



Office of the Director

Jim McCuaig Education Centre
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BOARD ADVISORY COMMITTEE

**Tuesday, April 8, 2025
Jim McCuaig Education Centre**

Sherri-Lynne Pharand
Director of Education

Donica LeBlanc
Chair

AGENDA

**PUBLIC SESSION
7:30 P.M. – in the Board Room**

	<u>Resource Person</u>	<u>Pages</u>
1. Call to Order		
2. Disclosure of Conflict of Interest		
3. Approval of the Agenda		
4. Resolve into Committee of the Whole – Closed Session – N/A		
5. COMMITTEE OF THE WHOLE – Closed Session – N/A		
6. Land Acknowledgement		Verbal
7. Delegations/Presentations		
8. Confirmation of Minutes		
8.1 Board Advisory Committee Meeting – February 11, 2025	D. LeBlanc	1-4
9. Business Arising from the Minutes		

Trustees (Chair and Vice-Chair) and presenters of reports will be available
for comment after the Board Meeting.

LAKEHEAD DISTRICT SCHOOL BOARD

		<u>Resource Person</u>	<u>Pages</u>
<u>MATTERS NOT REQUIRING A DECISION</u>			
10.	Information Reports		
10.1	Elementary Hockey Academy Report (039-25)	H. Harris	5-6
10.2	Leadership Report (033-25)	M. Probizanski	7-10
10.3	Procedural By-Law Ad Hoc Committee Report (040-25)	E. Chambers	11-63
11.	First Reports		

MATTERS FOR DECISION:

12.	Postponed Reports		
13.	Ad Hoc and Special Committee Reports		
13.1	Trustee Code of Conduct Ad Hoc Committee Report (041-25)	L. Vanderwey	64-77
	<p>It is recommended that the Board Advisory Committee refer the following to the Board for approval:</p> <p><i>“That Lakehead District School Board approve the amended Trustee Code of Conduct, Appendix A to Report No 041-25”</i></p>		
13.2	Parent Involvement Committee Request for Approval of Correspondence (042-25)	S. Pharand	78-80
	<p>It is recommended that the Board Advisory Committee refer the following to the Board for approval:</p> <p><i>“That Lakehead District School Board approve the request from the Parent Involvement Committee to send correspondence of support to the Minister of Education, as outlined in Report No. 042-25.”</i></p>		

Trustees (Chair and Vice-Chair) and presenters of reports will be available for comment after the Board Meeting.

14. New Reports

- | | | | |
|------|--|------------|-------|
| 14.1 | Policy Review – Ontario Student Record
(037-25) | S. Pharand | 81-90 |
|------|--|------------|-------|

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve 3005 Ontario School Record Policy, Appendix A to Report No. 037-25”.

- | | | | |
|------|---|----------------|--------|
| 14.2 | Policy Review – 7010 Police Record Checks
(034-25) | M. Probizanski | 91-100 |
|------|---|----------------|--------|

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve 7010 Police Record Checks Policy, Appendix A to Report No. 034-25.”

- | | | | |
|------|---|----------|---------|
| 14.3 | Policy Review – 7030 Human Rights and
Workplace Harassment
(036-25) | J. Lower | 101-130 |
|------|---|----------|---------|

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve 7030 Human Rights and Workplace Harassment Policy, Appendix A to Report No. 036-25.”

- | | | | |
|------|--|------------|---------|
| 14.4 | 2025-2029 Multi-Year Strategic Plan (038-25) | S. Pharand | 131-135 |
|------|--|------------|---------|

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve the 2025-2029 Multi-Year Strategic Plan, Appendix A to Report No. 038-25”.

15. New Business

16. Notices of Motion

17. Information and Inquiries

18. Adjournment

Trustees (Chair and Vice-Chair) and presenters of reports will be available for comment after the Board Meeting.

LAKEHEAD DISTRICT SCHOOL BOARD

LAKEHEAD DISTRICT SCHOOL BOARD

MINUTES OF BOARD ADVISORY COMMITTEE

Board Room/Microsoft Teams
Jim McCuaig Education Centre

2025 FEB 11
7:30 p.m.

TRUSTEES PRESENT:

Donica LeBlanc (Chair)
Ellen Chambers
Pat Johansen
Ron Oikonen
George Saarinen

Trudy Tuchenhausen
Leah Vanderwey
Eryn Genno
(Indigenous Student Trustee)

ABSENT WITH REGRETS:

Ryan Sitch, Trustee
Scottie Wemigwans (Indigenous Trustee)
Morgann De Franceschi (Student Trustee)

SENIOR ADMINISTRATION:

Sherri-Lynne Pharand, Director of Education
Kirsti Alaksa, Superintendent of Business
Heather Harris, Superintendent of Education
Jane Lower, Superintendent of Education
Michelle Probizanski, Superintendent of Education
Nick Sacevich, Associate Superintendent and Math/IT Lead

PUBLIC SESSION:

1. Meeting called to order by Chair LeBlanc
2. Disclosure of Conflict of Interest – None

PUBLIC SESSION:

3. Resolve into Committee of the Whole – Closed Session – N/A

COMMITTEE OF THE WHOLE – CLOSED SESSION:

4. Committee of the Whole – Closed Session N/A

PUBLIC SESSION

5. Report of Committee of the Whole N/A
6. Land Acknowledgement

Trustee Chambers read the Land Acknowledgement.

7. Delegations/Presentations - None

8. Approval of Agenda

Moved by Trustee Saarinen

Seconded by Trustee Tuchenhausen

"THAT the Agenda for Board Advisory Committee Meeting, February 11, 2025, be approved."

CARRIED

9. Confirmation of Minutes

Moved by Trustee Johansen

Seconded by Trustee Vanderwey

"THAT the Board Advisory Committee approve the minutes of the Board Advisory Committee Meeting, January 14, 2025."

CARRIED

MATTERS NOT FOR DECISION:

10. Information Reports

10.1 Attendance Report (022-25)

Jane Lower, Superintendent of Education, presented the report. All trustees' questions were addressed.

11. First Reports - None

MATTERS FOR DECISION:

12. Postponed Reports - None

13. Ad Hoc and Special Committee Reports

13.1 School Year Calendar 2025-2026 (021-25)

Moved by Trustee Saarinen

Seconded by Trustee Vanderwey

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

"THAT Lakehead District School Board:

- 1. Approve the proposed 2025-2026 elementary school year calendar, including the opening and closing dates and professional activity days, as described in Appendix A of Report No. 021-25.*
- 2. Approve the proposed 2025-2026 secondary school year calendar, including the opening and closing dates, professional activity days and examination days, as described in Appendix B of Report No. 021-25."*

CARRIED

14. New Reports

14.1 Policy Review – 6070 Video Surveillance (019-25)

Moved by Trustee Chambers

Seconded by Trustee Johansen

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“THAT Lakehead District School Board approve 6070 Video Surveillance Policy, Appendix A to Report No. 019-25.”

CARRIED

14.2 Policy Review – 2010 Policy Development and Review (023-25)

Moved by Trustee Vanderwey

Seconded by Trustee Tuchenhausen

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“THAT Lakehead District School Board approve 2010 Policy Development and Review, Appendix A to Report No. 023-25”.

CARRIED

14.3 Policy Review – 7080 Health and Safety (020-25)

Moved by Trustee Saarinen

Seconded by Trustee Johansen

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“THAT Lakehead District School Board approve 7080 Health and Safety Policy, Appendix A to Report No. 020-25.”

CARRIED

15. New Business - None

16. Notices of Motion - None

17. Information and Inquires

17.1 Trustee LeBlanc informed the Board that the following events were attended by trustees, and Senior Administration.

- February 10, 2025 – 25 years of service celebration.

18. Adjournment

Moved by Trustee Saarinen

Seconded by Trustee Vanderwey

“THAT we do now adjourn at 8:12 p.m.”

CARRIED

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 08
Report No. 039-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: ELEMENTARY HOCKEY ACADEMY REPORT

1. Background

- 1.1 Opportunities to participate in sports contribute significantly to the holistic development of students. Studies have shown a positive connection between sports activities and improved memory and cognitive functions of the brain. Skills such as coordination, multitasking and situational awareness all enhance academic capabilities and promote student success and well-being.
- 1.2 The elementary Health and Physical Education Curriculum (2019) focuses on physical activity, skill development and movement that builds students' abilities, confidence and commitment to life-long healthy, active living.
- 1.3 The Lakehead Public School Elementary Hockey Academy was established during the 2017-2018 school year. Initially the program was developed through a partnership with Port Arthur Minor Hockey and the Canadian Tire First Shift program at Ogden Community Public School and McKellar Park Central Public School. Hockey Canada Skill Academies were hosted at Claude E. Garton Public School and Edgewater Park Public School.
- 1.4 The elementary hockey program is focused on physical education, teamwork, and skill development. Students of all abilities are welcome to participate in the program and are not required to have previous experience in hockey. Equipment is provided for students if required.

2. Situation

- 2.1 This year, the following schools hosted the elementary hockey program:

- C.D. Howe Public School;
- Claude E. Garton Public School;
- École Elsie MacGill Public School;
- Kingsway Park Public School;
- McKellar Park Central Public School;
- Ogden Community Public School; and
- Nor'wester View Public School.

Approximately 250 students from these schools participated in the elementary hockey program this year.

2.2 Eleven schools participated in one of two mini tournaments as a wrap-up and celebration of the 2024-2025 elementary hockey season. In addition to the schools that hosted the elementary hockey program, the following schools participated in the mini tournaments held at Fort William Gardens and Fort William First Nation Arena:

- École Gron Morgan Public School;
- Valley Central Public School;
- Woodcrest Public School; and
- Thunder Bay Christian School.

2.3 The majority of funding for the program is provided through the Ontario Charitable Gaming Association.

3. Next Steps

There is an increasing number of elementary schools interested in participating in the elementary hockey program and/or the end-of-season hockey tournament. Considerations for growing the program include securing adequate ice time and ensuring sustainable funding for the program.

4. Conclusion

Lakehead District School Board believes that providing opportunities for students to participate in sports supports their overall success and well-being. Beyond the obvious health benefits, engaging in sports at school fosters valuable life skills, promotes teamwork, enhances mental well-being, and contributes to a more vibrant and inclusive school community.

Respectfully submitted,

HEATHER HARRIS
Superintendent of Education

SHERRI-LYNNE PHARAND
Director of Education

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 8
Report No. 033-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: LEADERSHIP REPORT

1. Background

- 1.1 Lakehead District School Board (LDSB) leaders play an integral role in improving student achievement and creating safe and caring learning environments for students.
- 1.2 Succession planning and talent development “is about encouraging all in the system to see themselves as part of the leadership strategy. The focus is on attracting and developing passionate and skilled leaders who can effectively support student achievement and well-being” (Ontario Ministry of Education, 2011).
- 1.3 Lakehead District School Board is committed to the development, nurturing and mentoring of present and aspiring leaders.

2. Situation

Key Actions for the 2024-2025 School Year

2.1 School-based Leadership

2.1.1 School Learning Team

Each elementary school has a School Student Learning Team, which brings together school leaders from various divisions. Each secondary school has a Cabinet of Chairs, which meets regularly throughout the year to discuss school learning goals and strategies.

2.1.2 Distributive Leadership Forum and Chairs’ Forum

All elementary school administrators and Student Learning Team members meet three times per year to collaborate and learn together. This team coordinates the Professional Learning Community (PLC) meetings at the school level, which is focused on School Learning Plans.

Secondary chairs meet regularly to ensure system consistency of PLCs at each individual school and among departments.

2.1.3 Secondary Principal and Vice Principal Learning Teams

Secondary principals meet regularly to discuss leadership strategies and instructional leadership. Secondary vice principals engage in classroom visits together to observe quality high impact instructional strategies and to practice feedback that is timely and responsive.

Rural Administrator Leadership Learning Team

Rural administrators meet to create a network for those who lead schools as a single administrator. The focus this year is on instructional leadership, feedback, data walls and tracking student achievement.

Administrator Data Sessions and School Attendance Leadership Project

All administrators attend monthly data sessions focused on student achievement and attendance, to support school student achievement plans. This is done by accessing and analyzing school data to identify trends, monitor student progress, and inform instructional decision-making.

Six elementary administrators and two secondary administrators participate in the attendance leadership project that involves tracking student attendance, use of unique strategies for parent engagement, and increased use of land based, experiential, and outdoor education learning.

2.1.4 School Champion Opportunities

Many opportunities to become engaged as a leader at the school level are possible. These opportunities include, but are not limited to, Equity and Diversity Lead, School Council Representative, Environmental Lead, IT Champion, Wellness Champion, School Learning Team, Health and Safety Committee, and Safe Schools Team.

2.1.5 Teacher In Charge

Teaching staff members gain valuable experience when acting as a Teacher In Charge in the absence of an administrator. The Teacher In Charge role allows teachers to gain a better understanding of the administrator's role and responsibilities as well as practical experience in a supportive and coaching environment.

2.1.6 Additional Qualifications (AQ)

Through Ministry funding, LDSB supports teachers and administrators financially to complete AQ courses including Special Education, Special Education for Administrators, Primary/Junior Math Part I, Teaching Students with Communication Needs (autism spectrum disorders), First Nation, Metis and Inuit Studies, Principal's Qualifications Program, and Supervisory Officer's Qualification.

2.2 Board-based Leadership

2.2.1 Committee Chair and Membership Opportunities/Central Staff Positions

Committee chair/lead positions and committee membership provide many opportunities for employees to engage in system leadership. Central staff positions capitalize on the expertise of employees and allow skills and knowledge to be shared across the system. Positions are available in various departments.

2.2.2 Growth Plans

All administrators and managers at LDSB complete a detailed growth plan that is connected to the strategic priorities for the Board.

2.2.3 Leadership Committee

The Leadership Committee meets regularly throughout the year to plan professional learning, training, and networking opportunities for teaching and non-teaching employees.

The Leadership Committee organize a variety of events, based on identified participant interest, such as: book/article studies, guest speakers, networking sessions, and professional learning opportunities.

This year, the Leadership Committee created four sub committees to focus on key interest groups:

- subcommittee one - leadership: the audience is existing principals and vice principals. This subcommittee facilitates leadership activities that incorporate many different modes of learning such as podcasts, webinars, events, and book groups focusing on a variety of topics (instructional leadership mentorship, and equity) building the capacity of our leaders and consistency across the system;
- subcommittee two - aspiring leaders/mentorship of existing new leaders: the audience is teachers in both panels, pool list candidates and new to the role (first two years) administrators. This subcommittee facilitates activities such as case studies, role modelling, role play, and plans events, presentations, book studies or podcasts. The scope of work focuses on the needs of new to the role or aspiring to the role leaders. The work of this group will incorporate an onboarding retreat for new leaders in August;
- subcommittee three - administrative needs and operations: the audience is existing principals and vice principals. This subcommittee organizes, prepares, and distributes information that is needed by all administrators in the role. This includes, but is not limited to, a monthly newsletter, monthly checklist of important reminders, surveying needs to guide case studies and operational items; and

- subcommittee four - leadership for non-teaching employees: the audience is non-teaching employees such as managers, supervisors, business staff, and other union groups. This subcommittee organizes events, activities, and training for those interested staff that focus on leadership, collaboration, and systemic success.

2.2.4 Mentoring for Newly Appointed School Leaders and Pool candidates

Each year newly appointed school leaders who are in the first two years as a principal or vice-principal are paired with an experienced principal or vice-principal mentor. Mentees and mentors are provided with three half days of release to meet during the school year to discuss issues/concerns or areas for growth; this is a reciprocal learning opportunity which benefits the mentor and the mentee.

2.3 Community Leadership

Lakehead Public School Leaders contribute significantly to Thunder Bay's community through various committee scope of work, participation on various boards and volunteering.

3. Conclusion

Lakehead Public School leaders play an essential role in improving student achievement and well-being. Lakehead District School Board is committed to distributive leadership and strives to develop exemplary leadership skills and competencies that foster excellence in teaching and learning.

Respectfully submitted,

MICHELLE PROBIZANSKI
Superintendent of Education

SHERRI-LYNNE PHARAND
Director of Education

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 22
Report No. 040-25

TO THE CHAIR AND MEMBERS OF
BOARD ADVISORY COMMITTEE – Public Session

RE: PROCEDURAL BY-LAW AD HOC COMMITTEE REPORT

1. Background

- 1.1 On October 8, 2024, the Board established a Procedural By-Law Ad Hoc Committee comprised of Trustees Chambers, Johansen, LeBlanc, Vanderwey, and resources to the committee - Sherri-Lynne Pharand, Director of Education and the executive secretary. At its first meeting, Trustee Chambers was appointed chair of the Procedural By-Law Ad Hoc Committee.
- 1.2 The Procedural By-Law Ad Hoc Committee was directed to review the 2022 Procedural By-Law and report its progress to the Board no later than April 22, 2025.

2. Situation

- 2.1 The Procedural By-Law Ad Hoc Committee met with consultant, Lori Lukinuk, Certified Parliamentarian/Registered Parliamentarian, to aid in the amendment of the Lakehead District School Board (LDSB) 2022 Procedural By-Laws.
- 2.2 The Procedural By-Law Ad Hoc Committee agreed that to allow trustees time to review the document in its entirety, and to allow for input before the final approval, the draft document would be brought as an information item to the April 8, 2025 Board Advisory Committee meeting.
- 2.3 The Lakehead District School Board's 2022 Procedural By-Laws states in item 9.1:

"These By-laws may be amended at any Regular or Special meetings of the Board by a two-thirds vote, provided notice and the specific amendment(s) have been submitted in writing at the previous Regular meeting of the Board. These By-laws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force"

- 2.4 The Procedural By-Law Ad Hoc committee has completed the amendments of the LDSB 2022 Procedural By-Law and attached the proposed amendments as Appendix A to Report No. 040-25.

3. Conclusion

Presented for trustees are the proposed amendments to the 2022 Procedural By-Laws. Notice of motion for the By-Law amendments will be brought forward at the Regular Board Meeting on April 22, 2025.

Respectfully submitted,

ELLEN CHAMBERS
Chair, Procedural By-Law Ad Hoc Committee

Draft Lakehead DSB Proposed Bylaw Amendments

The proposed amendments are set out in a three-column format. The first column shows the current wording in the bylaws, the second the amendments with strike out of any removed wording and underlining of newly added wording; the third column the clean copy of what the wording will be if the amendment is adopted.

~~strike out~~: words are removed

underline: words are added

As prescribed in the Governing Bylaws, the bylaws may be amended by a 2/3 vote provided notice and the specific proposed amendment(s) have been submitted in writing at the previous regular meeting of the Board and shall come into force at the conclusion of the Board meeting at which it is amended.

In the case of bylaw amendments that do not come into force until a later date, prior to adoption, a proviso will be included in the bylaws stating when the clause will come into force. Once the clause does come into force, the proviso is automatically removed with no Board action required to do so.

Captions, Headings, and Articles and Section Numbers

Prior to considering amendments to the bylaws, it is advisable to adopt a motion to allow for the secretary to make changes that do not have any effect on meaning within the bylaws even if the enacting motion, that being to adopt, made no reference to doing so. The motion requires a majority vote and reads as follows:

The Bylaw Review Committee recommends the adoption of the following:

That the secretary be authorized to correct article and section designations, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the intent of Lakehead District School Board in connection with these bylaws.

Amendment #1: Article V – Executive, 5.3.2 Duties of the Vice-Chair

The Bylaw Review Committee recommends the adoption of the following:

That section 5.3.2 be amended by adding after “The vice-chair shall” the words “perform the duties prescribed by the *Education Act* or *Regulations*, and any other governing documents the Board may adopt or be bound by. In addition to the duties under the *Education Act* or *Regulations*, the following shall be the duties of the vice-chair:”

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
5.3.2 Duties of the Vice-Chair: The vice chair shall:	5.3.2 Duties of the Vice-Chair: The vice-chair shall <u>perform the duties prescribed by the <i>Education Act</i> or <i>Regulations</i>, and any other governing documents the Board may adopt or be bound by. In addition to the duties under the <i>Education Act</i> or <i>Regulations</i>, the following shall be the duties of the vice-chair:</u>	5.3.2 Duties of the Vice Chair: The vice-chair shall perform the duties prescribed by the <i>Education Act</i> or <i>Regulations</i> , and any other governing documents the Board may adopt or be bound by. In addition to the duties under the <i>Education Act</i> or <i>Regulations</i> , the following shall be the duties of the vice-chair:

Rationale: Regulation 463/97 has prescribed duties for the vice-chair which were not previously included in the *Education Act* nor *Regulations*. While it is not advisable to include the wording for the duties prescribed in the *Education Act*, *Regulations* or Policy in the bylaws, it is wise to reference that such duties do exist.

Conforming amendment: The Bylaw Review Committee recommends the adoption of the following, That throughout the Governing Bylaws, any reference to *Education Act* be amended to read “*Education Act* and *Regulations*” or “*Education Act*, *Regulations* and Policy _____”, as applicable.

Rationale for conforming amendment: Many clauses in the Governing Bylaws refer not only to the *Education Act*, but often also *Regulations* and Policy. This conforming amendment allows the secretary to make those changes throughout the Governing Bylaws without the Board having to vote on each and every occurrence.

Amendment #2: Article VI – Meetings of the Board, 6.2 Inaugural Meetings

The Bylaw Review Committee recommends the adoption of the following:

That section 6.2 be amended by inserting a title to the first clause to read, “**6.2.1 First Meeting**”.

That section 6.2 be amended by adding a clause 6.2.2 to read as follows;

“6.2.2 End of Term Decisions

In the year of a municipal election, from October 1st until the municipal election is complete and the Board is organized at the Inaugural Meeting, the Board may limit consideration of recommendations strictly to those proposed by standing committees or through the director or by a 2/3 vote of the entire Board to agree to consider the recommendation.”

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
	<p><u>6.2.1 First Meeting</u></p> <p><u>6.2.2 End of Term Decisions</u></p> <p><u>In the year of a municipal election, from October 1st until the municipal election is complete and the Board is organized at the Inaugural Meeting, the Board may limit consideration of recommendations strictly to those proposed by standing committees or through the director or by a 2/3 vote of the entire Board to agree to consider the recommendation.</u></p>	<p>6.2.1 First Meeting</p> <p>6.2.2 End of Term Decisions</p> <p>In the year of a municipal election, from October 1st until the municipal election is complete and the Board is organized at the Inaugural Meeting, the Board may limit consideration of recommendations strictly to those proposed by standing committees or through the director or by a 2/3 vote of the entire Board to agree to consider the recommendation.</p>

Rationale: The Bylaw Review Committee believes it would be beneficial to limit the decisions of the Board a few weeks prior to a municipal election, to only those that are brought forward by standing committees or through the director or by a 2/3 vote of the entire Board to agree to consider the recommendation.

Amendment #3: Article VI – Meetings of the Board, 6.5.3 In case of emergency

The Bylaw Review Committee recommends the adoption of the following:

That section 6.5.3 be amended by adding “As soon as possible, the chair shall make every effort to ensure all members and student trustees (as appropriate) are informed of the reason for and any decisions made regarding the emergency meeting.”

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
6.5.3 In cases of emergency the chair, in consultation with the director, may waive written notice and the notice period, and notify the Board orally. If quorum can be achieved, an emergency meeting can be held.	6.5.3 In cases of emergency the chair, in consultation with the director, may waive written notice and the notice period, and notify the Board orally. If quorum can be achieved, an emergency meeting can be held. <u>As soon as possible, the chair shall make every effort to ensure all members and student trustees (as appropriate) are informed of the reason for and any decisions made regarding the emergency meeting.</u>	6.5.3 In cases of emergency the chair, in consultation with the director, may waive written notice and the notice period, and notify the Board orally. If quorum can be achieved, an emergency meeting can be held. As soon as possible, the chair shall make every effort to ensure all members and student trustees (as appropriate) are informed of the reason for and any decisions made regarding the emergency meeting.

