/Documents/Directive-17---Reform-of-	<ul style="list-style-type: none"> • Directive 17 Steering Committee meeting provided feedback and content/topics ideas for guidance professional learning • Staffing memo shared with schools to ensure better representation in the Guidance Office (Principals were provided the direction from senior leadership to intentionally staff teachers that identify as Black and other racialized groups into Guidance roles in schools) 	Directive 17 Directive 17 - action area 6

the-Guidance-Program-System---Progress-Report-1.pdf		
<p>April 2021</p>	<ul style="list-style-type: none"> Working Group meetings Feedback from the Directive 17 Steering Committee used to inform three PL sessions for all Guidance counsellors, Special Ed teachers, contact teachers, student success teachers under the direction of the Curriculum Consultant Directive 17 Working Group works with Accountability Team to devise pre and post Professional learning surveys for staff participating in Guidance professional learning series 	<p>Directive 17 - action area 5</p> <p>Directive 19: (De-streaming)</p>
<p>May 2021</p>	<ul style="list-style-type: none"> Spring three-part professional learning begins under the direction of Curriculum Consultant Natasha Henry 	<p>Directive 17 - action area 5</p> <p>Directive 19: (De-streaming)</p>
<p>June 2021</p>	<ul style="list-style-type: none"> Spring three-part professional learning ends 	
<p>July 2021</p>	<ul style="list-style-type: none"> Guidance Writing Team to create resources to support guidance teachers implementing the IPP in their school guidance program Guidance Writing Team developed a revised Transition process based on Universal Design to replace "At-risk Transition Profiles in" SIS: Tier 1 (Good for all): All grade 8 students complete digital portfolio in myBlueprint to be shared with high school Tier 2 (Necessary for some): Students needing extra support in the transition to high school invited to complete an asset-based Welcome to High School survey with their families Tier 3 (Necessary for a few): Student transition plan for students with special education needs, completed with family 	<ul style="list-style-type: none"> Directive 17 - action area 2 Directive 17 - action area 2 Directive 14 (Addressing Disproportionalities)

YEAR TWO

Date	Actions Taken	Ministry Directives Addressed
September 2021	<ul style="list-style-type: none"> • Initial D17 Working Group Meetings • Standard board wide OSSC and COA course selection package created for grade 8 students with course offerings and myBlueprint information • All standard course selection forms translated into top 10 Peel languages • Student Success Resource Teacher hired (new position) to develop and implement plans • Guidance New to the Role professional sessions held, informed by the 4 Ministry Review pillars and their application to the guidance role 	<ul style="list-style-type: none"> • Directive 17 - action areas 2 and 3 • Directive 14 (Addressing Disproportionalities) • Directive 17 - action area 4
November 2021	<ul style="list-style-type: none"> • Fall Professional Learning Series • IPRC timeline for students accessing Vocational 1 programs moved to Nov. to accommodate course selection window • New course selection process implemented for students accessing ASD and Vocational 1 programs participate in myBlueprint course selection at IPRC school location offered (holding code process removed) 	
December 2021	<ul style="list-style-type: none"> • Work collaboratively with the Special Education division of Student Learning Department to provide support for students who are receiving heavy IEP modifications in grade 8 to support the transition to de-streamed courses in high school • Support with the development of gr 8 to 9 bridging courses to be offered as per SEAC Minutes May 2021 	
January 2022	<ul style="list-style-type: none"> • In conjunction with Ministry funds and Student Success Supports, we were able to support more than 150 BIPOC educators to pursue Guidance AQ part 1, part 2, or the specialist. 	
February 2022	<ul style="list-style-type: none"> • Meet with members of the PDSB Student Equity Team to gather student voice and perspective on the changes in Guidance thus far, and the changes needed in Guidance to remedy the gaps and 	

	inadequacies in support and guidance for Black and Indigenous students.	
April 2022	<ul style="list-style-type: none"> Offered Professional Learning Guidance series for guidance teachers who didn't attend the first offerings. 	
May 2022	<ul style="list-style-type: none"> Leading 4 Me summer offering to support Black and Indigenous students with pathway planning and leadership skills development. 	
June 2022	<ul style="list-style-type: none"> Survey was sent to analyze the data regarding current staff representation in the Guidance role, to track and monitor the number of Guidance counsellors who identify as Black or Indigenous. 	
June 2022	<ul style="list-style-type: none"> Supported the development of the Math Bridge course to support students who achieved level 2 or lower in Math as they are transitioning to High school 	

YEAR THREE

Date	Actions Planned	Ministry Directives Addressed
October 2022	<ul style="list-style-type: none"> Black Student Success Guidance will be hired at the central level to support Black students and families with questions and inquiries. All school-based course forms (course drop, substitution, exemption etc.) are standardized and rolled out across all secondary schools Work with Research and Accountability department to create a survey to students and parents to measure impact and changes required for improvement. Present new to the role sessions to all the new guidance counsellors to provide them with supports and resources needed Course selections workshops for guidance counsellors to emphasize the Directives and the need for students 	Ministry Review Feb 2020 "We wish to underscore the immediate and

	<p>and families to be informed of all pathways, RLCPS, and other programs offered at PDSB.</p> <ul style="list-style-type: none"> • In collaboration with RLCP coordinating principal, offer board wide presentation on the RLCPs offered at the board, how to register, and the deadlines attached. This presentation is to be offered to grade 7 & 8 Black students and families. 	<p>pressing need for Black guidance counsellors, particularly male, across the Board and for a radically different ethos to motivate guidance services. Many students, parents, and teachers told us there is an urgent need for guidance counsellors who understand the experiences of Black students." (p. 13)</p>
November 2022	<ul style="list-style-type: none"> • Continue to collaborate with the Research and Accountability department to analyze new data regarding current staff representation in the Guidance role, to track and monitor the number of Guidance counsellors who identify as Black or Indigenous. • Continue sharing leadership, work, and summer opportunities specific for Black and Indigenous students with guidance counsellors and updating the PDSB sites. • In collaboration with the Special Education Department, share the new operating procedures for the Student Review Process, with a focus on dismantling anti- Black racism and decolonizing the past practices. 	
December 2022	<ul style="list-style-type: none"> • Offer pathways presentations to Black students and families for different superintendencies: <ul style="list-style-type: none"> ○ Presentation on Secondary Schools ○ Presentation on Post-secondary Pathways 	
Jan. 2023	<ul style="list-style-type: none"> • Initiate an accountability framework to allow for data collection from students and families to further deepen our understanding of how to continue to measure the impact of the work to reform guidance programs in the PDSB. 	

	<ul style="list-style-type: none"> Continue sharing Scholarship opportunities for Black and Indigenous Students 	
February 2023	<ul style="list-style-type: none"> Collaborate with the parent representatives of the We Rise Together Community Advisory Council to inform next steps for the Guidance reformation plan in terms of communication about pathways and course selection. 	
March 2023	<ul style="list-style-type: none"> Continue offering Professional Learning for Guidance Teachers on Directive 17, with a focus on anti-racist, anti-oppressive, decolonizing, and Culturally Responsive Pedagogies. Trauma Informed Practices will also be introduced in conjunction with the Student Well Being Department 	
April 2023	<ul style="list-style-type: none"> Further examine the transition processes for students who do not require an Individual Education Plan (IEP), but still require extra support in the transition to high school, as they relate to the new Student Review Process (SRP). 	
May 2023	<ul style="list-style-type: none"> Continue offering Leading 4 Me summer camp to support Black and Indigenous students with pathway planning and leadership skills development. 	
June 2023	<ul style="list-style-type: none"> Support Black students and families with transitioning to High school activities / presentations 	

YEAR FOUR

Date	Actions Planned	Ministry Directives Addressed
October 2023	<ul style="list-style-type: none"> In collaboration with RLCP coordinating principal, offer board wide presentations on the RLCPs offered at the board, how to register, and the deadlines attached. This 	

	<p>presentation is to be offered to grade 7 & 8 Black students and families.</p> <ul style="list-style-type: none"> • Continue with an accountability framework to allow for data collection from students and families to further deepen our understanding of how to continue to measure the impact of the work to reform guidance programs in the PDSB. 	
November 2023	<ul style="list-style-type: none"> • With the help of Research and Accountability, continue to analyze gaps in the guidance system and provide a renewed plan to continue working toward anti-racist, anti-oppressive, decolonizing, culturally responsive practices in guidance and career education. • Continue sharing leadership, work, and summer opportunities specific for Black and Indigenous students with guidance counsellors and updating the PDSB sites. 	
December 2023	<ul style="list-style-type: none"> • Offer pathways presentations to Black students and families for different superintendencies: <ul style="list-style-type: none"> ○ Presentation on Secondary Schools ○ Presentation on Post-secondary Pathways 	
January 2024	<ul style="list-style-type: none"> • Continue sharing Scholarships and financial aid opportunities for Black and Indigenous Students to guidance counsellors and updating the PDSB sites. 	
February 2024	<ul style="list-style-type: none"> • Meet with the PDSB Student Equity Team and various Black Family groups to seek feedback and be informed of any needs or gaps. 	
March 2024	<ul style="list-style-type: none"> • Continue offering Professional Learning for Guidance Teachers on Directive 17, with a focus on anti-racist, anti-oppressive, decolonizing, and Culturally Responsive Pedagogies. <p>Trauma Informed Practices will continually be shared in conjunction with the Student Well Being Department.</p>	
May 2024	<ul style="list-style-type: none"> • Continue offering Leading 4 Me summer camp to support Black and Indigenous students with pathway planning and leadership skills development. 	

June 2024	<ul style="list-style-type: none"> Support Black students and families with transitioning to High school activities / presentations 	
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YEAR FIVE

Date	Actions Planned	Ministry Directives Addressed
October 2024	<ul style="list-style-type: none"> In collaboration with RLCP coordinating principal, offer board wide presentation on the RLCPs offered at the board, how to register, and the deadlines attached. This presentation is to be offered to grade 7 & 8 Black students and families. 	
November 2024	<ul style="list-style-type: none"> Continue sharing leadership, work, and summer opportunities specific for Black and Indigenous students with guidance counsellors and updating the PDSB sites. 	
December 2024	<ul style="list-style-type: none"> Offer pathways presentations to Black students and families for different superintendencies: <ul style="list-style-type: none"> Presentation on Secondary Schools Presentation on Post-secondary Pathways 	
January 2025	<ul style="list-style-type: none"> Continue sharing Scholarships and financial aid opportunities for Black and Indigenous Students to guidance counsellors and updating the PDSB sites. 	
February 2025	<ul style="list-style-type: none"> Continue meeting with the PDSB Student Equity Team and various Black Family groups to seek feedback and be informed of any needs or gaps. Provide an addendum to previous plans based on the feedback provided. 	
March 2025	<ul style="list-style-type: none"> Revisit Professional Learning for Guidance Teachers what worked, what's not working, and what needs to be done, with a focus on anti-racist, anti-oppressive, decolonizing, and Culturally Responsive Pedagogies. 	

	Trauma Informed Practices will continually be shared in conjunction with the Student Well Being Department.	
May 2025	<ul style="list-style-type: none"> Continue offering Leading 4 Me summer camp to support Black and Indigenous students with pathway planning and leadership skills development 	
June 2025	<ul style="list-style-type: none"> Support Black students and families with transitioning to High school activities / presentations 	

YEAR SIX

Date	Actions Planned	Ministry Directives Addressed
October 2025	<ul style="list-style-type: none"> In collaboration with RLCP coordinating principal, offer board wide presentation on the RLCPs offered at the board, how to register, and the deadlines attached. This presentation is to be offered to grade 7 & 8 Black students and families. 	
November 2025	<ul style="list-style-type: none"> Continue sharing leadership, work, and summer opportunities specific for Black and Indigenous students with guidance counsellors and updating the PDSB sites. 	
December 2025	<ul style="list-style-type: none"> Offer pathways presentations to Black students and families for different superintendencies: <ul style="list-style-type: none"> ○ Presentation on Secondary Schools ○ Presentation on Post-secondary Pathways 	
January 2026	<ul style="list-style-type: none"> Continue sharing Scholarships and financial aid opportunities for Black and Indigenous Students to guidance counsellors and updating the PDSB sites. 	
February 2026	<ul style="list-style-type: none"> Continue meeting with the PDSB Student Equity Team and various Black Family groups to seek feedback and be informed of any needs or gaps. 	

	<ul style="list-style-type: none"> • Provide an addendum to previous plans based on the feedback provided. 	
March 2026	<ul style="list-style-type: none"> • Revisit Professional Learning for Guidance Teachers what worked, what's not working, and what needs to be done, with a focus on anti-racist, anti-oppressive, decolonizing, and Culturally Responsive Pedagogies. <p>Trauma Informed Practices will continually be shared in conjunction with the Student Well Being Department.</p>	
May 2026	<ul style="list-style-type: none"> • Continue offering Leading 4 Me summer camp to support Black and Indigenous students with pathway planning and leadership skills development 	
June 2026	<ul style="list-style-type: none"> • Support Black students and families with transitioning to High school activities / presentations 	

Appendix B

A vertical poster for 'Leading 4 Me Camp' for Grades 7 & 8. The background is dark teal with a circular inset image of a forest path. The text is white and green. There are decorative white wavy lines in the top-left and bottom-right corners, and a grid of white dots on the left side. The Peel District School Board logo is at the bottom center.

LEADING 4 ME CAMP
GRADES 7 & 8

TUESDAY JULY 4 - FRIDAY JULY 15, 2022
8:30 A.M. - 12:30 P.M.
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BUSING INCLUDED

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Preference granted for student applicants that self-identify as Black, African, Afro-Caribbean, and/or Indigenous.

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 peel District School Board

16.1 (c)

Board Meeting, October 19, 2022

Directive 21 – Revision of Policy 48: Safe and Caring Schools Policy

Strategic Alignment:

Directive 21

Report Type:

Recommendation

<p><i>Prepared by:</i> Harjit Aujla, Associate Director, School Improvement and Equity Michelle Stubbings, Superintendent, Safe and Caring Schools Phiona Lloyd-Henry, Coordinating Principal, Leadership, Capacity Building and School Partnerships</p> <p><i>Submitted by:</i> Rashmi Swarup, Director of Education</p>

Overview

Recommendation:

That the revised Policy 48: Safe and Caring Schools attached as Appendix A to the subject report, be approved.

Highlights:

- The revised Policy 48 foregrounds procedural fairness and prioritizes restorative justice as an alternative to suspensions, expulsions and exclusions.
- Principals have received mandatory training on procedural fairness including the requirement to consider Mitigating and Other factors when considering a suspension or expulsion.
- Under the revised policy, principals are required to notify their superintendent when considering a suspension or expulsion.

The objectives of this report are to:

- Submit for receipt and approval this revised version of Policy 48: Safe and Caring Schools Policy (attached as **Appendix A**) to replace the existing policy.
- Share Directive 21 Communications Protocol (Draft) (attached as **Appendix B**) to ensure stakeholders are aware of the steps taken to address racial disparities in student discipline
- Report on the feedback received through internal and external consultations and describe the changes/adaptations made because of the feedback received. The Policy 48: Safe and Caring Schools Consultation Report is attached as **Appendix C**.

Background

Directive 21 of the Ministry of Education's March 2020 Review ("Ministry Review") of the Peel District School Board (PDSB) mandates that:

The Board shall, subject to subsection 306(1) and subsection 310(1) of the *Education Act* and where otherwise provided for by law for reasons unrelated to student discipline (such as non-immunization), develop policies, guidelines, and interpretations with the aim of eliminating suspensions and expulsions of students from Junior Kindergarten to grade 3 as of September 2021.

The Ministry also directs that:

Subject to subsection 306(1) and subsection 310(1) the Board shall review and revise its student discipline policy to reflect and further prioritize restorative justice approaches as alternatives to suspensions (in and out of school), expulsions and exclusions, and to:

- include clear information on the rights, roles, and responsibilities of parents in the school's application of discipline procedures.

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- require principals to consider varied mitigating and other factors alongside pupil age, specifically in relation to student's experiences of systemic barriers and the potential impact of a suspension on the student's ongoing education.
 - require supervisory officers be notified and consulted with respect to all suspensions, expulsions and exclusions and calls to the police for student behavior, except in cases of emergency.
 - establish mandatory training for principal candidates, new and current principals that emphasize the principles of procedural fairness. The training program shall be delivered through the lens of human rights as they apply to children and youth.
 - review and clarify the use of existing board policies regarding other activities that may or must lead to suspension.

Since the Ministry Review, the PDSB has taken the following actions to comply and move beyond the mandates of Directive 21:

1. *Eliminate Suspensions and Expulsions of Junior Kindergarten to Grade 3 and Expunge Related Records*

Since this direction was given to the Board and before the Ministry adapted Regulation 440/20 to discontinue suspensions of students in K-3 under section 306(1) of the Education Act or 310(1) of the Act without first investigating, the Board took the step of discontinuing all suspensions of K-3 students. The Board also took the extra step, under the Interim Policy: Expungement of Suspension and Expulsion Records for Students in Kindergarten to Grade 3 of expunging all suspension and expulsion records, both paper and electronic, issued to current PDSB students in K-3.

Taking this step involved developing and enacting the Interim Policy: Expungement of Suspension and Expulsion Records for Students in Kindergarten to Grade 3, writing the electronic program to enable the expungement process, and building administrators' capacity and requirement to take this step. In accordance with relevant laws, regulations, and policies, the PDSB has also committed to expunge applicable records annually on a go forward basis. A total of 1856 suspensions have been expunged representing about 98% of suspensions received in Kindergarten to Grade 3 for students enrolled in a PDSB school during the 2020-21 and 2021-22 school years.

2. *Review and Revise Policy 48: Safe and Caring Schools*

In 2020, the Board initiated the review of Policy 48: Safe and Caring Schools.

On May 25, 2021, the PDSB outlined the broad steps of the consultation process, meant to share the deliverables of Directive 21 and build stakeholder awareness of the need for and steps taken to address PDSB's racial disparities in school disciplinary procedures. This update also spoke to the ways in which stakeholder voices would be reflected in the revised policy. On December 15, 2021, the PDSB submitted an update (*Directive 21: Student Discipline – Update #2*) which outlined the anti-racist, anti-colonial framework and human rights' centred approach which would foreground the revised Policy 48.

This report provides the revised Policy 48: Safe and Caring Schools for approval.

3. Creation of the Safe and Caring Schools Department

In the second update to the Board on December 15, 2021 (*Directive 21: Student Discipline – Update #2*), the PDSB outlined its plan to provide structural support for all schools, through the new Safe and Caring Schools Department. This included hiring, along with the Superintendent of Safe and Caring Schools, an Elementary and a Secondary Coordinating Principal of Safe Schools. The Board has also hired:

- a. A Coordinating Principal of Restorative Justice
- b. Two Resource Teachers of Restorative Justice

The Safe and Caring Schools department members sit on and co-lead the Directive 21 Steering Committee, a community driven group that includes internal and external stakeholders. The team also leads system-wide professional learning related to supportive, corrective, and restorative approaches to student discipline.

4. Initial development of the Procedurally Fair Student Investigations Operating Procedure

The Board has also taken the necessary step of developing, through the Safe and Caring Schools Department and with the support of the D21 Steering Committee, the new *Procedurally Fair Student Investigations Operating Procedure*, which will be going through a process of consultation and will be made publicly available when completed.

Evidence

Policy Consultation Process

Pursuant to the needs of the policy revision process and the Ministry's Directive 21 mandates between May 2021 and June 2022, the Directive 21 Steering Committee and the Safe and Caring Schools department have collaborated with the Research and Innovation department in conducting the consultation process.