Rationale: The Bylaw Review Committee felt is necessary to stipulate the need for the chair to ensure all members and student trustees, when appropriate, are made aware of the reasons for an emergency meeting and of any actions that were agreed to as soon as possible following an emergency meeting. The wording “make every effort” is intentional as it allows the chair to seek assistance as they feel necessary through the director and the director’s office to inform members and student trustees of the situation.

Amendment #4: Article VI – Meetings of the Board, 6.7 Attendance

The Bylaw Review Committee recommends the adoption of the following:

That section 6.7 be amended by striking the entire clause and substituting in its place a new title and clauses to read as follows,

“6.7 Member Attendance**6.7.1 Board and Committee of the Whole, Member Attendance**

Attendance of members at every regular meeting of the Board including every regular meeting of a committee of the whole Board shall be in accordance with the *Education Act, Regulations, and Policy* _____.

6.7.2 Committee Meeting, Member Attendance

Attendance of members who are the chair of a committee of the Board or their designate shall be in accordance with the *Education Act, Regulations, and Policy* _____.”

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p>6.7 Attendance</p> <p>Attendance of Trustees shall be recorded by the secretary in the minutes of all Regular or Special meetings of the Board and committee meetings. It shall be the responsibility of Trustees to notify the secretary of expected absences prior to the time of the meeting. If notice of absence is provided the trustee will be recorded as absent with regret. If no notice is provided, the trustee will be recorded as absent. Trustees must adhere to attendance requirements under the <i>Education Act</i>.</p>	<p>6.7 <u>Member Attendance</u></p> <p>Attendance of Trustees shall be recorded by the secretary in the minutes of all Regular or Special meetings of the Board and committee meetings. It shall be the responsibility of Trustees to notify the secretary of expected absences prior to the time of the meeting. If notice of absence is provided the trustee will be recorded as absent with regret. If no notice is provided, the trustee will be recorded as absent. Trustees must adhere to attendance requirements under the <i>Education Act</i>.</p> <p><u>6.7.1 Board and Committee of the Whole, Member Attendance</u></p> <p><u>Attendance of members at every regular meeting of the Board including every regular</u></p>	<p>6.7 Member Attendance</p> <p>6.7.1 Board and Committee of the Whole, Member Attendance</p> <p>Attendance of members at every regular meeting of the Board including every regular meeting of a committee of the whole Board shall be in accordance with the <i>Education Act, Regulations, and Policy</i> _____.</p> <p>6.7.2 Committee Meeting, Member Attendance</p> <p>Attendance of members who are the chair of a committee of the Board or their designate shall be in accordance with the <i>Education Act, Regulations, and Policy</i> _____.</p>

	<p><u>meeting of a committee of the whole Board shall be in accordance with the <i>Education Act, Regulations, and Policy</i></u>.</p> <p><u>6.7.2 Committee Meeting, Member Attendance</u></p> <p><u>Attendance of members who are the chair of a committee of the Board or their designate shall be in accordance with the <i>Education Act, Regulations and Policy</i></u>.</p>	
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Rationale: The Bylaw Review Committee is recommending the adoption of this amendment to the bylaws to comply with Regulations 463/97 regarding attendance by members of the Board and committee of the whole and a separate clause to reflect attendance for members who are the chair of a committee of the Board. These rules shall come into effect on September 1, 2025, as stipulated in Regulation 463/97. The Policy to be created will contain the specific details around compliance specific to these rules.

Amendment #5: Article VI – Meetings of the Board, 6.8 Electronic Meetings, 6.8.1 and 6.8.2

That the Bylaw Review Committee recommend the adoption of the following:

That sections 6.8.1 and 6.8.2 be amended by striking both in their entirety and substituting the following;

“6.8.1 Board and Committee of the Whole, Electronic Attendance by Members

A member of the Board may participate electronically in a regular meeting of the Board, including a regular meeting of a committee of the whole Board as prescribed in the *Education Act, Regulations*, and Policy _____. and

6.8.2 Committee Meeting, Electronic Attendance by Members

A member of the Board if the chair of a committee or their designate, may participate electronically in a meeting of the committee of the Board as prescribed in the *Education Act, Regulations* and Policy _____.”

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p>6.8.1 The Board and its committees shall be authorized and given the opportunity, in part or in whole, to meet by telephone conference or through other electronic means so long as all members can simultaneously communicate. A Trustee shall be deemed to be present as prescribed by the <i>Education Act</i> and Policy 3094, Electronic Meetings Policy.</p> <p>6.8.2 It is the responsibility of the Trustee and committee members to ensure their electronic equipment is up to date and working properly. Any technical difficulties during the meeting shall not invalidate any decisions made so long as quorum is maintained.</p>	<p>6.8.1 The Board and its committees shall be authorized and given the opportunity, in part or in whole, to meet by telephone conference or through other electronic means so long as all members can simultaneously communicate. A Trustee shall be deemed to be present as prescribed by the <i>Education Act</i> and Policy 3094, Electronic Meetings Policy.</p> <p><u>6.8.1 Board and Committee of the Whole, Electronic Attendance by Members</u></p> <p><u>A member of the Board may participate electronically in a regular meeting of the Board, including a regular meeting of a committee of the whole Board as prescribed in the <i>Education Act, Regulations</i>, and Policy _____.</u></p> <p><u>6.8.2 Committee Meeting, Electronic Attendance by Members</u></p>	<p>6.8.1 Board and Committee of the Whole, Electronic Attendance by Members</p> <p>A member of the Board may participate electronically in a regular meeting of the Board, including a regular meeting of a committee of the whole Board as prescribed in the <i>Education Act, Regulations</i>, and Policy _____.</p> <p>6.8.2 Committee Meeting, Electronic Attendance by Members</p> <p>A member of the Board if the chair of the committee or their designate, may participate electronically in a meeting of the committee of the Board as prescribed in the <i>Education Act, Regulations</i> and Policy _____. </p> <p>6.8.3 It is the responsibility of the Trustee and committee members to ensure their electronic equipment is up to date and working properly.</p>

	<p><u>A member of the Board if the chair of the committee or their designate, may participate electronically in a meeting of the committee of the Board as prescribed in the <i>Education Act</i>, <i>Regulations</i> and <i>Policy</i>.</u></p> <p>6.8.2 6.8.3 It is the responsibility of the Trustee and committee members to ensure their electronic equipment is up to date and working properly. Any technical difficulties during the meeting shall not invalidate any decisions made so long as quorum is maintained.</p>	<p>Any technical difficulties during the meeting shall not invalidate any decisions made so long as quorum is maintained.</p>
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Rationale: The Bylaw Review Committee is recommending the adoption of this amendment to the bylaws to comply with Regulations 463/97 regarding electronic meeting attendance by members and chairs of committees who are Board members. As with 6.7, the Policy to be created will contain the specific details around compliance specific to these rules.

PROVISO:

The below proviso will need to be voted on. If adopted the proviso will be placed in the bylaw document and once the bylaw amendments come into effect, the proviso will automatically be removed from the bylaws document.

The Bylaw Review Committee recommends the adoption of a proviso to read, “Any amendments to the Governing Bylaws that pertain to the effective date of September 1, 2025, in Regulation 463/97 shall not go into effect until September 1, 2025.”

Proviso: Any amendments to the Governing Bylaws that pertain to the effective date of September 1, 2025, in Regulation 463/97 shall not go into effect until September 1, 2025.

Amendment #6: Article VI – Meetings of the Board, 6.9.2 Digital Voting

The Bylaw Review Committee recommends the adoption of the following:

That section 6.9.2 be amended by striking “done” and inserting “held” in its place;

That section 6.9.2 be amended by inserting “Notwithstanding the above,” between the words “secret ballot” and “a trustee attending”;

That section 6.9.2 be amended by striking “trustee” and inserting “member” in its place in the two occurrences in this clause;

That section 6.9.2 be amended by inserting “in accordance with the Education Act, Regulations, and Policy _____,” between the words “means” and “and wishing to”;

That section 6.9.2 be amended by striking “telephone” and inserting “email or text” in its place; and

That section 6.9.2 be amended by adding “The email or text shall be deleted as soon as possible once the vote for destroying the ballots is adopted.”

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
6.9.2 Voting during elections shall be done by secret ballot. A trustee attending by electronic/digital means and wishing to vote during an election, may cast their ballot by contacting the scrutineer via telephone who shall then cast the ballot on their behalf. In doing so, the trustee is agreeing to waive secrecy of their vote in part, recognizing scrutineer are bound by confidentiality, Proxy voting is prohibited.	6.9.2 Voting during elections shall be done <u>held</u> by secret ballot. <u>Notwithstanding the above, a trustee member</u> attending by electronic/digital means <u>in accordance with the Education Act, Regulations, and Policy,</u> and wishing to vote during an election, may cast their ballot by contacting the scrutineer via telephone <u>email or text</u> who shall then cast the ballot on their behalf. In doing so, the trustee <u>member</u> is agreeing to waive secrecy of their vote in part, recognizing scrutineers are bound by confidentiality, Proxy voting is prohibited. <u>The email or text shall be deleted as soon as possible once the vote for destroying the ballots is adopted.</u>	6.9.2 Voting during elections shall be held by secret ballot. Notwithstanding the above, a member attending by electronic/digital means in accordance with the Education Act, Regulations, and Policy _____, and wishing to vote during an election, may cast their ballot by contacting the scrutineer via email or text who shall then cast the ballot on their behalf. In doing so, the member is agreeing to waive secrecy of their vote in part, recognizing scrutineers are bound by confidentiality, Proxy voting is prohibited. The email or text shall be deleted as soon as possible once the vote for destroying the ballots is adopted.

Rationale: The word “held” is better wording. The committee felt that a member should submit their vote to the scrutineer in a written form by either email or text rather than by telephone. It was added to have the email or text deleted once the motion to destroy the ballots was adopted.

Conforming Amendment: The Bylaw Review Committee recommends the adoption of the following, That throughout the Governing Bylaws, all references to “trustee” when referring only to the elected or appointed trustees, who are members of the Board as prescribed in the *Education Act*, be struck and the word “member” inserted in its place.

Rationale for conforming amendment: The *Education Act* and *Regulations* clearly prescribe that student trustees are not members of the Board and therefore the Governing Bylaws should follow suit and make clear when the rules pertain only to members. This conforming amendment allows the secretary to make those changes throughout the Governing Bylaws without the Board having to vote on each and every occurrence.

Amendment #7: Article VII – Committees, 7.2 Statutory Committees

The Bylaw Review Committee recommends the adoption of the following:

That section 7.2 be amended by inserting “Standing” between the words “Statutory” and Committees in the title of 7.2; and

That 7.2 be amended by inserting “Director Performance Appraisal Committee (DPA)” as the second bullet.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
7.2 Statutory Committees. The following are legislated Statutory Committees of the Board: <ul style="list-style-type: none"> • Audit Committee; • Parent Involvement Committee (PIC); • Special Education Advisory Committee (SEAC); • Supervised Alternative Learning Committee (SAL); and • Suspension Appeal Hearing/Expulsion Hearing Committee. 	7.2 Statutory <u>Standing</u> Committees. The following are legislated Statutory Committees of the Board: <ul style="list-style-type: none"> • Audit Committee; • <u>Director Performance Appraisal Committee (DPA);</u> • Parent Involvement Committee (PIC); • Special Education Advisory Committee (SEAC); • Supervised Alternative Learning Committee (SAL); and • Suspension Appeal Hearing/Expulsion Hearing Committee. 	7.2 Statutory Standing Committees. The following are legislated Statutory Committees of the Board: <ul style="list-style-type: none"> • Audit Committee; • Director Performance Appraisal Committee (DPA); • Parent Involvement Committee (PIC); • Special Education Advisory Committee (SEAC); • Supervised Alternative Learning Committee (SAL); and • Suspension Appeal Hearing/Expulsion Hearing Committee.

Rationale: Inserting the word “Standing” helps clarify that statutory committees that continue to exist are still considered standing committees.

The Director Performance Appraisal Committee was added as a statutory committee required by legislation.

Amendment #8: Article VII – Committees, 7.3 Non-Statutory Committees

The Bylaw Review Committee recommends the adoption of the following:

That section 7.3 be amended by inserting “Standing” between the words “Non-Statutory” and Committees in the title of 7.3;

That 7.3 be amended by inserting “Finance Committee” after the Equity and Inclusive Education Committee;

That 7.3 be amended by striking “Aboriginal Education Advisory Committee (AEAC)” and inserting the new name to read “Miiniwewinan: Indigenous Education Advisory Committee (IEAC)” after the words “Lakehead Public Schools International Board of Directors”;

That 7.3 be amended by striking “Principal Selection Process Committee”;

That 7.3 be amended by striking “Student Transportation Service of Thunder Bay Committee (STSTB)”;

That 7.3 be amended by striking “Success Advisory Committee”.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
7.3 Non-Statutory Committees. The following are Non-Statutory Committees of the Board: <ul style="list-style-type: none"> • Aboriginal Education Advisory Committee (AEAC); • Board Advisory Committee; • Communications Committee; • Coordinating Committee (Internal); • Equity and Inclusive Education Committee; • Lakehead Public Schools International Board of Directors; • OPSBA Awards Selection Committee; • OPSBA Director Liaison Committee; • Principal Selection Process Committee; • School Year Calendar Committee; • Student Transportation Service of Thunder 	7.3 Non-Statutory <u>Standing</u> Committees. The following are Non-Statutory <u>Standing</u> Committees of the Board: <ul style="list-style-type: none"> • Aboriginal Education Advisory Committee (AEAC); • Board Advisory Committee; • Communications Committee; • Coordinating Committee (Internal); • Equity and Inclusive Education Committee; • <u>Finance Committee;</u> • Lakehead Public Schools International Board of Directors; • <u>Miiniwewinan: Indigenous Education Advisory Committee (IEAC);</u> • OPSBA Awards Selection Committee; • OPSBA Director Liaison Committee; and 	7.3 Non-Statutory <u>Standing</u> Committees. The following are Non-Statutory <u>Standing</u> Committees of the Board: <ul style="list-style-type: none"> • Board Advisory Committee; • Communications Committee; • Coordinating Committee (Internal); • Equity and Inclusive Education Committee; • Finance Committee; • Lakehead Public Schools International Board of Directors; • Miiniwewinan: Indigenous Education Advisory Committee (IEAC); • OPSBA Awards Selection Committee; • OPSBA Director Liaison Committee; and • School Year Calendar Committee.

<ul style="list-style-type: none"> • Bay Committee (STSTB); and Success Advisory Committee. 	<ul style="list-style-type: none"> • Principal Selection Process Committee; • School Year Calendar Committee; • Student Transportation Service of Thunder Bay Committee (STSTB); and • Success Advisory Committee. 	
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Rationale: Inserting the word “Standing” helps clarify that non-statutory committees that continue to exist are still considered standing committees.

The previously named Aboriginal Education Advisory Committee was struck and the name, Miiniwewinan: Indigenous Education Advisory Committee (IEAC) inserted to reflect the approved change, and it is listed alphabetically in the committee listing.

Principal Selection Process Committee and Success Advisory Committee were struck out as they are no longer non-statutory committees of the Board.

Student Transportation Service of Thunder Bay Committee (STSTB) was struck out as a non-statutory committee and will be inserted into 7.4 as an external Board.

Amendment #9: Article VII – Committees, 7.4 External Board or Agency Representation

The Bylaw Review Committee recommends the adoption of the following:

That section 7.4 be amended by adding “Student Transportation Service of Thunder Bay Committee (STSTB)”; and

That section 7.4 be amended by striking “Library Board (appointed trustee or non-trustee member)”.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
7.4 External Board or Agency Representation Library Board (appointed trustee or non-trustee member) Ontario Public School Board's Association	7.4 External Board or Agency Representation <ul style="list-style-type: none"> • Library Board (appointed trustee or non-trustee member) • Ontario Public School Board's Association; and • <u>Student Transportation Service of Thunder Bay Committee (STSTB).</u> 	7.4 External Board or Agency Representation <ul style="list-style-type: none"> • Ontario Public School Board's Association; and • Student Transportation Service of Thunder Bay Committee (STSTB).

Rationale: The Library Board position was struck as LDSB no longer has a position on that Board.

The Student Transportation Service of Thunder Bay Committee (STSTB) was previously struck from the non-statutory listing and added to 7.4 External Board or Agency Representation clause. It was felt this committee more properly belonged in this category.

Amendment #10: Article VIX – Amending Bylaws, 9.1.

The Bylaw Review Committee recommends the adoption of the following:

That section 9.1 be amended by striking “These Bylaws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force.” and inserting them as a new 9.3 clause;

That Article VIX be amended by inserting a new 9.2 notwithstanding clause to read, “Notwithstanding the above, the striking of an ad hoc Bylaw Review Committee shall be considered notice by the Board of potential bylaw amendments forthcoming. Any proposed amendments may then be brought by the Bylaw Review Committee to the Board Advisory Committee as a preliminary report prior to the next regular or special meetings of the Board where the amendments will then be considered for adoption”;

That section 9.2 be amended by striking “By June 30th of the final” and inserting in its place, “During the third”;

That section 9.2 be amended by striking “Ad Hoc committee” and inserting in its place “ad hoc Bylaw Review Committee”;

That section 9.2 be amended by inserting “including the appendices” between the words “Governing Bylaws” and “and shall”; and

That section 9.2 be amended by striking “report to the Board before the end of the Board’s term” and inserting in its place “bring to the Board for adoption any proposed amendments on or before the June regular Board meeting of the fourth term in accordance with section 9.2 of these bylaws.”

CURRENT WORDING	PROPOSED AMENDMENT	IF AMENDED WILL READ
9.1 These Bylaws may be amended at any Regular or Special meetings of the Board by a two-thirds vote provided notice and the specific proposed amendment(s) have been submitted in writing at the previous regular meeting of the Board. These Bylaws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force.	9.1 These Bylaws may be amended at any Regular or Special meetings of the Board by a two-thirds vote provided notice and the specific proposed amendment(s) have been submitted in writing at the previous regular meeting of the Board. These Bylaws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force.	9.1 These Bylaws may be amended at any Regular or Special meetings of the Board by a two-thirds vote provided notice and the specific proposed amendment(s) have been submitted in writing at the previous regular meeting of the Board.

<p>9.2 By June 30th of the final year of a Board's term, an Ad Hoc committee shall be struck to review the Governing Bylaws and shall report to the Board before the end of the Board's term.</p>	<p>9.2 <u>Notwithstanding the above, the striking of an ad hoc Bylaw Review Committee shall be considered notice by the Board of potential bylaw amendments forthcoming. Any proposed amendments may then be brought by the Bylaw Review Committee to the Board Advisory Committee as a preliminary report prior to the next regular or special meetings of the Board where the amendment(s) will then be considered for adoption.</u></p> <p>9.3 <u>These Bylaws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force.</u></p> <p>9.4 <u>By June 30th of the final During the third year of a Board's term, an Ad Hoc ad hoc Bylaw Review Committee shall be struck to review the Governing Bylaws including the appendices and shall report to the Board before the end of the Board's term. bring to the Board for adoption any proposed amendments on or before the June regular Board meeting of the fourth term in accordance with section 9.1 of these bylaws.</u></p>	<p>9.2 Notwithstanding the above, the striking of an ad hoc Bylaw Review Committee shall be considered notice by the Board of potential bylaw amendments forthcoming. Any proposed amendments may then be brought by the Bylaw Review Committee to the Board Advisory Committee as a preliminary report prior to the next regular or special meetings of the Board where the amendment(s) will then be considered for adoption.</p> <p>9.3 These Bylaws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force.</p> <p>9.4 During the third year of a Board's term, an ad hoc Bylaw Review Committee shall be struck to review the Governing Bylaws including the appendices and shall bring to the Board for adoption any proposed amendments on or before the June regular Board meeting of the fourth term in accordance with section 9.2 of these bylaws.</p>
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Rationale: The Bylaw Review Committee recommends creating a notwithstanding clause to allow the Board the ability to strike a Bylaw Review Committee which is then able to present a report to the Board Advisory Committee in order for the committee to have ample time to consider amendments to the Governing Bylaws prior to the changes being brought to the Board for adoption at the next regular or special meetings of the Board.

The Bylaw Review Committee recommends amending 9.2 to specify an earlier timeline which will ensure a Bylaw Review Committee can be struck with ample time to do its work. The committee also desired that this work be completed by the June Board meeting in the fourth term. The change would ensure the Board could consider and adopt any proposed amendments on or before the June Board meeting in the fourth year of the Board's term.

Amendment #11: Article X – Amending or Suspending Appendices to the Bylaws

The Bylaw Review Committee recommends the adoption of the following:

That Article X be amended by adding a notwithstanding clause to read as follows, “Notwithstanding the above, the striking of an ad hoc Bylaw Review Committee shall be considered notice by the Board of potential amendments to the special rules or appendices within the control of the Board. Any proposed amendments may then be brought by the Bylaw Review Committee to the Board Advisory Committee as a preliminary report prior to the next regular or special meetings of the Board where the amendment(s) will then be considered for adoption”; and

That Article X be amended by adding 10.1.4 clause to read as follows, “These changes shall come into force at the conclusion of the Board meeting at which they are amended.”

CURRENT WORDING	PROPOSED AMENDMENT	IF AMENDED WILL READ
	<p>10.1.3 <u>Notwithstanding the above, the striking of an ad hoc Bylaw Review Committee shall be considered notice by the Board of potential amendments to the special rules or appendices within the control of the Board. Any proposed amendments may then be brought by the Bylaw Review Committee to the Board Advisory Committee as a preliminary report prior to the next regular or special meetings of the Board where the amendment(s) will then be considered for adoption.</u></p> <p>10.1.4 <u>These changes shall come into force at the conclusion of the Board meeting at which they are amended.</u></p>	<p>10.1.3 Notwithstanding the above, the striking of an ad hoc Bylaw Review Committee shall be considered notice by the Board of potential amendments to the special rules or appendices within the control of the Board. Any proposed amendments may then be brought by the Bylaw Review Committee to the Board Advisory Committee as a preliminary report prior to the next regular or special meetings of the Board where the amendment(s) will then be considered for adoption.</p> <p>10.1.4 These changes shall come into force at the conclusion of the Board meeting at which they are amended.</p>

Rationale: The Bylaw Review Committee felt the same rationale for amendments to the bylaws should also pertain to the appendices and therefore required the same rationale for creating an ad hoc Bylaw Review Committee and stipulating when the changes were to come into force.

Special Rules of Order

These special rules can be suspended with a 2/3rds vote with such suspension in effect only for the intended purpose specified and only for that meeting.

1. Ex-officio

The chair shall act as ex-officio member of all committees but shall be a non-voting member and shall not affect quorum.

2. Recorded Vote

On the demand of an individual trustee, a recorded vote in Public Session on any question can be made provided the demand is made prior to the vote being called by the chair. The members shall announce their vote when their names are called by the director or designate, and it shall be the duty of the director to record the same in the minutes. The director shall announce the results of the recorded vote.

3. Speaking Time

Members may speak twice, for up to two minutes, on a debatable motion. Any member may clarify a material part of that member's speech which has been misinterpreted, but such member shall not introduce any new matter and may not debate the motion during the clarification. Such clarification will not be counted as one of the speaking times so long as the member does not debate.

Without objection or by 2/3rds vote, the speaking time may be limited or extended using the motion *Extend or Limit Debate*.

4. Voting

4.1 When a motion is put, every member present, including the chair, shall vote thereon and an abstention from voting shall be considered as a vote on the prevailing side unless due to one of the allowable exceptions.