Through the consultation process, we aimed to:

- increase stakeholder awareness of the need for and steps taken to address the PDSB's racial disparities in school disciplinary procedures.
- engage stakeholder voices, foster meaningful partnerships, increase transparency, and build trust through this process.
- involve stakeholders and ensure that their concerns are voiced & considered in the PDSB's plan to foster safe and caring schools
- partner with stakeholders in each aspect of this work, including in the design of alternatives to suspensions.
- solicit stakeholder ideas, seek feedback on the drafts and provide feedback on how the voices of our community are reflected in D21.

Through the consultation process, we learned these main themes:

- clarifying roles and responsibilities of stakeholders to ensure a means for accountability
- ensuring that all issues of misconduct are addressed and that administrators do not let these go unaddressed (benign neglect).
- making explicit in what ways stakeholders are accountable and how records are maintained for tracking and reporting.
- providing considerations for student wellbeing throughout the discipline and integration process.
- clarifying parental roles and responsibilities in the discipline process to ensure students are well supported.
- providing supports for parents in all stages of the discipline process.
- ensuring transparency of timely monitoring, evaluation, and reporting of this policy.
- providing additional support and resources especially for Principals.

Attached to this Board Report as **Appendix C** is the full consultation report detailing the feedback gathered in the development of Policy 48.

Highlights of Policy 48

A. Articulation of the Board's commitments

The revised Policy 48 articulates the Board's commitment to:

1. eliminate racial, ability and other social identity-based disparities in the student disciplinary processes, using disaggregated identity-based student discipline data to monitor suspensions, expulsions and other exclusionary discipline practices or procedures.
2. promote safe, welcoming, and inclusive learning environments in partnership with parents, families, and caregivers.
3. prioritize restorative justice approaches as alternatives to suspensions, expulsions and exclusions and make use of a continuum of interventions, supports and consequences reflecting progressive discipline that are safe, accepting, and free from discrimination
4. require that school administrators consider their own social identity and positionality in student disciplinary matters; administer student discipline in a fair, timely, and transparent manner and consider a variety of mitigating and "other" factors when making decisions about consequences for student misconduct.

B. Articulation of the PDSB's commitment to the four pillars of student success

The revised Policy 48 articulates the PDSB's commitment to the four pillars for student success:

- **Student Learning/Wellbeing:** safe and caring schools are critical to student learning and wellbeing.
- **Relationships:** care, value for the wellbeing and dignity of others are foundational to safe schools.
- **Leadership/Capacity Building:** Building individual and collective ability to administer fair discipline is critical to fostering safe and caring school environments.
- **Accountability:** Accountability, transparency and procedural fairness are essential to PDSB's work to address disparities in discipline. To foster accountability, the PDSB will engage in the following actions:
 - Set accountability measures to eliminate disparities

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- Collect and share disaggregated race/identity-based data with the Superintendent of Education
 - Collate and share suspension data with the Associate Director
 - Share data through the annual Equity and Accountability Report Card
 - Develop a system to collect and report on incidents of harassment and discrimination
 - Share the data from the biennial school climate survey publicly

C. Articulation of the roles and responsibilities of all stakeholders, with an intentional focus on the role of parents

In response to the Ministry Review, the revised Policy 48 articulates roles and responsibilities for the Board of Trustees, the Director of Education/Associate Directors, Superintendent of Safe and Caring Schools, Superintendents, Principals, PDSB employees, students, parents, visitors, volunteers, school bus drivers, permit holders and members of community groups.

The Ministry directs that the Board should “include clear information on the rights, roles and responsibilities of parents in the school’s application of discipline procedures.” To that end we have ensured that we have written this into the revised policy. To illustrate, we have underscored the importance of administrators including parents in the schools’ application of disciplinary procedures as reflected in the following policy excerpts:

- 5.14. The Board requires student and parent engagement and cooperation in creating and maintaining safe, inclusive, and accepting schools.
- 5.15. The Board will ensure that each PDSB school establishes a diverse Safe and Accepting School Team, as part of the School Improvement Equity Plan. The Team will have at least one teacher, one non-teaching staff member, one community partner, one parent, one student, and the principal.
- 5.21. The Board will ensure that the PDSB develops a Code of Conduct that meets the requirements of the Ministry of Education and is informed by students, staff, parents, and community members. The PDSB’s Code of Conduct will be posted on PDSB’s website.
- 5.32. The Board will ensure that PDSB school administrators meaningfully engage students and parents in the investigation and disciplinary process and notify parents in all stages of the disciplinary process.

D. Commitment to restorative justice approaches

In accordance with the mandates of Directive 21, the revised Policy 48 Safe and Caring Schools explicitly names and prioritizes restorative justice approaches as alternatives to suspensions, expulsions, and exclusions. Further, the PDSB has taken the following actions to advance restorative justice approaches within the system:

- developed an implementation plan to prioritize restorative justice as an alternative to suspensions.
- developed the theoretical background, content, and methodology to do this work.
- commissioned a writing team to design modules on restorative justice approaches

The Safe and Caring Schools Department is currently training Safe and Accepting School Teams on restorative justice based on the designed modules.

E. Mitigating and “Other” Factors

The Ministry mandates that the Board requires “Principals to consider varied mitigating factors and other factors alongside pupil age, specifically in relation to student’s experiences of systemic barriers and the potential impact of a suspension on the student’s ongoing education.” To this end we have written this into the revised Policy 48 as demonstrated below.

5.18 Mitigating and Other Factors: The Board is committed to developing mandatory professional learning for school administrators to be able to appropriately consider mitigating and other factors, including the students’ experience of systemic barriers, including anti-Indigenous racism and anti-Black racism, when assigning discipline.

Since 2021, the Board has provided mandatory professional learning plan for new and experienced administrators on Mitigating and Other factors. In this way, the Board can ensure that administrators have the requisite skills to allow them to consider mitigating and other factors in making decisions about student discipline. The consideration of Mitigating and Other Factors is also a part of the Principal Investigation Report (PIR) and is included in the Operating Procedures for Policy 48.

F. The requirement for Principals to notify and consult with superintendents with respect to suspensions, expulsions, exclusions, and calls to the police for student behaviour

Directive 21 further requires “supervisory officers be notified and consulted with respect to all suspensions, expulsions and exclusions and calls to the police for student behaviour, except in cases of emergency”. To this end, the revised policy states:

5.33 The Board requires principals to notify and consult with a Superintendent of Education before finalizing a decision to suspend or making a recommendation to expel. The Board expects principals to have evidence and analysis that considers human rights principles, and students’ experience with systemic discrimination.

Impact Analysis

Equity & Human Rights Review:

- The new Safe and Caring Schools department will lead staff development and provide support so that administrators can apply student disciplinary processes in an anti-oppressive, trauma informed manner.
 - Restorative Justice Professional Learning – the department has developed and will lead system wide capacity building sessions for administrators and members of each school’s Safe and Accepting Team – all four sessions will run from September 21, 2022, until April 2023.
- The revised Policy 48 and its requirement that principals and their delegates consider mitigating and “other” factors, prioritize restorative justice over punitive measures and ensure that suspensions and expulsions meet Ministry and Board developed codes are some steps taken to lay the foundation to remove the disparities in student discipline.
 - The Safe and Caring Schools Department will run a series of sessions with superintendents and principals aimed at reviewing the key principles of the Revised Policy 48. Administrators will be provided with the training and resources to implement the learning at their schools. This will be done by December 2022.
- Accountability measures that are key elements of the policy further secure the removal of social identity-based disparities and disproportionalities in student disciplinary processes. For example, administrators will collaborate more closely with families, apply procedural fairness as outlined in the new Operating Procedure and, they will consult with superintendents before they make their final decisions about suspensions and before recommending expulsions.
 - Effective immediately, administrators will consult superintendents before making final decisions to suspend or recommend expulsions.
 - Already ongoing – administrators will share disaggregated race and other social identity suspension data with superintendents. Superintendents will share this data with their Associate Directors for inclusion in the Board’s *Annual Equity Accountability Report Card*.
- Race and other social identity markers in student disciplinary measures will be reported on in the Board’s *Annual Equity Accountability Report Card*.
- The Board will require that all administrators conduct their duties in accordance with relevant policies, regulations and legislation and that Board employees work to meet Board priorities and Ministry mandates. The new Operating Procedure on *Procedurally Fair Student Investigations* further foregrounds procedural fairness and outlines the ways in which administrators are required to exercise their discretion in the application of student disciplinary processes.
- Furthermore, employees are required to follow the Board’s Human Rights and Equity Policies and ensure that we create an environment for teaching and learning that is equitable, inclusive, and free from discrimination and that is reflective of the Board’s push to be anti-racist, anti-oppressive and anti-colonial. The expectation is that, in the PDSB, we will have safe and caring school cultures that are affirming and that reflect value for the inherent dignity of each member of the Board’s community.

Board or Ministry Policy Alignment:

The purpose, principles and key parts of this Board report are in alignment with Directive 21.

Resources:

The Safe and Caring Schools department will continue to design and administer a series of professional development sessions for superintendents and administrators to ensure their compliance with the provisions within the revised Policy 48: Safe and Caring Schools. This includes reviewing and understanding the revised Policy 48 along with building capacity on restorative justice approaches. These sessions will build on the modules of Keel Cottrelle administered during the 2021-2022 school year. The department will also continue the work of reviewing and updating the operating procedures that pertain to this policy.

Legal implications:

This work ensures compliance with the Ministry Directives. Further, administering fair and just disciplinary processes upholds the Board's legal obligations while minimizing its reputational risk. The Board further recognizes the need to foster and maintain a culture that is rooted in Human Rights principles as they relate to children and youth. Policy 48 underscores the Board's commitment to Human Rights as they relate to children and youth and the Board's equity, inclusion, anti-racist and anti-oppression priorities. Additionally, the policy is reflective of the Ministry and Board Policies of equity, inclusion, anti-racism, and anti-oppression. Through related operating procedures, the Board will limit legal and reputational risks while achieving stakeholder support and trust.

Risk Assessment:

Failure to implement reforms to student discipline can incur the following risks:

- Continued racial disparities in student discipline
- Failure to uphold safe and caring learning environments for students
- Failure to partner with parents in student discipline decisions

Next Steps

Action Required:

- Consultations on the operating procedure, "Procedurally Fair Student Investigations"
- Development of related operating procedures under Policy 48: Safe and Caring Schools
- Continuation of professional development for administrators, including recently promoted administrators. This also includes modules that review the revised Policy 48, alternatives to suspensions, and ways to foster culturally responsive and relevant classrooms.
- Complete training on restorative justice for administrators and Safe and Accepting School Teams and implement restorative justice approaches by the end of the 2022-2023 school year.

Communications:

The D21 team has drafted a preliminary communications plan and has met with the Communications team and now finalized the plan (See **Appendix B**).

Success Measures:

- Reduction in suspensions and in racial disparities in suspensions. The Board's aims to eliminate all racial disparities in suspensions.
- Increased capacity of administrators to address student misconduct in ways that are procedurally fair, as measured by administrator use of the PIR; efficacy in student disciplinary investigations; characterizing of misconduct and using discretion in decision making.
- Increase in number of schools that use a network of supports and several supportive, corrective, and restorative approaches to student discipline
- The PDSB develops and shares the implementation plan for Policy 48.
- Increase in percentage of students feeling safe and reporting a sense of belonging within their schools as evidenced in the biennial school climate survey.

References:

- Ministry Review - Reviewer's Report and Recommendations, March 13, 2020;
- PDSB Ministry Directives: Update Report May 2020;
- PDSB Ministerial Directives: Summary Report June 2021;
- Directive 21 Update – Board Report December 15, 2021
- Directive 21 Update – Board Report May 25, 2022
- Policy 51 – Human Rights
- Policy 48 – Safe and Caring Schools Policy
- Policy 89 – Interim Expungement of Suspension and Expulsion Records for Students in Kindergarten to Grade 3 Policy
- Anti-Racism Policy

Appendices

Appendix A – Policy 48: Safe and Caring Schools – Revised

Appendix B – Directive 21 Communications Protocol (Draft)

Appendix C – Policy 48 Safe and Caring Schools Consultation Report

Appendix A
PEEL DISTRICT SCHOOL BOARD

SAFE AND CARING SCHOOL POLICY

Peel District School Board

SAFE AND CARING SCHOOLS POLICY

Policy Title:	Safe and Caring Schools Policy
Policy Number:	Policy 48
Approval Date:	October 19, 2022
Effective Date:	October 20, 2022
Responsibility:	Superintendent of Safe and Caring Schools
Approver:	Board of Trustees
Approval Dates:	TBC
Review Date:	Five (5) years

1. PREAMBLE

The Safe and Caring Schools Policy (the “Policy”) affirms the Peel District School Board’s (“PDSB”) commitment to creating and fostering school learning environments that are caring, safe, accepting and equitable and rooted in the respect, dignity and the inherent worth of all students, so that all students can achieve their full potential.

This Policy supports the implementation of the Board’s obligations under the *Education Act* and its regulations relating to school and student safety and progressive discipline, the Ontario *Human Rights Code*, the *Charter of Rights and Freedoms*, the Provincial Code of Conduct, the directions of the Ministry of Education under applicable Policy/Program Memoranda, and the review and direction of the Ministry of Education further to their 2020 review of the Board identifying concerns of systemic discrimination, specifically anti-Black racism, including in the Board’s application of student progressive discipline and other measures aimed at promoting student and school safety and well-being.

2. PURPOSE

- 2.1. To foster caring and safe schools for all students, including all racialized students, in particular all Indigenous and Black students, 2SLGBTQI+ students, and students of all religions, with varying abilities and perceived abilities. To foster schools which are equitable, accepting, inclusive, positive and are founded on principles of human rights, anti-oppression, anti-racism, and anti-colonialism, where the inherent dignity, value and worth of each student is respected and where all students are valued, affirmed, welcomed, and feel a sense of belonging.

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- 2.2. To ensure procedural fairness, a human rights approach, and a trauma-informed, anti-oppressive, anti-racist and anti-colonial framework is applied to all school disciplinary processes and procedures.
 - 2.3. To prioritize restorative justice approaches as alternatives to suspensions and expulsions, and identify and reduce racial and ability disparities in all suspensions, expulsions, and exclusions.
 - 2.4. To meet the requirements of the *Education Act*, the *Ontario Human Rights Code (Code)*, the *Charter of Rights and Freedoms*, and all other applicable legislative requirements and requirements of the Ministry of Education.
 - 2.5. To ensure transparency and accountability in the implementation, monitoring and evaluation of this Policy.

3. **APPLICATION AND SCOPE**

- 3.1. This Policy applies to all students, staff, and service providers of the PDSB while in all schools, Board offices and premises or while engaging in any Board related activities and functions or in circumstances when engaging in an activity will have a negative impact on the school climate.
- 3.2. The Policy also covers parents, school council members, visitors, volunteers, permit holders, customers of the PDSB, and other members of organizations while visiting or engaging in any activities on PDSB premises or participating in any PDSB related functions.
- 3.3. This Policy should be read and interpreted consistently with Ministry PPMs and guidance, the associated procedures and with the Board's Policy 51 – Human Rights and Anti-Racism Policy. Complaints relating to discrimination are addressed in accordance with Policy 51 – Human Rights and its operating procedures.
- 3.4. This Policy may be operationalized through procedures made under this Policy.

4. **DEFINITIONS**

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

Board property: Property vested in the board for school purposes including lands, school buildings on lands, school site or sites.

Bullying and Cyber-bullying: Aggressive and typically repeated behaviour, carried out by an individual or group of individuals, where the behaviour is intended to have the effect of, or ought to know that the behaviour would be likely to have the effect of,

- a) causing harm, fear, or distress to another individual, including physical, psychological, social, or academic harm, harm to the individual's reputation or harm to the individual's property, or
- b) creating a negative environment at a school for another individual, and

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- c) the behaviour occurs in a context where there is a real or perceived power imbalance between the individuals based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender identity, gender expression, race, disability, or the receipt of special education; (“intimidation”).

Bullying includes the use of any physical, verbal, electronic, written, or other means. Bullying by electronic means, commonly known as **cyber-bullying**, includes

- a) creating a web page or a blog in which the creator assumes the identity of another person;
- b) impersonating another person as the author of content or messages posted on the internet;
- c) communicating material electronically to one or more individual(s) or posting material on a website that may be accessed by one or more individuals;
- d) sending or sharing hateful, insulting, offensive, and/or intimidating electronic communication or images via text messages, emails, direct messages
- e) revealing information considered to be personal, private, and sensitive without consent
- f) making and/or engaging, and/or participating in fake accounts on social networking sites to impersonate, humiliate and/or exclude others
- g) excluding or disrupting access to, a student on purpose from online chat groups, access to accounts and during digital gaming sessions.

Director of Education: Refers to the Director of Education or a designated Associate Director of Education.

Expulsion: The response related to serious misbehaviour by a student. An expulsion is different from a suspension. An expulsion does not have a time limit and expelled students are removed from school for an indefinite time period. Students are suspended first, while expulsion is being considered (*Education Act* s.310). Students can be expelled from their own school or, they can be expelled from all schools in their school board. Students expelled from all schools in their school board cannot go to school or take part in regular school activities or events such as field trips, school sports events or other school events. All students who are expelled from all schools of the Board will be offered a program for expelled students.

Hate and/or bias motivated activity: Any activity for which a student can be suspended that is motivated by bias, prejudice or hate. Hate and/or bias motivated activity can include any incident (e.g. involving discriminatory statements/words, gestures) motivated by hatred or bias towards an identifiable group (i.e. a group distinguished by colour, race, religion, gender, sexual orientation, or ethnic origin) that is publicly communicated and that is willfully intended to promote or incite bias or hatred against such a group. Hate and/or bias motivated activity is an activity for which a Principal must suspend and consider recommendation for expulsion if the student is in Grade 4 to 12.

Individual Education Plan/IEP: Refers to a written plan describing the Special Education program and/or services required by a particular student. It identifies learning expectations that

are modified from, or alternative to, the expectations given in the curriculum policy document for the appropriate grade and subject or course, and/or any accommodations and Special Education services needed to assist the student in achieving their learning expectations. IEPs are based on a thorough assessment of a student's strengths, needs and ability to learn and demonstrate learning.

Mitigating and “Other” Factors: A list of regulated factors which must be considered to arrive at an appropriate progressive discipline, when considering suspension or expulsion. These regulated factors include, but are not limited to, the student's ability to understand and/or control their behaviour, whether the student's continued presence in the school does not create an unacceptable risk to the safety of any person, the student's educational history, whether a progressive discipline approach has been used with the student, whether the activity was related to harassment the student was experiencing because of their *Code* protected grounds or any other reason, the student's age, how the suspension or expulsion would affect the student's ongoing education, and the student's socio-cultural history. In the case of a pupil for whom an individual education plan has been developed, these factors include: whether an Individual Education Plan (IEP) has been developed for the pupil, whether the behaviour was a manifestation of a disability identified in the pupil's IEP, and whether appropriate individualized accommodation has been provided, and whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct.

PDSB Community Members: May include students, school councils, parents/guardians, trustees, employees (full-time, part-time, temporary, probationary, casual and contract), volunteers, community agencies, bargaining agents, federations, unions and associations, and all other persons, groups or organizations invited to work with the Board or on-Board property.

Positive School Climate: A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions. Principles of equity and inclusive education are embedded in the learning environment to support a positive school climate and a culture of mutual respect.

Principal: Refers to the Principal or a designated Vice-Principal. The *Education Act* provides a principal with the authority to delegate – in accordance with PPM 145 and any applicable board policy or procedure – powers, duties, or functions under Part XIII, “Behaviour, Discipline and Safety”.

Procedural Fairness: The core elements of procedural fairness include a person's right to know the allegations against them, an opportunity to respond to those allegations and an impartial decision-maker. Procedural fairness is context-specific, where the more serious the potential consequence, the greater level of procedural fairness is owed.

Progressive Discipline: A whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote and foster positive behaviours, including suspension and expulsion where appropriate.

Refusal to Admit/Exclusions: Refers to a temporary response from a school principal to certain situations as explained in section 265(1)(m) of the *Education Act*. It is the duty of a principal of a school, in addition to the principal's duties as a teacher, subject to an appeal to the board, to refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principal's judgement be detrimental to the physical or mental well-being of the pupils. All refusal to admit decisions may be appealed to the Board.

School climate: The learning environment and relationships found within a school and school community.

School-related activities: Activities sponsored by and usually held at school or are related to school and support the academic curriculum. They may involve time commitments outside of the regular school day and may occur off school property.

Student: Pupil under the *Education Act*.

Suspension: The temporary withdrawal of a student from a specific school and from engaging in school-related activities if the pupil commits any infraction for which suspension must be considered under section 306 or required under section 310 of the *Education Act*. A suspension means students are removed from school temporarily for a specific period of time ranging from one school day up to 20 school days. Students cannot go to school or take part in regular school activities or events while on suspension. All students who are suspended for six or more days will be offered a program for suspended students.

Undue Hardship: The measure for any limitations to provision of human rights accommodations under the Ontario *Human Rights Code*. Accommodations need not be provided if it causes undue or excessive hardship. Undue hardship is assessed in terms of overall cost, outside sources of funding (if any) and health and safety factors. Other 'bona fide' requirements of an organization, such as legislative requirements, may also account for undue hardship factors to consider, as long as the said requirement is adopted in good faith and reasonably meant to fulfil a necessary goal, purpose or function of the organization.

Violent Incidents: For the purpose of reporting violent incidents to the Ministry of Education and as defined in PPM 120, violent incident is defined as the occurrence of any one of the following or the occurrence of a combination of any of the following:

- possessing a weapon, including possessing a firearm
- physical assault causing bodily harm requiring medical attention
- sexual assault
- robbery
- using a weapon to cause or to threaten bodily harm to another person
- extortion
- hate and/or bias-motivated occurrences

Whole-school approach: Progressive discipline is effected through a whole-school approach which focuses on:

- collaboratively promoting positive student behaviour through a code of conduct
- building healthy and respectful relationships throughout the whole school community
- preventing inappropriate behaviour through initiatives like bullying prevention programs

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- utilizing progressive discipline

Refer to **Policy 51 – Human Rights** for definitions relating to discrimination, accommodation, and Code-based harassment. Refer to the **Anti-Racism Policy** for definitions relating to racism, oppression, equity, and identity-specific definitions.

5. **POLICY: PRINCIPLES AND VALUES**

The listed policy directives are interconnected and should not be read linearly.

Anti-Discrimination and Anti-Oppression

- 5.1. The Board acknowledges that systemic discrimination and racism, including anti-Indigenous racism and anti-Black racism, individual and implicit bias, and oppression exists within PDSB and entrenched within society. The Board further acknowledges that the PDSB's application of policy and procedures has not been race-neutral and has negatively impacted Indigenous and Black students and parents. The Board is committed to the development and application of policies, procedures, and professional learnings to eliminate those realities within the PDSB.
- 5.2. Consistent with section 303.1(1) of the *Education Act*, the Board will support students who want to establish and lead activities and organizations that promote a safe and inclusive learning environment, the acceptance of and respect for others and the creation of a positive school climate, including,
 1. activities or organizations that promote gender equity;
 2. activities or organizations that promote anti-racism and religious tolerance;
 3. activities or organizations that promote the awareness and understanding of, and respect for, persons with disabilities; or
 4. activities or organizations that promote the awareness and understanding of, and respect for, people of all sexual orientations and gender identities, including gender-straight alliance student activities or organizations.

Student Safety, Learning and Well-Being

- 5.3. The Board is committed to fostering a positive learning environment so that all students can thrive, experience a sense of belonging and achieve their full potential. The Board recognizes that student learning and physical and mental well-being are premised on positive learning environments that are equitable, safe, inclusive, accepting, anti-oppressive, and anti-racist.
- 5.4. The Board is committed to identifying, addressing, and dismantling systemic and individual acts of oppression, discrimination, racism, including anti-Indigenous racism and anti-Black racism, and racial profiling, in its policies, procedures and practices, all of which negatively impact students' educational experiences, access and outcomes.
- 5.5. The Board is committed to preventing and responding to student misconduct and inappropriate behaviours (physical, verbal or with technology), including, but not

limited to, bullying and cyber-bullying; Code based discrimination and harassment; gender-based and sexual violence; ableism, Islamophobia, antisemitism, homophobia, transphobia, and biphobia.

- 5.6. The Board will support schools in creating positive school climates with raised awareness and strategies to prevent, intervene and address inappropriate behaviours and to build healthy relationships.

Bullying Prevention and Intervention

- 5.7. The Board recognizes that bullying and cyber-bullying adversely affect a student's well-being, their ability to learn and the school climate, including healthy relationships. It is a serious issue and is not acceptable in the school environment, in a school-related activity, or in any other circumstances that will have an impact on the school climate.
- 5.8. The PDSB will develop a Bullying Prevention and Intervention Plan that includes training and resources to build staff capacity, support student learning and inform school community members.
- 5.9. The Board requires that all PDSB schools develop a Bullying and Intervention Plan. The Board shall complete an annual review of all school-based bullying prevention and intervention plans.

Healthy Relationships

- 5.10. The Board is committed to healthy and meaningful engagement with the PDSB Community, including students and parents. The Board acknowledges that racism and discrimination adversely impact relationships with students and parents. Moreover, the Board acknowledges that meaningful involvement of students and parents is vital to keeping schools and students safe and engaged in learning.
- 5.11. The Board is committed to achieving equity of access, experience, and outcomes for all students. The Board further recognizes that all members of the PDSB community, including parents, trustees, employees (full-time, part-time, temporary, probationary, casual and contract), volunteers, community agencies, bargaining agents, federations, unions and associations, and all other persons, groups or organizations invited to work with the Board or on Board property share a responsibility to create and maintain safe and caring learning and working environments and relationships that are free from harassment or discrimination. The Board requires all members of the PDSB community to engage with other members respectfully and in ways that uphold standards of appropriate comment or conduct, human rights, inherent dignity and the worth of each person.
- 5.12. The Board requires PDSB school administrators to collaborate with parents of students involved in school disciplinary matters in a timely way and in a manner that respects the inherent dignity of each person, particularly Indigenous, Black and parents who are, and who have been traditionally marginalized or excluded from many aspects of schooling.
- 5.13. The Board is committed to supporting and fostering healthy relationships among students including through training and resources to educate staff, students, and

inform school community members on healthy, respectful relationships, consent, boundaries, healthy sexuality, and how to get support for addressing abuse, harassment, discrimination or any other form of harm.

- 5.14. The Board requires student and parent engagement and cooperation in creating and maintaining safe, inclusive, and accepting schools.

Safe and Accepting School Team

- 5.15. The Board will ensure that all PDSB schools establish a diverse Safe and Accepting School Teams (Team), as part of the School Improvement Equity Plan. The Team will have at least one teacher, one non-teaching staff member, one community partner, one parent, one student, and the principal. The Chair of this Team must be a staff member. The Team's responsibilities include fostering an anti-oppressive, anti-racist, anti-colonial, safe, inclusive, and accepting school culture, in part by reviewing and, where necessary, revising, and ensuring the implementation of the school's Bullying Prevention and Intervention Plan, the school's Progressive Discipline Plan, and the school's Code of Conduct.

Supportive Schools

- 5.16. The Board is committed to providing PDSB schools with the resources and professional learning to enable PDSB schools to provide support to students who are impacted by the inappropriate behaviour of other students and opportunities for students who behave inappropriately to learn from their missteps.

Leadership and Capacity Building: Framework and Focus Areas

- 5.17. The Board understands that to ensure all students feel a sense of belonging and are given the opportunity to thrive and reach their full potential, PDSB administrators, educators and staff must decolonize their thinking, be able to identify individual and systemic discrimination, and unlearn the stereotypes and generalizations that lead to the mischaracterization of student conduct, inconsistent application of disciplinary processes and racial and ability-based disparate outcomes in student disciplinary outcomes.
- 5.18. The Board is committed to providing mandatory and voluntary on-going professional learning and capacity-building opportunities to all new and existing school administrators, educators, and staff so that they will understand equity, inclusion, intersecting forms of racism, oppression, colonialism, individual and systemic discrimination, harassment, privilege, power, and biases.
- 5.19. The Board is committed to the following non-exhaustive list of focus areas for professional learning under this Policy. All professional learning will be done with an anti-oppressive, anti-colonial and anti-racist framework.

Human Rights, Anti-Discrimination and Anti-Oppression: The Board is committed to providing regular mandatory professional learning for all PDSB administrators, educators, and staff on relevant Board policies and effective prevention, intervention and response to incidents relating to human rights, equity and inclusive education,

anti-racism, power and privilege, and manifestations of racism, discrimination and oppression. Professional learning will address areas including, but not limited to, intersecting grounds of discrimination and oppression, gender-based and sexual violence, abuse and neglect, unhealthy relationships, bullying and violence prevention and any discriminatory and or harmful behaviours that negatively impact school climate.

Progressive Discipline: The Board is committed to providing mandatory professional learning to all new and existing PDSB administrators on the principles of progressive discipline through a whole-school approach. Administrators would be required to share that knowledge with all educators in their school.

Administration of Discipline: The Board is committed to providing mandatory professional learning to all new and existing PDSB administrators to understand the ways in which systemic discrimination in school disciplinary processes adversely impacts Black, Indigenous students, students with individual education needs, and other marginalized students.

The Board is committed to providing mandatory professional learning to all new and existing PDSB administrators to understand and apply the factors and processes in all disciplinary processes under the *Education Act*.

Procedural Fairness: The Board is committed to providing mandatory professional learning to all new and existing PDSB administrators to understand how to apply procedural fairness in all student disciplinary processes under the *Education Act*.

Mitigating and “Other” Factors: The Board is committed to developing mandatory professional learning for school administrators to be able to appropriately consider mitigating and other factors, including the students’ experience of systemic barriers, including anti-Indigenous racism and anti-Black racism, when assigning discipline.

Codes of Conduct

- 5.20. The Board will ensure that the PDSB develops a Code of Conduct that meets the requirements of the Ministry of Education and is informed by student, staff, parent and community engagement. The PDSB’s Code of Conduct will be posted on PDSB’s website.
- 5.21. The Board will ensure that each PDSB school develops a Code of Conduct that meets the PDSB’s Code of Conduct requirements and is informed by the School Climate Survey, and student and parent engagement. The school’s Code of Conduct will be posted on the school website.
- 5.22. The Board expects all PDSB Community Members and third-party permit holders to adhere to their respective Code of Conduct.

School Progressive Discipline - Equity, Procedural Fairness and Trauma-Informed Processes

Disciplinary Processes

- 5.23. The Board is committed to progressive discipline through a whole-school approach in accordance with PPM 145 that is supportive, developmentally, and culturally appropriate, restorative and corrective in addressing inappropriate behaviours.
- 5.24. The Board will ensure that PDSB develops a progressive discipline framework addressing investigations and decision-making that may result in suspension or expulsion that is consistent with PPM 145 and the "*Supporting bias-free progressive discipline in school: a resource guide for schools and system leaders*" available on the Ministry of Education website. The Board will ensure that each PDSB school develops a Progressive Discipline Plan that is consistent with the framework and available on the school's website.
- 5.25. The Board requires all staff engaged in disciplinary and appeals processes to adhere to the requirements of the *Education Act*.
- 5.26. The Board requires all administrators, educators, and staff to respond to any student behaviour that is likely to have a negative impact on the school climate; this includes but is not limited to harassment or discrimination based on race, gender identity and gender expression, disability, sexual orientation, and religion.
- 5.27. The Board is committed to eliminating racial and ability-based disparities in discipline, including suspensions, expulsions, and exclusions. This requires school staff to examine their own biases, power, and privilege in every step of the disciplinary process.
- 5.28. The Board will ensure that school administrators apply procedural fairness and create and maintain records and documentation in all students' disciplinary processes, including the Principal's Investigation Report in disciplinary inquiries.
- 5.29. The Board will ensure that all PDSB school administrators' use of discretion, interpretation, investigations, and assignment of discipline is done within a human right, trauma-informed, anti-oppressive, anti-racist and anti-colonial framework and the Board is committed to developing professional learnings to reach these goals.
- 5.30. The Board believes that disciplinary measures should be applied within a framework that shifts the focus from punishment to corrective and supportive interventions, and to restorative justice, considering the wellbeing of all students throughout the discipline and reintegration process when inappropriate behaviours occur. The Board will ensure that schools utilize a range of interventions, supports and consequences that are developmentally and socio-emotionally appropriate and include learning opportunities for reinforcing positive behaviours while supporting students to make better choices. The Board will ensure that all PDSB schools provide a full range of supports and interventions including, but limited to, Professional Student Services Personnel and leadership programs, and a holistic approach to progressive discipline, and prioritize restorative justice approaches as alternatives to suspensions, expulsions, and exclusions.

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- 5.31. The Board will ensure that procedurally fair processes are in place for the conduct of suspension and expulsion hearings.
 - 5.32. The Board will ensure that PDSB school administrators meaningfully engage students and parents in the investigation and disciplinary process and notify parents in all stages of the disciplinary process.

Notify and Consult

- 5.33. The Board requires principals to notify and consult with a Superintendent of Education before finalizing a decision to suspend or making a recommendation to expel. The Board expects principals to have evidence and analysis that considers human rights principles, and students' experience with systemic discrimination.

Assignment to Suspension/Expulsion Programs

- 5.34. The Board will provide at least one program to ensure academic and non-academic support for suspended students and at least one program to ensure academic and non-academic support for students expelled from all schools of the Board.

Notice of Suspension or Possible Recommendation for Expulsion

- 5.35. The Board will ensure notice of suspension, and/or possible recommendation for expulsion is provided to parents or adult students as required pursuant to the *Education Act*, and in most cases, and where possible, within 24 hours of the decision.

Notice to the parent(s) of a student who has been harmed

- 5.36. The Board will ensure that a student's parent(s) is notified if they believe that the student has been harmed.
- 5.37. The principal shall not notify a parent or guardian of a student if in the opinion of the principal doing so would put the student at risk of harm from a parent or guardian of the pupil, such that the notification is not in the best interest of the pupil (*Education Act* section 300.3). The Board will require administrators to consider their own biases when arriving at their opinion.
- 5.38. Exceptions to notification to parents include where a student is 16 or 17 years old and has withdrawn from parental consent, or is 18 years old. Such students may provide consent to notify the parent or guardian if the pupil is 18 years or older; or, 16 and 17 years old and has withdrawn from parental control.

Supporting Students post re-entry following a long-term suspension or expulsions

- 5.39. The Board requires that administrators support a student's re-entry into school following a long-term suspension (6-20 days) or an expulsion.

Retention schedule of student discipline records

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- 5.40. The Board recognizes that the practice of suspending students in kindergarten to grade 12 has been shown to disproportionately impact Black, Indigenous and 2SLGBTQI+ students. The Board also recognizes that the retention of disciplinary records has disparately impacted Black and Indigenous students and students with disabilities.
- 5.41. The Board directs Superintendents of Education, Principals and Vice-Principals to, on an annual basis, review and consider expunging suspension and expulsion records, paper and electronic, in accordance with relevant law, issued to students of the PDSB in Kindergarten to Grade 12 according to the schedule below:
- After 1 year for a suspension for a non-violent incident.
 - After 3 years for a violent incident that led to a suspension.
 - After 5 years for a violent incident that led to an expulsion.
- 5.42. Where suspension and expulsion records are expunged from a student's records, the Board may keep that data, anonymously, to be held by the research department as part of their monitoring and tracking of student outcomes and no other purpose.

School Transfers

- 5.43. The Board requires that principals coordinate a transfer meeting to facilitate an informed transfer between schools and create welcoming and supportive environments for students transferred to new schools.
- 5.44. School transfers include Superintendent school transfers relating to school safety concerns as set out in Board procedure under this Policy. The Board requires all decisions by administrators regarding school transfers be made in consultation with a Superintendent.

School Climate Survey

- 5.45. The Board will ensure that all schools send the PDSB biennial School Climate Survey to students, parents, and staff to assess perceptions of discrimination and of access, inclusion, safety, and well-being and make informed school improvement and equity decisions.
- 5.46. The Board requires that the School Climate survey (Your Voice Counts) results be shared with the School's Safe and Accepting School Team, to inform their work on the school's Bullying Prevention and Intervention Plan; the school's Progressive Discipline Plan; the school's Code of Conduct; and, to address the issues identified in the survey.
- 5.47. The Board requires that all PDSB schools make the survey and the related plans available on the school's website.

Supports and Programs for Students

- 5.48. The Board will ensure that all PDSB schools provide a variety of strength-based, anti-oppressive supports and programs for all students.

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- 5.49. The Board will ensure that PDSB schools establish supportive, corrective, and restorative proactive and reactive interventions that address and prevent inappropriate behaviours that negatively impact student learning and student well-being.
 - 5.50. The Board will ensure that all students are provided with equitable and meaningful access to all engagement opportunities in their school and at the PDSB.

Reporting and Response Requirements

- 5.51. The Board will report the total number of violent incidents to the Ministry of Education as required under the *Education Act*.
- 5.52. The Board requires all school staff to comply with reporting requirements as established by the Ministry of Education and Board policy and procedure, including reporting and responding to PDSB community member conduct contrary to the Provincial Code of Conduct, the Board's Code of Conduct, and, if applicable, the school's code of conduct and/or which negatively impacts school climate. Such conduct includes but is not limited to violent incidents (including hate and/or bias motivated activities), bullying and cyber-bullying, gender-based or sexual violence, discrimination and the use of discriminatory statements.

Police/School Board Protocol:

- 5.53. The Board is committed to maintaining in cooperation with the Peel Regional Police a Police/School Board Protocol from a human rights, anti-oppression, anti-racist and anti-colonial approach. The Board will engage with the PDSB community, Peel Regional Police Services, the Ontario Provincial Police, and neighbouring Boards when reviewing this Protocol.
- 5.54. The Board is committed to respecting the rights of students, families, and staff, and safeguarding the best interests of the student when police are required to be present in schools and at school-related activities off school premises in accordance with the Police/School Board Protocol, recognizing the harms experienced by communities that have historically been marginalized in interactions with police and other law enforcement agencies.
- 5.55. This Policy and its associated procedures will be applied in a manner consistent with the *Criminal Code*, the *Ontario Education Act*, the *Ontario Municipal Freedom of Information and Protection of Privacy Act*, the *Ontario Human Rights Code*, or the *Canadian Charter of Rights and Freedoms*.

Site Safety Plan

- 5.56. The Board requires each PDSB school to draft a Site Safety Plan with meaningful engagement with students and parents and which will be available on the school's website. The Site Safety Plan is to include threats to school safety, video surveillance and the sharing of site safety plans.
- 5.57. Access to school board premises is determined by the premises' site manager, typically the school principal. The parameters for access to school board premises are

set out in O. Reg. 474/00, Access to School Premises, under the *Education Act* and the Board's associated procedure under this Policy. Further if a site manager (typically the school principal) deems it necessary to deny access to the school premises they will follow the steps set out in the procedure.