4.2 Abstentions are subject to the following exceptions:

- a) a member need not vote if excused by a resolution of the Board;
and
- b) a member shall not vote when prohibited by law from voting (conflict of interest).

4.3 On a recorded vote an abstention will be recorded as follows:

- abstention due to a): abstention (by resolution);
- abstention due to b): abstention (conflict of interest); or
- abstention not due to a) or b): abstention (prevailing side).

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49 **5. Motion Once Decided**
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51 **5.1** Any motion **adopted** by the Board at a Regular or Special meeting, shall
52 not be rescinded or amended for a period of four months or shall require
53 notice at the preceding meeting that the motion will be introduced with a
54 2/3 vote of the entire membership to rescind or amend.
55

56 **5.2** Any motion **defeated** by the Board at a Regular or Special meeting, shall
57 not be renewed for a period of four months or shall require notice at the
58 preceding meeting that the motion will be introduced and at that
59 subsequent meeting, a 2/3 vote of the entire membership will be required
60 to consider the motion once again.
61

62 **5.3** Beyond the four-month restriction, the motions to rescind or amend
63 something previously adopted as well as renewing of a previously
64 defeated motion, shall default to the procedures in the most current
65 edition of Robert's Rules of Order Newly Revised.
66

67 **6. Adjournment**
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69 Meetings of the Board and Board Advisory Committee shall adjourn no later than
70 10:00 p.m. unless the Board or Board Advisory Committee, by resolution,
71 extends the time of the meeting.
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Regular Meeting Order of Business

The order of Business for Regular Meetings of the Board shall be as follows:

- 1. Call to Order**
- 2. Disclosure of Conflict of Interest**
- 3. Approval of the Agenda**
- 4. Resolve into Committee of the Whole – Closed Session (as required)**
- 5. Committee of the Whole – Closed Session (as required)**
 - 5.1 Approval of Committee of the Whole – Closed Session Minutes**
 - 5.2 Consideration of Reports**
 - 5.3 Information and Inquiries**
 - 5.4 Rise and Report Progress**
- 6. Report of Committee of the Whole – Closed Session (as required)**
- 7. Land Acknowledgement (if no Closed Session, will be placed prior to approval of agenda)**
- 8. Consent Agenda (list items to be included)**
 - 8.1 Approval of Minutes**
 - 8.2 _____**
 - 8.3 _____**
- 9. Delegations/Presentations**
- 10. Reports**
 - 10.1 Director Reports**
 - 10.2 Chair's Report**
 - 10.3 Student/Indigenous Student Trustee Report**
 - 10.4 Reports of Standing Committees**
 - 10.5 Reports of External Board or Agency Representation**
- 11. Reports of Special (Ad Hoc) Committees**
- 12. Special Orders**
- 13. Unfinished Business and General Orders**
- 14. Notice of Motions**
- 15. Announcements**
- 16. Adjournment**

Detailed Procedures at the Regular Meeting

All meetings of the Board shall be open to the public, except matters considered in Committee of the Whole – Closed Session (Section 207 (2) of the *Education Act*).

- 1. Call to Order** – The chair will call the meeting to order at the scheduled time once a quorum is present. Quorum shall be a majority of the entire Board of Trustees (excluding vacancies).
 - 1.1.** If there is no quorum present within fifteen minutes after the time fixed for the start of the meeting, the secretary shall record the names of the trustees then present and the meeting shall not convene until the next regularly scheduled meeting, unless a Special meeting is called.
 - 1.2** The Board meeting or Board Advisory Committee meeting shall adjourn whenever a quorum is no longer present after ten minutes has elapsed attempting to regain a quorum. The secretary shall then record the time of adjournment and the names of the members then present.
- 2. Disclosure of Conflict of Interest** – The chair shall call for those trustees present to disclose any conflict of interest in any matter which is to be subject of consideration at the meeting. When a conflict of interest is declared in relation to a Public Session agenda item, the reason for the conflict of interest shall be stated in the Public Session minutes. When a conflict of interest is declared in relation to a Committee of the Whole - Closed Session agenda item, the general nature of that interest will not be disclosed in the Public Session minutes.
- 3. Approval of the Agenda** – The agenda shall be approved or amended prior to final approval, by a majority vote at a meeting of the Board at which there is a quorum. Once approved, the agenda may be changed without objection or by 2/3 vote.
- 4. Resolve into Committee of the Whole – Closed Session** - When there are confidential agenda items to be addressed pursuant to Section 207(2) of the *Education Act*, that portion of the meeting shall be closed to the public.
- 5. Committee of the Whole – Closed Session (as required)**
 - 5.1.** **Approval of Committee of the Whole – Closed Session Minutes** – These minutes shall be considered by Trustees only with reference to the accuracy of the minutes as recorded.
 - 5.2.** **Consideration of Reports** - Committee of the Whole - Closed Session reports may be formal written reports with or without recommendations or may be verbal reports from either administration or trustees. The content of these reports shall comply with Section 207(2) of the *Education Act*.
 - 5.3.** **Information and Inquiries** - Trustees may raise questions or provide information under this section. Items raised shall respect the confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees should notify the chair prior to the meeting of the nature of items to be raised under this section. The director of education may provide pertinent or timely information as per Section 207(2) of the *Education Act*. Trustees may ask questions of clarification and there shall be no debate.
 - 5.4.** **Rise and Report Progress** – At the conclusion of a meeting of the Committee of the Whole - Closed Session preceding a Regular or Special Board meeting, the Board will rise and report in Public Session.

6. Report of Committee of the Whole – Closed Session

- 6.1.** Decisions concerning matters considered in the Committee of the Whole - Closed Session shall be presented in public by the Committee of the Whole chair without amendment or debate, except as cited in 6.2.
- 6.2.** Decisions which must be kept confidential for a longer period may be reported only in the Committee of the Whole – Closed Session Minutes provided that a resolution in Closed Session so orders by a majority vote. Such a resolution shall specify that the decision be kept confidential for a specified period of time, or until a certain action is completed.
- 6.3.** It shall be the responsibility of the secretary to bring forward decisions kept in the Committee of the Whole – Closed Session Minutes on public agendas of the Board in accordance with the resolution as detailed in Section 6.2.
- 6.4.** The secretary shall make available to any member of the public who requests it, copies of any Public Session agenda with supporting reports and information of any public meeting of the Board or Board Advisory Committee.
- 6.5.** Under exceptional circumstances the chair and the director may withhold a report until the meeting.

7. Land Acknowledgement – If no Closed Session placed prior to approval of agenda.

8. Consent Agenda – Normally includes minutes, or reports containing recommendations which would not elicit any controversy or debate. **Note:** It should be clearly understood that when approving a consent agenda that contains reports, the Board is normally not approving the report, but rather approving any motions contained in the report.

9. Delegations/Presentation – See Appendix F Delegation/Presentation Process

- 9.1.** Members of the public desiring to appear before the Board as a delegation may be permitted to do so in accordance with Appendix F.
- 9.2.** Presentations to the Board may be requested by the Coordinating Committee from various individuals or organizations on matters of interest around public education. Coordinating Committee may also approve presentation of awards to students and staff of Lakehead Public Schools.

10. Reports of Director, Chair, Student Trustee, Indigenous Student Trustee, Standing Committees and External Boards and Agency Representation.

11. Reports of Special (Ad Hoc) Committees – The chair or designate of an Ad Hoc or Special Committee shall present its report to the striking body.

12. Special Orders – Items that are made a special order. These can be made a timed item at any time within the agenda.

13. Unfinished Business and General Orders – 1) Questions that were pending when the previous meeting adjourned. 2) Unfinished business not reached when the previous meeting adjourned. 3) General orders that were not reached when the previous meeting adjourned.

General orders are questions that were postponed from the previous meeting. Unfinished Business and General Orders remain from meeting to meeting until they are disposed of or after a municipal election a new Board is in place the items under this category “fall to the ground” meaning they no longer exist and would need to be reintroduced as desired.

14. Notices of Motion

- 14.1.** Written Notices of Motion shall be presented to the chair. The chair shall read the presented Notice of Motion but no discussion or voting relative to the motion shall be permitted at the same meeting.

- 126 **14.2.** Notices of Motion shall be considered at the next Regular meeting of the Board as
127 a General Order. The noticed motion shall be printed on the agenda and require a
128 second prior to being considered.
- 129 **15. Announcements –** Trustees may provide information regarding upcoming events or prior
130 events they have attended, or any information they feel is pertinent to the work of the
131 Board.
- 132 **16. Adjournment**

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Inaugural Meeting Order of Business

The order of Business for the Inaugural Meeting shall be as follows

1. Call to Order (Director or designate)
2. Land Acknowledgement
3. Notation of Municipal Clerk's Certificates of Election or Acclamation
4. Declarations of Office and Oath of Allegiance
5. Election of Chair
6. Election of Vice-chair
7. Election of Member and Alternate of the Coordinating Committee
8. Committee Reports
 - 8.1. Miiniwewinan Indigenous Education Advisory Committee Annual Report
 - 8.2. Parent Involvement Committee Annual Report
 - 8.3. Special Education Advisory Committee Report
9. Trustee Appointments to Board Committees
10. Director's Annual Report
11. Adjournment

Detailed Procedures at the Inaugural meeting

1. **Call to Order** – The director or their designate shall assume the chair until the election of the chair calling the meeting to order.
2. **Land Acknowledgement** – The director shall read the Land Acknowledgement.
3. **Notation of Municipal Clerk's Certificates of Election or Acclamation** – The director shall read the returns of the clerks of the municipalities certifying to the election of the members.
4. **Declarations of Office and Oath of Allegiance**
 - 4.1. The director shall administer the Declaration of Office and Oath of Allegiance according to Section 209 of the *Education Act*; and
 - 4.2. Declare the Board to be legally constituted when all members present have taken the Declaration and Oath and constitute a majority of all the members of the Board.
5. **Election of Chair** – The Director shall conduct the election of the chair as follows:
 - 5.1. Have ballots prepared on which the names of candidates for each office are written.
 - 5.2. Designate one staff member to count the ballots, and a second staff member to act as scrutineer.
 - 5.3. The Director shall then conduct the annual election for the office of chair by calling for nominations and each nominee shall indicate whether the nomination is accepted. If a nominee is absent, they must have declared in writing to the director or designate, their willingness to accept the nomination and stand for the position if elected, by noon on the day of the election.
 - 5.4. If only one trustee accepts a nomination, that trustee shall be declared elected by acclamation.
 - 5.5. Where more than one nominee stands for election, a vote shall be taken by secret ballot and the nominee receiving a majority of the votes cast shall be declared elected.
 - 5.6. If a member attends electronically in accordance with the *Education Act* and *Regulations* and Policy _____, that member may vote in accordance with subsection 6.9.2 of the Governing Bylaws.

- 46 **5.7.** If there is more than one trustee nominated, they will be given the opportunity to
47 speak for up to two minutes. No debate shall take place after the nominees have
48 spoken.
- 49 **5.8.** Where more than two nominees stand for election and a majority of votes cast is
50 not reached on the first ballot, the nominee receiving the fewest votes cast shall be
51 removed from the ballot. Voting shall continue in a second or subsequent ballot
52 until a nominee receives a majority of votes cast.
- 53 **5.9.** The presiding officer shall announce the results of the ballot but shall not declare
54 the count.
- 55 **5.10.** In the case of an equality of votes with respect to the election of two or more
56 nominees, the presiding officer shall provide for drawing lots to determine which of
57 the candidates is elected.
- 58 **5.11. Process for Drawing Lots**
- 59 **5.11.1.** Ballots shall be prepared.
- 60 **5.11.2.** The number of ballots shall equal the number of nominees being
61 considered.
- 62 **5.11.3.** One ballot shall have written on it the name of the position to be filled; the
63 other(s) shall be blank. The ballots shall be identical pieces of paper.
64 The ballots shall be folded once in half and then in half once again.
- 65 **5.11.4.** The presiding officer shall ask each nominee to pick one ballot from the
66 container.
- 67 **5.11.5.** If a nominee is absent or attending electronically, the presiding officer
68 shall ask a member who is not a nominee to pick a ballot on the
69 nominee's behalf.
- 70 **5.11.6.** The presiding officer shall instruct the nominees to open and show their
71 ballot.
- 72 **5.11.7.** The successful nominee shall be the one who picked the ballot with the
73 position written on it.
- 74 **5.12.8.** The presiding officer shall officially announce the result.
- 75 **5.12.** Upon the election, the chair shall assume the chair.
- 76 **6. Election of Vice Chair –** The chair shall conduct the election for vice-chair in the same
77 manner as for the election of chair.
- 78 **7. Election of a Trustee and one Alternate to the Coordinating Committee –** The chair
79 shall conduct the election of a trustee and one Alternate to the Coordinating Committee.
- 80 **8. Committee Reports**
- 81 **9. Trustee Appointments to Board Committees**
- 82 **10. Director's Annual Report**
- 83 **11. Adjournment**

Annual Meeting Order of Business

The order of Business for the Annual Meeting

- 1.** Call to Order (Director or designate)
- 2.** Land Acknowledgement
- 3.** Election of Chair
- 4.** Election of Vice-chair
- 5.** Election of Member and Alternate of the Coordinating Committee
- 6.** Committee Reports
 - 6.1.** Miiniwewinan Indigenous Education Advisory Committee Annual Report
 - 6.2.** Parent Involvement Committee Annual Report
 - 6.3.** Special Education Advisory Committee Report
- 7.** Trustee Appointments to Board Committees
- 8.** Director's Annual Report
- 9.** Adjournment

Detailed Procedures at the Annual meeting

- 1. Call to Order** – The director or their designate shall assume the chair, until the election of the chair, calling the meeting to order.
- 2. Land Acknowledgement** – The director shall read the Land Acknowledgement
- 3. Election of Chair** – The director shall conduct the election of the Chair as follows:
 - 3.1.** Have ballots prepared on which the names of candidates for each office are written.
 - 3.2.** Designate one staff member to count the ballots, and a second staff member to act as scrutineer.
 - 3.3.** The Director shall then conduct the annual election for the office of chair by calling for nominations and each nominee shall indicate whether the nomination is accepted. If a nominee is absent, they must have declared in writing to the director or designate, their willingness to accept the nomination and if elected, to stand for the position, by noon on the day of the election.
 - 3.4.** If only one Trustee accepts a nomination, that Trustee shall be declared elected by acclamation.
 - 3.5.** Where more than one nominee stands for election, a vote shall be taken by secret ballot and the nominee receiving a majority of the votes cast shall be declared elected.
 - 3.6.** If a member attends electronically in accordance with the *Education Act* and *Regulations* and Policy _____, that member may vote in accordance with subsection 6.9.2 of the Governing Bylaws.
 - 3.7.** If there is more than one trustee nominated, they will be given the opportunity to speak for up to two minutes. No debate shall take place after the nominees have spoken.
 - 3.8.** Where more than two nominees stand for election and a majority of votes cast is not reached on the first ballot, the nominee receiving the fewest votes cast shall be removed from the ballot. Voting shall continue in a second or subsequent ballot until a nominee receives a majority of votes cast.
 - 3.9.** The presiding officer shall announce the results of the ballot but shall not declare the count.

3.10. In the case of an equality of votes with respect to the election of two or more nominees, the presiding officer shall provide for drawing lots to determine which of the candidates is elected.

3.11. Process for Drawing Lots

3.11.1. Ballots shall be prepared.

3.11.2. The number of ballots shall equal the number of nominees being considered.

3.11.3. One ballot shall have written on it the name of the position to be filled; the other(s) shall be blank. The ballots shall be identical pieces of paper. The ballots shall be folded once in half and then in half once again.

3.11.4. The presiding officer shall ask each nominee to pick one ballot from the container.

3.11.5. If a nominee is absent or attending electronically, the presiding officer shall ask a member who is not a nominee to pick a ballot on the nominee's behalf.

3.11.6. The presiding officer shall instruct the nominees to open and show their ballot.

3.11.7. The successful nominee shall be the one who picked the ballot with the position written on it.

3.11.8. The presiding officer shall officially announce the result.

3.12. Upon election, the chair shall assume the chair.

4. Election of Vice Chair – The chair shall conduct the election for vice-chair in the same manner as for the election of Chair.

5. Election of a Member and one Alternate to the Coordinating Committee – The chair shall conduct the election of a trustee and one alternate to the Coordinating Committee.

6. Committee Reports

7. Trustee Appointments to Board Committees

8. Director's Annual Report

9. Adjournment

Board Advisory Committee Order of Business

The order of Business for the Board Advisory Committee shall be as follows:

Note: The Board Advisory Committee is not the Board and will not make final decisions but rather will make recommendations for the Board to consider at the next Board meeting.

- 1. Call to Order**
- 2. Disclosure of Conflict of Interest**
- 3. Approval of the Agenda**
- 4. Resolve into Closed Session (as required)**
- 5. Closed Session (as required)**
 - 5.1 Approval of Closed Session Minutes**
 - 5.2 Consideration of Reports**
 - 5.3 Information and Inquiries**
 - 5.4 Adjourn Closed Session**
- 6. Land Acknowledgement (If no Closed Session, placed prior to approval of agenda)**
- 7. Delegations/Presentations**
- 8. Approval of Minutes – Public Session**
- 9. Reports**
 - 9.1. Administrative Reports**
 - 9.1.1**
 - 9.1.2**
 - 9.1.3**
 - 9.2. Standing Committees**
 - 9.2.1**
 - 9.2.2**
 - 9.2.3**
 - 9.3. Other reports (Member, Student/Indigenous Student Trustee, External Board or Agency Representation)**
- 10. Reports of Special (Ad Hoc) Committees**
- 11. Special Orders**
- 12. Unfinished Business and General Orders**
- 13. Notice of Motions**
- 14. Announcements**
- 15. Adjournment**

Detailed Procedures at the Board Advisory Committee Meeting

The vice-chair shall chair the Board Advisory Committee Meeting.

- 1. Call to Order** – The committee chair will call the meeting to order at the scheduled time once a quorum is present. Quorum shall be a majority of the entire Board of Trustees (excluding vacancies).
 - 1.1.** If there is no quorum present within fifteen minutes after the time fixed for the start of the meeting, the secretary shall record the names of the trustees then present and the meeting shall not convene until the next regularly scheduled meeting, unless a Special meeting is called.
 - 1.2** The Board Advisory Committee shall adjourn whenever a quorum is no longer present after ten minutes has elapsed attempting to regain a quorum. The secretary shall then record the time of adjournment and the names of the members then present.
- 2. Disclosure of Conflict of Interest** – The chair shall call for those trustees present to disclose any conflict of interest in any matter which is to be subject of consideration at the meeting. When a conflict of interest is declared in relation to a Public Session agenda item, the reason for the conflict of interest shall be stated in the Public Session minutes. When a conflict of interest is declared in relation to a Closed Session agenda item, the general nature of that interest will not be disclosed in the Public Session minutes.
- 3. Approval of the Agenda** – The agenda shall be approved or amended by a majority vote at a meeting of the Board at which there is a quorum.
- 4. Resolve into Closed Session** - When there are confidential agenda items to be addressed pursuant to Section 207(2) of the *Education Act*, that portion of the meeting shall be closed to the public.
- 5. Closed Session (as required)**
 - 5.1. Approval of Closed Session Minutes** – These minutes shall be considered by trustees only with reference to the accuracy of the minutes as recorded.
 - 5.2. Consideration of Reports** – Closed Session reports may be formal written reports with or without recommendations or may be verbal reports from either administration or trustees. The content of these reports shall comply with Section 207(2) of the *Education Act*.
 - 5.3. Information and Inquiries** – Trustees may raise questions or provide information under this section. The items raised shall respect the confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees should notify the committee chair prior to the meeting of the nature of items to be raised under this section. The director of education may provide pertinent or timely information as per Section 207(2) of the *Education Act*. Trustees may ask questions of clarification and there shall be no debate.
 - 5.4. Adjourn Closed Session** – At the conclusion of a meeting of the Closed Session the committee shall adjourn. All decisions made in Closed Session of the Board Advisory Committee shall be reported in Committee of the Whole – Closed Session of the next Regular Board meeting.
- 6. Land Acknowledgement** – If no Closed Session, placed prior to approval of agenda.

7. Delegations/Presentation – See Appendix F Delegation/Presentation Process

7.1 Members of the public desiring to appear before the Board as a delegation may be permitted to do so in accordance with Appendix F.

7.2 Presentations to the Board may be requested by the Coordinating Committee from various individuals or organizations on matters of interest around public education. Coordinating Committee may also approve presentation of awards to students and staff of Lakehead Public Schools.

8. Approval of Minutes – Public Session

8.1. These minutes shall be considered by trustees only with reference to the accuracy of the minutes as recorded.

9. Reports – Administrative, Standing Committees, trustees including student/indigenous student trustees, or trustee representatives of external Board or agency representatives to report. Each report shall clearly indicate if it is for information only or if a recommendation is included.

10. Reports of Special (Ad Hoc) Committees

11. Special Orders – Items that are made a special order. These can be made a timed item at any time within the agenda.

12. Unfinished Business and General Orders Orders – 1) Questions that were pending when the previous meeting adjourned. 2) Unfinished business not reached when the previous meeting adjourned. 3) General orders that were not reached when the previous meeting adjourned.

General orders are questions that were postponed from the previous meeting. Unfinished Business and General Orders remain from meeting to meeting until they are disposed of. The Board Advisory Committee is a Standing Committee of the Board and therefore unfinished business, and general orders continue to exist after a municipal election with the committee determining if any motions are to be sent to the newly elected Board for consideration.

13. Notices of Motion

13.1. Written Notices of Motion shall be presented to the chair. The chair shall read the presented Notice of Motion but no discussion or voting relative to the motion shall be permitted at the same meeting.

13.2. Notices of Motion shall be considered at the next Regular meeting of the Board as a General Order. The motion to be considered shall be printed on the agenda.

14. Announcements

15. Adjournment

Delegations to the Board

- 1.** The Coordinating Committee may grant requests by members of the public desiring to appear before the Board provided:
 - 1.1.** A written request is received by the chair or secretary.
 - 1.2.** The request must:
 - be in the jurisdiction of the Board and must not involve a personnel matter;
 - include the nature of the topic to be addressed; and
 - include the name of the spokesperson or presenter for the group.
 - 1.3.** The presenters shall provide written materials for the presentation to the secretary to the Board.
- 2.** The request for a delegation and the written materials provided will:
 - 2.1.** Be presented to the next scheduled Coordinating Committee.
 - 2.2.** Be copied by the Director's Office to be included with the agenda for the Coordinating Committee (up to five pages).
 - 2.3.** Be assigned a meeting date at which the delegation will be received, and the requester will be advised accordingly.
- 3.** Presentations shall not appear on the same agenda as a similar item to be discussed by trustees at the same meeting.
- 4.** Requests for delegations by Board employees shall require Coordinating Committee approval.
- 5.** The chair or the secretary, in consultation with the Coordinating Committee, will assign a requested delegation to an appropriate meeting (e.g., Regular Board, Special Board, Board Advisory Committee, Coordinating Committee, Informal Session).
- 6.** When there are requests for more than two delegations of a similar nature, each delegation shall submit written material for the presentation in accordance with the following:
 - 6.1.** The chair or the secretary may, in consultation with the Coordinating Committee:
 - a) Schedule a Special Board Meeting to receive more than two delegations of a similar nature; or
 - b) Require that the delegations appoint one spokesperson to present a ten-minute executive summary of all the delegation material. A representative from each delegation shall sit at the delegation table.
 - 6.2** Trustees may ask questions of clarifications of the delegates based on the executive summary or the previously provided written presentation material.
- 7.** The secretary shall acknowledge in writing all requests for delegations to the Board, such requests to be copied to all trustees. In cases where a request for delegation is denied, reasons shall be stated.
- 8.** There shall be a maximum of two delegations allowed at anyone meeting.
(see #6 for delegations of a similar nature).
- 9.** The delegation will be limited to ten minutes for its verbal presentation.
- 10.** Questions of clarification of the delegation may be asked by trustees following the presentation.
- 11.** No decisions or debate relative to the presentation will be made by the Board at the meeting at which the presentation is made.
- 12.** The Coordinating Committee shall review requests of delegations following their presentation, and shall schedule related reports or responses, where appropriate.

EDCUATION ACT
QUICK REFERENCES

STUDENT TRUSTEES

Student trustees

55 (1) The Minister may make regulations providing for elected student trustees to represent, on district school boards and on boards established under section 67, the interests of pupils in the last two years of the intermediate division and in the senior division. 2006, c. 10, s. 6.

No membership or binding vote

(2) A student trustee is not a member of the board and is not entitled to exercise a binding vote on any matter before the board or any of its committees. 2006, c. 10, s. 6.

Recorded vote

(3) A student trustee is entitled to require that a matter before the board or one of its committees on which the student trustee sits be put to a recorded vote, and in that case there shall be,

- (a) a recorded non-binding vote that includes the student trustee's vote; and
- (b) a recorded binding vote that does not include the student trustee's vote. 2006, c. 10, s. 6.

Motion

(4) A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the board or of one of its committees on which the student trustee sits, and if no member of the board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion. 2006, c. 10, s. 6.

Certain closed meetings

(5) A student trustee is not entitled to be present at a meeting that is closed to the public under clause 207 (2) (b). 2006, c. 10, s. 6.

Participation

(6) Subject to subsections (2) to (5), a student trustee shall have the same opportunities for participation at meetings of the board and of its committees as a member has. 2006, c. 10, s. 6.

Resources and training

(7) A student trustee has the same status as a board member with respect to access to board resources and opportunities for training. 2006, c. 10, s. 6.

Honorarium

(8) A student trustee is entitled to receive an honorarium from the board in accordance with the regulations, if the specified conditions are satisfied. 2006, c. 10, s. 6.

Regulations

- (9) Without limiting the generality of subsection (1), a regulation under that subsection may,
- (a) provide for and govern the student trustee election process, which may be direct or indirect;
 - (b) specify qualifications for electors of student trustees;
 - (c) specify qualifications for student trustees and the consequences of becoming disqualified;
 - (d) govern the number of student trustees who may sit on a board;
 - (e) govern student trustees' terms of office;
 - (f) authorize boards to reimburse student trustees for all or part of the out-of-pocket expenses reasonably incurred in connection with carrying out their responsibilities, subject to such limitations or conditions as may be specified in the regulation;

- (g) provide for transitional matters that, in the Minister's opinion, are necessary or desirable in connection with the implementation of section 6 of the *Education Statute Law Amendment Act (Student Performance)*, 2006, c. 10, s. 6.

Same

(10) Without limiting the generality of subsection (1), a regulation under that subsection dealing with the honorarium described in subsection (8) may,

- (a) specify a method for calculating the amount of the honorarium;
- (b) specify conditions for the purposes of subsection (8);
- (c) provide that the honorarium for a student trustee who serves two or more terms shall be multiplied by the number of terms served or increased in some other way;
- (d) relate the amount of the honorarium to the honoraria received by members of the board;
- (e) govern the manner and timing of payment of the honorarium;
- (f) provide for the payment of the honorarium to a third party on the former student trustee's behalf;
- (g) prescribe classes of student trustees or former student trustees and treat the members of different classes differently. 2006, c. 10, s. 6.

Same

(11) Without limiting the generality of clause (9) (a), a regulation under subsection (1) may provide for and govern,

- (a) student trustee elections at different times in the school year; and
- (b) by-elections to fill vacancies. 2006, c. 10, s. 6.

Same

(12) In a regulation under subsection (1), the Minister may provide for any matter by authorizing a board to develop and implement a policy with respect to the matter, and may require that the policy comply with policies and guidelines established under paragraph 3.5 of subsection 8 (1). 2006, c. 10, s. 6.

General or particular

(13) A regulation under subsection (1) may be general or particular. 2006, c. 10, s. 6.

Transition

(14) The pupil representatives elected or appointed under Ontario Regulation 461/97 for the 2006-2007 school year are deemed to be student trustees elected under this section for that school year. 2006, c. 10, s. 6.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 30 - 01/01/1998

2006, c. 10, s. 6 - 07/07/2006

BOARDS

DUTIES AND POWERS

Board responsibility for student achievement and effective stewardship of resources

169.1 (1) Every board shall,

- (a) promote student achievement and well-being;
- (a.1) promote a positive school climate that is inclusive and accepting of all pupils, including pupils of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- (a.2) promote the prevention of bullying;
- (b) ensure effective stewardship of the board's resources;
- (c) deliver effective and appropriate education programs to its pupils;
- (d) develop and maintain policies and organizational structures that,

- (i) promote the goals referred to in clauses (a) to (c), and
- (ii) encourage pupils to pursue their educational goals;
- (e) monitor and evaluate the effectiveness of policies developed by the board under clause (d) in achieving the board's goals and the efficiency of the implementation of those policies;
- (f) develop a multi-year plan aimed at achieving the goals referred to in clauses (a) to (c);
- (g) annually review the plan referred to in clause (f) with the board's director of education or the supervisory officer acting as the board's director of education; and
- (h) monitor and evaluate the performance of the board's director of education, or the supervisory officer acting as the board's director of education, in meeting,
 - (i) his or her duties under this Act or any policy, guideline or regulation made under this Act, including duties under the plan referred to in clause (f), and
 - (ii) any other duties assigned by the board. 2009, c. 25, s. 15; 2012, c. 5, s. 3 (1).

HONORARIA

Honorarium for members of boards

191 (1) A board may pay to each of its members an honorarium in an amount determined by the board. 2006, c. 10, s. 16.

Additional honorarium for chair and vice-chair

(2) A board may pay to its chair and vice-chair an additional honorarium in an amount determined by the board. 2006, c. 10, s. 16.

Same

(3) The amount of the additional honorarium payable to the chair may differ from the one payable to the vice-chair. 2006, c. 10, s. 16.

Regulations

- (4) The Minister may make regulations,
- (a) setting limits on honoraria paid under this section, and providing a method for calculating those limits;
 - (b) requiring a board to engage in public consultations before adopting or amending a policy providing for the payment of honoraria under this section;
 - (c) governing the form of the public consultations, the manner in which they are conducted and their timing, including notice requirements;
 - (d) respecting the establishment of bodies to represent the public for the purpose of the public consultations;
 - (e) governing the intervals at which a board may adopt a new policy or amend an existing policy providing for the payment of honoraria under this section. 2006, c. 10, s. 16.

General or particular

(5) A regulation made under subsection (4) may be general or particular. 2006, c. 10, s. 16.

Same

(6) Without limiting the generality of subsection (5), a regulation made under subsection (4) may treat district school boards and school authorities differently. 2006, c. 10, s. 16.

Retroactivity

(7) A regulation made under subsection (4) may be retroactive to a date no earlier than September 1, 2005. 2006, c. 10, s. 16.

Transition

(8) Despite the repeal of sections 191 and 191.1 by section 16 of the *Education Statute Law Amendment Act (Student Performance)*, 2006, a board may continue to pay honoraria in accordance with section 191

or 191.1, as the case may be, until honoraria may lawfully be paid under section 191, as re-enacted by section 16 of the *Education Statute Law Amendment Act (Student Performance), 2006*. 2006, c. 10, s. 16.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 97 - 01/01/1998

2006, c. 10, s. 16 - 07/07/2006

191.1 REPEALED: 2006, c. 10, s. 16.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 97 - no effect - see 1997, c. 31, s. 191.1 (5) - 01/01/1998

2006, c. 10, s. 16 - 07/07/2006

Expenses

Travel expenses to attend board and committee meetings

191.2 (1) In respect of travel of a member of a board to and from his or her residence to attend a meeting of the board, or of a committee of the board, that is held within the area of jurisdiction of the board, the board may,

- (a) reimburse the member for his or her out-of-pocket expenses reasonably incurred or such lesser amount as may be determined by the board; or
- (b) pay the member an allowance at a rate per kilometre determined by the board. 1997, c. 31, s. 97.

Other travel expenses

(2) A board may by resolution authorize a member, teacher or official of the board to travel on specific business of the board and may reimburse the member, teacher or official for his or her out-of-pocket expenses reasonably incurred or such lesser amount as may be determined by the board. 1997, c. 31, s. 97.

Other expenses

(3) A board may establish a policy under which a member of the board may be reimbursed for all or part of his or her out-of-pocket expenses reasonably incurred in connection with carrying out the responsibilities of a board member. 1997, c. 31, s. 97.

Same

(4) A board may, in accordance with a policy established by it under subsection (3), reimburse a member for his or her out-of-pocket expenses reasonably incurred in connection with carrying out the responsibilities of a board member. 1997, c. 31, s. 97.

Deduction because of absence

(5) A board may provide for a deduction of a reasonable amount from the allowance of a member because of absence from meetings of the board or of a committee of the board. 1997, c. 31, s. 97.

Committee members

(6) Subsections (1) to (4) apply with necessary modifications to members of a committee established by the board who are not members of the board. 1997, c. 31, s. 97.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 97 - 01/01/1998

Deemed expenses

191.3 Despite this Act or any other Act, where an elected member of a board is, under a by-law or resolution of the board, paid a salary, indemnity, allowance or other remuneration, one-third of such amount shall be deemed to be for expenses incident to the discharge of his or her duties as a member of the board. 2002, c. 17, Sched. F, Table.

Section Amendments with date in force (d/m/y)

2002, c. 17, Sched. F, Table - 01/01/2003

ACCESS TO MEETINGS AND RECORDS

Open meetings of boards

207 (1) Subject to subsections (2) and (2.1), the meetings of a board and the meetings of a committee of the board, including a committee of the whole board, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct. R.S.O. 1990, c. E.2, s. 207 (1); 2014, c. 13, Sched. 9, s. 19 (1).

Closing of certain committee meetings

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

- (a) the security of the property of the board;
- (b) the 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;
- (c) the acquisition or disposal of a school site;
- (d) decisions in respect of negotiations with employees of the board; or
- (e) litigation affecting the board. R.S.O. 1990, c. E.2, s. 207 (2); 2021, c. 4, Sched. 11, s. 7 (1).

Closing of meetings re certain investigations

(2.1) A meeting of a board or of a committee of a board, including a committee of the whole board, shall be closed to the public when the subject-matter under consideration involves an ongoing investigation under the *Ombudsman Act* respecting the board. 2014, c. 13, Sched. 9, s. 19 (2).

Exclusion of persons

(3) The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting. R.S.O. 1990, c. E.2, s. 207 (3).

Inspection of books and accounts

(4) Any person may, at all reasonable hours, at the head office of the board inspect the minute book, the audited annual financial report and the current accounts of a board, and, upon the written request of any person and upon the payment to the board at the rate of 25 cents for every 100 words or at such lower rate as the board may fix, the secretary shall furnish copies of them or extracts therefrom certified under the secretary's hand. R.S.O. 1990, c. E.2, s. 207 (4).

Section Amendments with date in force (d/m/y)

2014, c. 13, Sched. 9, s. 19 (1, 2) - 01/09/2015

2021, c. 4, Sched. 11, s. 7 (1) - 19/04/2021

BOARD MEETINGS

Board meetings

208 (1) A board shall be deemed to be constituted when a majority of the members to be elected or appointed has been elected or appointed. R.S.O. 1990, c. E.2, s. 208 (1).

First meeting

(2) A board that is elected at a regular election under the *Municipal Elections Act, 1996* and a board that is appointed or elected other than at a regular election under the *Municipal Elections Act, 1996* shall hold its first meeting not later than seven days after the day on which the term of office of the board commences on such date and at such time and place as the board determines and, failing such determination, at 8 p.m. at the head office of the board on the first Wednesday following the commencement of the term of office. R.S.O. 1990, c. E.2, s. 208 (2); 1997, c. 31, s. 106 (1).

Supervisory officer may provide for calling first meeting

(3) Despite subsection (2), on the petition of a majority of the members of a newly elected or appointed board, the appropriate supervisory officer may provide for calling the first meeting of the board at some other time and date. R.S.O. 1990, c. E.2, s. 208 (3).

Election of chair

- (4) The members shall elect one of themselves to be chair,
- (a) at the first meeting referred to in subsection (2) or (3);
 - (b) in each following year, at the first meeting on or after the anniversary of the date the term of office of the board began; and
 - (c) at the first meeting after a vacancy occurs in the office of chair. 2021, c. 34, Sched. 8, s. 2.

Presiding officer

(5) At a meeting referred to in clause (4) (a) or (b), the chief executive officer shall preside until the election of the chair or, if there is no chief executive officer or in his or her absence, the members present shall designate who shall preside at the election of the chair and if a member of the board is so designated, he or she may vote at the election of the chair. 2021, c. 34, Sched. 8, s. 2.

(5.1) REPEALED: 2006, c. 10, s. 17.

Subsequent meetings

(6) Subsequent meetings of the board shall be held at such time and place as the board considers expedient. R.S.O. 1990, c. E.2, s. 208 (6).

Vice-chair

(7) The members of the board may also elect one of themselves to be vice-chair and he or she shall preside in the absence of the chair. R.S.O. 1990, c. E.2, s. 208 (7).

Where equality of votes

(8) In the case of an equality of votes at the election of a chair or vice-chair, the candidates shall draw lots to fill the position of chair or vice-chair, as the case may be. R.S.O. 1990, c. E.2, s. 208 (8).

Temporary chair

(9) If at any meeting there is no chair or vice-chair present, the members present may elect one of themselves to be chair for that meeting. R.S.O. 1990, c. E.2, s. 208 (9).

Temporary secretary

(10) In the absence of the secretary from any meeting, the chair or other member presiding may appoint any member or other person to act as secretary for that meeting. R.S.O. 1990, c. E.2, s. 208 (10).

Quorum

(11) The presence of a majority of all the members constituting a board is necessary to form a quorum. 1997, c. 31, s. 106 (3).

Chair, voting; equality of votes

(12) The presiding officer, except where he or she is the chief executive officer of the board and is not a member, may vote with the other members of the board upon all motions, and any motion on which there is an equality of votes is lost. R.S.O. 1990, c. E.2, s. 208 (12); 1997, c. 31, s. 106 (4).

Special meetings

(13) Special meetings of the board may be called by the chair and in such other manner as the board may determine. R.S.O. 1990, c. E.2, s. 208 (13).

Regulations: electronic meetings

208.1 (1) The Lieutenant Governor in Council may make regulations,

- (a) respecting the use of electronic means for the holding of meetings of a board and meetings of a committee of a board, including a committee of the whole board;
- (b) prescribing the circumstances in which a member of a board is required to be physically present in the meeting room of a board for meetings of the board;
- (c) authorizing or requiring a board to develop and implement policies with respect to any matter referred to in clause (a) and governing the content of such policies. 2020, c. 7, Sched. 9, s. 1.

Same

(2) A regulation under clause (1) (a) may provide that a board member who participates in a meeting through electronic means shall be deemed to be present at the meeting for the purposes of this and every other Act, subject to such conditions or limitations as may be provided for in the regulation. 2020, c. 7, Sched. 9, s. 1.

Same

(3) A regulation under clause (1) (a) may provide for participation in meetings through electronic means by members of the board, student trustees and members of the public. 2020, c. 7, Sched. 9, s. 1.

Same

(4) A regulation under clause (1) (b) may set out rules with respect to periods of time before the regulation is filed. 2020, c. 7, Sched. 9, s. 1.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 107 - 01/01/1998

2002, c. 18, Sched. G, s. 8 - 26/11/2002

2006, c. 10, s. 18 - 07/07/2006

2020, c. 7, Sched. 9, s. 1 - 05/06/2020

Declaration

209 (1) Except as provided in subsection (2), every person elected or appointed to a board, on or before the day fixed for the first meeting of the new board, or on or before the day of the first meeting that the person attends, shall make and subscribe the following declaration in English or French before the secretary of the board or before any person authorized to administer an oath or affirmation and in default the person shall be deemed to have resigned:

1. I solemnly declare that I am not disqualified under any Act from being a member of (*name of board*).
2. I solemnly declare that I will truly, faithfully, impartially and to the best of my ability execute the office of board member, and that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office and that I will disclose any pecuniary interest, direct or indirect, as required by and in accordance with the *Municipal Conflict of Interest Act*.

R.S.O. 1990, c. E.2, s. 209 (1); 1997, c. 31, s. 108 (1); 2009, c. 25, s. 23 (1).

Idem

(2) Where a person is elected or appointed to fill a vacancy on a board, the person shall make such declaration on or before the day fixed for holding the first meeting of the board after his or her election or appointment or on or before the day of the first meeting that the person attends and in default the person shall be deemed to have resigned. R.S.O. 1990, c. E.2, s. 209 (2).

Oath or affirmation

(3) Every person elected or appointed to a board, before entering on his or her duties as a board member, may take and subscribe before the secretary of the board or before any person authorized to administer an oath the oath or affirmation of allegiance in the following form, in English or French:

I swear (*affirm*) that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II (*or the reigning sovereign for the time being*).

2009, c. 25, s. 23 (2).

Filing of declaration and oath

(4) The declaration and, if any, the oath or affirmation of allegiance shall be filed with the secretary of the board within eight days after it is made or taken, as the case may be. 2009, c. 25, s. 23 (3).

Section Amendments with date in force (d/m/y)

1994, c. 23, s. 65 - no effect - see 2002, c. 17, Sched. F - 01/01/2003; 1997, c. 31, s. 108 (1, 2) - 01/01/1998

2009, c. 25, s. 23 (1-3) - 15/12/2009

210 REPEALED: 2009, c. 25, s. 24.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 109 - 01/01/1998

2009, c. 25, s. 24 - 15/12/2009

Seat vacated by conviction, absence etc.

228 (1) A member of a board vacates his or her seat if he or she,

- (a) is convicted of an indictable offence;
- (b) absents himself or herself without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the board;
- (c) ceases to hold the qualifications required to act as a member of the board;
- (d) becomes disqualified under subsection 219 (4); or
- (e) fails to be physically present as required by the regulations made under clause 208.1 (1) (b). 1997, c. 31, s. 112; 2020, c. 7, Sched. 9, s. 2.

Exception: conviction

(2) Despite subsection (1), where a member of a board is convicted of an indictable offence, the vacancy shall not be filled until the time for taking any appeal that may be taken from the conviction has elapsed, or until the final determination of any appeal so taken, and in the event of the quashing of the conviction the seat shall be deemed not to have been vacated. 1997, c. 31, s. 112.

Exception: pregnancy or parental leave

(2.1) Clause (1) (b) does not apply to vacate the office of a member of a board who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member. 2017, c. 10, Sched. 4, s. 3 (2).

Filling of vacancies

(3) Where a seat becomes vacant under this section, the provisions of this Act with respect to the filling of vacancies apply. 1997, c. 31, s. 112.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 112 - 01/01/1998

2017, c. 10, Sched. 4, s. 3 (2) - 30/05/2017

2020, c. 7, Sched. 9, s. 2 - 05/06/2020

229 REPEALED: 2020, c. 7, Sched. 9, s. 3.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 112 - 01/01/1998

2006, c. 10, s. 19 - 01/06/2006

Education Act

ONTARIO REGULATION 462/97

FIRST NATIONS REPRESENTATION ON BOARDS

Consolidation Period: From September 1, 2019 to the e-Laws currency date.

Last amendment: 262/19.

This is the English version of a bilingual regulation.

First Nations representation on boards

1. (1) Subject to subsection (4), a council of a band or councils of bands may name one person to represent, on a board, the interests of pupils who belong to the band or bands if,

- (a) under subsection 188 (1) of the Act, the board has admitted pupils who belong to the band or bands; or
- (b) under section 188 of the Act, the board has entered into one or more agreements to provide instruction to pupils who belong to the band or bands, including one or more agreements entered into before September 1, 2019. O. Reg. 262/19, s. 1 (1).

(2) Where a person is named under subsection (1), the board shall, subject to subsection (5), appoint the person as a member of the board. O. Reg. 462/97, s. 1 (2); O. Reg. 262/19, s. 1 (2).

(3) The member appointed under subsection (2) shall be deemed to be an elected member of the board. O. Reg. 190/09, s. 2.

(4) If the number of pupils referred to in clauses (1) (a) and (b) who are enrolled in schools operated by the board or in schools to which the board provides instruction exceeds 25 per cent of the average daily enrolment in the schools of the board, two persons may be named under subsection (1) and subsections (2) and (3) apply with necessary modifications in respect of the two persons. O. Reg. 262/19, s. 1 (3).

(5) The appointment under subsection (2) may be made at the discretion of the board if the number of pupils referred to in clauses (1) (a) and (b) who are enrolled in schools operated by the board or in schools to which the board provides instruction is fewer than the lesser of 10 per cent of the average daily enrolment in the schools of the board and 100. O. Reg. 262/19, s. 1 (3).

(6) REVOKED: O. Reg. 262/19, s. 1 (3).

(7) If the enrolment of the pupils referred to in clause (1) (a) or (b) is, in respect of elementary school pupils only or secondary school pupils only, the enrolment referred to in subsections (4) and (5) shall be that of elementary school pupils only or secondary school pupils only, as the case may be. O. Reg. 462/97, s. 1 (7); O. Reg. 262/19, s. 1 (4).

(8) The term of office of a member appointed under this section terminates on the same date as the term of office of the elected members. O. Reg. 462/97, s. 1 (8).

(9) Where a regulation made under clause 67 (2) (a) of the Act provides for the appointment of one or more members to represent on the board the interests of pupils referred to in clause (1) (a) or (b), this section does not apply. O. Reg. 462/97, s. 1 (9); O. Reg. 262/19, s. 1 (5).

(10) Where the office of a member of a board appointed under this section becomes vacant for any reason, it shall be filled in accordance with this section and the person so appointed shall hold office for the remainder of the term of his or her predecessor. O. Reg. 462/97, s. 1 (10).

2. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 462/97, s. 2.

Français

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Education Act

ONTARIO REGULATION 463/97

ELECTRONIC MEETINGS AND MEETING ATTENDANCE

Consolidation Period: From July 29, 2024 to the [e-Laws currency date](#).

Last amendment: 313/24.

Legislative History: 234/04, 268/06, 293/18, 42/20, 232/20, 632/20 (as am. by 416/21), 416/21, 313/24.

This is the English version of a bilingual regulation.

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Deemed present

1. Subject to any conditions or limitations provided for under the Act or under this Regulation, a member of a board who participates in a meeting through electronic means in accordance with this Regulation is deemed to be present at the meeting for the purposes of every Act. O. Reg. 463/97, s. 1; O. Reg. 234/04, s. 1; O. Reg. 313/24, s. 1.

Policy re meeting by electronic means

2. (1) Every board shall develop and implement a policy providing for the use of electronic means for the holding of meetings of a board and meetings of a committee of a board, including a committee of the whole board. O. Reg. 463/97, s. 2 (1); O. Reg. 234/04, s. 2.

(2) The policy shall be in accordance with this Regulation and with any policies established and guidelines issued by the Minister under paragraph 3.6 of subsection 8 (1) of the Act. O. Reg. 463/97, s. 2 (2).