- 5.58. The Board requires that each school develop and maintain an Emergency and Crisis Response Plan (ECR Plan) related to threats to school safety in accordance with the Provincial Model for a Local Police/School Board Protocol 2015, as issued by the Ministry of Education, as well as Board policies and procedures. Schools will use this ECR Plan in the development of their school Emergency and Crisis Response Plan. These plans will include how schools will deal with emergencies that occur outdoors, on school trips and at non-instructional times.

Refusals to Admit (Exclusions)

- 5.59. Section 265(1)(m) permits a principal to “refuse to admit” to the school or to a class someone whose presence in the school would be “detrimental to the physical or mental well-being of the pupils”. This provision is frequently referred to as the “exclusion provision”. Refusals to admit must not be used as a form of discipline.
- 5.60. The Board acknowledges the historical misuse of exclusions as a disciplinary tool which has adversely impacted students who have been historically marginalized, particularly Black and Indigenous students and students with disabilities.
- 5.61. The Board will establish processes for refusing admittance of a student to a school. Refusal to admit decisions must be in accordance with human rights accommodations and provide evidence of undue hardship. Where a student with a disability (regardless if they have special education identification) engages in behaviour that affects the wellbeing of others and the school principal is contemplating issuing a refusal to admit, to accommodate the student may cause undue hardship based on health and safety concerns, specifically, that the accommodation would pose a risk to public safety. The seriousness of the risk will be evaluated only after accommodations have been provided that are consistent with the student's Individual Education Plan (IEP) and only after appropriate precautions have been taken to mitigate the risk. Determination for issuing a refusal to admit will include an analysis of alternative options developed in consultation with appropriate senior and central staff as well as the student's parents/guardians.
- 5.62. The Board requires all decisions by administrators regarding refusals to admit further to section 265(1)(m) of the *Education Act* be made in consultation with a Superintendent and through an anti-racist, anti-oppressive framework and in accordance with Board procedure under this Policy.
- 5.63. All refusal to admit decisions may be appealed to the Board and the Board will maintain a process for appeals.

Accountability

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- 5.64. The Board acknowledges that it is accountable to the PDSB community to eradicate racial and ability disparities in all school suspensions, expulsions, and exclusions and will set accountability measures to eradicate such disparities.
 - 5.65. The Board will maintain a clear, transparent, and accessible process for student progressive discipline investigations and decisions.
 - 5.66. The Board will maintain a clear, transparent, and accessible process under Policy 51 - Human Rights for addressing incidents/complaints of discrimination, *Code* based harassment, and reprisal that negatively impacts the school climate.

Board Monitoring and Evaluation of this Policy

- 5.67. In accordance with the *Anti Racism Act*, the Board requires the collection of suspension, expulsion, and exclusion reports by Superintendents for their Family of Schools to be shared with their supervising Associate Director each month. The report must include the name of the student and disaggregated identity data by age, race, disability, sex, sexual orientation, gender identity and gender expression, the infraction, the teacher, and the consequence. The data is to be assessed in identifying trends and eliminating any *Code* based disparities.
- 5.68. The Board requires the collection of suspension, expulsion, and exclusion reports to be prepared by PDSB's principals, to be shared with their Superintendents for their Family of Schools to be shared with their supervising Associate Director each month. The Board requires principals to report each occasion a student has been excluded from the classroom. The report must include the name of the student, using disaggregated identity data by age, race, disability, sex, sexual orientation, gender identity and gender expression, the infraction, the teacher, and the consequence. The data is to be assessed in identifying trends and eliminating any *Code* based disparities.
- 5.69. In accordance with the *Anti Racism Act*, the Board will develop and implement an annual Equity and Accountability Report Card that establishes accountability measures and responsibilities for school and board leaders, using the above disaggregated identity data by age, race, disability, sex, sexual orientation, gender identity and gender expression related to suspensions, expulsions, and exclusions. The Equity and Accountability Report Card will be posted to the Board's website.
- 5.70. The Board will post to their website the results of the biennial School Climate Survey that demonstrates Indigenous, Black and marginalized student, staff, and parent perceptions of discrimination (such as but not limited to racism, sexism, ableism, gender-based and sexual violence) and of access, inclusion, safety and well-being and make informed school improvement decisions.
- 5.71. The Board is committed to developing a system to monitor, collect and collate reports of incidents of discrimination and harassment based on protected *Code* grounds negatively impacting the school climate with the goal of creating safe, inclusive, accepting and respectful school climates.

6. **ROLES AND RESPONSIBILITIES**

Board of Trustees

- 6.1. Review the Safe and Caring Schools Policy in accordance with the *Education Act*.
- 6.2. Understand and communicate with the PDSB Community about the Safe and Caring Schools School Policy.
- 6.3. Require annual reports on the monitoring and evaluation of this Policy.
- 6.4. Develop a Code of Conduct, policies, procedures, processes, and strategies consistent with the requirements, principles and values outlined in this Policy.
- 6.5. Develop and require schools to develop Code of Conducts, programs, processes, and strategies consistent with the requirements, principles and values outlined in this Policy.
- 6.6. Conduct a cyclic review of this Policy and related policies and procedures, as per Ministry requirements to ensure alignment.

Director of Education

- 6.7. Accountable for the implementation of the Policy.
- 6.8. Allocate staff and resources to support the procedures within the Safe and Caring Schools Policy.
- 6.9. Provide system leadership for creating and maintaining safe and caring school climates.
- 6.10. Ensure monitoring and evaluation measures are implemented.

Superintendent of Caring and Safe Schools

- 6.11. Create an implementation strategy for this Policy.
- 6.12. Implement and operationalize the Safe and Caring Schools Policy.
- 6.13. Propose housekeeping amendments to this Policy to the Governance Officer.
- 6.14. Conduct post-implementation review of this Policy.
- 6.15. Ensure related Procedures and Plans are developed.
- 6.16. Provide interpretation of this Policy and related Procedures.
- 6.17. Support understanding, alignment and interpretation of this Policy and related procedures across the Board and PDSB schools.

Superintendents

- 6.18. Adhere to this Policy.
- 6.19. Provide consultation and leadership to school administrators on adherence to this Policy, including decisions relating to student progressive discipline, school transfers and refusals to admit.
- 6.20. Provide consultation and leadership to school administrators to ensure an anti-racist, anti-oppressive framework is considered and applied to all decision-making.
- 6.21. Collate and share suspension, expulsion, and exclusion reports by Superintendents for their Families of Schools with their supervising Associate Director each month.

Principals

- 6.22. Adhere to this Policy.
- 6.23. Take a leadership role in the daily operation of schools, including creating the conditions for safe and caring schools, partnering with parents at all stages of the disciplinary process, and supporting learning and capacity-building among staff.
- 6.24. Demonstrate care for the school community and a commitment to student achievement and well-being in a safe, inclusive, and accepting learning environment.
- 6.25. Endeavour to maintain a safe, nurturing, welcoming, respectful and inclusive learning and working environment, where positive behaviours are promoted, character attributes are proactively developed, and conflict and difference is addressed with dignity and respect.
- 6.26. Create a climate that seeks to prevent inappropriate behaviour, including harassment and physical, verbal (oral or written), sexual or psychological abuse; threatening; intimidation; extortion; gang-related activities; vandalism; behaviour motivated by hate or bias; unethical use of technology; bullying or discrimination on the basis of size, strength, age, peer group power, or race, place of origin, ethnicity, language, ancestry, colour, creed, religion, gender identity, gender expression, sexual orientation, socioeconomic status, family circumstances, ability, intelligence, receipt of special education or any other similar factor and/or any other immutable characteristic or ground protected by the *Code*.
- 6.27. Establish and communicate the Provincial Code of Conduct, the Board's Code of Conduct, and, if applicable, the school's code of conduct to the school community including students, staff, and parents.
- 6.28. Establish programs, processes, and strategies consistent with the requirements, principles and values outlined in this Policy.
- 6.29. Embed the principles of equity, inclusion, anti-colonialism, anti-racism and anti-oppression in all aspects of the learning environment to support the well-being and achievement of all students.

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- 6.30. Communicate regularly and meaningfully with all members of their school community and maintain professional comment and conduct in interactions with all PDSB community members.
 - 6.31. Collaborate with parents to create a welcoming, inclusive, and supportive environment and recognize individual and family circumstances when information is shared.

PDSB Employees

- 6.32. Adhere to this Policy.
- 6.33. Engage respectfully with all mandatory professional learning provided by PDSB.
- 6.34. Endeavour to maintain a safe, nurturing, welcoming, respectful and inclusive learning and working environment, where positive behaviours are promoted, character attributes are proactively developed, and conflict and differences are addressed with dignity and respect.
- 6.35. Maintain a positive learning environment and hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and other school staff uphold these high standards when they:
 - help students work to their full potential and develop their sense of self-worth;
 - empower students to be positive leaders in their classroom, school, and community;
 - communicate regularly and meaningfully with parents;
 - maintain consistent and fair standards of behaviour for all students;
 - demonstrate respect for one another, all students, parents, volunteers, and other members of the school community;
 - promptly report any incidents that have a negative impact on the school climate to the Principal, including but not limited to discrimination and harassment impacting students and the learning environment, whether by students or staff.
- 6.36. Teachers and other staff will intentionally work to de-colonize their teaching methodology and practices and dismantle and disrupt individual and systemic racism and oppression based on any *Code* grounds.
- 6.37. Maintain professional comment and conduct in interactions with all PDSB community members.

Students

- 6.38. Adhere to this Policy and other PDSB policies, the Provincial Code of Conduct, the Board's Code of Conduct, and, if applicable, the school's code of conduct.
- 6.39. Contribute to safe, accepting, inclusive, welcoming and respectful school climates, demonstrate personal accountability, and refrain from inappropriate behaviour of any kind, including but not limited to bullying (physical, verbal, written, electronic or any other means), physical or verbal misconduct or assault, gender-based or sexual violence including sexual assault, use of slurs or other discriminatory statements, or threats and intimidation.

Parents

Adhere to this Policy and other PDSB policies, the Provincial Code of Conduct, the Board's Code of Conduct, and, if applicable, the school's Code of Conduct when in attendance at school functions.

- 6.40. Promptly report to the school their child's absence or late arrival.
- 6.41. Become familiar with the provincial Code of Conduct, the Board's Code of Conduct, and, if applicable, the school's code of conduct, and support actions aimed at promoting positive behaviour in students.

Visitors, volunteers, school bus drivers, permit holders and members of community groups

- 6.42. Adhere to this Policy and the Provincial Code of Conduct, the Board's Code of Conduct, and, if applicable, the school's code of conduct.

Governance Officer

- 6.43. Ensure the most recent version of this Policy and related Procedures are found on the PDSB's website.

7. REFERENCES

Legislative Acts and Regulations

- *Education Act*, R.S.O. 1990, c.E.2
- Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils (under *Education Act*, R.S.O. 1990, c. E.2)
- Ontario Regulation 440/20: Suspension of Elementary School Pupils (under *Education Act*, R.S.O. 1990, c. E.2)
- *Charter of Rights and Freedom*
- *Ontario Human Rights Code*, R.S.O. 1990, c.H.19
- *Anti-Racism Act, 2017*, S.O.2017, c. 15

Ministry of Education Policy/Program Memorandum

- PPM 9: Reporting of Children in Need of Protection
- PPM 119: Developing and implanting equity and inclusive education policies in Ontario schools
- PPM 120 : Reporting Violent Incident to the Ministry of Education
- PPM 123: Safe Arrivals
- PPM 128: The Provincial Code of Conduct and the School Board Codes of Conduct
- PPM 141: School Boards Programs for Students on Long-Term Suspensions
- PPM 142: School Board programs for Expelled Students
- PPM 144: Bullying and prevention

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- PPM 145: Progressive Discipline and Promoting Positive Student Behaviour

PDSB Policies

- Interim Policy re Expungement of K-3 Student Discipline Records
- Policy 51: Human Rights
- Anti-Racism Policy
- Equity and Inclusive Education
- Digital Citizenship
- Staff Code of Conduct
- Social Media

PDSB Operating Procedures

- Procedurally Fair Student Investigations
- School Code of Conduct
- Progressive Discipline Suspensions, Expulsions
 - Mitigating and Other Factors
- Bullying Prevention and Intervention
- Superintendent Transfers
- OSR Curriculum and Instruction Support Services
- Human Rights OP1: Addressing Violations of Policy 51 – Human Rights
- Human Rights OP2: Discriminatory Statements Response Procedure
- Registration, Admission and Withdrawal of Students
- Access to School Premises
- Exclusion of Students

Appendix B
September 28 2022
Directive 21 Communications Protocol

This document is prepared in response to the Ministry of Education’s mandate which states that the Board develops and “submits a communications protocol regarding the revised Directive 21 [Policy 48]”. Policy 48 is an opportunity to improve system awareness and capacity to address student discipline in procedurally fair ways. The Communications Protocol will speak to all internal and external stakeholders, including staff, administrators, families, students and community.

The Directive 21 Communication Protocol will remain in effect until the attestation to the Ministry has been completed and has satisfied our commitment to community partners.

The Directive 21 Communications Protocol aims to increase:

- stakeholder awareness of the steps taken to address the PDSB’s racial disparities in school disciplinary procedures.
- trust in the safety and well-being of students and staff and improve school culture, fairness and climate.
- meaningful partnerships with parents, families and community organizations
- number and quality of updates related to student disciplinary processes.
- timely internal and external updates on the status of staff training regarding the PDSB’s school disciplinary procedures.

Feedback Measures for Directive 21 will include:

- Questionnaires
- Feedback forms

Success Criteria for Directive 21 will include:

- The message has reached its intended audiences
- The message has been distributed through the planned channels
- Each message addresses the information requirements of the audience

KEY HIGHLIGHTS

Along with being audience-specific, our communications will reflect the guiding principles that ground Policy 48 policy including the human rights, anti-racist and anti-oppressive lens from which it is written. Key messages will be communicated through the appropriate channels and be audience specific - for example, Superintendents in Families of Schools, Communications to Staff and Families and will be timely and tailored.

- PDSB has revamped its process for student discipline and created a framework that supports fairness. It commits to preventing and responding to misconduct and inappropriate behaviour with progressive forms of supportive, restorative and corrective discipline.

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- PDSB is addressing the daily microaggressions and discrimination that impact students. We know some of our students can feel isolated and that they don't belong. We ensure that the culture in our schools is safe and welcoming every day.
 - Integrating students back into the learning environment positively is critical for student success.
 - Disciplinary measures are applied within a framework that shifts the focus from punishment to corrective and supportive interventions when inappropriate behaviours occur. This demonstrates a commitment to a restorative, holistic and community centered approach.

Actions:

- The Board ensures that all PDSB schools send an anonymous biennial School Climate Survey to students, parents, and staff to assess perceptions and incidents of discrimination (anti-racism, anti-Black and anti-Indigenous racism, sexism, gender-based violence).
- School administrators will communicate with parents of students involved in school disciplinary matters in a timely way and in a manner that respects the inherent dignity of each person.
- Establish diverse Safe and Accepting School Teams (Team), as part of the School Improvement Equity Plan. The Team will have at least one teacher, one non-teaching staff member, one community partner, one parent, one student, and the Principal. As a Board, we are changing practices to include race when conducting staff development, restorative justice, and anti-bullying work.
- The Board is committed to providing mandatory and voluntary on-going professional learning and capacity-building opportunities to all new and existing school administrators, educators, and staff.
- Clear, transparent, and accessible process for addressing complaints and concerns related to discrimination and harassment in schools or that impact student learning under Policy 51.
- The Board is committed to the following focus areas for professional learning under this policy:
 - Human Rights
 - Progressive Discipline
 - Administration of Discipline
 - Procedural Fairness
 - Bullying
 - Code of Conduct

Accountability measures:

- The Board requires the collection of suspension, expulsion and exclusion reports by Superintendents for their Family of Schools to be shared with their supervising Associate Director each month
- Annual Equity and Accountability Report Card that establishes accountability measures and responsibilities for school and board leaders

- Collection of suspension, expulsion and exclusion reports to be prepared by PDSB's Principals, to be shared with their Superintendents for their Family of Schools to be shared with their supervising Associate Director each month. The Board requires Principals to report on each occasion a student has been excluded from the classroom.
- Results of the anonymous biennial School Climate Survey that demonstrates student, staff and parent perceptions of discrimination (racism, sexism, gender-based violence) and of access, inclusion, safety and well-being and make informed school improvement decisions.

Stakeholder Relations

Audience Group	Primary Takeaway
General	<ul style="list-style-type: none"> • Increase awareness of the need for and steps taken to address the PDSB's racial disparities in school disciplinary procedures • Increase transparency, build trust and foster meaningful partnerships. • The D21 Steering will share resources and provide regular updates on the steps taken to foster safe and caring schools. To this end the PDSB will: <ul style="list-style-type: none"> • Share Policy #48 and all related Operating Procedures • Share steps to resolving student disciplinary process
Community stakeholders	<ul style="list-style-type: none"> • Informed about the Safe and caring School Policy which aligns with feedback and perspectives of community members and students. Demonstrate how the policy is reflective of their lived experiences. • Safe and caring School Policy aligns with feedback and perspectives with community members and students and see that the policy is reflective of their lived experiences. • The Board recognizes the fractured relationship that exists between the Board and Black communities, Peel is taking steps to better the conditions that contribute to this fractured relationship. This includes steps to remove racially disproportionate suspensions, expulsions and exclusions. • PDSB is taking charge to rebuild this relationship and establish equity, fairness and anti-black systemic and individual racism and members of the steering committee are driving the work.
PDSB Employees	<ul style="list-style-type: none"> • Importance of the Safe and caring School policy and dismantling systemic inequities to create a sense of belonging for all students. This policy has clear definitions, -outcomes, procedures and specific accountability measures. • Provide timely internal and external updates on the status of staff training regarding the PDSB's school disciplinary procedures. • Capacity building for administrators including sessions for staff.

	<ul style="list-style-type: none"> • Training on how discriminations happen in discipline with a focus on classrooms. • Developing teacher capacity to address to discipline that is fair and culturally responsive. • Share the organizational structure and modes of communication with the Safe and Caring Schools Department • Require all administrators practice procedural fairness in all discipline matters. • Lead by example in the classroom and all work environments. • PDSB supports its employees to work in safe and caring schools and positive work environment free from individual and systemic oppression through this policy.
Media	<ul style="list-style-type: none"> • Inform and Educate media about the Safe and Caring School Policy, • Raise awareness on various aspects of PDSB's work to address systemic inequities and create a sense of belonging in schools for all students. • Create awareness on the policy's specific procedures and accountability measures via news release.

COMMUNICATIONS TOOLS

Actions:	Audience:	Objective:	Channels:	Communication Collateral:
Public release of policy (September 2022)	<ul style="list-style-type: none"> - General Public (incl. general community, parents, students etc.) - Community Stakeholders including African, Black, Afro-Caribbean stakeholders - PDSB Employees - Media 	<ul style="list-style-type: none"> - Announce the adoption of Policy 48 	<ul style="list-style-type: none"> - Website - Social Media - Internal communications channels - External channels 	<ul style="list-style-type: none"> - Copy for blog post on website - Key messages/& QAs - Copy for social posts - Digital graphics

Actions:	Audience:	Objective:	Channels:	Communication Collateral:
Media relations (September 2022-December 2022)	<ul style="list-style-type: none"> - Media - General Public (incl. general community, parents, students etc.) - Community Stakeholders - African, Black, Afro-Caribbean stakeholders - Provincial government - PDSB Employees - National and regional audiences 	<ul style="list-style-type: none"> - Announce the completion of Policy 48 	<ul style="list-style-type: none"> - Media 	<ul style="list-style-type: none"> - News Release
Internal Communications (September 2022 onwards)	<ul style="list-style-type: none"> - PDSB Employees 	<ul style="list-style-type: none"> - Inform and educate employees of the policy to fully understand its implications on their roles and responsibilities 	<ul style="list-style-type: none"> - Direct communication to each employee - Presentations - Q & A sessions 	<ul style="list-style-type: none"> - Digital graphics and/or video - Information for PDSB Employees - Summary document - Hotline for assistance - Archive of short video explanations

Actions:	Audience:	Objective:	Channels:	Communication Collateral:
		- Provide further information to PDSB employees/	- Employee toolkit	- Copy of Policy 48 - Resources for employees on procedures

APPENDIX C

September 28, 2022 Board Report:
Policy 48 Safe and Caring Schools
Consultation Report

A. Background

This Consultation Report sets out the consultation process taken by Directive 21 Steering (D21) and the Peel District School Board (PDSB) in finalizing Policy 48 - Safe and Caring Schools.

A. Consultation Objectives

D21 and the PDSB through this consultation process aimed to:

- Share the D21 deliverables and mandates and increase stakeholder awareness of the need for and steps taken to address the PDSB's racial disparities in school disciplinary procedures
- Engage stakeholder voices, foster meaningful parent/guardian/caregiver partnerships, increase transparency and build trust
- Involve students, parents, families and community stakeholders and ensure that their concerns are voiced, understood and considered in the Revised Policy 48 and in the PDSB's plan to address Student Discipline
- Partner with students, parents, families and community stakeholders in each aspect of this work, including in the design of alternatives to removal and in final decision making about student disciplinary processes
- Seek student, parent and family ideas in the development phase of the reform of student disciplinary processes, seek feedback on the drafts and provide feedback on how community voices are reflected in D21
- Inform students, staff, parents and community members of the planned changes/revisions in Policy 48 - Safe and Caring Schools and provide opportunities for input before the final version of the policy is ready for Board Review.

A. Consultation Strategic Considerations

- Given ongoing concerns about keeping students safe in schools, the public's penchant to give primacy to infrequent and outsized examples of misconduct over everyday infractions, it is critical that the message of keeping students safe is underscored as the messages of procedurally fair, just and anti-discriminatory practices are shared
- While dominant conversations tend to speak of "hard-to-reach" communities, we know that schools and other institutions, alienate, isolate and "push-out" particular communities - including Black and Indigenous families, care-givers and community advocates. The consultation process will reach out to and create the space for people pushed out of schools, centre and amplify their voices

A. Key Messages - Purpose of the Policy

Why is the PDSB developing this policy and why now? How will this policy set the framework to ameliorate the outcomes that current unfair disciplinary practices create?

The purpose of this policy is

- To underscore the Board's priority to eliminate racial, ability and other social identity-based disparities in the use of suspensions, expulsions and other forms of exclusionary discipline.
- To provide a framework for school administrators to administer student discipline in a fair, timely, and transparent manner and to mandate that all decisions relating to student discipline at the PDSB are made within human rights and an anti-racism, and anti-oppression framework.
- To underscore the importance of and the Board's value for partnerships with parents, families and caregivers. Parents, including those historically and currently marginalized, can provide insightful ways of creating welcoming, inclusive and caring school climates and can help schools understand the impact of exclusionary discipline on students' school experiences and long-term trajectory.
- To promote proactive approaches that highlight the need for learning environments that are safe, accepting and free from discrimination; embed culturally responsive pedagogy and classroom management; use positive behaviour interventions and supports; use supportive, corrective and restorative over punitive disciplinary measures and alternatives to suspensions; address behaviors that pose a threat to the safety of students and staff.
- To promote safe, welcoming and inclusive learning environments that makes use of a continuum of interventions, supports and consequences or progressive discipline and prevents unduly harsh or punitive consequences that fail to consider personal bias and systemic discrimination in the administration of disciplinary procedures.
- To require school administrators to consider a variety of mitigating factors and other factors alongside pupil age, ability, and/or history specifically in relation to student's experiences of racism, ableism, and other systemic barriers and the potential impact of a suspension on the student's ongoing education.
- To require that school administrators consider their social identity and positionality (power, privilege, biases, worldview, and values) and how these factors impact their characterizations of student behaviour and their application of discretion in student discipline matters.

A. Consultation Process

This work is grounded in the Board's new consultation process. A number of culturally responsive approaches were used to engage stakeholders. For example, the team (a wide cross section of administrators, teachers and other staff members) led the focus group conversations, interviews, and virtual sessions.

Particular measures were taken to ensure maximum participation of target audiences. We offered:

- different modes of communication (virtual and in person where applicable).
- flexible daytime and evening sessions
- mental health supports
- choice of one-on-one interviews, small group or large group sessions, written or verbal submissions

E.1 Administrator Groups

In April and May 2021, focus groups were conducted with secondary and elementary administrators. A survey was also provided to all administrators.

The high-level themes from this consultation process were as follows:

- Engaging in introspection to identify normalized oppressive systems of current colonial structures
- Providing professional development to disrupt biases, discriminatory practices and microaggressions
- Developing positive relationships through transparent timely respectful two-way communication
- Creating safe environments by being fair, supportive, kind, caring and having high expectations for all students
- Implementing preventative measures that create opportunities for students to regulate their own behaviour
- Providing professional development to ensure restorative practices results in the intended outcomes and does not cause further harm
- Communication, clarity, shared understanding/commitment, uniformity/consistency for each stakeholder group, clear system action plan that can be modified to suit each community (common goal that is not negotiable)
- Increased parent/family/community engagement/ involvement
- Representation in leadership
- Dealing with resistant staff
- Prioritizing adult needs
- Training in Restorative Practices
- More mental health supports for students, tutors for students who have been streamed
- Time with staff to learn and build capacity

E.2 Student Focus Groups

In May and June 2021, focus groups were conducted with Black Student Association students.

The high-level themes from this consultation process were as follows:

- Addressing the fairness of how behaviour is addressed across different social groups, explicitly Black students are treated more “harshly” than others.
- Addressing the lack of empathy and support for students during reintegration
- Addressing the biases Black students experience from teachers and staff
- Building understanding among teachers, staff and students about Black histories and experiences
- Providing training for teachers to build capacity in understanding their own biases and be able to address racism

E.3 Support Staff Focus Groups

In June 2021, focus groups were conducted with Behaviour Educational Assistants.

The high-level themes from this consultation process were as follows:

- The importance of staff working one-on-one with students to manage their emotions, build social skills, make friends, and reflect on their impact on others
- Importance of being available and building positive relationships with students

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- Building capacity in educators to help them build trusting positive relationships with students
 - Supporting administrators with communication, goal setting and planning, understanding underlying challenges students are experiencing, and the impact of disciplinary processes on students.
 - That it is important to address educators' resistance (e.g., they would want teachers to be open to taking students back into the classrooms/repairing relationships with students and applying restorative justice practices).
 - Teachers dismissing student needs that lead to crisis situations
 - Singling out or harassing students for the way they wear their hair or cultural headwear
 - Excluding the voices of Educational Assistants in the conversations about student suspensions, advocating for student needs
 - Documentation that follows a child year on year, leading to judgements and action that is continuously destructive to the child - rationale for expungement
 - Requesting parents to pick up a child voluntarily instead of suspension, resulting in the child missing learning (exclusion) - transparent
 - Punishing students by removing recess
 - Inconsistent behavioural management from school to school

E.4 Internal and External Focus Groups

In April 2021, a draft Interim Safe and Caring Schools policy was developed and distributed in order to solicit comments and feedback from both internal and external stakeholders:

- Directive 21 Steering
- Executive Council
- Indigenous Education Advisory Committee (IEAC)
- Keeping Students in Schools (KSIS) pilot school members
- Muslim Employees Association of Peel (MEAP)
- Parent Involvement Committee (PIC)
- Principals/Vice-Principals (PPVPA, PSSPA)
- Peel Association of African Canadian Employees (PAACE)
- Peel Indigenous Network of Employees (PINE)
- Senior Team
- Special Education Advisory Committee (SEAC)
- Trustees
- The Alliance/Advocacy Peel
- We Rise Together Community/Parent Group

The high-level themes from this consultation process were as follows:

- Clarifying roles and responsibilities of stakeholders to ensure a means for accountability
- Ensuring that all issues of misconduct are addressed and that administrators do not let these go unaddressed (benign neglect)
- Making explicit in what ways stakeholders are accountable and how records are maintained for tracking and reporting
- Providing considerations for student wellbeing throughout the discipline and integration process
- Clarifying parental roles and responsibilities in the discipline process to ensure students are well supported.
- Providing supports for parents in all stages of the discipline process

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- Ensuring transparency of timely monitoring, evaluation, and reporting of this policy
 - Providing additional support and resources especially for Principals

In May and June 2022, the PDSB utilized the feedback received through the above consultation process in the development of draft Policy 48 - Safe and Caring Schools, attached to the August 2022 Board Report as Appendix A.

E.5 Internal and External Feedback Survey

In May 2022, a survey was made available to both staff and public to invite feedback on the interim draft policy.

The high-level themes from this consultation process were as follows:

- Respondents provided several suggestions to support implementation, accountability, and adherence to legislation.
- Recommendations regarding supports that are needed related to: supports for students, hiring practices, administrator actions, class size, stakeholder engagement, communication, professional learning, and accountability.

All comments and feedback from internal and external stakeholders were received, considered, and assessed through a student-centric, legally informed, trauma-informed and anti-oppressive approach. The feedback and consultations highlighted the need for developing a comprehensive accountability plan and providing training and ongoing education to ensure _____ implementation of this policy.

16.2

Board Meeting, October 19, 2022

Human Sex Trafficking Prevention Update #2

Strategic Alignment:

Ministry of Education Policy/Program Memorandum 166: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols
Peel District School Board Policy 48 Safe and Accepting Schools

Report Type:

For Information

Prepared by: Paul da Silva, Associate Director, School Improvement and Equity, Special Education, Social Emotional Learning and Well-Being

Submitted by: Rashmi Swarup, Director of Education

Overview

Recommendation:

Whereas the work of the Human Sex Trafficking Prevention Strategy is established and ongoing;

Therefore be it resolved that the Peel Human Trafficking Service Providers Committee report annually to the Board with an update on the continued progress of the Human Sex Trafficking Prevention Strategy.

Highlights:

The purpose of this report is to:

- Provide an update in accordance with Board Resolution 20-69; and
- Recommend that the frequency of updates be reduced to annual reports; and
- Provide information on Policy/Program Memorandum (PPM) 166: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols (PPM 166) which was issued by the Ministry of Education to all school boards in the Summer of 2021.

Background:

At the January 13, 2020, Regular Meeting of the Peel District School Board (the Board), the Region of Peel (“the Region”) delegated on the Region’s strategy to address human sex trafficking in Peel Region.

In response to the delegation, the Board approved Resolution, No. 20-69 at the February 11, 2020 regular Board meeting. The Resolution was passed with an amendment that members appointed to the Committee will report to the Board quarterly.

Resolution No. 20-69

Whereas the Region of Peel delegated the Peel District School Board on January 13, 2020

And whereas, the Region of Peel is working collaboratively with stakeholders and community partners on the Strategy;

Therefore, be it resolved that, the Board confirm its membership on the Peel Human Trafficking Service Providers Committee and continue to support the work of the members of this committee in our schools.

What is Human Sex Trafficking?

Policy/Program Memorandum (PPM) 166 characterizes “sex trafficking” as “a form of sexual exploitation and is a crime under the *Criminal Code of Canada*. It can include recruiting, harbouring, transporting, obtaining, or providing a person for the purpose of sex. It involves the use of force, physical or psychological coercion or deception. Most individuals who are trafficked for the purpose of sexual exploitation are women and girls, but all people may be targeted.”¹

Public Safety Canada defines “human trafficking” as follows:¹ “human trafficking involves recruiting, transporting, or holding victims to exploit them or help someone else exploit them, generally for sexual purposes or work. Traffickers get their victims to comply through different means of coercion.”²

Who is Most Vulnerable to Human Trafficking²

- Young women and girls
- Indigenous and racialized women and girls
- LGBTQ youth
- Migrant workers in precarious employment and with precarious immigration status
- Newcomers with language barriers and who don’t have knowledge of legal rights

The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls highlighted that, “while Indigenous women represented only 4% of the Canadian population in 2016, they comprised nearly 50% of victims of human trafficking. Of those, nearly one-quarter were under the age of 18.

Policy/Program Memorandum 166

The Ministry of Education released PPM 166 on July 6, 2021.

The PPM obliges all school boards in Ontario to have a human trafficking protocol in place by January 31, 2022. Each school board’s Human Trafficking Response Protocol (“the Protocol”) will ensure that there is a plan in place with core and essential elements that are intended to protect students and empower school communities to play a key role in how school boards are protecting students against sex trafficking and keeping children and youth safe from sexual exploitation.

The core and essential elements of the Protocol are:

- Statement of principles
- Strategies to raise awareness and prevent sex trafficking
- Response procedures
- Training for school board employees
- Measuring success: accountability and evaluation

Actions Taken to Date

- Developed a draft of the Protocol
- Created an infographic outlining the Protocol to increase awareness for Board employees
- Identified Ministry Curriculum Expectations and made connections to Anti-Human Trafficking educational opportunities
- Collated Anti-Human Trafficking resources from various sources to raise awareness and prevent sex-trafficking, for students (elementary and secondary), staff, families

¹ Ministry Policy/Memorandum 166

² Public Safety Canada 2019

² Public Safety Canada 2019

-
- Prepared Anti-Human Trafficking information video script and planned for production to raise awareness and prevention
 - Established a structure to share information on external and internal Board websites
 - Examined different training models
 - Reviewed resources provided by the Ministry (CODE) and the Canadian Centre for Child Protection to be implemented for training and support
 - During the Board mandatory professional days prior to the beginning of the 2021/2021 school year, all staff received information about PPM 166 and Anti-Human Trafficking.
 - Established a steering committee to further develop initial training resources chaired by staff from Social Work and school administrators to respond to the Board's obligation to establish and action the core and essential elements of the Protocol
 - Ongoing efforts to include community voice
 - Made connection to service provider committee and linked to resources of the community
 - Produced and shared an informational video with Board staff
 - Finalized the Board's response protocol and shared infographic with staff
 - Finalized and implemented a protocol for the response to suspected sex trafficking occurrences.
 - Created, with community partners, events to promote awareness and prevention strategies for student and parent/guardian/caregiver
 - Developed and delivered training for Board employees re: awareness and prevention strategies, response protocols
 - Developed feedback measures to track and monitor progress on implementation

Action Taken since Last Update:

- Produced cyber-safety video to raise awareness among parents, caregivers, and families on the topic
- Shared resources on Board external and internal websites to increase awareness for the entire Peel District School Board community – development of infographics and other tools for community outreach, including identity specific supports
- Shared the annual training plan (2022-2023) with existing and new staff with a completion date of December 2022.

Impact Analysis

Equity & Human Rights Review

The Board will ensure that the implementation of PPM 166 will use the frameworks of anti-racism and anti-oppression. The Board will continue to consult with community stakeholders to seek input on all core elements of the protocol.

Board or Ministry Policy Alignment

The development of the Protocol will ensure compliance with PPM 166.

Resource Implications

Funds allocated from the Ministry will be leveraged to support the protocol and professional learning plan.

Legal implications

Compliance with PPM 166.

Risk Assessment

Human trafficking has been identified as one of the fastest growing illegal businesses. Statistics show that our students and our community are being impacted. The Protocol and the implementation of the core and essential elements will promote safer schools and communities.

Community Impact

Students and families are the centre of this work and should be involved in efforts to develop actions against sex trafficking. Ongoing consultation and engagement with community groups/agencies that support members of the school community are essential to supporting anti-sex trafficking approaches that are responsive to diverse students and the needs of our local school communities. In building relationships with community organizations and learning from them the Board will be in a better position to identify the signs of sex trafficking, safely respond to disclosures, be culturally relevant and responsive to diverse student populations.

Next Steps

Action Required:

1. Consult further with stakeholder and community regarding feedback and next steps.
2. Implement feedback measures gathered to track and monitor progress on implementation.
3. Develop with community partners a process for responding to situations where a student may be engaged in the trafficking of others, including steps for safely reporting concerns, responding to disclosures and supporting students' immediate physical and emotional safety.
4. Develop with community partners the process for responding to and supporting students re-entering school after they have been involved in a trafficking situation, including efforts to ensure that adequate safety and security needs are being met to support re-integration into school.
5. Ongoing training of staff on an annual basis (2022-2023 and beyond) to recognize the signs of human sex trafficking and to safely intervene if they suspect a student is being trafficked or involved in trafficking. This training will be tracked and available throughout the year to all new and existing school board employees.
6. Refine, based on school and community feedback, specific outreach and support to Indigenous, Black, African, Caribbean, Punjabi and Sikh parents and caregivers and all

groups that are disproportionately impacted by human sex trafficking to build their awareness.

7. Provide an annual update to the Board in October 2023.

Success Measures:

The protocol to be finalized and implemented will have clearly articulated goals, responsibilities, and accountability measures.

References:

Policy/Program Memorandum 166 Ministry of Education
Statistics Canada. Trafficking in persons in Canada, 2016
Public Safety Canada
National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019

Board Meeting: October 19, 2022

Trustee Code of Conduct

Strategic Alignment:

Ministry Directive 5

Ontario Regulation 246/18

Report Type:

Recommendation

Prepared by: Kathryn Lockyer, General Counsel & Governance Officer

Submitted by: Rashmi Swarup, Director of Education

Overview

Recommendation:

That the Trustee Code of Conduct as attached as Appendix A described herein be recommended for approval.

Highlights:

- Ministry Directive 5 provides that the Board retain a temporary parliamentarian/governance expert to establish procedures and practices for effective, respectful, and transparent governance.
- The temporary parliamentarian/governance expert recommended a series of requirements for completion to ensure procedures and practices for effective, respectful and transparent governance is in place.
- One of the requirements is an updated Trustee Code of Conduct.
- Ontario Regulation 246/18 requires every school board in Ontario to have a code of conduct for trustees.

Background:

In April 2018, the Minister of Education made Ontario Regulation 246/18: Members of School Boards – Code of Conduct under the *Education Act*. Every school board is now required to:

- o have a code of conduct for trustees
- o make it available to the public
- o review it by May 15, 2023, and by May 15 every fourth year thereafter
- o after each review, pass a resolution to adopt the code, either as it exists or as amended

On November 27, 2019, the Minister of Education commenced a review of the Peel District School Board (PDSB) to address concerns about systemic discrimination, specifically, anti-Black racism, and serious issues related to governance, leadership, and human resources practices at PDSB. Based on the Reviewers' Report and Recommendations, the Minister of Education issued 27 binding Directives to the PDSB on March 13, 2020. Directives #1-8 and 13 are governance related directives.

The purpose of this report is to provide a draft of an updated Trustee Code of Conduct as per Directive #5 and to comply with Ontario Regulation 246/18: Members of School Boards – Code of Conduct.

Evidence

A Trustee Code of Conduct supports both legislated requirements and Board established by-laws, governance directives, policies and procedures that set out the governance and accountability framework for the Board of Trustees. A Trustee Code of Conduct contributes to confidence in public education and respect for the integrity of Trustees in the community. A

Trustee Code of Conduct establishes governing principles and standards for acceptable and respectful behaviours. A Trustee Code of Conduct promotes high standards and provides a framework for professional conduct and responsibilities. A Trustee Code of Conduct demonstrates how Trustees have determined to regulate themselves as it is approved by the Trustees and applies to the Trustees.