Provision of electronic means

3. (1) The policy shall provide for the following:

1. At the request of any board member or student trustee, the board shall provide the member or student trustee with electronic means for participating in one or more meetings of the board or of a committee of the board, including a committee of the whole board.
2. The electronic means required by paragraph 1 shall permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.
3. The electronic means shall be provided in such a way that the rules governing conflict of interest of members are complied with. O. Reg. 463/97, s. 3 (1); O. Reg. 268/06, s. 1 (1, 2); O. Reg. 313/24, s. 2 (1).
- (2) The policy shall ensure that student trustees who are participating through electronic means do not participate in any proceedings that are closed to the public under clause 207 (2) (b) of the Act. O. Reg. 268/06, s. 1 (3).
- (3) The policy shall ensure that appropriate processes are put in place to ensure the security and confidentiality of proceedings that are closed to the public in accordance with the Act. O. Reg. 293/18, s. 1.
- (4) Despite paragraph 1 of subsection (1), the policy shall include provisions permitting the board to refuse to provide a member with electronic means of participation in a meeting of the board, a meeting of a committee of the

whole board or a meeting of any other committee of the board, unless the member has approval under subsection 7 (5) or where to do so is necessary to ensure compliance with section 6 or subsection 7 (8). O. Reg. 313/24, s. 2 (2).

Note: On September 1, 2025, subsection 3 (4) of the Regulation is amended by striking out “or subsection 7 (8)” at the end. (See: O. Reg. 313/24, s. 2 (3))

Same, public

4. (1) Subsection (2) applies in respect of meetings of the board or of a committee of the board, including a committee of the whole board, that are open to the public. O. Reg. 463/97, s. 4 (1).

(2) The policy shall provide for the following:

1. The board shall provide members of the public with electronic means for participating in meetings and shall provide for the extent and manner of electronic participation.
2. The electronic means required by paragraph 1 shall permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.
3. The policy shall ensure that members of the public who are participating through electronic means do not participate in any proceedings that are closed to the public in accordance with the Act. O. Reg. 632/20, s. 1; O. Reg. 313/24, s. 3.

(3) REVOKED: O. Reg. 632/20, s. 1.

Meetings to be open to the public

5. (1) The board shall ensure that the meeting room of the board or of a committee of the board, as the case may be, shall be open to permit physical attendance by members of the public at every regular meeting of the board or of the committee of the board. O. Reg. 313/24, s. 4.

(2) For the purposes of subsection (1), the meeting room of a committee of the whole board is the meeting room of the board. O. Reg. 313/24, s. 4.

(3) Subsection (1) does not apply where a meeting is closed to the public in accordance with the Act. O. Reg. 313/24, s. 4.

Committee meetings, member attendance

6. (1) ~~The policy shall require that the chair of a committee of the board or their designate~~ The chair of the committee or their designate shall be physically present in the meeting room at every regular meeting of the committee of the board, except a committee of the whole board. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 6 (1) of the Regulation is amended by striking out “The policy shall require that the chair of the committee or their designate” at the beginning and substituting “The chair of the committee or their designate shall”. (See: O. Reg. 313/24, s. 5 (1))

(2) Despite subsection (1), ~~the policy may provide that~~ the chair of the committee or their designate may participate in a meeting of the committee of the board by electronic means if another member of the committee, who is also a member of the board, is physically present in the meeting room. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 6 (2) of the Regulation is amended by striking out “the policy may provide that”. (See: O. Reg. 313/24, s. 5 (2))

Board meetings, member attendance

7. (1) ~~The policy shall require that all members of the board~~ All members of the board shall be physically present in the meeting room of the board at every regular meeting of the board and every regular meeting of a committee of the whole board. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 7 (1) of the Regulation is amended by striking out “The policy shall require that all members of the board” at the beginning and substituting “All members of the board shall”. (See: O. Reg. 313/24, s. 6 (1))

(2) Despite subsection (1), ~~the policy may provide that~~ a member of the board may participate in a meeting described in that subsection by electronic means instead of being physically present if the member receives written approval under subsection (5) before the meeting begins. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 7 (2) of the Regulation is amended by striking out “the policy may provide that”. (See: O. Reg. 313/24, s. 6 (2))

(3) If a member of the board proposes to participate in a meeting described in subsection (1) by electronic means, the member shall submit a request in writing and the reasons for the request to the chair of the board before the meeting begins. O. Reg. 313/24, s. 4.

(4) If the member of the board making a request under subsection (3) is the chair of the board, the chair shall submit the request and reasons to the vice-chair of the board, or if the board has no vice-chair, to another member of the board. O. Reg. 313/24, s. 4.

(5) The chair, vice-chair or other member, as applicable, may approve a request if they are satisfied that one or more of the following circumstances exist:

1. The member's primary place of residence within the area of jurisdiction of the board is located 125 kilometres or more from the meeting location.
2. Weather conditions do not allow the member to travel to the meeting location safely.
3. The member cannot be physically present at a meeting due to health-related issues.
4. The member has a disability that makes it challenging to be physically present at a meeting.
5. The member cannot be physically present due to family responsibilities in respect of,
 - i. the member's spouse,
 - ii. a parent, step-parent or foster parent of the member or the member's spouse,
 - iii. a child, step-child, foster child, or child who is under legal guardianship of the member or the member's spouse,
 - iv. a relative of the member who is dependent on the member for care or assistance, or
 - v. a person who is dependent on the member for care or assistance and who considers the member to be like a family member. O. Reg. 313/24, s. 4.

(6) The chair shall not approve a request under subsection (5) if approving the request would result in fewer than one member of the board, in addition to the chair of the board or their delegate, being physically present in the meeting room. O. Reg. 313/24, s. 4.

(7) The vice-chair or other member of the board shall not approve a request under subsection (5) unless the chair's designate will be physically present in the meeting room. O. Reg. 313/24, s. 4.

(8) If there is a policy described in subsection (2), it shall provide that,

- (a) the chair or designate shall be physically present in the meeting room of the board for at least half of the meetings of the board during each 12-month period beginning November 15, 2022; and
- (b) subject to subsection (9), a member of a board shall be physically present in the meeting room of the board for at least three regular meetings of the board during each 12-month period beginning November 15, 2022. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 7 (8) of the Regulation is revoked. (See: O. Reg. 313/24, s. 6 (3))

(9) If a member of a board is elected or appointed to fill a vacancy on or after November 15, 2022, the member shall be physically present in the meeting room of the board for at least one regular meeting of the board for each period of four full calendar months that occurs during the period beginning on the day the member is elected or appointed and ending the following November 14. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 7 (9) of the Regulation is revoked. (See: O. Reg. 313/24, s. 6 (3))

(10) Subsection (9) does not apply for a period described in that subsection if, at any time during the period, all schools of the board are closed pursuant to an order referred to in subsection 10 (1). O. Reg. 313/24, s. 4.

Note: On September 1, 2025, subsection 7 (10) of the Regulation is revoked. (See: O. Reg. 313/24, s. 6 (3))

Board and committee meetings, director of education attendance

8. ~~The policy shall require that the director of education of the board or their designate~~ The director of education or their designate shall be physically present in the meeting room for each meeting of the board and each meeting of a committee of a board, including a committee of the whole board. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, section 8 of the Regulation is amended by striking out "The policy shall require that the director of education or their designate" at the beginning and substituting "The director of education or their designate shall". (See: O. Reg. 313/24, s. 7)

No failure to be physically present, s. 228 of the Act

9. For greater certainty, the failure to be physically present as required by a policy referred to in subsection 7 (8) does not constitute a failure for the purposes of clause 228 (1) (e) of the Act. O. Reg. 313/24, s. 4.

Note: On September 1, 2025, section 9 of the Regulation is revoked and the following substituted: (See: O. Reg. 313/24, s. 8)

School closures

9. (1) On and after September 1, 2025, the requirements under sections 6, 7 and 8 for members to be physically present at meetings, and the requirement under section 5, do not apply for the period described in subsection (2) of this section, if all schools of the board are closed pursuant to an order made by,

- (a) the Minister under section 5 (1) of the Act;
- (b) a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the *Health Protection and Promotion Act*;
- (c) the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*; or
- (d) the Lieutenant Governor in Council under clause 4 (1) (a) of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*. O. Reg. 313/24, s. 8.

(2) The period referred to in subsection (1) is determined as follows:

- 1. If an order is made under subsection (1) before September 1, 2025 and continues to apply on that date, the period starts on September 1, 2025 and ends 60 days after the order ceases to apply.
- 2. If an order is made under subsection (1) on or after September 1, 2025, the period starts on the day the order is made and ends 60 days after the order ceases to apply. O. Reg. 313/24, s. 8.

School closures

10. (1) On and after November 15, 2022, despite a policy of a board respecting electronic meetings, the requirements under section 6, subsection 7 (1) and section 8 for persons to be physically present at meetings, and the requirement under section 5, do not apply for the period described in subsection (2) of this section, if all schools of the board are closed under an order made by,

- (a) the Minister under section 5 (1) of the Act;
- (b) a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the *Health Protection and Promotion Act*;
- (c) the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*; or
- (d) the Lieutenant Governor in Council under clause 4 (1) (a) of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*. O. Reg. 313/24, s. 4.

(2) The period referred to in subsection (1) starts on the day the order is made and ends 60 days after the order ceases to apply. O. Reg. 313/24, s. 4.

(3) On and after November 15, 2022, despite a policy of a board respecting electronic meetings, the requirements under subsection 7 (8) for persons to be physically present at meetings do not apply for a period described in that subsection if all schools of the board are closed for a total of two or more months during that period under an order mentioned in subsection (1). O. Reg. 313/24, s. 4.

Note: On September 1, 2025, section 10 of the Regulation is revoked. (See: O. Reg. 313/24, s. 8)

Transition

11. (1) Subsections 7 (8) to (10) and 10 (3) apply, with necessary modifications, for the period that begins November 15, 2024 and ends September 1, 2025. O. Reg. 313/24, s. 4.

(2) For greater certainty, if, in accordance with subsection (1), subsection 7 (9) applies to a person, the person shall be physically present in the meeting room of the board for at least three regular meetings of the board during the period described in subsection (1), subject to subsection 7 (10). O. Reg. 313/24, s. 4.

Note: On September 1, 2025, section 11 of the Regulation is revoked. (See: O. Reg. 313/24, s. 9)

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Education Act

ONTARIO REGULATION 7/07

STUDENT TRUSTEES

Historical version for the period August 1, 2020 to August 16, 2020.

Last amendment: 189/20.

This is the English version of a bilingual regulation.

Application

1. This Regulation applies to every district school board and every secondary school board established under section 67 of the Act. O. Reg. 7/07, s. 1.

Board policy

2. (1) The board shall develop and implement a policy providing for matters relating to student trustees and to the payment of honoraria for student trustees. O. Reg. 7/07, s. 2 (1).

(2) The policy shall be in accordance with this Regulation and with any policies and guidelines established by the Minister under paragraph 3.5 of subsection 8 (1) of the Act. O. Reg. 7/07, s. 2 (2).

Number of student trustees

3. The board shall have at least two but not more than three student trustees. O. Reg. 7/07, s. 3; O. Reg. 354/18, s. 1.

Election procedure and timing

4. (1) Student trustees shall be elected in one of the following ways:

1. Directly, by students of the board.
2. Indirectly, by student representative bodies such as student councils. O. Reg. 7/07, s. 4 (1).

(2) An election for a student trustee position for a one-year term of office shall be held not later than the last day of February in each year. O. Reg. 354/18, s. 2.

(3) An election for a student trustee position for a two-year term of office shall be held not later than April 30 in each year. O. Reg. 354/18, s. 2.

(4) Despite subsection (3), in 2020, an election for a student trustee position for a two-year term of office shall be held not later than September 30, 2020. O. Reg. 189/20, s. 1.

Qualifications

5. (1) A person is qualified to act as a student trustee if, on the first day of school after the term of office begins, he or she is enrolled in the senior division of a school of the board and is,

(a) a full-time pupil; or

(b) an exceptional pupil in a special education program for whom the board has reduced the length of the instructional program on each school day under subsection 3 (3) of Regulation 298 of the Revised Regulations of Ontario, 1990 (Operation of Schools — General) made under the Act, so long as the pupil would be a full-time pupil if the program had not been reduced. O. Reg. 42/11, s. 1; O. Reg. 354/18, s. 3.

(2) Despite subsection (1), a person is not qualified to be elected or to act as a student trustee if he or she is serving a sentence of imprisonment in a penal or correctional institution. O. Reg. 7/07, s. 5 (2).

(3) A person who ceases to be qualified to act as a student trustee shall resign from the position. O. Reg. 7/07, s. 5 (3).

(4) In this section,

“full-time pupil” has the same meaning as in the most recent regulations made under section 234 of the Act. O. Reg. 7/07, s. 5 (4).

Term of office

6. (1) The term of office of a student trustee may be one year or two years and starts on August 1 of the year in which the student trustee is elected. O. Reg. 354/18, s. 4 (1).

(1.1) Despite subsection (1), the term of office of a student trustee elected in 2020 for a two-year term of office starts on the later of August 1, 2020 and the day the student is elected, and ends on July 31, 2022. O. Reg. 189/20, s. 2.

(2) If a board has two or more student trustees with terms of two years, the board shall ensure that its policy under section 2 provides for the staggering of terms where possible. O. Reg. 354/18, s. 4 (2).

Vacancies

7. If the board determines that a vacancy shall be filled, it shall be filled by a by-election. O. Reg. 7/07, s. 7.

Reimbursement of expenses

8. If the board has established a policy under subsection 191.2 (3) of the Act, the board shall reimburse student trustees for out-of-pocket expenses as if they were members of the board. O. Reg. 7/07, s. 8.

Honorarium

9. (1) The amount of the honorarium referred to in subsection 55 (8) of the Act is,

- (a) \$2,500 for each complete year that the student holds office; and
- (b) if a student holds office for a portion of a year, \$2,500 prorated according to the portion of the year the student holds office. O. Reg. 354/18, s. 5.

(2) Despite subsection (1), the amount of the honorarium referred to in subsection 55 (8) of the Act for a student trustee elected in 2020 for a two-year term of office is,

- (a) \$2,500 for the period starting on the later of August 1, 2020 and the day the student is elected and ending on July 31, 2021, if they hold office for the entire period;
- (b) \$2,500 for the period starting on August 1, 2021 and ending July 31, 2022, if they hold office for the entire period; and
- (c) if the student holds office for a portion of either period described in clause (a) or (b), \$2,500 prorated according to the portion of the period the student holds office. O. Reg. 189/20, s. 3.

Board to provide names to Ministry

10. The board shall provide the Ministry with the names of the student trustees elected, not later than 30 days after the date of the election or by-election. O. Reg. 7/07, s. 10.

Transition

11. Despite the revocation of Ontario Regulation 461/97 (Pupil Representation on Boards) made under the Act, that regulation continues to apply in respect of a pupil representative who holds office in the 2005-2006 school year. O. Reg. 7/07, s. 11.

Note: On August 17, 2020, the day subsection 1 (1) of Schedule 12 of the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force, section 11 of the Regulation is revoked and the following substituted: (See: O. Reg. 354/18, s. 6)

Centre Jules-Léger Consortium

11. (1) The Centre Jules-Léger Consortium shall ensure that the policy referred to in section 2 provides for the following matters:

- 1. The direct election of student trustees by students of the constituency they will represent, or the indirect election of student trustees by student representatives of the constituency they will represent.
- 2. The timing of the election of student trustees.
- 3. The terms of office of student trustees, which shall not exceed two years. O. Reg. 354/18, s. 6.

(2) The procedure and timing of elections and the terms of office of student trustees for the Centre Jules-Léger Consortium shall be as provided in the policy, despite sections 4 and 6. O. Reg. 354/18, s. 6.

(3) Despite section 3, the Centre Jules-Léger Consortium shall have three student trustees as follows:

1. One student trustee to represent students of the school continued under subsection 13 (3.1) of the *Education Act*.
2. One student trustee to represent students of the school continued under subsection 13 (5.1) of the *Education Act*.
3. One student trustee to represent students receiving the services set out in clause 13.1 (5) (b) of the *Education Act*. O. Reg. 354/18, s. 6.

12. REVOKED: O. Reg. 7/07, s. 12 (2).

DRAFT

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (12th Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ? ¹	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20 Take break	I move to recess for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18 Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17 Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16 Close debate	I move the previous question	No	Yes	No	No	2/3
§15 Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

¹ Some more formal requirements, like seconds to motions, may not apply in smaller boards or any size committee.

Jim Slaughter, Attorney, Certified Professional Parliamentarian-Teacher, Professional Registered Parliamentarian
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Side 1

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (12th Edition)*

Incidental Motions - No order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority or tie sustains
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3 against consideration
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None
§33 Request information	Request for information	Yes (if urgent)	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to rescind/ amend something previously adopted...	No	Yes	Yes	Yes	Varies
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

LAKEHEAD PUBLIC SCHOOLS
CHAIR OF LAKEHEAD DISTRICT SCHOOL BOARD

2025 APR 8
Report No.041-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE– Public Session

RE: TRUSTEE CODE OF CONDUCT AD HOC COMMITTEE REPORT

1. Background

- 1.1 Ontario Regulation 246/18: *Member of School Boards – Code of Conduct* has been revoked and replaced with a new Ontario Regulation 312/24 *Members of School Boards – Code of Conduct* that sets out paragraphs. 2(1) (4.1 and 4.2) that are mandatory code of conduct provisions effective January 1, 2025, [concerning prohibition of frivolous, etc. complaints and reprisals].

Section 218.3 *Enforcement of Code of Conduct* of the *Education Act* and Ontario Regulation: 306/24 *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct* sets out certain mandatory provisions for the enforcement of the Members Code of Conduct.

- 1.2 Under the regulation, Ontario school boards are required to have a code of conduct for trustees in place, and be available to the public.
- 1.3 On November 26, 2024 at the Regular Board meeting, Lakehead District School Board (LDSB) struck an Ad Hoc committee, comprised of Trustees' Vanderwey, Johansen and Tuchenhausen, and resources to the committee - Sherri-Lynne Pharand, Director of Education and the executive secretary. The committee reviewed and revised the LDSB Code of Conduct.

2. Situation

- 2.1 The revised Trustee Code of Conduct is attached as Appendix A to Report No 041-25
- 2.2 Upon final approval, the Trustee Code of Conduct will be distributed to trustees of the Board and posted for public access on the Board website.

RECOMMENDATION

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve the amended Trustee Code of Conduct, Appendix A to Report No 041-25”

Respectfully submitted,

LEAH VANDERWEY

Chair

Lakehead District School Board

SCHOOL BOARD MEMBER (TRUSTEE) CODE OF CONDUCT

LAKEHEAD DISTRICT SCHOOL BOARD

The Code of Conduct is governed by the *Education Act* and Ontario Regulation 312/24: *Members of School Boards – Code of Conduct*, and supports implementation of Board-established bylaws, policies and procedures that set out the governance and accountability framework for Lakehead District School Board (LDSB). It applies to all Trustees of the Board, including the Chair of the Board and student trustees.

Lakehead District School Board trustees recognize that they are community leaders who realize the future welfare of the community depends largely upon the quality of education provided in public schools to meet the needs of every learner.

Lakehead District School Board trustees recognize that they should deliberate in many voices and govern in one. Trustees will demonstrate leadership and accountability and will merit the trust of the public and of Board staff. Trustees recognize the importance of modeling the Board values of Inclusion, Respect, Integrity, Empathy, and Responsibility.

Definitions

In this Trustee Code of Conduct, the following definitions apply:

“Confidential Information” means any non-public information relating to the business, operations, financial affairs, performance, assets, technology, processes, plans, personnel, students, and stakeholders of the Board.

“Conflict of Interest” means and includes a situation which financial or other personal considerations have the potential to compromise, or bias, professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the Trustee’s judgment is likely to be compromised.

A conflict of interest may exist when the decisions and/or actions of Trustees, during the course of exercising their duties, are affected by, or perceived by, another party or person to be affected by the Trustee’s personal, financial, or business interests, or the personal, financial, or business interests of a relative, friend, and/or business associate of the Trustee.

“Integrity Commissioner” means and individual as defined under OReg 306/24 of the *Education Act*.

“Parent” has the same meaning as in section 1 of the *Municipal Conflict of Interest Act*.

“Spouse” has the same meaning as in section 1 of the *Municipal Conflict of Interest Act*.

“Trustee” means a Trustee of the Lakehead District School Board. A Trustee is a Trustee within the meaning of Part VII of the *Education Act*.

1. Code of Ethics

- 1.1 Trustees shall ensure that students are considered first as the basis for all decision-making.
- 1.2 Trustees shall accept that authority rests with the Board of Trustees and that a trustee has no individual authority outside the Board of Trustees and will abide by the majority decision of the Board of Trustees.
- 1.3 Trustees shall express contrary points of view respectfully and honestly.
- 1.4 Trustees shall not make disparaging remarks about other Board trustees, administration, or employees.
- 1.5 No Board member shall disclose confidential information obtained or made available to them in their role as a Board member except as authorized by law or by the Board.
- 1.6 Trustees shall make decisions in a manner which is open, transparent, accessible, and equitable.
- 1.7 Trustees shall approach all Board issues with an open mind and be prepared to make decisions based on what is best for the organization as a whole.
- 1.8 Trustees shall conduct Board business in accordance with its policies and procedures.
- 1.9 Trustees shall ensure that their election to public office is not used for personal gain and shall adhere to conflict of interest legislation and guidelines.

2. Governance Principles

- 2.1 The Board of Trustees exists to govern in the best interest of its students.
- 2.2 The Board of Trustees represents and is accountable to students, parents, and the community.
- 2.3 The Board of Trustees is responsible for the implementation of the Strategic Plan through its policies and procedures.
- 2.4 The Board of Trustees has one employee directly responsible to it: the Director of Education.
- 2.5 The Board of Trustees holds the director of education accountable for the implementation of Board policies and procedures.
- 2.6 The Board of Trustees requires information in an accurate and timely manner.

3. PURPOSE

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. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.

A Code of Conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the community. It deals with acceptable and respectful behaviours.

Trustees' first responsibility is to our students, the parents and guardians in our school system, our employees, and the communities we serve. *(this may change after Strategic Plan update)*

Vision

We promote and support equity of opportunities and outcomes for students, in an environment that is accessible, safe, inclusive, and respectful.
We support every student and staff member to be inspired and successful lifelong learners.

Mission

We are committed to the success of every student.

Values

Inclusion, respect, integrity, empathy, and responsibility

Commitment to Reconciliation

We commit to the following four principles of reconciliation between Indigenous and non-Indigenous communities throughout every aspect of Lakehead Public Schools: relationality, relevancy, respect, and responsibility.

Principles

Lakehead Public Schools strives to embody the following five principles: belong, achieve, reconcile, lead, and inspire.

4. APPLICATION

This Code of Conduct and the enforcement procedures apply to all trustees of the Lakehead District School Board, including the Chair of the Board and student trustees.

4.1 Integrity and Dignity of Office

- 4.1.1 Trustees of the Board shall discharge their duties loyally, faithfully, impartially, and in a manner that will inspire public confidence in the abilities and integrity of the Board.
- 4.1.2 When acting or holding themselves out as trustees of the Board, a trustee shall conduct themselves in a manner that would not discredit or compromise the integrity of the Board.

- 4.1.3 When acting or holding themselves as a Trustee, the Trustee shall treat persons equally without discrimination, and in compliance with Ontario's *Human Rights Code*.
- 4.1.4 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, in the best interests of the students.
- 4.1.5 Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner, especially when attending Board events, or while on Board property.
- 4.1.6 Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to Board staff or fellow Board members.
- 4.1.7 Trustees shall endeavour to participate in trustee development opportunities to enhance their ability to fulfill their obligations.