Student trustees are not required by law to have a code of conduct. However, it is expected that in their capacity as recognized leaders contributing to the effective governance of a board, student trustees abide by their board's code of conduct.

The Ministry of Education commenced a widespread consultation on Trustee Codes of Conduct by sending out a survey to all school boards. Unfortunately, the Ministry has not provided information on any outcomes from the survey or provided any further information or guidance at this time. If in the future, the Ministry does provide further guidance or input on the requirement for Trustee Codes of Conduct, that information will be brought forward for consideration by the Trustees in future reviews of the Trustee Code of Conduct.

The Ontario Public School Boards' Association has created a Trustee Code of Conduct and Enforcement template which provides guidance in drafting an effective Trustee Code of Conduct. The attached draft used that template as a guide.

The draft Trustee Code of Conduct consists of three parts. The Code itself, the Complaint Protocol and the directive on retaining the Integrity Commissioner. They are all to be read together as the Board's mandate on the standard of behaviour.

The draft Trustee Code of Conduct addresses principles of integrity and dignity of the office; respect for confidentiality; upholding decisions; supply chain ethics; gifts, benefit and hospitality; use of Board property, services and other resources; improper use of influence; conduct regarding current and prospective employment; discreditable conduct; reprisals and obstruction; and, acting on the advice of the integrity commissioner.

The draft Complaint Protocol of the Trustee Code of Conduct provides for the use of an informal procedure first and foremost when investigating a breach of the Trustee Code of Conduct and contemplates remediation that may positively correct inappropriate behaviour. The formal complaint procedure is to be used for those more egregious and repetitive behaviours that disrupt the ability of a board of trustees to conduct its business.

The enforcement provisions in the draft Complaint Protocol of the Trustee Code of Conduct are consistent with the *Education Act* (particularly section 218). A trustee who has reasonable grounds to believe that another trustee, who is a member of their board, has breached the board's code of conduct may bring the alleged breach to the attention of the Board of Trustees by filing a complaint with the Integrity Commissioner.

If an alleged breach of the Trustee Code of Conduct is brought to the attention of the Board, then the Integrity Commissioner shall make inquiries into the matter. The Integrity Commissioner shall report to the Board with a recommendation on the matter and then the Board will determine whether a member has breached the Board's Trustee Code of Conduct.

If the Board of Trustees determines that a Trustee has breached the Trustee Code of Conduct, in accordance with legislation the Board may impose one or more of the following sanctions: censure; bar the Trustee from attending all or part of a meeting of the Board, or a meeting of a committee of the Board; or, bar the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.

The Integrity Commissioner will report to the Board annually on their activities around the Trustee Code of Conduct.

Impact Analysis

Equity & Human Rights Review:

The draft Trustee Code of Conduct makes specific reference to Trustees serving the public interest by upholding the letter and the spirit of the law including the Board's Human Rights policies and Anti-Racism policy. It also provides that standard that Trustees do not engage in conduct that would discredit or compromise the integrity of the Board or be inconsistent with the Board's values and policies of anti-racism and anti-oppression. Trustees shall act in a way that upholds the legal and mandated commitment to equity, anti-racism and anti-oppression.

Board or Ministry Policy Alignment:

The draft Trustee Code of Conduct aligns with Ministry Directive 6 and Ontario Regulation 246/18.

Resource/Financial Implications:

Training will be provided to Trustees on the Trustee Code of Conduct as per the Annual Learning Plan. There may be some cost when using guest speakers/lecturers/trainers. Also, the Integrity Commissioner fees will require budget allotment. The amount spent annually will be reported during the budget process.

Legal implications:

The completion of this work aligns with compliance with the Ministry Directives. It is also in keeping with legislated obligations and responsibilities of Ontario Regulation 246/18 and the *Education Act*.

Risk Assessment:

There is a risk of legal non-compliance and reputational risk if the Trustee Code of Conduct is not reviewed and approved by resolution as per Ontario Regulation 246/18.

Community Impact:

Adopting a Trustee Code of Conduct increases public trust and confidence in the Peel District School Board and provides guidance and standards for Trustee behaviour.

Next Steps

Action Required:

The Trustee Code of Conduct, once approved by resolution, will be posted on the website.

The Legal and Governance Services Department will advise the Integrity Commissioner of the approved Trustee Code of Conduct.

The Legal and Governance Service Department will make necessary arrangements for the training/learning to be delivered to the Trustees on the Trustee Code of Conduct.

Appendices

Appendix 1 – Trustee Code of Conduct – Red-lined version

Appendix 2 – Trustee Code of Conduct – Final version

Appendix 3 – Board Member Code of Conduct Complaints Protocol

Appendix 4 – Appointment, Selection, and Jurisdiction of the Integrity Commissioner

PEEL DISTRICT SCHOOL BOARD

TRUSTEE CODE OF CONDUCT

1.0 Purpose

- 1.1 This Trustee Code of Conduct ("Code of Conduct") supports both legislated requirements and Board established By-Laws, Governance Directives, policies and procedures that set out the governance and accountability framework at the Peel District School Board (PDSB *or the Board*). Ontario Regulation 246/18 (*Members of School Boards – Code of Conduct*) of the *Education Act* requires school boards to adopt codes of conduct that apply to board members (*also referred to as Trustees*). This Code of Conduct supports the Board's commitment to meeting high standards of conduct by Trustees *which uphold and advance principles of equity and human rights while providing good governance in the interests of all students of the Board. This Code of Conduct is to be interpreted in a manner that is consistent with the Board's Human Rights Policy (Policy 51) and the Equity and Inclusive Education Policy (Policy 54) along with the Ontario Human Rights Code.*
- 1.2 A Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. It is important to recognize the public trust and responsibility the collective body carries. This trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour. These *encompass principles of intersectional equity and human rights and a commitment to promoting a welcoming and safe environment for all students while eliminating systemic barriers to student success. This also includes confronting all forms of hate or bias including without limitation anti-Black and anti-Indigenous racism, anti-Semitism, Islamophobia, and homophobia.*
- 1.3 A code of conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the community. It *promotes* acceptable and respectful behaviours.
- 1.4 Trustees will support the Mission, Vision and Values, and any strategic plan of the Peel District School Board.
- 1.5 The Appointment, Selection and Jurisdiction of the Integrity Commissioner is set out in the *Appointment Selection and Jurisdiction of Integrity Commissioner* protocol and the complaint protocol is set out in the *Board Member Code of Conduct Complaint Protocol*.

- 1.6 Trustees **and members of the Audit Committee who are not Trustees** shall sign the Trustee Code of Conduct Acknowledgement and Undertaking, set out at Appendix 1, at the beginning of the term of office or the inaugural meeting of the Board, as applicable.

2.0 Objective

- 2.1 To establish governing principles and standards for acceptable behaviour by Trustees.

3.0 Responsibility

- 3.1 The Board of Trustees, the PDSB's Integrity Commissioner, ~~and the~~ Director of Education **and Governance Officer**.

4.0 Application and Scope

- 4.1 This Code of Conduct applies to all Trustees, and members of the PDSB Audit Committee who are not Trustees, in relation to their functions, powers and duties as members of that committee in accordance with Regulation 361/10.

5.0 Definitions

Board means the Peel District School Board, which is also referred to as the PDSB.

Discrimination means discriminatory behaviour as defined by the PDSB workplace violence and harassment prevention policies, human rights policy and anti-racism policy, and the Ontario Human Rights Code.

Harassment means harassing behaviour as defined by the PDSB workplace violence and harassment prevention policies, the Ontario Human Rights Code, and the Ontario Occupational Health and Safety Act, and includes engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Inquiry includes an investigation.

Integrity Commissioner means the Integrity Commissioner appointed by the Board of Trustees in accordance with the Peel District School Board By-Laws.

Official Business means duties and responsibilities of Trustees as prescribed by the *Education Act* and regulations thereunder, Board By-Laws, Governance Directives, policies and procedures.

Staff Members means any employees of the Peel District School Board.

Trustee means all members of the Board, whether elected or appointed, including student trustees.

Trustees Office means the authority and public duties attached to the position of being elected or appointed as a PDSB Trustee or student trustee.

Supply Chain Activities means all activities whether directly or indirectly related to organizational planning, sourcing, procurement, moving, and payment processes.

6.0 Code of Conduct

- 6.1 Transparency, accountability, and public confidence are fundamental components for the effective governance of school boards as public bodies responsible to their communities and to the provincial government. The conduct of Trustees must be of the highest standard to maintain the confidence of the public. Every Trustee shall uphold the letter and spirit of this Code of Conduct and **be** consistent with human rights principles.
- 6.2 This Code of Conduct represents the Board's commitment to meeting high standards of conduct, professionalism and upholding a culture of anti-racism and anti-oppression.

Integrity and Dignity of Office - Principles

- 6.3 Trustees of the Board shall discharge their duties loyally, faithfully, impartially in the spirit of equity and in a manner that will inspire public confidence in the abilities and integrity of the Board.
- 6.4 Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, and in the best interests of the students.
- 6.5 Trustees of the Board recognize their obligation to promote equality, diversity, and inclusion for all students, with specific recognition for the historical and systemic oppression faced by Black, Indigenous, and other racialized students.

- 6.6 Trustees of the Board must uphold the dignity of the office and conduct themselves in a professional manner and act with decorum ~~at all times, and with respect for all people regardless of sex, gender, sexual orientation, gender identity, gender expression, citizenship, ancestry, colour, age, family status, ability, race, ethnicity, language, place of origin, culture and creed at all times,~~ and whether in person or through virtual or electronic communications including on social media platforms. ~~Trustee must conduct themselves in a professional manner and act with decorum especially~~ when attending Board events, ~~when engaging with the community in their capacity as a Trustee,~~ or while on Board property.
- 6.7 Trustees shall ensure that their comments are issue-based and not personal, demeaning, discriminatory, or disparaging with regard to any person, including Staff Members or fellow Trustees and shows respect for their differing points of view.
- 6.8 No Trustee shall engage in conduct that would discredit or compromise the integrity of the Board or Trustees, or be inconsistent with the Board's values of anti-racism and anti-oppression. Trustees are expected to work with other Trustees and Staff Members in a spirit of equity, respect, openness, courtesy, and co-operation.
- 6.9 A Trustee shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board.
- 6.10 Trustees shall serve and be seen to serve their school communities in an equitable, constructive, respectful, conscientious and diligent manner.
- 6.11 Trustees shall be committed to performing their functions with integrity and to avoid the improper use of the influence of their office.
- 6.12 Trustees are expected to perform their duties in office and arrange their private ~~lives, including any digital content, whether on social media or otherwise,~~ in a manner that promotes public confidence ~~and can be upheld under close public scrutiny.~~
- 6.13 Trustees shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal Parliament and Ontario Legislature, and the By-Laws; Governance Directives; policies; and procedures adopted by the Board, including the Board's human rights and anti-racism policies.
- 6.14 A Trustee shall discharge their duties in accordance with the *Education Act* and any regulations, directives or guidelines thereunder and in adherence to human rights principles. This shall include respecting and understanding the roles and duties of individual Trustees, the Board of Trustees as a whole, the Director of Education, Staff Members, ~~the community~~ and the Chair of the Board.

- 6.15 The provincial and federal legislation that are relevant to Trustees, include the:
- (a) Criminal Code of Canada
 - (b) Education Act
 - (c) Municipal Conflict of Interest Act
 - (d) Municipal Elections Act, 1996
 - (e) Municipal Freedom of Information and Protection of Privacy Act
 - (f) Occupational Health and Safety Act
 - (g) Ombudsman Act
 - (h) Ontario Human Rights Code

Trustees recognize that the Integrity Commissioner does not have any authority to receive or investigate complaints to the extent that the complaints request any determination or remedy related to any alleged contravention of the above legislation.

Respect for Confidentiality

- 6.16 Confidential Information includes,
- (a) information in the custody and/or control of the PDSB that is subject to the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* or other legislation, including, but not limited to personal information of staff and students (including the contents of a student's OSR), third party corporate, commercial, scientific, or technical information, solicitor-client advice or litigation privileged information;
 - (b) information in respect of litigation or potential litigation affecting the Board, and information that is subject to solicitor-client privilege;
 - (c) information discussed during closed sessions of the Board pursuant to section 207 of the *Education Act*;
 - (d) intimate, personal or financial information of a Trustee, staff member or prospective staff member, student, parent or guardian;
 - (e) the acquisition or disposal of the Board's real property, including a school site;
 - (f) decisions in respect of negotiations with staff members;
 - (g) investigations by the Ombudsman

- 6.17 No Trustee shall disclose or release by any means to anyone not authorized, any confidential information acquired by virtue of their office, in either oral or written form (including online and social media platforms), except when required by law or authorized by the Board to do so. This is an indefinite continuous obligation that extends beyond the Trustee's term of office.
- 6.18 No Trustee shall use confidential information for either personal gain or broader influence, or to the detriment of the Board.
- 6.19 Trustees should not access or attempt to gain access to confidential information in the care, control or custody of the Board unless it is necessary for the performance of their duties and not prohibited by law or Board policy.
- 6.20 Every Trustee shall keep confidential any information or documents disclosed or discussed at a meeting of the Board or committee of the Board, or part of a meeting of the Board or committee of the Board, that was closed to the public, and keep confidential the substance of deliberations of a meeting closed to the public, unless required to divulge such information or documents by law or authorized by the Board to do so.
- 6.21 Individual Trustees are only entitled to information in the possession of the PDSB that is relevant to matters before the Board or a committee of the Board. Otherwise, an individual Trustee enjoys the same level of access rights to information as any other member of the community.
- 6.22 If there is uncertainty about whether information is confidential, the Trustee should check with the appropriate Staff Member, which includes the Governance Officer or Privacy Officer, consult with the Director of Education or seek the advice of the Integrity Commissioner.

Upholding Decisions

- 6.23 All Trustees of the Board shall accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board.
- 6.24 Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, if permitted by the Board's Rules of Order, can be brought by a Trustee.
- 6.25 A Trustee should be able to explain the rationale for a resolution passed by the Board. A Trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution or the Board as a whole.

- 6.26 Each Trustee shall comply with Board policies, procedures, By-Laws, Governance Directives and Rules of Order.
- 6.27 The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair of the Board or whole Board of Trustees to do so. When individual Trustees express their opinions in public, **including when expressing opinions on online or social media platforms**, they must make it clear that they are not speaking on behalf of the Board.

Ontario Broader Public Sector (BPS) Supply Chain Code of Ethics

(This Code of Ethics does not supersede the Code of Conduct but supplements the Code of Conduct with standards of practice specific to the supply chain.)

- 6.28 **Personal Integrity and Professionalism** - Trustees involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain Activities within and between the Board, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Trustees must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.
- 6.29 **Accountability and Transparency** - Supply Chain Activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public resources. Trustees must ensure that Board resources are used in a responsible, efficient and effective manner.
- 6.30 **Compliance and Continuous Improvement** - Trustees involved with purchasing or other Supply Chain Activities must comply with this Code of Ethics and the laws of Canada and Ontario. Trustees should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels.

Gifts, Benefits and Hospitality

- 6.31 Trustees are expected to carry out their duties with impartiality and objectivity. No Trustee shall accept a gift, benefit, hospitality or service from any person or entity that has dealings with the Board if a person might reasonably conclude that the gift, benefit, hospitality or services could influence the Trustee when performing his or her duties to the Board.

- 6.32 For greater certainty, prohibited gifts, benefits, hospitality or services includes, but is not limited to, tickets or admission to a charity event, professional development or training sessions or anything of monetary value.
- 6.33 For these purposes, a gift, benefit, hospitality or service provided with the Trustee's knowledge to a Trustee's spouse, child, or parent, as defined in the *Municipal Conflict of Interest Act*, ~~or to a Trustee's staff that is connected directly or indirectly to the performance of the Trustee's duties~~ is deemed to be provided to that Trustee.
- 6.34 Trustees shall not use their position for personal gain or improper advantage.
- 6.35 An invitation to attend or participate in an event or a function directly connected with the performance of a Trustee's duties of office where the Trustee has a ceremonial, presentational or representational official role is not considered by this Code of Conduct, to be a gift. This type of attendance is considered to be fulfillment of official public duties.
- 6.36 Trustees should consult with the Integrity Commissioner and review any relevant Integrity Commissioner Interpretation Bulletins issued by the Integrity Commissioner on this subject.

Use of Board Property, Services and Other Resources

- 6.37 No Trustee should use, or permit the use of Board resources, including but not limited to Staff Members, Board events, Board facilities, Board funds, Board information and Board infrastructure or other resources (e.g., Board-owned materials, websites, and social media platforms) for activities other than the business of the PDSB. No Trustee may obtain personal financial gain from the use or sale of Board-developed intellectual property (e.g., inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, or from the sale of Board provided mobile phones and all other technological equipment, since all such property remains exclusively that of the Board.

Election Campaign Work

- 6.38 Election activity refers to campaigns for municipal, provincial and federal office or campaigns on a question on a ballot.
- 6.39 No Trustee shall use the facilities, equipment, supplies, services, **staff** or other resources of the Board (including Board logos, newsletters, social media sites and websites linked through the Board's website, contact information including email addresses obtained as a result of the member's performance of his or her duties as

a Trustee) for any election campaign or campaign-related activities. No Trustee shall undertake campaign-related activities on Board property unless permitted by Board policy. No Trustee shall use the services of ~~persons~~ staff for election-related purposes during hours in which those persons receive any compensation from the Board. All Trustees shall comply with the PDSB Board Resources Policy.

Improper Use of Influence

- 6.40 A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
- 6.41 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a Trustee family member. **This rule includes, but is not limited to, the prohibition of holding out the prospect or promise of future advantage through a Trustee's purported influence within the Board in return for any present action or inaction to the private advantage of the Trustee, his or her family members or any person or organization with whom the Trustee is related or associated.**
- 6.42 No Trustee shall use the influence of his or her office for any purpose other than for the exercise of his or her official duties.

Conduct Regarding Current and Prospective Employment

- 6.43 No Trustee shall allow any current employment or the prospect of his or her future employment by a person or entity to improperly or for personal gain affect the performance of his or her duties to the Board.

Discreditable Conduct

- 6.44 All Trustees have a duty to treat members of the public, one another, and Staff Members respectfully and without abuse, bullying or intimidation, and to ensure that the work environment at the Board is free from discrimination and harassment. This provision applies to all forms of written and oral communications, including via social media.

Reprisals and Obstruction

- 6.45 **Harassing or discriminatory behavior (as indicated in the PDSB's Human Rights Policy (Policy 51) and the Equity and Inclusive Education Policy (Policy 54) in addition the Ontario *Occupational Health and Safety Act*, and the Ontario *Human Rights Code*), which occurs in the course of, or is related to, the performance of official business and duties of members of the Board, is subject to this Code of Conduct.**

- 6.46 Trustees must respect the integrity of this Code of Conduct and cooperate with inquiries conducted in accordance with the Board Member Code of Conduct Complaint Protocol and any other procedures set by the Board for addressing complaints of a breach of this Code of Conduct. Any reprisal or threat of reprisal against a complainant or anyone else for providing relevant information to the Integrity Commissioner is prohibited. It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out of their responsibilities, for example, by destroying documents or erasing electronic communications.
- 6.47 Trustees have a duty to respond to and comply with all reasonable requests of the Integrity Commissioner and a failure to do so is a violation of this Code of Conduct.
- 6.48 Trustees shall be respectful of the role of the office of the Integrity Commissioner.