4.2 Avoidance of Personal Advantage and Conflict of Interest

- 4.2.1 No trustee shall accept a gift from any person, group or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence the trustee when performing their duties to the Board, unless:
 - 4.2.1.1 the gift is of nominal value;
 - 4.2.1.2 the gift is given as an expression of courtesy or hospitality; and
 - 4.2.1.3 accepting the gift is reasonable in the circumstances.

- 4.3 A trustee shall not use their 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.
- 4.4 No trustee shall use or permit the use of board resources for any purposes other than the business of the Board. For greater certainty, Trustees shall not use Board resources for personal gain, for themselves, relatives, friends, and/or business associates.
- 4.5 Not use their position to obtain employment within the Board for the Trustee, or a family member.

5. Compliance with Legislation

- 5.1 A trustee of the Board shall discharge his or her duties in accordance with the Education Act and any regulations, directives, or guidelines thereunder and comply with the Municipal Freedom of Information and Protection of Privacy Act, and any other relevant legislation (see Appendix A).

- 5.2 Every trustee of the Board shall comply with this Code of Conduct and uphold the spirit of the Code.
- 5.3 Every trustee shall respect and understand the roles and duties of the individual trustees, Board of Trustees, the Director of Education, and the Chair of the Board.

6. Civil Behaviour

- 6.1 A trustee shall not engage in conduct during meetings of the Board or committees of the Board, and at all other times that would discredit or compromise the integrity of the Board.
- 6.2 When expressing individual views, trustees shall respect the differing points of view of other trustees on the Board, staff, students, and the public.
- 6.3 All trustees of the Board shall endeavour to work with other trustees of the Board and staff of the Board in a spirit of respect, openness, courtesy, and co-operation.

7. Respect for Confidentiality

- 7.1 No trustee shall disclose confidential information obtained or made available to them in their role as a trustee except as authorized by law or the Board. Confidential information includes personal information about an identifiable individual or information subject to solicitor-client privilege. This includes information shared during closed sessions.
- 7.2 No trustee shall use confidential information, including confidential information obtained by them or made available to them in their role as a trustee for the purpose of personal gain or for the gain of the trustee's parent, spouse or child and shall not use such confidential information in a manner that would be detrimental to the interests of the Board. [Parent, spouse, and child have the same meaning as in Section 1 of the *Municipal Conflict of Interest Act*.]

8. Upholding Decisions

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 Each trustee shall comply with Board policies, procedures, by-laws, and rules of order.

- 8.5 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 act as spokesperson to the public on behalf of the Board unless authorized by the Board. When individual trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

9. ENFORCEMENT OF CODE OF CONDUCT

9.1 Identifying a Breach of the Code

- 9.1.1 A trustee who has reasonable grounds to believe that a trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Board. This is done through the Chair of the Board.
- 9.1.2 Any allegation of a breach of the Code of Conduct must be brought to the attention of the Chair of the Board no later than six weeks after the breach comes to the knowledge of the trustee reporting the breach. Notwithstanding the foregoing, in no circumstance shall an inquiry into a breach of the Code of Conduct be undertaken after the expiration of six months from the time the contravention is alleged to have occurred.
- 9.1.3 Any allegation of a breach of the Code of Conduct shall be investigated following the Informal or Formal Complaint Procedures.
- 9.1.4 It is expected that whenever possible, allegations of a breach of the Code of Conduct by a trustee shall be investigated following the Informal Complaint Procedure. It is recognized that from time to time a contravention of the Code of Conduct 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 of Conduct is to assist the trustee in understanding their obligations under the Code of Conduct. Only serious and/or reoccurring breaches of the Code of Conduct by a trustee should be investigated following the Formal Complaint Procedure.
- 9.1.5 A trustee of the Board 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.

9.2 Chair/Presiding Officer

- 9.2.1 The Code of Conduct applies equally to the Chair of the Board. In the case of an allegation of a breach of the Code of Conduct by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair of the Board.

- 9.2.2 The Board will appoint, through a motion at the annual meeting, a Code of Conduct committee consisting of one trustee and an alternate trustee to conduct the informal inquiry process in the event that that Chair or Vice Chair are implicated in the breach or have a conflict of interest.
- 9.2.3 Nothing in this Code of Conduct prevents the Chair 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 been guilty of improper conduct at the meeting. For greater certainty, this may be done at the sole discretion of the Chair or presiding officer, as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or presiding officer must have the ability to control a meeting.

9.3 **Informal Complaint Procedure**

- 9.3.1 The Chair of the Board, on their own initiative, or at the request of a trustee of the Board, without the necessity of providing a formal written complaint, who alleges a breach of the Code of Conduct has occurred, may meet informally with a trustee of the Board who is alleged to have breached the Code of Conduct, to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private. Resources must be available to support the Chair.
- 9.3.2 The remedial measures may include, for example, a warning, an apology, and/or the requirement of the trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation Professional Development Program for School Board Trustees. If the Chair of the Board and the trustee alleged to have breached this Code of Conduct cannot agree on a remedy, then a formal complaint may be brought against the trustee alleged to have breached this Code of Conduct and that complaint will be dealt with in accordance with the Formal Complaint Procedure below.
- 9.3.3 While the Board does encourage the parties to utilize the Informal Complaint Procedure, it is not a mandatory step to proceeding with a Formal Complaint.

9.4 **Formal Complaint Procedure**

- 9.4.1 A trustee who has reasonable grounds to believe that another trustee has breached this Code of Conduct shall bring the alleged breach to the attention of the Chair of the Board of Trustees, or in the case of an alleged breach by the Chair, to the Vice Chair. In the case that an alleged breach involves both the Chair and the Vice Chair, then the trustee shall provide notice to the member or alternate of the Board's complaint committee. This notice shall also be provided to the Director of Education.
- 9.4.2 Notification of a possible breach shall be in writing and shall include the following:
- 9.4.2.1 the name and contact information of the trustee alleging the breach.
 - 9.4.2.2 the name and contact information of the trustee whose conduct is the subject of the notification.
 - 9.4.2.3 the date of the alleged breach.
 - 9.4.2.5 the description of the alleged breach.
 - 9.4.2.6 the provision of the Code of Conduct that was allegedly breached.
 - 9.4.2.7 Written allegations of a breach of the Code of Conduct must be referred to the Integrity Commissioner within 20 business days. The Integrity Commissioner may define the scope of the investigation and will commence an investigation into the alleged breach no later than 14 days following receipt of the claim. In conducting the investigation, the Integrity Commissioner will provide the trustee with the opportunity to respond to the allegations, as well as the right of reply, where appropriate.

- 9.4.2.8 In the course of conducting the investigation, the Integrity Commissioner may:
- 9.4.2.8.1 require the production of any records that may in any way relate to the investigation;
 - 9.4.2.8.2 examine and copy any records required; and
 - 9.4.2.8.3 require any officer of the Board or any other person to appear before them and give evidence, on oath or affirmation, relating to the investigation.
- 9.4.2.9 If a breach relates to a series of incidents, the 60-day period runs from the day the last incident in the series occurred or was discovered.
- 9.4.2.10 With respect to the defined period of time for a discovery of a breach, this is the day on which the member notifying the Board first knew that the breach had occurred; and the day on which a reasonable person with the abilities and in the circumstances of the member notifying the Board first ought to have known of the matters.
- 9.4.2.11 The Integrity Commissioner may refuse to commence an investigation into an alleged breach if the complaint was made more than 60 days after the day the alleged breach occurred or was discovered, whichever is later, unless the Integrity Commissioner is satisfied the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay; or in the opinion of the Integrity Commissioner, the complaint is made in bad faith or is frivolous or vexatious. The Integrity Commissioner will communicate this refusal in writing both to the trustee who is the subject of the complaint and to the Board of Trustees. The decision of the Integrity Commissioner in this regard is final.
- 9.4.2.12 No trustee shall engage in reprisal or the threat of reprisal against:
- 9.4.2.12.1 a trustee who gave notice of an alleged breach of the Code of Conduct.
 - 9.4.2.12.2 any person who provided information about the alleged breach to the Integrity Commissioner.

9.5 Determination and Sanctions

- 9.5.1 The Integrity Commissioner shall make a determination on an alleged breach no later than 90 days after commencing the investigation, or within such other time period as may be prescribed by regulation, unless the Integrity Commissioner notifies the Board of Trustees and the trustee who is the subject of the complaint that an extension is necessary, providing the reasons for the extension.
- 9.5.2 If the Integrity Commissioner determines, following an investigation, that the trustee has breached the Board's Code of Conduct, the Integrity Commissioner will provide written notice of the decision to the trustee and to the Board of Trustees. The written notice will include:
 - 9.5.2.1 the reasons for the determination;
 - 9.5.2.2 the reasons for any sanctions; and
 - 9.5.2.3 information about the right to appeal.
- 9.5.3 With the determination, the Integrity Commissioner may impose one or more of the following sanctions:
 - 9.5.3.1 Censure of the trustee.
 - 9.5.3.2 Requiring the Board of Trustees to reduce the trustee's honorarium by an amount not exceeding the maximum amount. This may involve requiring the trustee to return any excess already paid to them authorizing the Board to recover the excess from the trustee.
 - 9.5.3.3 Barring the trustee from attending all or part of one or more meetings of the Board, from attending one or more meetings of a committee of the Board, or participating on one or more committees of the Board, up to a maximum of 90 days or the balance of the trustee's term of office, whichever is less.
 - 9.5.3.4 Barring the trustee from becoming the Chair or Vice Chair of the Board or of any committee of the Board or removing the trustee from any of these positions.
 - 9.5.3.5 Barring the trustee from exercising the privileges of a Board member, acting as a Board representative, or removing the trustee from a position as a Board representative.
 - 9.5.3.6 Any other sanction that, in the opinion of the Integrity Commissioner, is reasonable and appropriate in the circumstances and would promote compliance with the Board's Code of Conduct

9.6 **Appeal**

- 9.6.1 The trustee in question or the Board of Trustees may appeal the Integrity Commissioner's determination, the sanctions imposed, or both, to the Deputy Minister, and in doing so, must give written notice of the appeal no later than 14 days after receiving written notice of the decision.
- 9.6.2 The trustee whose conduct was the subject of the Integrity Commissioner's determination shall not vote on a Board resolution to determine whether the Board of Trustees will appeal that determination.
- 9.6.3 A panel of three integrity commissioners will be appointed no later than 15 business days after the Deputy Minister or designate receives the notice of appeal. The panel shall not include the Integrity Commissioner whose determination is the subject of the appeal.
- 9.6.4 The appeal will follow the prescribed procedure under section 218.3 of the *Education Act*.
- 9.6.5 An appeal under this section automatically stays a sanction imposed by the Integrity Commissioner, pending a decision of the panel pursuant to section 218.3.2(10) of the *Education Act*.

9.7 **Records and Information**

- 9.7.1 The Board shall keep records and publish information on its website about each of the following:
 - 9.7.1.1 a matter referred to the Integrity Commissioner;
 - 9.7.1.2 a decision of the Integrity Commissioner to investigate or not to investigate;
 - 9.7.1.3 a determination of an Integrity Commissioner with respect to the investigation of an alleged breach; and
 - 9.7.1.4 A determination by a panel of integrity commissioners with respect to an appeal.
- 9.7.2 Where the alleged breach of this Code of Conduct or the determination regarding the breach involves any of the matters described in s. 207(3) of the Education Act, the Board shall publish only such information as is appropriate.

10 Appendix A

10.1 Policies and Bylaws:

- Lakehead District School Board Procedural Bylaws
- Travel and Expense Reimbursement Policy (3074)
- Human Rights and Workplace Harassment Policy (7030)
- Accountability Policy (7090)
- Violence in the Workplace Policy (7040)

10.2 Legislative Acts and Regulations:

- Criminal Code of Canada
- Education Act
- Ontario Regulation 312/24: Members of School Boards – Code of Conduct
- 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

Updated [DATE], 2025

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 08
Report No. 042-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: PARENT INVOLVEMENT COMMITTEE REQUEST FOR APPROVAL OF
CORRESPONDENCE

1. Background

At the March 3, 2025, Parent Involvement Committee (PIC) meeting, a discussion was held regarding the challenges brought on by the new student transportation funding framework and how it continues to directly affect our children's ability to access their education, as it remains a pressing issue for families in our community.

2. Situation

Attached as Appendix A is the letter to the Minister of Education.

3. Conclusion

The Parent Involvement Committee respectfully requests that the Board approve the request to send the letter of advocacy (Appendix A) addressing the lack of adequate funding to support children's rights for transportation for education purposes.

RECOMMENDATION

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

"That Lakehead District School Board approve the request from the Parent Involvement Committee to send correspondence of support to the Minister of Education, as outlined in Report No. 042-25."

Respectfully submitted,

SHERRI-LYNNE PHARAND
Director of Education

March 28, 2025

The Honourable Paul Calandra
Minister of Education
5th Floor
438 University Ave.
Toronto, Ontario
M7A 1N3

RE: Follow-Up - Ongoing Concerns Regarding Student Transportation Funding

Dear Minister Calandra:

On behalf of the Parent Involvement Committee (PIC) of the Lakehead District School Board, I wish to address the ongoing concerns previously communicated to your Ministry, MPP Holland, and MPP Vaugeois. The challenges brought on by the new student transportation funding framework continue to directly affect our children's ability to access their education, and this remains a pressing issue for families in our community.

Access to Education

It is deeply troubling to see the impact of the new transportation eligibility formula on students' attendance Lakehead DSB to Parent Involvement Committee. Tracking the cohort of students who were eligible for transportation last year but are no longer eligible this year, we have noticed a worrying trend of rising absenteeism. By the end of September, 38.0% of these students had lower attendance compared to the same period last year, and this figure increased to 49.0% by the end of November. This significant rise in declining attendance highlights the urgent need for action to address these barriers to education.

As parents, we are deeply concerned about the challenges faced by our most vulnerable populations, particularly those who have historically relied on transportation to access their education. These barriers have led to alarming declines in attendance among students who voluntarily self-identify as First Nations, Métis, and Inuit (FNMI). By the end of September, attendance had dropped for 47.3% of these students compared to the same period last year, and this number rose further to 51.7% by the end of November. This is not only an equity issue but also a profound matter of human rights and access to education that demands urgent attention

Weather Related Risks

From a parent's perspective, the environmental and systemic challenges faced by students in Thunder Bay highlight the urgent need for policies that consider regional realities. Temperatures in our area frequently drop below -27°C, posing significant health risks, as noted by Canadian pediatricians and Environment Canada. At -25°C, children are kept indoors for recess, and at -27°C, frostbite can develop quickly, requiring parents and caregivers to limit outdoor exposure.

Committed to the success of every student

www.lakeheadschoools.ca

Even at -15°C or colder, experts advise reducing outdoor time, yet many students from vulnerable families lack appropriate winter clothing, increasing their risk of harm.

The Montreal Children's Hospital emphasizes that children are more susceptible to frostbite because they lose heat faster than adults. These factors underscore the inadequacy of applying a universal transportation policy across Ontario. In regions like Thunder Bay, where extreme cold and less-developed infrastructure are common, the absence of transportation disproportionately affects families. Combined with socio-economic challenges and risks tied to outdoor exposure, this situation creates significant inequity that must be addressed. We reiterate our concerns about:

1. As parents, we find the universal distance standard inadequate because it overlooks the unique realities of our region.
2. From a parent's perspective, the benchmarks and funding formulas fail to keep pace with the ever-increasing costs, leaving our students underserved.

We support the Lakehead DSB trustees in asking the Ministry to:

1. Conduct a regional review of transportation policies, ensuring input from northern and rural school boards is prioritized.
2. Update funding benchmarks to accurately reflect current market conditions and the impact of inflation.
3. Develop targeted solutions that address the distinct challenges faced by northern regions, including factors like climate and infrastructure.

We remain committed to supporting our children's safety, attendance, and achievement. We look forward to hearing from you and your team to discuss these concerns further and to explore actionable solutions. Thank you for your attention to this matter.
Sincerely,

Michelle Riemer

Michelle Riemer
Vice Chair, Parent Involvement Committee

- c. Denise Allyson Cole, Deputy Minister of Education
MPP Kevin Holland
MPP Lise Vaugeois
Stephanie Donaldson, OPSBA Executive Director
Craig Murphy, Consortium Manager, Student Transportation Services Thunder Bay
JP Tennier, Director of Education Thunder Bay Catholic District School Board
Sherri-Lynne Pharand, Director of Education, Lakehead District School Board
Mireille Major-Levesque, Director of Education Conseil scolaire de district catholique des Aurores boréales
Sébastien Fontaine Director of Education Conseil scolaire du Grand Nord
Lakehead DSB Council Chairs

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 08
Report No. 037-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: POLICY REVIEW – 3005 ONTARIO STUDENT RECORD

1. Background

1.1 It is the policy of Lakehead District School Board that policies will be developed or reviewed in accordance with 2010 Policy Development and Review Policy.

1.2 3005 Ontario Student Record Policy was last revised on June 13, 2017.

2. Situation

2.1 At the June 25, 2024, Regular Board Meeting, the Ontario Student Record Policy was approved for review on the 2024-2025 policy development and review schedule.

2.2 On February 5, 2025, the policy and procedures were posted on the board website and distributed to constituent groups for review and comment with input to be received by March 29, 2025.

2.3 There was no input received from constituent groups.

2.4 The revised policy is attached as Appendix A and the procedures as Appendix B.

2.5 Upon final approval, the policy will be distributed according to board procedures.

RECOMMENDATION

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve 3005 Ontario School Record Policy, Appendix A to Report No. 037-25”.

Respectfully submitted,

SHERRI-LYNNE PHARAND
Director of Education

BUSINESS AND BOARD ADMINISTRATION**3000****DRAFT – April 8, 2025****ONTARIO STUDENT RECORD POLICY****3005**1. Rationale

Lakehead District School Board acknowledges its responsibility to ensure compliance with Ministry of Education Guidelines and Freedom of Information and Privacy legislation regarding confidential student information.

2. The Policy

It is the policy of Lakehead District School Board to follow the Ontario Student Record (OSR) Guideline 2000 as amended. The Guideline sets out the requirements of the Ministry of Education in regard to the establishment, maintenance, access, retention, transfer, and disposal of the OSR. School administrators must be conversant with the OSR guideline.

3. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
_____	June 23, 2009	OSR Guideline Education Act MFIPPA Ontario Regulation 261/19 Children's Law Reform Act Divorce Act 1985
_____	<u>Date Revised</u> June 27, 2017	_____

BUSINESS AND BOARD ADMINISTRATION**3000****DRAFT- April 8, 2025****ONTARIO STUDENT RECORD PROCEDURES****3005**1. The Policy

It is the policy of Lakehead District School Board to follow The Ontario Student Record (OSR) Guideline 2000 as amended. The guideline sets out the requirements of the Ministry of Education in regard to the establishment, maintenance, access, retention, transfer, and disposal of the OSR. School administrators must be conversant with the OSR Guideline.

2. Definitions

- 2.1 OSR - The Ontario Student Record as defined in the Ontario Student Record (OSR) Guideline issued by the Ontario Minister of Education.
- 2.2 OST - The Ontario Student Transcript is a continuous record of credits earned by the student in Grades 9 through 12.
- 2.3 IPRC - Identification, Placement, and Review Committee.
- 2.4 IEP - An Individual Education Plan for a student receiving special education programs and/or services.

3. Guidelines

The OSR will consist of the following, and maintenance of the OSR will be in compliance with, the Ontario Student Record Procedures, section 4, below:

- 3.1 The OSR folder, containing biographical and health information, schools attended, and parent/guardian information as set out in section 3 of the guideline.
- 3.2 Provincial report cards.
- 3.3 Ontario Student Transcript (OST) for secondary students.
- 3.4 Documentation File(s), if required.
- 3.5 The Office Index Card.
- 3.6 Accumulated Instruction in French.
- 3.7 Additional information identified as being conducive to the improvement of the instruction of the student.

BUSINESS AND BOARD ADMINISTRATION**3000****DRAFT- April 8, 2025****ONTARIO STUDENT RECORD PROCEDURES****3005**4. Procedures4.1 Maintenance

- 4.1.1 ***The principal is responsible for the establishment, maintenance, retention, transfer and disposition of the OSR in accordance with the OSR Guideline.***
The principal shall ensure that an OSR is prepared for all students and that they are stored in a secure area.
- 4.1.2 The principal shall ensure that access is provided in accordance with the Municipal Freedom of Information and Protection of Privacy Act (R.R.O. 1990, Regulation 823), see sections 4 and 5 of the OSR Guideline, and to any Ministry or Board employee who requires access in order to fulfill their employment mandate.
- 4.1.3 ***The parents/guardians or caregivers of a student have the right to have access to the student's OSR, until the student becomes an adult (age 18). Under both the Children's Law Reform Act and the Divorce Act, 1985, the legal right of a non-custodial parent/guardian or caregiver to have access to a child, includes the right to make inquiries and to be given information concerning the child's health, education, and welfare. Only a court order explicitly denying access to education information supersedes this right.***
- 4.1.4 Every person shall preserve secrecy in respect of the contents of any record that comes to the person's knowledge in the course of his or her duties of employment, and no such person shall communicate any such knowledge to any other person except:
- (a) as may be required in the performance of his or her duties; or
 - (b) with the written consent of the parent or guardian of the pupil where the pupil is a minor; or
 - (c) with the written consent of the pupil where the pupil is an adult.
- 4.1.5 The Office Index Card must be completed in accordance with the OSR Guideline 3.5. This is available electronically from the Trillium System and need only be printed, if required, or when the student retires.
- 4.1.6 The contents of the OSR folder and Documentation File shall be in chronological sequence with the most current data in the front.

BUSINESS AND BOARD ADMINISTRATION**3000****DRAFT- April 8, 2025****ONTARIO STUDENT RECORD PROCEDURES****3005****4.2 Transfer**

4.2.1 Before a principal transfers an original OSR to a school operated by another school board in Ontario, to a Provincial or Demonstration School in Ontario, or to a federal or First Nation school in Ontario as specified below, the principal must receive a written request for the information from the principal of the receiving school. A sample form for indicating this official request for information is provided in Appendix A.

- **this provision applies to federal and First Nation schools in Ontario that;**
- **have chosen to establish and maintain OSRs for their students;**
- **are prescribed under section 3 of [Ontario Regulation 261/19](#), “Reciprocal Education Approach” (see the [list of eligible schools](#)), or that have an existing reverse education services agreement with the board that was entered into prior to September 1, 2019; and**
- **if this information has not been provided or cannot be confirmed on the website given above, the principal (or the board) should ask the federal or First Nation school whether it meets the above criteria.**

4.2.2 Before a principal transfers an original OSR to an inspected private school, a non-inspected private school, or a First Nation school in Ontario that is not specified in section 4.2.1 of this guideline, the principal must have received both:

- **a written request for the information from the receiving school, in which the school agrees to accept responsibility for the OSR and to maintain, retain, transfer, and dispose of the OSR in accordance with this guideline (see Appendix B); and**
- **a written statement indicating consent to the transfer, which is signed by the parent(s) of the student if he or she is not an adult, or by the student if he or she is an adult.**

4.2.3 A principal may be served with a subpoena requiring that he or she appear in court on a particular date and bring part or all of an OSR. If a principal receives a subpoena, he or she must comply with it but should report the matter to the superintendent, who may contact the Board’s legal counsel for advice.

As a general rule, the principal should go to court with both the original OSR and a complete and exact photocopy of it, and should propose to the judge that the photocopy be submitted instead of the original. The principal should also inform the judge that the subpoena is inconsistent with subsection 266(2) of the Education Act. The principal must, however, relinquish the documents if ordered to do so by the judge.

BUSINESS AND BOARD ADMINISTRATION**3000**

DRAFT- April 8, 2025

ONTARIO STUDENT RECORD PROCEDURES**3005**

If a principal is served with a search warrant under the Criminal Code requiring the surrender of an OSR to the police, or is served with a subpoena requiring his or her appearance at court with the OSR, he or she is obliged to comply with the search warrant or the subpoena. In both cases, the principal should contact his/her superintendent who may contact the Board's legal counsel for advice.

Under the Child and Family Services Act, it is possible for a court to order a principal of a school to produce a student's OSR for inspection and copying. A court may make such an order if it is satisfied that: (a) a record contains information that may be relevant to consideration of whether a child is suffering abuse or likely to suffer abuse; and (b) the person in control of the record has refused to permit a Children's Aid Society director to inspect it. If a principal receives a court order under the Child and Family Services Act, he or she should seek legal advice about how to comply with it by contacting their superintendent. If a grievance arbitration board orders the production of a student's OSR despite the provisions of 266 of The Education Act, the principal, through the superintendent, should contact the Board's legal counsel for advice. Reference OSR Guideline, section 4 – Access to the OSR.

5. Documentation File

If required, the documentation file will contain the following information:

- 5.1 Verification of custody orders and name changes.
- 5.2 Violent incident reports.
- 5.3 Suspension and expulsion reports.
- 5.4 SALEP reports.
- 5.5 Written request for name change by repute, marriage **or by law**– see OSR Guidelines 10.1 and 10.2.
- 5.6 Proof of date of entry into Canada for **Multi Language Learner (MLL)** students.
- 5.7 Any other information required by the OSR Guideline identified as being conducive to the improvement of the instruction of the student, or directed by administration.
- 5.8 Referrals to the attendance counsellors.
- 5.9 15-day letters from attendance counsellors.
- 5.10 The statements of decision of the IPRC committee and the review minutes.

BUSINESS AND BOARD ADMINISTRATION**3000****DRAFT- April 8, 2025****ONTARIO STUDENT RECORD PROCEDURES****3005**

- 5.11 Educational, psychological, and health assessment reports.
- 5.12 Individual education plans for the current and previous five years.
- 5.13 Other notes or information conducive to the improvement of the instruction or well being of the student, including the student's individual learning profile.

6. Correction or Removal of Information in the OSR

- 6.1 Subject to the retention requirements in subsection 7, the principal may have information or material removed from the OSR folder if it is no longer conducive to the improvement of the instruction of the student. ***A parent or adult student may request in writing to have information removed from the OSR. If the principal does not agree, the parent may request in writing that the matter be referred to the appropriate supervisory officer. See OSR Guideline – section 9.***

Any information removed from the OSR shall be shredded or given to the parent or guardian or to the student if they are an adult.

- 6.2 The principal will ensure that the OSR is reviewed at the end of Grade 8. The following information ***may not*** be removed from the OSR or Documentation File, even when the OSR is transferred to another Board:

- 6.2.1 Expulsion and violent incident reports, except in accordance with the Ministry's Violence-Free Schools Policy as follows:

6.2.1.1 The information relating to suspension for violent behaviour shall not be removed from the OSR unless three consecutive years have passed during which no further suspensions for serious violent incidents have taken place.

6.2.1.2 The information relating to expulsion shall be removed five years after the date on which the school board expelled the student.

6.2.1.3 Where an expelled student has been readmitted to school by a school board, and is expelled again, the information relating to the expulsions shall not be removed from the OSR until five consecutive years have passed without any further expulsion.

6.2.1.4 Where the student has not been suspended or expelled, the Violent Incident Form shall be removed after three years if no further serious violent incident is reported to the police during that time.

BUSINESS AND BOARD ADMINISTRATION**3000****DRAFT- April 8, 2025****ONTARIO STUDENT RECORD PROCEDURES****3005**

6.2.2 The Special Education documentation, except when it is no longer conducive to the improvement of the pupil's education. However, professional assessments that provide recommendations for the specific instruction of the student must be retained.

7. Retention

- 7.1 Documentation must be retained in the Documentation Folder for a period of one year after its last use.
- 7.2 Report cards and the Documentation Folder must be retained for five years following the retirement of the student.
- 7.3 The OSR folder, OST, and Office Index Card must be retained for 55 years following the retirement of the student.

8. Destruction of Records

The destruction of anything removed from the OSR folder, and the ultimate destruction of the OSR and its remaining contents, must be carried out in a secure manner by shredding or incineration - reference OSR Guideline 8.

<u>Cross Reference</u>	<u>Date Received</u>	<u>Legal Reference</u>
<hr/>	June 23, 2009	OSR Guideline Education Act PFIPPA MFIPPA Ontario Regulation 261/19 Children's Law Reform Act Divorce Act 1985
<hr/>	<u>Date Revised</u> June 27, 2017	



Appendix A: 3005 Ontario Student Record

REQUEST FOR AN OSR BY A SCHOOL IN ANOTHER BOARD, A PROVINCIAL OR DEMONSTRATION SCHOOL, OR A FEDERAL OR FIRST NATION SCHOOL IN ONTARIO SPECIFIED SECTION 6.1

Please forward the Ontario School Record for:

Surname

First Name

Middle Name

Who was enrolled in Grade _____ at:

Name of School

Address

I hereby agree to accept responsibility for the record and to use, maintain, transfer, and dispose of the record in accordance with the Ontario Student Record (OSR); Guideline 2000 (revised 2020).

Principal

Date

REQUEST FOR AN OSR BY A PRIVATE SCHOOL
OR A FIRST NATION SCHOOL IN ONTARIO NOT
SPECIFIED SECTION 6.1

Please forward the Ontario School Record for:

Surname

First Name

Middle Name

Who was enrolled in Grade _____ at:

Name of School

Address

This is to certify that this is a:

☐

Private school

☐

First Nation school

In Ontario operated by

Name of the person or organization or the First Nation education authority
that operates the school.

I hereby agree to accept responsibility for the record and to use, maintain, transfer, and
dispose of the record in accordance with the Ontario Student Record (OSR); Guideline
2000 (revised 2020).

Principal

Date

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 8
Report No. 034-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: POLICY REVIEW – 7010 POLICE RECORD CHECKS

1. Background

- 1.1 On February 5, 2025, the draft policy and procedures was distributed to constituent groups for review and comment with input to be received by March 29, 2025.

2. Situation

- 2.1 There was no input received from constituent groups.
- 2.2 The revised policy is attached as Appendix A and the procedures as Appendix B.
- 2.3 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve 7010 Police Record Checks Policy, Appendix A to Report No. 034-25.”

Respectfully submitted,

MICHELLE PROBIZANSKI
Superintendent of Education

SHERRI-LYNNE PHARAND
Director of Education

PERSONNEL AND EMPLOYEE RELATIONS	7000
DRAFT – April 8, 2025	
POLICE RECORD CHECKS POLICY	7010

1. Rationale

Lakehead District School Board (LDSB) has the responsibility, under the Education Act, to provide a safe and secure working and learning environment for students and employees. The Board is in a position of trust with regard to students and must strive to protect their intellectual, physical, mental and emotional well-being. The Board is also a steward of public trusts.

The requirement for Police Record Checks (PRC) is a precautionary measure designed to ascertain whether individuals have a criminal history, which could potentially make them unsuitable for certain positions of trust. Such checks assist the Board in attempting to ensure the safety and well-being of students and to protect Board assets.

2. Policy

In accordance with Regulation 521/01 of the Education Act, as amended by Regulation 322/03, it is the policy of LDSB that all employees, service providers, and volunteers, shall require a Police Record Check. In addition, employees, service providers, volunteers, and others who normally have direct contact with students on a regular basis, shall require a Vulnerable Sector Check.

3. Guidelines

3.1 Employees

- 3.1.1 All employees of LDSB shall have a Police Record Check (PRC). All new employees will provide a PRC at their own expense. The PRC will consist of information on criminal offences of which the individual has been convicted under the Criminal Code (Canada), and for which a pardon has not been granted. The PRC will be prepared by a police force or service from national data on the Canadian Police Information Centre database within six months of the day the Board requests the document.
- 3.1.2 Employees, service providers, volunteers and others who have direct and regular contact with students will be required to provide, at their own expense, an original Vulnerable Sector Check (VSC) prior to commencing employment or volunteer activities.
- 3.1.3 All employees, including those on leave, shall be required to sign an online Offence Declaration no later than September 1 of each school year.

<p>PERSONNEL AND EMPLOYEE RELATIONS</p> <p>DRAFT – April 8, 2025</p> <p>POLICE RECORD CHECKS POLICY</p>	<p>7000</p> <p>7010</p>
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- 3.1.4 Completed PRCs shall be submitted directly to the manager of human resources or designate.
 - 3.1.5 The director of education and/or designate(s) shall adjudicate the PRC.
 - 3.1.6 Where there are areas of concern, the final decision concerning suitability for employment shall be made by the director of education and/or designate(s).
 - 3.1.7 Completed PRCs shall be secured in a separate confidential and secure location in human resources.
- 3.2 Service Providers
- 3.2.1 All service providers who come into direct contact, on a regular basis, with or who have employees that come into direct contact on a regular basis with students shall comply with Board policy.
- 3.3 Volunteers
- 3.3.1 All volunteers who come into direct contact on a regular basis with students shall comply with Board policy.
- 3.4 Others
- 3.4.1 All other groups that are not covered under the above-stated categories shall comply with this policy. These groups include, but are not limited to, placement students from university or college programs, adult in-school tutors, adult co-op students, nurses and/or other health care professionals, and employees of agencies located in schools; i.e., day cares.

PERSONNEL AND EMPLOYEE RELATIONS	7000
DRAFT – April 8, 2025	
POLICE RECORD CHECKS POLICY	7010

4. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
Procedures 7010	May 27, 2003	O. Reg. 521/01 O. Reg. 322/03
Policy 8091 "Use of Volunteers in Schools"	<u>Date Revised</u>	
Volunteer Practices – Supervisor's Manual	March 22, 2011 April 25, 2017	

PERSONNEL AND EMPLOYEE RELATIONS	7000
DRAFT – April 8, 2025	
POLICE RECORD CHECKS PROCEDURES	7010

1. Policy

In accordance with Regulation 521/01 of the Education Act, as amended by Regulation 322/03, it is the policy of Lakehead District School Board (LDSB) that all employees, service providers, and volunteers, shall require a Police Record Check. In addition, employees, service providers, volunteers, and others who normally have direct contact with students on a regular basis, shall require a Vulnerable Sector Check (VSC).

2. Definitions

2.1 Police Record Check (PRC) – in respect of a board, a document concerning an individual:

- i) that was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database within six (6) months of the day the Board requests the document; and
- ii) that contains information concerning the individual's personal criminal history.

2.2 Vulnerable Sector Check – a check for offence information including a query for criminal convictions and includes outstanding charges, warrants and judicial orders stored in the RCMP database. A VSC also includes a query of the Pardoned Sex Offender Registry and is restricted to individuals who will be in a position of trust or authority over children or vulnerable persons.

2.3 Police checks – where used herein shall refer to PRC's and, if required, VSC's.

2.4 Direct and Regular Contact

- i) Direct contact typically, but not always, involves interaction with students as a part of the responsibilities of the individual.
- ii) Interaction with different groups of students on a regular basis, i.e., photographer or yearbook representative.
- iii) The contact with students will be considered to be within the hours that pupils are normally on school property, or engaged in school-organized extracurricular activities on or off school property.

PERSONNEL AND EMPLOYEE RELATIONS	7000
DRAFT – April 8, 2025	
POLICE RECORD CHECKS PROCEDURES	7010

- 2.5 Offence Declaration – in respect of a board, a written declaration signed by an individual listing all of the individual's convictions for offences under the Criminal Code (Canada) up to the date of the declaration:
- i) that are not included in a PRC collected by the Ontario College of Teachers (OCT) after December 31, 1998, or in the last PRC collected by the Board under this regulation; and
 - ii) for which a pardon under Section 4.1 of the Criminal Code (Canada) has not been issued or granted to the individual.
- 2.6 Personal Criminal History – in respect of an individual, information on criminal offences for which the individual has been convicted under the Criminal Code (Canada) and for which a pardon under Section 4.1 of the Criminal Code (Canada) has not been issued or granted to the individual.
- 2.7 Service Provider – as defined by Regulation 521/01, "an individual who comes into direct contact with pupils on a regular basis, at a school site of a board in the normal course of:
- i) providing goods or services under contract with the Board;
 - ii) carrying out his or her employment functions as an employee of a person who provides goods or services under contract with the Board; and/or
 - iii) providing services to a person who provides goods or services under contract with the Board.

3. Board Responsibilities

Under O. Reg. 521/01, 'Collection of Personal Information Regulation', the following guidelines apply:

3.1 Employees

- 3.1.1 Lakehead District School Board requires that all new employees submit a current (less than six months) PRC as a condition of employment. New employees who normally have direct contact with students on a regular basis shall require a VSC. Any offers of employment will be conditional upon the applicant providing acceptable police checks.
- 3.1.2 A former employee who returns to the employment of the Board after one year of broken service is considered a new employee for the purposes of this procedure.

PERSONNEL AND EMPLOYEE RELATIONS	7000
DRAFT – April 8, 2025	
POLICE RECORD CHECKS PROCEDURES	7010

- 3.1.3 Police checks must be received by the manager of human resources or designate before a person commences employment.
- 3.1.4 All costs related to police checks are the responsibility of the new employee.
- 3.1.5 Lakehead District School Board will collect an offence declaration from each LDSB employee no later than September 1 of each year in which the Board employs the individual following the year that the original police checks were collected.
- 3.2 Emergency Provision
 - 3.2.1 Notwithstanding 3.1.3, in exceptional circumstances it may be necessary for an individual to begin employment with the Board before acceptable police checks are collected.
 - 3.2.2 In such circumstances, the Board will require the individual to submit an offence declaration, pending submission of the acceptable police checks.
 - 3.2.3 Before any exception is made, a binding agreement shall be entered into between the employee and the Board to ensure that the verification will be provided without delay.
 - 3.2.4 This agreement will reserve the Board's right to dismiss the employee should the information provided by the employee prove to be false or misleading or if the police checks are determined to be unacceptable or are not received.
- 3.3 Retention
 - 3.3.1 Lakehead District School Board shall retain an original or a true copy taken from the original police checks by the designated Board contact, or designate.
 - 3.3.2 Completed police checks and offence declarations will be filed in a separate and secure location in human resources in accordance with Regulation 521/01.

PERSONNEL AND EMPLOYEE RELATIONS	7000
DRAFT – April 8, 2025	
POLICE RECORD CHECKS PROCEDURES	7010

3.4 Adjudication

- 3.4.1 Lakehead District School Board, subject to 3.4.2, will not knowingly offer employment to any person with a record of criminal conviction for which a pardon has not been granted.
- 3.4.2 Lakehead District School Board does recognize the principle of rehabilitation and may, therefore, consider hiring a person after a full assessment based upon consideration of the following factors:
- i) the specific duties and responsibilities of the position in question and the relevance of the police records, criminal charge(s), and/or conviction(s) to that position;
 - ii) the length of time since the police record was established; and
 - iii) the risk posed to the safety and security of students, staff, volunteers and/or Board property.
- 3.4.3 The manager of human resources or designate will examine the police checks. If there is a concern, the information will be assessed by the superintendent responsible for human resources. A meeting will be held with the prospective employee and the superintendent before a final recommendation for employment is made.
- 3.4.4 If Lakehead District School Board learns of pending charges or convictions under the criminal code or a related federal statute for which a pardon has been granted, and if the Board believes that the nature and circumstances of the pending charges or pardoned convictions pose a threat to students, staff, volunteers or Board assets, the Board may revoke the offer of employment to the candidate without liability.
- 3.4.5 Unless approved by the superintendent responsible for human resources, or designate, the employee may not commence employment with the Board until the police checks have been received by the Board and deemed acceptable.
- 3.4.6 If the applicant is on conditional employment with the Board, she/he will be immediately suspended from employment, without pay, until the Board is satisfied that the employment offer will not be withdrawn.
- 3.4.7 If the applicant is not deemed suitable on the basis of a positive response, she/he will be notified, in writing, and the record of a positive response will be destroyed six months following the dismissal of the application.

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3.4.8 If an applicant who presents a positive response is hired, a copy of the response will be placed in the confidential personnel file of the individual.

3.5 Consequence of Non-compliance

3.5.1 Employees who fail to provide an offence declaration by the date prescribed will be suspended, without pay, until the offence declaration is completed.

3.6 Service Providers

3.6.1 The manager of human resources or designate will decide, or will provide direction for principals in determining whether or not specific service providers contracted directly by the school need a PRC, VSC and annual offence declaration.

3.6.2 It is the responsibility of a service provider contracted with the Board, whose employees come into direct contact on a regular basis with students, to:

- i) collect required police checks for such employees;
- ii) collect an offence declaration from each employee no later than September 1 of each year in which the service provider employs the individual following the year that the original police checks were collected; and
- iii) keep these records on file.

3.6.3 Any contract with LDSB will be conditional upon the fulfillment of this requirement.

3.6.4 Failure to comply with this condition may result in dissolution of the contract without liability to the Board.

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3.6.5 It is the responsibility of the principal, in the case of individuals who are self-employed and who are not contracted for services through a service provider, to:

- i) ensure that police checks have been collected and that there is no evidence of a criminal record;
- ii) ensure that procedures outlined in 3.4 are followed where there is evidence of a criminal conviction; and
- iii) collect an annual offence declaration no later than September 1 of each year following the year that the original police checks were collected.

3.7 Volunteers

3.7.1 The process for collection of police checks for volunteers is outlined in Volunteer Practices-Supervisor's Manual.

3.8 Others

3.8.1 It is the responsibility of the principal to ensure that the individual has been approved to be in direct contact with students on a regular basis. The original or verified copy must be kept on file at the school in a secure location.

3.8.2 Individuals who fail to submit verification before their designated start date will not be permitted to work in the school.

4. Review

These procedures shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Received</u>	<u>Legal Reference</u>
Policy 7010	May 27, 2003	O. Reg. 521/01 O. Reg. 322/03
Procedures 8091 "Use of Volunteers in Schools"	<u>Date Revised</u>	
Volunteer Practices – Supervisors Manual	March 22, 2011 April 25, 2017	

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 08
Report No. 036-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: POLICY REVIEW – 7030 HUMAN RIGHTS AND WORKPLACE HARASSMENT

1. Background

- 1.1 On February 5, 2025, the draft policy and procedures was distributed to constituent groups for review and comment with input to be received by March 29, 2025

2. Situation

- 2.1 There was no input received from constituent groups.
- 2.2 The policy is attached as Appendix A and the procedures as Appendix B.
- 2.3 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve 7030 Human Rights and Workplace Harassment Policy, Appendix A to Report No. 036-25.”

Respectfully submitted,

ANTHONY JEETHAN
Human Rights and Equity Advisor

JANE LOWER
Superintendent of Education

SHERRI-LYNNE PHARAND
Director of Education

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1. Rationale

Lakehead District School Board (LDSB) is committed to providing a safe, equitable and respectful working and learning environment. Lakehead District School Board promotes and supports the human rights of all individuals, as well as values equity and diversity. It is a shared responsibility across LDSB to foster a working and learning environment, where every individual is treated with respect.

2. Policy

It is the policy of LDSB to adhere to and uphold the Ontario Human Rights Code (the Code). Lakehead District School Board is committed to promoting a climate of understanding and mutual respect for each person. Harassment and discrimination based on the following grounds is prohibited:

- sex (includes pregnancy);
- race;
- ancestry;
- place of origin;
- colour;
- ethnic origin;
- citizenship;
- creed (religion);
- age;
- record of offences (in employment);
- marital status;
- family status;
- disability;
- sexual orientation;
- gender identity; and/or
- gender expression.

This policy also includes any new prohibited grounds that may be added to the Ontario Human Rights Code at a future date and prior to policy review.

- 2.1 All LDSB students, employees/workers, trustees, and other users that work on or are invited on to LDSB premises, including prospective employees, volunteers, visitors, parents, guardians, and contractors, must adhere to and uphold the Code. Harassment and discrimination will not be tolerated or condoned.
- 2.2 Lakehead District School Board is committed to providing reasonable accommodation to fulfil obligations according to the Code. The Code also permits the creation of special programs at LDSB to address discrimination or inequality.

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2.3 This policy also fulfills LDSB's obligations to address workplace harassment according to the Occupational Health and Safety Act (OHSA).

2.4 Lakehead District School Board promotes a safe, equitable and respectful working and learning environment, and endeavours to prevent harassment, discrimination, and workplace harassment. Also, where necessary, LDSB will investigate and/or respond to incidents or complaints of harassment, discrimination, or workplace harassment.

3. Application and Scope

3.1 This policy addresses Code-based harassment and discrimination and it applies to all LDSB students, employees, trustees, and other users that work on or are invited on to LDSB premises including prospective employees, volunteers, visitors, parents, and contractors.

Actions will be consistently taken to address student behaviours that are contrary to this policy, provincial, LDSB and school codes of conduct according to the appropriate LDSB policy or procedure, such as the 8070 Safe Schools Systems Expectations Policy and 8071 Bullying Prevention and Intervention Policy.

3.2 This policy addresses workplace harassment; it applies to and protects all employees/workers. The policy covers workplace harassment from all sources including students, parents, guardians, trustees, volunteers, contractors, customers of LDSB, members of the public and other members of organizations not related to LDSB but who, nevertheless, work on, are invited on to LDSB premises, or utilize LDSB services.

4. Definitions

4.1 Discrimination

Discrimination means any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Types of discrimination include systemic discrimination and poisoned environment.

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4.2 Harassment

Harassment is defined as a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Harassment can be based on age, disability, family status, marital status, creed, race, and ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, gender identity, gender expression, citizenship, and record of offences. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy.

4.3 Student

Student is anyone regardless of age, who is enrolled in an educational program offered by LDSB.

4.4 Workplace Harassment

Workplace harassment means:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or
- (b) workplace sexual harassment.

Workplace sexual harassment means:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; and/or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

4.5 Worker or Employee

A worker or employee is any person included in the definition of “worker” under the OHSA and includes all the LDSB employees. Worker is an employee who performs work or supplies services and includes a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school Board that operates the school in which the student is enrolled.

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4.6 Complainant and Respondent

Complainant refers to the person who makes a complaint of harassment, discrimination, or workplace harassment according to this policy. Respondent refers to the person who has a complaint made against them under this policy.

4.7 Workplace

Workplace is defined as any land, premises, location, or thing at, upon or near where a worker works. It includes places where individuals perform work or work-related duties or functions. It includes all schools, offices, and facilities of LDSB. Work related functions include business trips, conferences, seminars, co-op placements, social and extra-curricular events that arise out of LDSB's involvement.

4.8 External Legal Counsel

Within this policy and procedure, external legal counsel refers to a lawyer or law firm which has not had a previous relationship with LDSB, the director of education, or any member of the Board of Trustees. The role of external counsel is to be neutral and free from any known bias which would prevent them from acting impartially.

5. Duties and Responsibilities

5.1 All persons at LDSB and interacting with the LDSB are expected to engage in respectful conduct, adhere to and uphold this policy and will be held responsible for not following it.

5.1.1 All employees are responsible for contributing to a climate of understanding and mutual respect for each person.

5.1.1.1 Employees with supervisory authority at LDSB have additional responsibilities to:

- create and promote a safe, equitable and respectful working and learning environment that supports human rights; and
- act on observations or allegations of harassment, discrimination, or workplace harassment.

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5.1.1.2 Teachers have additional responsibilities to:

- foster learning environments that are safe, equitable and respectful that support human rights;
- respond to observations or allegations of harassment or discrimination; and
- refer or report observations or allegations of workplace harassment.