Acting On Advice of Integrity Commissioner

- 6.49 If there is uncertainty about whether an action or activity breaches this Code of Conduct, a Trustee may directly seek the advice of the Integrity Commissioner. This shall not constitute an inquiry or investigation by the Integrity Commissioner pursuant to the Complaint Protocol. Where a Trustee has received written advice from the Integrity Commissioner on a particular matter, the advice is binding on the Board in any subsequent consideration of the conduct of the Trustee in the same matter as long as the Trustee disclosed all relevant facts to the Integrity Commissioner before the advice was provided.
- 6.50 The Integrity Commissioner will work with Board General Counsel, Legal and Governance Services when providing advice to Trustees, particularly in the areas of school board governance, Board By-Laws, Governance Directives, policies and, procedures and applicable education legislation.

Chair/Presiding Officer

- 6.51 Nothing in this Code of Conduct prevents the Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to expel or exclude from any meeting any person who has demonstrated improper conduct at the meeting. For greater certainty, this may be done at the 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. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code of Conduct.

- 6.52 The Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or view.
- 6.53 The Chair of the Board or Presiding Officer shall follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures contained in any Policy or By-Laws of the Board. A breach of a rule of order or meeting/parliamentary procedure 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, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the Board Member Code of Conduct Complaint Protocol, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

7.0 Evaluation

- 7.1 This Code of Conduct is to be reviewed and updated as required but at a minimum every four (4) years, on or before May 15 beginning in May, 2019 in accordance with Regulation 246/18.

8.0 Appendices

Board Member Code of Conduct Complaint Protocol
Appointment Selection and Jurisdiction of Integrity Commissioner

9.0 Reference Documents

Policies:

- Anti-Racism Policy
- Trustee Expenses Policy 75
- Trustee Honoraria Policy 72
- Human Rights Policy 51
- Use of Board Resources Policy

By-Laws and Governance Directives

- Peel District School Board By-Laws and Governance Directives

Procedures:

- Workplace Violence EHS 4.1
- Workplace Harassment EHS 4.2

Legislation:

- Criminal Code of Canada
- Education Act
- Municipal Conflict of Interest Act
- Municipal Elections Act, 1996
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act
- Ombudsman Act
- Ontario Human Rights Code

Appendix 1- Acknowledgement and Undertaking

I confirm that I have read, understand and agree to abide by the Board's Code of Conduct and that I understand the Board Member Code of Conduct Complaint Protocol for complaints made to the Integrity Commissioner.

DATE: _____

SIGNATURE: _____

Please Print Name: _____

PEEL DISTRICT SCHOOL BOARD

TRUSTEE CODE OF CONDUCT

1.0 Purpose

- 1.1 This Trustee Code of Conduct ("Code of Conduct") supports both legislated requirements and Board established By-Laws, Governance Directives, policies and procedures that set out the governance and accountability framework at the Peel District School Board (PDSB or the Board). Ontario Regulation 246/18 (Members of School Boards – Code of Conduct) of the *Education Act* requires school boards to adopt codes of conduct that apply to board members (also referred to as Trustees). This Code of Conduct supports the Board's commitment to meeting high standards of conduct by Trustees which uphold and advance principles of equity and human rights while providing good governance in the interests of all students of the Board. This Code of Conduct is to be interpreted in a manner that is consistent with the Board's Human Rights Policy (Policy 51) and the Equity and Inclusive Education Policy (Policy 54) along with the *Ontario Human Rights Code*.
- 1.2 A Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. It is important to recognize the public trust and responsibility the collective body carries. This trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour. These encompass principles of intersectional equity and human rights and a commitment to promoting a welcoming and safe environment for all students while eliminating systemic barriers to student success. This also includes confronting all forms of hate or bias including without limitation anti-Black and anti-Indigenous racism, anti-Semitism, Islamophobia, and homophobia.
- 1.3 A code of conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the community. It promotes acceptable and respectful behaviours.
- 1.4 Trustees will support the Mission, Vision and Values, and any strategic plan of the Peel District School Board.
- 1.5 The Appointment, Selection and Jurisdiction of the Integrity Commissioner is set out in the *Appointment Selection and Jurisdiction of Integrity Commissioner* protocol and the complaint protocol is set out in the *Board Member Code of Conduct Complaint Protocol*.

- 1.6 Trustees and members of the Audit Committee who are not Trustees shall sign the Trustee Code of Conduct Acknowledgement and Undertaking, set out at Appendix 1, at the beginning of the term of office or the inaugural meeting of the Board, as applicable.

2.0 Objective

- 2.1 To establish governing principles and standards for acceptable behaviour by Trustees.

3.0 Responsibility

- 3.1 The Board of Trustees, the PDSB's Integrity Commissioner, Director of Education and Governance Officer.

4.0 Application and Scope

- 4.1 This Code of Conduct applies to all Trustees, and members of the PDSB Audit Committee who are not Trustees, in relation to their functions, powers and duties as members of that committee in accordance with Regulation 361/10.

5.0 Definitions

“Board” means the Peel District School Board, which is also referred to as the PDSB.

“Discrimination” means discriminatory behaviour as defined by the PDSB workplace violence and harassment prevention policies, human rights policy and anti-racism policy, and the Ontario Human Rights Code.

“Harassment” means harassing behaviour as defined by the PDSB workplace violence and harassment prevention policies, the Ontario Human Rights Code, and the Ontario Occupational Health and Safety Act, and includes engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

“Inquiry” includes an investigation.

“Integrity Commissioner” means the Integrity Commissioner appointed by the Board of Trustees in accordance with the Peel District School Board By-Laws.

“Official Business” means duties and responsibilities of Trustees as prescribed by the *Education Act* and regulations thereunder, Board By-Laws, Governance Directives, policies and procedures.

“Staff Members” means any employees of the Peel District School Board.

“Trustee” means all members of the Board, whether elected or appointed, including student trustees.

“Trustees Office” means the authority and public duties attached to the position of being elected or appointed as a PDSB Trustee or student trustee.

“Supply Chain Activities” means all activities whether directly or indirectly related to organizational planning, sourcing, procurement, moving, and payment processes.

6.0 Code of Conduct

- 6.1 Transparency, accountability, and public confidence are fundamental components for the effective governance of school boards as public bodies responsible to their communities and to the provincial government. The conduct of Trustees must be of the highest standard to maintain the confidence of the public. Every Trustee shall uphold the letter and spirit of this Code of Conduct and be consistent with human rights principles.
- 6.2 This Code of Conduct represents the Board’s commitment to meeting high standards of conduct, professionalism and upholding a culture of anti-racism and anti-oppression.

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- 6.3 Trustees of the Board shall discharge their duties loyally, faithfully, impartially in the spirit of equity and in a manner that will inspire public confidence in the abilities and integrity of the Board.
- 6.4 Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, and in the best interests of the students.
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- 6.6 Trustees of the Board must uphold the dignity of the office and conduct themselves in a professional manner and act with decorum at all times, whether in person or through virtual or electronic communications including on social media platforms. Trustee must conduct themselves in a professional manner and act with decorum especially when attending Board events, when engaging with the community in their capacity as a Trustee, or while on Board property.
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Ontario Broader Public Sector (BPS) Supply Chain Code of Ethics

(This Code of Ethics does not supersede the Code of Conduct but supplements the Code of Conduct with standards of practice specific to the supply chain.)

- 6.28 **Personal Integrity and Professionalism** - Trustees involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain Activities within and between the Board, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Trustees must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.
- 6.29 **Accountability and Transparency** - Supply Chain Activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public resources. Trustees must ensure that Board resources are used in a responsible, efficient and effective manner.
- 6.30 **Compliance and Continuous Improvement** - Trustees involved with purchasing or other Supply Chain Activities must comply with this Code of Ethics and the laws of Canada and Ontario. Trustees should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels.

Gifts, Benefits and Hospitality

- 6.31 Trustees are expected to carry out their duties with impartiality and objectivity. No Trustee shall accept a gift, benefit, hospitality or service from any person or entity that has dealings with the Board if a person might reasonably conclude that the gift, benefit, hospitality or services could influence the Trustee when performing his or her duties to the Board.

- 6.32 For greater certainty, prohibited gifts, benefits, hospitality or services includes, but is not limited to, tickets or admission to a charity event, professional development or training sessions or anything of monetary value.
- 6.33 For these purposes, a gift, benefit, hospitality or service provided with the Trustee's knowledge to a Trustee's spouse, child, or parent, as defined in the *Municipal Conflict of Interest Act*, is deemed to be provided to that Trustee.
- 6.34 Trustees shall not use their position for personal gain or improper advantage.
- 6.35 An invitation to attend or participate in an event or a function directly connected with the performance of a Trustee's duties of office where the Trustee has a ceremonial, presentational or representational official role is not considered by this Code of Conduct, to be a gift. This type of attendance is considered to be fulfillment of official public duties.
- 6.36 Trustees should consult with the Integrity Commissioner and review any relevant Integrity Commissioner Interpretation Bulletins issued by the Integrity Commissioner on this subject.

Use of Board Property, Services and Other Resources

- 6.37 No Trustee should use, or permit the use of Board resources, including but not limited to Staff Members, Board events, Board facilities, Board funds, Board information and Board infrastructure or other resources (e.g., Board-owned materials, websites, and social media platforms) for activities other than the business of the PDSB. No Trustee may obtain personal financial gain from the use or sale of Board-developed intellectual property (e.g., inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, or from the sale of Board provided mobile phones and all other technological equipment, since all such property remains exclusively that of the Board.

Election Campaign Work

- 6.38 Election activity refers to campaigns for municipal, provincial and federal office or campaigns on a question on a ballot.
- 6.39 No Trustee shall use the facilities, equipment, supplies, services, staff or other resources of the Board (including Board logos, newsletters, social media sites and websites linked through the Board's website, contact information including email addresses obtained as a result of the member's performance of his or her duties as a Trustee) for any election campaign or campaign-related activities. No Trustee shall undertake campaign-related activities on Board property unless permitted by

Board policy. No Trustee shall use the services of staff for election-related purposes during hours in which those persons receive any compensation from the Board. All Trustees shall comply with the PDSB Board Resources Policy.

Improper Use of Influence

- 6.40 A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
- 6.41 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a Trustee family member. This rule includes, but is not limited to, the prohibition of holding out the prospect or promise of future advantage through a Trustee's purported influence within the Board in return for any present action or inaction to the private advantage of the Trustee, his or her family members or any person or organization with whom the Trustee is related or associated.
- 6.42 No Trustee shall use the influence of his or her office for any purpose other than for the exercise of his or her official duties.

Conduct Regarding Current and Prospective Employment

- 6.43 No Trustee shall allow any current employment or the prospect of his or her future employment by a person or entity to improperly or for personal gain affect the performance of his or her duties to the Board.

Discreditable Conduct

- 6.44 All Trustees have a duty to treat members of the public, one another, and Staff Members respectfully and without abuse, bullying or intimidation, and to ensure that the work environment at the Board is free from discrimination and harassment. This provision applies to all forms of written and oral communications, including via social media.

Reprisals and Obstruction

- 6.45 Harassing or discriminatory behavior (as indicated in the PDSB's Human Rights Policy (Policy 51) and the Equity and Inclusive Education Policy (Policy 54) in addition the Ontario *Occupational Health and Safety Act*, and the Ontario *Human Rights Code*), which occurs in the course of, or is related to, the performance of official business and duties of members of the Board, is subject to this Code of Conduct.

- 6.46 Trustees must respect the integrity of this Code of Conduct and cooperate with inquiries conducted in accordance with the Board Member Code of Conduct Complaint Protocol and any other procedures set by the Board for addressing complaints of a breach of this Code of Conduct. Any reprisal or threat of reprisal against a complainant or anyone else for providing relevant information to the Integrity Commissioner is prohibited. It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out of their responsibilities, for example, by destroying documents or erasing electronic communications.
- 6.47 Trustees have a duty to respond to and comply with all reasonable requests of the Integrity Commissioner and a failure to do so is a violation of this Code of Conduct.
- 6.48 Trustees shall be respectful of the role of the office of the Integrity Commissioner.

Acting On Advice of Integrity Commissioner

- 6.49 If there is uncertainty about whether an action or activity breaches this Code of Conduct, a Trustee may directly seek the advice of the Integrity Commissioner. This shall not constitute an inquiry or investigation by the Integrity Commissioner pursuant to the Complaint Protocol. Where a Trustee has received written advice from the Integrity Commissioner on a particular matter, the advice is binding on the Board in any subsequent consideration of the conduct of the Trustee in the same matter as long as the Trustee disclosed all relevant facts to the Integrity Commissioner before the advice was provided.
- 6.50 The Integrity Commissioner will work with Board General Counsel, Legal and Governance Services when providing advice to Trustees, particularly in the areas of school board governance, Board By-Laws, Governance Directives, policies and, procedures and applicable education legislation.

Chair/Presiding Officer

- 6.51 Nothing in this Code of Conduct prevents the Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to expel or exclude from any meeting any person who has demonstrated improper conduct at the meeting. For greater certainty, this may be done at the 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. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code of Conduct.

- 6.52 The Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or view.
- 6.53 The Chair of the Board or Presiding Officer shall follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures contained in any Policy or By-Laws of the Board. A breach of a rule of order or meeting/parliamentary procedure 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, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the Board Member Code of Conduct Complaint Protocol, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

7.0 Evaluation

- 7.1 This Code of Conduct is to be reviewed and updated as required but at a minimum every four (4) years, on or before May 15 beginning in May, 2019 in accordance with Regulation 246/18.

8.0 Appendices

Board Member Code of Conduct Complaint Protocol
Appointment Selection and Jurisdiction of Integrity Commissioner

9.0 Reference Documents

Policies:

- Anti-Racism Policy
- Trustee Expenses Policy 75
- Trustee Honoraria Policy 72
- Human Rights Policy 51
- Use of Board Resources Policy

By-Laws and Governance Directives

- Peel District School Board By-Laws and Governance Directives

Procedures:

- Workplace Violence EHS 4.1
- Workplace Harassment EHS 4.2

Legislation:

- Criminal Code of Canada
- Education Act
- Municipal Conflict of Interest Act
- Municipal Elections Act, 1996
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act
- Ombudsman Act
- Ontario Human Rights Code

Appendix 1- Acknowledgement and Undertaking

I confirm that I have read, understand and agree to abide by the Board's Code of Conduct and that I understand the Board Member Code of Conduct Complaint Protocol for complaints made to the Integrity Commissioner.

DATE: _____

SIGNATURE: _____

Please Print Name: _____

**PEEL DISTRICT SCHOOL BOARD
BOARD MEMBER CODE OF CONDUCT COMPLAINT PROTOCOL (“Complaint Protocol”)**

1.0 Rationale

The Board has established a Board Member Code of Conduct ("**Code of Conduct**") to govern the conduct of Trustees and to provide transparency, accountability, and public confidence in its governance. This Protocol supports the implementation of the Code of Conduct, particularly as related to the complaints process, including the reporting, investigation and resolution of complaints.

2.0 Objective

To outline the processes for initiating, investigating, resolving and reporting on the outcomes of complaints made under the Code of Conduct.

3.0 Definitions

Board means the Peel District School Board, which is also referred to as the PDSB.

Complaint means a formal written statement of allegations in the form of Appendix 1 to this Complaint Protocol or any informal complaint process contemplated by this Complaint Protocol alleging a Trustee has breached the *Trustee Code of Conduct*.

Formal Complaint means a formal written statement of allegations in the form of Appendix 1 to this Complaint Protocol.

Informal Complaint means any informal complaint process contemplated in this Complaint Protocol.

Inquiry includes an investigation.

Integrity Commissioner means the Integrity Commissioner appointed by the Board of Trustees in accordance with the Peel District School Board By-Laws.

Trustee means a member of the Board elected or appointed in accordance with the *Municipal Elections Act* and/or the *Education Act*, and includes student trustees.

4.0 Responsibility

The Board of Trustees, the PDSB's Integrity Commissioner, **the Governance Officer** and the Director of Education.

5.0 Application and Scope

This Complaint Protocol applies to all Trustees.

The Complaint Protocol outlines a number of ways by which concerns related to the conduct of Trustees are addressed. The Formal Complaint process must comply with s.218.3 of the Ontario *Education Act*.

The Code of Conduct and Complaint Protocol apply to:

- (a) Trustees who have made the Declaration and filed it as outlined in Section 209 of the Ontario *Education Act* and only while they hold their seat; and
- (b) Student trustees once they are elected or appointed to the Board of Trustees and only while they hold their seat.

Subject to the municipal election period described below, conduct by a Trustee outside of the above timeframe will not be the subject of a Complaint under the Code of Conduct and will not be investigated pursuant to the Complaint Protocol.

6.0 Limitations

6.1 Timelines

Any allegation of a breach of the Code of Conduct must be brought forward no later than six (6) months after the breach comes to the knowledge of a Trustee.

6.2 **Suspension of Code During Municipal Election Period**

In a municipal election year for Trustees, Complaints about the conduct of a sitting Trustee shall not be brought during the suspended period commencing on nomination day for a regular election pursuant to the Ontario *Municipal Elections Act* (currently the third Friday in August in the year of an election) and ending on the day of the first Board meeting following the regular election (known as the inaugural meeting in accordance with the Board by-laws) (the "**Suspended Period**"). The limitation period for bringing a complaint shall be extended as necessary.

If the Trustee accused of a breach of the Code of Conduct is not re-elected or acclaimed,

no Inquiry into the alleged breach of the Code of Conduct by that Trustee during their term in office shall be undertaken.

Trustees and Community Members may engage in the informal resolution process during this period, without the participation of the Integrity Commissioner.

During the Suspended Period, any open Formal Complaint investigation(s) shall be suspended, including the release of any final investigation reports to the Board, and only continued if the Trustee accused of a breach of the Code of Conduct is re-elected or acclaimed.

6.3 Anonymity

Anonymous Complaints will not be accepted or investigated by the Integrity Commissioner.

6.4 Statutory Powers Procedure Act

The Ontario *Statutory Procedures Act* does not apply to anything done regarding the enforcement of the Code of Conduct. No formal trial-type hearing will be conducted.

6.5 Removal from Office or Suspension of Honorarium

The Board of Trustees has no power to remove a Trustee from their elected seat or suspend their honorarium for a breach of the Code of Conduct.

7.0 Enforcement of the Code of Conduct

A Trustee who has reasonable grounds to believe that a Trustee has breached the Code of Conduct may bring the alleged breach to the attention of the Board of Trustees in accordance with the Informal or Formal Complaint processes below.

Any allegation of the breach of the Code of Conduct shall be investigated and/or resolved as outlined in the Informal Complaint process or Formal Complaint process described below.

Only serious and/or reoccurring breaches of the Code of Conduct should be investigated as outlined in the Formal Complaint process. It is expected that whenever possible, allegations of a breach of the Code of Conduct shall be investigated following the Informal Complaint process. It is recognized that from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, 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 of Conduct. Only serious and/or reoccurring breaches of the Code should be investigated following the Formal Complaint process.

7.1 Informal Complaint Process

Trustees are encouraged to use informal means first to address conduct prohibited by the Code of Conduct. With the consent of the complaining Trustee and the Trustee who is alleged to have breached the Code of Conduct, the Integrity Commissioner or the Chair of the Board may be a part of any informal process.

The purpose of the Informal Complaint process is to bring the allegation of the breach directly to the attention of the Trustee who is alleged to have breached the Code of Conduct and to discuss possible remedial measures to correct the offending behavior. The Informal Complaint process is conducted in private and is to remain confidential.

Trustees who have identified or witnessed conduct by a Trustee that they believe is in contravention of the Code of Conduct may address the prohibited conduct as follows:

- (a) advise the Trustee that the conduct contravenes the Code of Conduct with an explanation as to why;
- (b) encourage the Trustee to stop the prohibited conduct;
- (c) discuss remedial measures to correct the offending behaviour with the Trustee who is alleged to have breached the Code of Conduct;
- (d) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (e) advise the Integrity Commissioner about the concerns related to the Trustee and any response of the Trustee;
- (f) if applicable, confirm to the Trustee who is alleged to have breached the Code of Conduct, the satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of the dissatisfaction with the response;
- (g) if the parties agree, the Integrity Commissioner can participate in resolving or attempting to resolve the issues relating to the complaint; and
- (h) consider the need to pursue a Formal Complaint.

The Trustee may seek advice or assistance from the Director of Education, the Governance Officer or the Integrity Commissioner for the above. The Informal Complaint process is encouraged; however, it is not required prior to beginning the formal complaint process.

7.2 Formal Complaint and Request for Inquiry Process

Initiating a Formal Inquiry

A Trustee who has reasonable grounds to believe that a Trustee has breached the Code

of Conduct may bring the breach to the attention of the Board by first filing with the Integrity Commissioner the Formal Complaint that is signed by the complainant, setting out the following information:

- (a) the name of the Trustee who is alleged to have breached the Code of Conduct;
- (b) the alleged breach or breaches of the Code of Conduct;
- (c) information as to when the breach came to the complainant's attention;
- (d) the grounds for the belief by the complainant that a breach of the Code of Conduct has occurred; and
- (e) the names and contact information of the complainant and any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

7.3 Initial Assessment of Complaint by the Integrity Commissioner

- (a) The original written complaint shall be filed with the Integrity Commissioner for initial assessment to determine if the matter is a complaint with respect to non-compliance with the Code of Conduct. For greater certainty, the views or positions of a Trustee on matters to be determined by the Board of Trustees, including how they vote on a matter is not a code of conduct issue.
- (b) If the complaint is not a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation the Integrity Commissioner shall advise the complainant in writing as follows and that the Inquiry will not proceed:
 - i. if the complaint is an allegation of a criminal nature consistent with the Criminal Code of Canada, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
 - ii. if the complaint is with respect to non-compliance with the Municipal Conflict of Interest Act, the complainant shall be advised to review the matter with the complainant's own legal counsel;
 - iii. if the complaint is with respect to non-compliance with the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be referred to the appropriate Board department; or

- iv. in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to consider, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.
- (c) If the Integrity Commissioner is of the opinion that the Formal Complaint and request for an Inquiry is out of time, frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not initiate an investigation, or, where any of the foregoing becomes apparent in the course of an investigation, the Integrity Commissioner shall terminate the investigation. The complainant and Trustee who is alleged to have breached the Code of Conduct, as appropriate, shall be advised of the decision with a rationale.
- (d) Where the complainant breaches the integrity of an investigation, including the confidentiality requirement referred to [in section 7.4 \(f\)](#) below, which confidentiality requirement includes, by sharing the details on social or any kind of media, or publicly discussing details of the Inquiry, the Integrity Commissioner may terminate the investigation and summarily dismiss a complaint. No report shall be presented to the Board of Trustees except if appropriate, to report that a Formal Complaint will not proceed for this reason.
- (e) If the Integrity Commissioner determines that they would be biased or have a conflict of interest regarding the subject matter of the Formal Complaint, Board General Counsel, Legal and Governance Services will select an independent outside investigator to conduct the Inquiry, including the initial assessment. The investigator will have the powers and duties of the Integrity Commissioner set out herein to conduct the Inquiry of the Formal Complaint.

7.4 Formal Complaint Inquiries by the Integrity Commissioner

- (a) If after the initial assessment by the Integrity Commissioner, a Formal Complaint is proceeding, the Integrity Commissioner shall proceed with an investigation as follows, unless the complainant subsequently withdraws the Formal Complaint or agrees that it may be dealt with in accordance with the Informal Complaint process:
 - (i) Provide the Formal Complaint or any reformulation of the complaint prepared by the Integrity Commissioner to ensure that it accurately identifies and formulates an alleged breach or breaches of the Code of

Conduct and protects the identity of any witnesses where appropriate to the Trustee who is alleged to have breached the Code of Conduct; and

- (ii) The Trustee shall provide to the Integrity Commissioner a written response to the complaint within ten (10) business days of receiving it or such period of time as the Integrity Commissioner deems appropriate in the circumstances.
- (b) The Integrity Commissioner may conduct such Inquiry as they consider necessary, including interviewing the parties and witnesses in the order they see fit and to receive both oral or written statements from them.
- (c) The Integrity Commissioner may speak to anyone relevant to the complaint and any Trustees or Board employees will cooperate in that regard, access and examine any relevant information, documents or electronic materials and enter any Board work location relevant to the complaint for the purposes of the Inquiry.
- (d) Procedural fairness shall govern the Inquiry.
- (e) The Formal Complaint will remain confidential and only be disclosed at the time of a public report by the Integrity Commissioner and to the Trustee alleged to have breached the Code of Conduct.
- (f) Any Inquiry will be conducted in private and all parties and participants/witnesses in the Inquiry will preserve the confidentiality of all matters discussed and disclosed during the Inquiry, unless otherwise required to be disclosed by-law and as determined by the Integrity Commissioner.
- (g) If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the Inquiry, the Inquiry will proceed in their absence, including a final **public** report of the Integrity Commissioner.
- (h) At any time following receipt and review of the Formal Complaint, or at any time during the Inquiry, where the Integrity Commissioner believes there is an opportunity to successfully resolve the matter without a formal investigation, and both the complainant and the Trustee alleged to have breached the Code agree, an informal resolution may be pursued.
- (i) If, during the course of the Inquiry, the Integrity Commissioner discovers that the subject-matter is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under other legislation, the formal Inquiry shall be suspended until the police investigation, charge or matter under other legislation has been finally disposed of. This shall be reported in confidence to the Board.

75 Reports to the Board of Trustees

- (a) At the conclusion of an investigation of a Formal Complaint that has not been resolved, the Integrity Commissioner shall prepare a written report to the Board of Trustees outlining the finding of facts and a recommendation or opinion as to whether or not the Code of Conduct was breached with reasons, and if so, recommend any sanctions (the “**Final Report**”). This shall be completed within 90 days after receipt of the Formal Complaint unless the Integrity Commissioner determines that a longer period of time is required to complete the Final Report and the reason is explained in the Final Report. The parties will be advised of the expected date of delivery of the Final Report.
- (b) The Integrity Commissioner may make interim reports to the Board of Trustees where necessary and as required to address any instances of interference, obstruction, delay, or retaliation encountered during the Inquiry.
- (c) The Final Report will be considered by the Board of Trustees in a public meeting, unless the meeting is closed to the public as follows:

In accordance with section 207(2) of the *Education Act*, a Final Report of a Formal Complaint investigation may be considered in a meeting closed to the public when the subject matter under consideration involves:

- (i) the security of the property of the Board;
- (ii) the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian;
- (iii) the acquisition or disposal of a school site;
- (iv) decisions in respect of negotiations with employees of the Board; or
- (v) litigation or any potential litigation affecting the Board **and information that is subject to solicitor-client privilege.**

In accordance with s.218.3 (11) of the *Education Act*, even if a meeting is closed to the public to consider the Final Report, the vote on the motion to determine whether or not the Code of Conduct was breached and any sanction imposed must be done at a public Board meeting.

7.6 Board of Trustees Decision

- (a) The Final Report of the Integrity Commissioner shall be delivered to the Board of Trustees, including the Trustee alleged to have breached the Code of Conduct, through the General Counsel, Legal and Governance Services.

- (b) A decision by the Board of Trustees as to whether or not the Code of Conduct has been breached and the sanction, if any, shall be made as soon as practical after receipt of the Final Report by the Board of Trustees.
- (c) Trustees shall consider only the findings in the Final Report and as supplemented by the Integrity Commissioner, if necessary, when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter, including questioning the Integrity Commissioner, complainant, Trustee who is alleged to have breached the Code or any witnesses or persons participating in the Inquiry.
- (d) If the Board of Trustees determine that there has been no breach of the Code of Conduct or that a contravention occurred, although the Trustee alleged to have breached the Code took all reasonable measures to prevent it, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed. **While the Board of Trustees makes the determination**, the Integrity Commissioner may provide an opinion in the Final Report on these matters.
- (e) The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a Formal Complaint investigated in accordance with the Formal Inquiry process must be done by resolution of the Board of Trustees at a public Board meeting as specified in the Ontario *Education Act*. Both resolutions shall be decided by a vote of at least two-thirds (2/3) of Trustees who are present and voting.
- (f) The results of the vote and reason(s) for the Board of Trustee's decision shall be recorded in the minutes of the Board meeting.
- (g) 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 may vote on those resolutions.
- (h) 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 or be required to answer any questions.

- (i) 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 during the review set out below after the Board of Trustees have made their original decision(s).

7.7 Sanctions

- (a) If the Board of Trustees determine that the Trustee has breached the Code of Conduct, the Board of Trustees may impose one or more of the following sanctions:
 - (i) Censuring the Trustee.
 - (ii) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of the committee of the Board.
 - (iii) Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.
- (b) 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 requirement to complete specified professional development at the expense of the Board. The Board of Trustees has no power to declare the Trustee's seat vacant or withhold the Trustee's honorarium.
- (c) A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board 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.
- (d) The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the Ontario *Education Act* and the Regulations thereunder regarding absences from meetings.

7.8 Required Steps After the Board's Decision

- (a) If the Board of Trustees determines that a Trustee has breached the Code of Conduct the Board of Trustees shall:
 - (i) give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board of the Trustees;

- (ii) the notice shall inform the Trustee that they 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
 - (iii) consider any submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.
- (b) If the Board revokes a determination, any sanction imposed by the Board is revoked.
 - (c) If the Board confirms a determination, the Board shall, within the fourteen (14) days above, confirm, vary or revoke the sanction.
 - (d) 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.
 - (e) The Board of Trustee's decision(s) to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least a **two-thirds** majority the Trustees present and voting. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination.
 - (f) 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.
 - (g) The Trustee alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations or be required to answer any questions and shall not vote on the resolutions. The Trustee who brought the initial Formal Complaint may vote.
 - (h) If appropriate, the original sanction may be stayed pending the review by the Board of Trustees of the determination or sanction. If the original sanction was stayed, the stay will be lifted and any sanction imposed will commence immediately after the Board's decision on the review.

7.9 Payment of Legal Costs

- (a) Subject to subsection 7.9 (d) and (e), a Trustee who is the subject of a Formal Complaint under the Code of Conduct shall be reimbursed for actual and reasonable legal and related expenses ("**Legal Costs**") up to a maximum of \$5,000.

- (b) In the case of an application under the *Judicial Review Procedure Act* by a Trustee who was the subject of a Formal Complaint under the Code of Conduct for judicial review of actions taken on a complaint against the Trustee by the Board of Trustees, the Trustees Legal Costs not covered by an award of costs by the court, up to a maximum of \$20,000 shall be reimbursed to them by the Board if the Trustee is successful on the application.
- (c) The Board of Trustees may consider the reimbursement of Legal Costs above the limit in subsection 7.9(b) on a case-by-case basis.
- (d) The Board of Trustees may consider an advance payment to the Trustee for Legal Costs prior to completion of an investigation for a maximum amount of \$5,000. The Trustee must repay to the Board all unused funds upon completion of an investigation. The Trustee will not be required to reimburse the spent funds if, upon completion of the investigation 7.9(e) below applies. Otherwise, all advanced funds must be repaid to the Board immediately upon conclusion of the investigation.
- (e) Legal Costs shall only be reimbursed under this section to the Trustee, if the Board of Trustees concludes that there has been no contravention of the Code of Conduct by the Trustee or that it was found that the Trustee took all reasonable steps to prevent the contravention, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, and the Board of Trustees conclusion is not overturned on judicial review.
- (f) Any award of costs under subsection 7.9(e) shall be contingent on a report to the Board of Trustees from the Board's General Counsel, Legal and Governance Services and **the Associate Director of Operations and Equity of Access to Support Services**.

8.0 Evaluation

This procedure is to be reviewed and updated as required but at a minimum every four (4) years.

8.0 Appendices / Reference Documents

Appendix 1: Complaint Form (Form 708A)

- Legislative Acts and Regulations: Judicial Review Procedure Act
- Municipal Elections Act
- Education Act and Regulations

Reference Documents

- *Appointment, Selection, and Jurisdiction of the Integrity Commissioner*
- *Board Member Code of Conduct*

Appendix 1
Peel District School Board
Board Member Code of Conduct – Formal Complaint Form

Nature of Complaint:

I, _____ (full name),
of the (City, Town, of residence etc.) _____
in the Province of Ontario.

STATE THE FOLLOWING:

1. I have personal knowledge of the facts as outlined below, because:

(insert reasons e.g., I work for.....I attended a meeting at which...etc.)

2. I have reasonable and probable grounds to believe that: _____
(specify name of Trustee) a member of the Peel District School Board, has
contravened Section(s) _____
(specify section(s) of the Board Member Code of Conduct)
3. Date of the alleged breach _____ and Date of when the alleged breach came to my
attention _____

The particulars of which are as follows in attached Schedule "A":

(Set out the statements of fact in consecutively numbered paragraphs in the attached Schedule "A", with each paragraph being confined, as far as possible, to a particular statement of fact. You may refer to documents in this complaint and attach them to support this complaint. Please provide the names and contact information of any witnesses or persons with relevant information.

DATED THIS _____ DAY OF _____, 20 __,

Schedule “A”

Schedule “A” to the **Board Member Code of Conduct – Formal Complaint Form**

(If more than one page is required, please photocopy this blank page and mark each additional page as 2 of #, 3 of #, etc. in the top right corner.)

 (Signature of person making the complaint)

Appointment, Selection, and Jurisdiction of the Integrity Commissioner

7.01 Objective

7.01.1 To establish the office of the Integrity Commissioner to provide advisory support and education to Trustees in matters of ethics and the application of the Board Member Code of Conduct and to investigate Code of Conduct Complaints.

7.02 Definitions

In this Directive,

7.02.1 Board means the Peel District School Board.

7.02.2 Complaint means a formal written statement of allegations in the form of Appendix A to Board Member Code of Conduct Complaint Protocol or any informal complaint contemplated by the Complaint Protocol alleging a Trustee has breached Board Member Code of Conduct.

7.02.3 Staff Member means an employee of the Peel District School Board.

7.02.4 Trustee means a member of the Board elected or appointed in accordance with the *Municipal Elections Act* and/or the *Education Act*, and includes student trustees.

7.03 Responsibility

7.03.1 The Board of Trustees.

7.04 Appointment of the Integrity Commissioner

7.04.1 The Board of Trustees shall appoint, terminate, or renew an Integrity Commissioner by a two-thirds (2/3) vote of Trustees present and voting at a regular or special meeting of the Board.

7.04.2 The initial term of the Integrity Commissioner shall be for three (3). The term may be extended by the Board of Trustees for up to two (2) additional terms of two (2) years each.

7.05 Selection of the Integrity Commissioner

7.05.1 The selection process for the Integrity Commissioner shall be conducted in accordance with the procurement policies of the Board and overseen by a selection committee of Trustees appointed by the Board of Trustees and chaired by the Chair of the Board or designate.

7.05.2 The selection committee shall recommend a candidate for the office of the Integrity Commissioner for approval by the Board of Trustees.

7.06 Role of the Integrity Commissioner

7.06.1 The Integrity Commissioner has the following responsibilities:

- (a) providing timely advice to Trustees about their obligations under the Board Member Code of Conduct and the application of the Board Member Code of Conduct Complaint Protocol;
- (b) providing general information to Trustees about their duties and obligations under the Municipal Conflict of Interest Act but not providing legal advice;
- (c) reviewing and making inquiries related to Complaints of alleged breaches by Trustees of the Board Member Code of Conduct in accordance with the Board Member Code of Conduct Complaint Protocol;
- (d) providing educational programs to Trustees on issues of ethics and integrity;
- (e) issuing interpretation bulletins, including examples of activities that contravene the Board Member Code of Conduct and activities that are permissible and do not contravene the Code of Conduct;
- (f) all documents generated in the course of an investigation or inquiry, informal resolution of Complaints or the giving of advice to Trustees, including without limitation, notes, recordings of interviews, draft reports or opinions, etc. are the property of the Integrity Commissioner and not the Board and will not be produced unless required by law, statute or court/tribunal order and, on completion of their term, **will** transfer any open files related to ongoing matters to the incoming Integrity Commissioner;
- (g) ensuring the secure collection, use, disclosure; retention; and destruction of records containing personal or confidential information in their custody or control as required by all applicable privacy laws, including the *Municipal Freedom of Information and Protection Act* as if they were an institution within the meaning of that Act; and
- (h) providing such other duties respecting ethical and conduct matters as assigned by the Board.

7.06.2 The Integrity Commissioner does not have jurisdiction over complaints about Staff Members.

7.06.3 The Integrity Commissioner shall carry out his/her duties independently.

7.06.4 The Integrity Commissioner does not have jurisdiction to investigate or make inquiries in respect of Complaints that are related to the Criminal Code, the Municipal Conflict of Interest Act, the Municipal Elections Act, or the Municipal Freedom of Information and Protection of Privacy Act.

7.07 Accountability of the Integrity Commissioner

7.07.1 The Integrity Commissioner is accountable to and reports to the Board of Trustees.

7.07.2 The Integrity Commissioner shall prepare a written annual report to the Board of Trustees which will be made available to the public. The report will include for the preceding year:

- (a) the number and general nature of the Complaints, made pursuant to the Board Member Code of Conduct (formal and informal) to the Integrity Commissioner and the disposition of those Complaints;
- (b) the number of inquiries and general nature of them, received by the Integrity Commissioner regarding the application of the Board Member Code of Conduct;
- (c) the number of Trustees requesting advice regarding the application of the Board Member Code of Conduct, and of that number how many of the Integrity Commissioner's responses were informal opinions and how many were formal opinions;
- (d) other activities undertaken by the Integrity Commissioner to support the Board of Trustees to achieve high standards of ethical conduct and thereby enhance public confidence in the effective governance of the Board (for example, training, education, reports, interpretation bulletins, etc.); and
- (e) any other relevant information ~~to~~ regarding the position of the Integrity Commissioner as requested by the Board of Trustees.

7.08 Powers of Integrity Commissioner on Inquiry

7.08.1 The Integrity Commissioner is entitled to have free and unencumbered access, for the sole purpose of an inquiry or investigation undertaken by the Integrity Commissioner pursuant to the Board Member Code of Conduct Complaint Protocol, to all records or documents, both paper and electronic, including, but not limited to books, accounts, financial records, electronic records and communications, files, papers, things or property belonging to or used by the Board or Trustees that the Integrity Commissioner believes are necessary for an inquiry or investigation of a Complaint made in accordance with the Board Member Code of Conduct Complaint

Protocol. The Board Director of Education, or designate will facilitate such access where permitted in law.

Motion regarding Term Limits for School Board Trustees

Submitted by: Will Davies

Moved by:

Seconded by:

Motion:

“Whereas, the Board values enhanced community engagement;

And whereas, the Board is committed to diversity and inclusion;

And whereas, education is a constantly evolving field which benefits from regular infusions of new and fresh ideas;

And whereas, notwithstanding the arduous process to secure political office, trustees should not view themselves as lifetime politicians;

Therefore be it resolved, that a letter be written to the Premier of Ontario to request necessary changes in legislation to permit and implement term limits for the position of school board trustee such that, beginning with the 2022 Municipal election term, trustees of the Peel District School Board be limited to a maximum of 5 terms in office.”