5.1.2 The Board of Trustees have responsibilities to:

- engage in respectful conduct;
- through governance, create and promote a safe, equitable and respectful learning and working environment that supports human rights;
- ensure the director of education acts in compliance with the 7030 Human Rights and Workplace Harassment Policy, the Ontario Human Rights Code, and the Ontario Health and Safety Act; and
- refer concerns and complaints of harassment, discrimination, or workplace harassment to the director of education or designate.

5.1.2.1 In the event of a complaint against the director of education, the chair of the Board of Trustees shall seek external legal counsel and an external human resources expert to support the investigation and management of the complaint. The chair shall bring the matter to the Board of Trustees.

5.2 The director of education is responsible for implementing this 7030 Human Rights and Workplace Harassment Policy and ensuring that it is reviewed annually in accordance with OHSA.

5.3 Lakehead District School Board takes incidents and complaints of harassment, discrimination, and workplace harassment seriously.

5.3.1 All persons are urged to express concerns and file complaints of harassment, discrimination, or workplace harassment according to this policy. Reprisal or retaliation against an individual who is seeking to claim or enforce their rights under this policy is prohibited.

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- 5.4 Lakehead District School Board will provide procedures to address incidents or complaints of harassment, discrimination, or workplace harassment. Complaints shall be dealt with in a fair and timely manner. All persons, including employees, shall cooperate so that the LDSB can address incidents or complaints under this policy.
- 5.5 Any person reporting an incident or complaint of harassment, discrimination, or workplace harassment, who participates in a process to resolve the complaint under this policy, is required to keep the incident/complaint-related information confidential or as required by law.
- 5.5.1 Those with supervisory authority at LDSB or designates, who are involved with addressing an incident or complaint, will strive for confidentiality and will share information on a need-to-know basis to the extent necessary to protect employees, for actions such as investigation, follow-up, corrective action or as otherwise required by law.
- 5.5.2 Unauthorized disclosure or violations of confidentiality, especially by those with supervisory authority, may be subject to remedial action or discipline, as outlined in Section 5.8.
- 5.6 If a complainant withdraws a complaint, LDSB may continue to act, if required.
- 5.7 If it is determined that a complainant has made a complaint that is malicious or made in bad faith, it may result in disciplinary action.
- 5.8 An employee found in violation of this policy may be subject to remedial action or discipline, up to and including termination of employment, in accordance with applicable collective agreement provisions.
- 5.9 Nothing in this policy precludes the employee from seeking support from their union, the Employee and Family Assistance Program, where available, or externally from the Human Rights Legal Support Centre or the police.

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6. Review

This policy shall be reviewed annually in accordance with the Occupational Health and Safety Act, R.S.O. 1990, subsection 32.0.1(1).

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
7030 Workplace Harassment and Human Rights Procedures	April 19, 1994	Education Act
7040 Violence in the Workplace		Safe Schools Act
1020 Equity and Inclusive Education Faith and Creed Accommodation Guideline Appendix A		Ontario Human Rights Code
8070 Safe Schools, System Expectations		Occupational Health and Safety Act
8071 Bullying Prevention and Intervention		Policy/Program Memorandum 120 – Reporting Violent Incidents
8072 Sexual Orientation and Gender Identity		Policy/Program Memorandum 128 – Provincial Code of Conduct & School Board Codes of Conduct
8075 Service Animals in Schools		
	<u>Date Revised</u>	
	June 22, 2004	
	April 22, 2008	
	April 23, 2013	
	November 24, 2020	
	February 27, 2024	

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1. General

Lakehead District School Board (LDSB) is committed to providing a safe, equitable and respectful learning and working environment. It is a shared responsibility across LDSB to foster an environment that is free from harassment, discrimination, and workplace harassment, where every individual is treated with respect.

These procedures support the implementation of the 7030 Human Rights and Workplace Harassment Policy.

2. Definitions

These terms are defined for implementing the 7030 Human Rights and Workplace Harassment Policy and Procedures.

- 2.1 Allegation is an unproven claim or assertion that someone has done something wrong based on a reasonable belief that a violation of the policy has occurred.
- 2.2 Complainant refers to anyone who makes a complaint under the policy alleging that harassment, discrimination and/or workplace harassment has occurred.
- 2.3 Disability¹ is defined (Ontario Human Rights Code, the Code) as:
 - any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
 - a condition of mental impairment or a developmental disability;
 - a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
 - a mental disorder; or
 - an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

¹ <http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/2-what-disability>

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- 2.4 External legal counsel, within this policy, refers to a lawyer or law firm which has not had a previous relationship with LDSB, the director of education, or any member of the Board of Trustees. The role of external counsel is to be neutral and free from any known bias which would prevent them from acting impartially.
- 2.5 Gender identity² is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person's sexual orientation.
- 2.6 Gender expression³ is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.
- 2.7 Harassment (the Code) means engaging in a course of a vexatious comment or conduct that is known to be, or ought reasonably to be known to be unwelcome, based on age, disability, family status, marital status, creed, race, and ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, gender identity, gender expression, citizenship, and record of offences. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by the policy. Harassment can occur based on any of the Ontario Human Rights Code grounds.

Examples of harassment may include:

- inappropriate or insulting remarks, gestures, jokes, innuendoes or taunting about a person based on a prohibited ground – for example: racial slurs, taunting about a person's mental health or sexualized insults;
- unwanted questions or comments about an employee's private life pertaining to a prohibited ground in the Code – for example, intrusive questions about a person's disability, sex life, religion, or racial background; and/or
- posting, displaying materials, or the electronic publication of articles or graffiti etc. that is offensive because of a prohibited ground – for example, posting pornography, circulating hate literature or offensive emails.

Hate group activities intimidate, threaten, or promote hatred toward Code identifiable groups, contravene the policy and will not be tolerated at LDSB. They may also violate the Criminal Code of Canada.

² <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

³ <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

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- 2.8 Lakehead District School Board is LDSB. Lakehead District School Board is an employer, as defined by the Occupational Health and Safety Act (OHSA).
- 2.9 Marital status (the Code) means the status of being married, single, widowed, divorced, or separated and includes the status of living with a person in a conjugal relationship outside marriage.
- 2.10 Malicious or vexatious complaints are complaints that are brought forward without sufficient merit and are made to cause annoyance or distress.
- 2.11 Mediation is a confidential voluntary process that parties in a complaint may agree to participate in, where a trained mediator is in communication with parties to effect an agreed upon resolution that is satisfactory both to the parties and to LDSB.
- 2.12 Other Users refers to prospective employees, volunteers, visitors, parents, guardians, contractors, and all other individuals that work on or are invited on to LDSB premises. Other Users does not include LDSB's students or employees.
- 2.13 Poisoned Environment⁴ is a form of discrimination. It may be created when unwelcome conduct or comments are pervasive within the organization, which may result in a hostile environment for one or more people from a Code-protected group. This can happen when a person or group is exposed to ongoing harassment. However, a poisoned environment is based on the nature of the comments or conduct and the impact of these on an individual rather than just on the number of times the behaviour occurs. Sometimes a single remark or action can be so severe or substantial that it results in a poisoned environment.
- 2.14 Record of Offences (the Code) means a conviction for:
- an offence in respect of which a pardon has been granted under the Criminal Records Act (Canada) and has not been revoked; and/or
 - an offence in respect of any provincial enactment.
- 2.15 Reprisal is any harassment, intimidation, threats, or negative action taken against a person (e.g., complainant, witness, investigator, or respondent) for making a report to LDSB about an incident or filing a complaint of alleged harassment, discrimination, or workplace harassment or for taking part in these complaint procedures, in good faith. Reprisal is prohibited under the policy.
- 2.16 Student is any person, regardless of age, who is enrolled in any program offered by LDSB.

⁴ <http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability>

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- 2.17 Support person is a person whose role is to provide assistance to a complainant, respondent or witness who is engaged in these procedures. A support person can be a union representative, parent, guardian, caregiver, relative, friend, colleague, or peer.
- 2.18 Trans or transgender⁵ is an umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes, but is not limited to, people who identify as transgender, trans woman (male-to-female), trans man (female-to-male), transsexual, cross-dresser, gender non-conforming, gender variant or gender queer.
- 2.19 Transphobia⁶ is the aversion to, fear or hatred of trans people and communities. Like other prejudices, it is based on stereotypes that are used to justify discrimination, harassment, and violence toward trans people.
- 2.20 Workplace Harassment (OHSA) is engaging in a course of vexatious comment or conduct against a worker in a workplace that is known, or ought reasonably to be known, to be unwelcome or is Workplace Sexual Harassment.

Examples of Workplace Harassment may include:

- making repeated remarks, jokes or innuendos that demean, ridicule, intimidate or offend;
- displaying or circulating offensive pictures or materials in print or electronic form;
- singling out an individual for humiliating or demeaning “teasing”;
- making repeated offensive or intimidating phone calls or emails;
- gossiping or spreading negative rumours; and/or
- Workplace Sexual Harassment.

⁵ <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

⁶ <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

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2.21 Workplace Sexual Harassment (OHSa) means:

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known, or ought reasonably to be known, to be unwelcome; and/or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows, or ought reasonably to know, that the solicitation or advance is unwelcome.

Examples of Sexual Harassment may include:

- unwanted remarks, jokes, innuendoes, or taunting about a person's gender, gender identity, gender expression, or sexual orientation;
- homophobic or transphobic comments;
- unwanted physical contact of a sexual nature such as touching, kissing, patting, hugging, or pinching;
- leering, whistling, or other sexually suggestive or insulting sounds;
- refusing to use an employee's chosen pronouns;
- posting or displaying (including electronic publication of) offensive materials of a sexual nature;
- unsolicited sexual advances or demands for dates or sexual favours;
- inappropriate jokes of a sexual nature; and/or
- sexual assault (also an offence under the Criminal Code of Canada).

2.22 What May Not Be Workplace Harassment:

Workplace Harassment does not include reasonable action taken by LDSB and its staff in supervisory roles relating to the management and direction of employees or the workplace, even if there are unpleasant consequences for the employee.

Examples may include:

- changes in work assignments or scheduling;
- performance evaluation;
- workplace inspections; and
- disciplinary action.

Workplace Harassment typically does not include differences of opinion or minor disagreements between employees.

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3.0 Procedures - General

- 3.1 It is a shared responsibility across LDSB to foster a learning and working environment where every individual is treated with respect. Lakehead District School Board supports the individual's efforts to resolve an incident or a complaint, at the earliest possible stage and at the lowest level through dialogue with peers, principals, or managers, where appropriate.

These procedures are designed to address a report of an incident or a complaint of harassment, discrimination including hate group activities, or a complaint of workplace harassment, that is brought to the attention of LDSB.

Employees with supervisory authority at LDSB (for example, principals) have a duty to respond or take action to resolve incidents or complaints of harassment, discrimination, or workplace harassment. Lakehead District School Board may act if employees with supervisory authority at LDSB become aware of harassment, discrimination, or workplace harassment. To provide a working and learning environment free from harassment, discrimination, or workplace harassment, LDSB may continue to act if a complainant determines they do not want to proceed with a complaint or decides to withdraw the complaint.

Lakehead District School Board will ensure that an investigation, appropriate in the circumstances in accordance with OHSA, will be conducted into incidents or complaints of workplace harassment.

- 3.2 Human Rights and Harassment Complaints may be reported through an online portal (<https://forms.office.com/r/wQhDnzW2DT>).

- 3.2.1 This portal is monitored by the Office of the Human Rights and Equity Advisor (OHREA), who will provide intake support and route complaints to the appropriate channels within the Board.

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- 3.2.2 Reports through the portal are not immediately considered to be formal written complaints, as detailed in Section 5 of this procedure.
- Complaints submitted through the portal that have all required information may be classified into two streams:
- 3.2.2.1 Stream A: Questions, concerns, or general inquiries that do not require a resolution process under 7030 policy/procedure; or
- 3.2.2.2 Stream B: Complaints or concerns that require a resolution process under 7030 policy/procedure. Complaints in Stream B may be classified as formal written complaints (per Section 5 of this procedure).
- 3.2.3 Anonymous complaints or complaints without sufficient information submitted through this portal may not be investigated.
- 3.3 In the following cases, individuals will be directed as noted:
- 3.3.1 Incidents/complaints against a trustee or superintendent (supervisory officer) will be referred to the director of education. If the alleged harasser is a trustee, the director of education may seek legal advice about referring the matter to the Trustee Code of Conduct, Board of Trustees, or an external investigator, as deemed appropriate. If the alleged harasser is a superintendent, the director of education will bring in outside legal counsel and, if necessary, an external human resources expert to support in the investigation.
- 3.3.2 Incidents/complaints against the director of education will be referred to the chair of the Board of Trustees. The chair shall seek external legal counsel and an external human resources expert to support the investigation and management of the complaint. The chair shall bring the complaint to a Special Board, or the next Regular Board meeting based on the advice of legal counsel.
- 3.3.3 Incidents/complaints against the chair of the Board of Trustees will be referred to the director of education. The director of education must notify the Board of Trustees of the complaint. Trustees must work to resolve it under the guidelines outlined in the Trustee Code of Conduct.
- 3.3.4 Incidents/complaints of harassment or behaviour of a violent nature, including physical assault and sexual assault, must be formally reported according to LDSB's policies, such as 7040 Violence in the Workplace policy and related procedures. The individual(s) may refer the matter to the police. Lakehead District School Board may refer the matter to the police.

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- 3.4 All human rights and workplace harassment complaints must be filed within one year of the last alleged incident.
- 3.4.1 In the event the complaint is being filed after one year, the complainant must identify, in writing, the reason(s) for the delay in filing the complaint, for consideration by the appropriate superintendent or designate.
- 3.4.2 It is within the discretion of LDSB to determine whether a complaint can be filed beyond the one-year anniversary of the last alleged incident.
- 3.4.3 Prompt reporting is encouraged as it allows for more thorough and accurate investigations, where needed. Investigations, where needed, will be conducted within a reasonable timeframe, respecting both the need for a prompt resolution and the need for a thorough and complete investigation.
- 3.5 Reprisal or retaliation against an individual for making a report of harassment, discrimination, or workplace harassment in good faith or against an individual for participating in good faith, in these procedures, is prohibited. An allegation of reprisal can be reported to the superintendent, for appropriate action.
- 3.5.1 Allegations of reprisal against a trustee or superintendent should be reported to the director of education. The director will initialize a review of the complaint using the processes outlined in Section 3.3 of this procedure.
- 3.5.2 Allegations of reprisal against the director of education should be reported to the chair of the Board of Trustees. The Board of Trustees will initialize a review of the complaint using the processes outlined in Section 3.3 of this procedure.
- 3.6 Any person can also pursue their complaint externally including at the Ontario Human Rights Tribunal, contact the Ministry of Labour or law enforcement, at any time, as appropriate.

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4.0 Informal Complaint Process

- 4.1 There is nothing in this process that would prevent a complainant from bypassing the informal resolution stage and proceeding directly to request a formal investigation. The informal options, (excepting for complaints involving students), to resolve complaints are the following.

- 4.1.1 Option one: where appropriate, complainants can choose to resolve their complaint first by addressing the person(s) involved, stating clearly the behaviour or actions are objectionable and must be stopped. This is a voluntary step. If this encounter does not result in the end of the harassment, discrimination, or workplace harassment or if the complainant is uncomfortable with addressing the individual(s) involved, alternate methods of reporting are available. Complainants are encouraged to keep a record of dates, times, places and witnesses of the harassment, discrimination, or workplace harassment, as well as specific details.

If the complainant is not satisfied with the results of the above process or is uncomfortable addressing the individual(s) involved, the harassment, discrimination or workplace harassment can be reported to those with supervisory authority at LDSB (for example, the principal or vice principal of the school, supervisor, manager, or a union representative, if applicable). Once the harassment, discrimination or workplace harassment has been reported to an employee with supervisory authority at LDSB and a preliminary investigation (at a minimum talking to complainant and respondent) has taken place, if deemed appropriate, an informal resolution can be sought using Option Two or Option Three.

- 4.1.2 Option two: attempt an informal resolution with the involvement of the employee with supervisory authority at LDSB (e.g., complainant speaking with respondent or with respondent apologizing to the complainant).
- 4.1.3 Option three: LDSB may offer mediation or other forms of alternative dispute resolution to the complainant(s) and respondent(s) where appropriate.

- 4.1.3.1 If one or more parties identify as Indigenous, LDSB may be able to provide resolution or mediation services that are in line with the parties' Indigenous practices and beliefs on conflict resolution. Parties must agree to proceed with culturally aligned resolution. Lakehead District School Board will endeavour to provide these services if appropriate and feasible.

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- 4.2 As part of Option Two and Option Three the complainant will be informed:
- of the policy and these procedures;
 - about the limits to the confidentiality of the process (see section 5.6.4);
 - about counselling for eligible employees provided by LDSB;
 - they can withdraw the complaint at any time;
 - they can bring a support person (e.g., union representative) to assist them with the process and in accordance with collective agreement provisions. A support person must keep complaint related information confidential and may be required to sign a confidentiality agreement; and
 - they can initiate a formal written complaint.
- 4.3 As part of Option Two and Option Three the respondent will be informed:
- of the policy and these procedures;
 - about the limits to the confidentiality of the process (see section 5.6.4);
 - about counselling for eligible employees provided by LDSB;
 - they can bring a support person to assist them with the process and in accordance with collective agreement provisions. A support person must keep complaint related information confidential and may be required to sign a confidentiality agreement; and
 - of the nature of the allegation, and who has filed the complaint.
- 4.4 If the complaint cannot be resolved informally, to the satisfaction of the complainant, the complainant can choose to file a formal written complaint.
- 4.5 Employees, in accordance with these procedures, may also file informal complaints if they witness harassing or discriminatory behaviour, if they are unable to speak to the individual(s) involved, or if speaking with the individual(s) involved was unsuccessful.

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5.0 Formal Complaint Process

5.1 Employees

It is preferred that employee complainants report the incident or complaint using the online complaint reporting form but should keep a written copy that describes the incident, the steps taken to resolve the matter, and the names of witnesses. The complaint will be forwarded to the appropriate supervisory authority at LDSB. If an employee opts to report the matter verbally initially, they can report it to their immediate supervisor or the human resources officer for their area. If the immediate supervisor is the respondent, the complaint will be provided to the person to whom the supervisor reports or the appropriate superintendent. If the respondent is a superintendent, trustee, or the director of education, the complainant should address their complaint to the designated person outlined in Section 3.3.

5.2 Students

Student complainants should provide a written copy of the harassment or discrimination complaint, describing the incident(s), witnesses and any steps already taken to resolve the matter to their principal or vice-principal directly. If assistance is required in reporting the complaint, the student should contact the principal or vice-principal directly, or through their parent/guardian/teacher. If the principal is the respondent, then the complaint letter should be sent directly to the appropriate superintendent. The principal or designate (as determined by the superintendent) will address the complaint according to the policy and procedures and other applicable LDSB policies or procedures. If the respondent is a superintendent, trustee, or the director of education, the complainant should address their complaint to the designated person outlined in Section 3.3.

5.3 Other Users

Other user complainants should send a written copy of the harassment or discrimination complaint, describing the incident(s), witnesses and steps already taken to resolve the matter, to the immediate supervisor of the area/school/Board office where the respondent is working. In cases where the respondent is the supervisor, the complaint should be provided to the appropriate superintendent. If the respondent is a superintendent, trustee, or the director of education, the complainant should address their complaint to the designated person outlined in Section 3.3.

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5.4 The Role of the Superintendent (Supervisory Officer)

- 5.4.1 The supervisory officer under this procedure is responsible for dealing with complaints (the “Responsible SO or RSO”). The RSO will respond to complaints by having a preliminary assessment of incidents/complaints of harassment/discrimination or workplace harassment conducted, in order to determine if, on the face of the complaint, the allegation(s) meet the definition of harassment/discrimination or workplace harassment and to determine appropriate next steps to deal with an incident/complaint, in a manner deemed appropriate in the circumstances. This may include consulting with the Office of the Human Rights & Equity Advisor (OHREA) or re-directing matters to another department of LDSB as deemed appropriate by the RSO. Actions taken or fact-finding conducted for the purposes of an assessment will be deemed an investigation appropriate in the circumstances for purposes of the OHSA, if the assessment determines that on the face of the complaint no further investigation of the matter is warranted.
- 5.4.2 If it is determined that on the face of the complaint it rises to the definition of harassment/discrimination or workplace harassment, the RSO will retain carriage of the complaint and assign it to an investigator or investigation team, as appropriate.
- 5.4.3 If, on the face of the complaint, the allegations do not meet the definition of harassment/discrimination or workplace harassment, the RSO may forward the complaint to another area of the Board to address (e.g., appropriate supervisory/managerial staff, human resources in cases involving alleged culpable behavior, workplace violence), or the RSO may recommend mediation or alternative dispute resolution, as deemed appropriate in the circumstances. In such cases, supervisory staff, in conjunction with the union/association/federation representative and the affected employee(s), should give consideration as to whether a third-party mediator (agreeable to all parties), is appropriate. In some cases, the RSO may determine that no further action is required.
- 5.4.4 Where it is determined by the RSO that the matter is more appropriately dealt with by another department of LDSB, the complainant will be notified prior to forwarding the complaint. In such cases, the alleged respondent is typically not notified by the RSO.
- 5.4.5 The RSO may also determine, in consultation with human resources, that the matter complained of has already been dealt with through another forum (i.e., grievance/arbitration, human resources, disciplinary process). In such cases, the complainant will be advised of this by the RSO prior to file closure.

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- 5.4.6 The RSO has discretion to limit the allegations in any complaint due to duplication of information or in order to streamline the complaint, without loss of any substantive information.
- 5.4.7 In the event of a complaint against a superintendent, the director of education will bring in external legal counsel and, if necessary, an external human resources expert to support in the investigation and fulfill the duties of the RSO.
- 5.4.8 In the event of a complaint against a trustee, the director of education will notify the Board of Trustees who will manage the complaint through the process outlined in the Trustee Code of Conduct.
- 5.4.9 In the event of a complaint against the director of education. The chair of the Board shall seek external legal counsel and an external human resources expert to support the investigation and management of the complaint and fulfil the duties of the RSO. The chair shall bring the complaint to a Special Board or the next Regular Board meeting based on the advice of legal counsel.
- 5.5 Investigators
- To conduct an investigation most appropriate according to the policy, LDSB can assign an employee(s) with supervisory authority as an internal investigator(s) and/or may appoint an external investigator(s). Lakehead District School Board may assign an external third-party investigator(s), where necessary, for various reasons such as complexity or limited resources. The investigator(s) shall act in accordance with the policy and these procedures and with any small variations if deemed necessary by LDSB. If the respondent is a superintendent, trustee, or the director of education, an investigator will be appointed per the procedures outlined in Section 3.3.
- 5.6 Investigation Process
- 5.6.1 The investigation of an allegation of harassment, discrimination or workplace harassment must be consistent with current collective agreements in case of employees, applicable Board policy(s) in case of students, and the doctrine of "procedural fairness".
- 5.6.2 Normally, LDSB will aim to complete an investigation within 90 days of the complaint being assigned for investigation. Factors that may affect this timeline include the number of parties, the availability of parties to the complaint, the time of the year the complaint is received (e.g., during summer, school-based employees may not be available), and the complexity of the matter.

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- 5.6.3 Any person reporting an incident or complaint of harassment, discrimination or workplace harassment or participating in a process to resolve the matter, are required to keep the complaint related information confidential.
- 5.6.4 Lakehead District School Board keeps the files in accordance with the records retention schedule. Lakehead District School Board maintains confidentiality and will share information, to the extent necessary, to protect students and employees (e.g., to create a safety plan or for the separation of parties) for actions such as investigation, follow-up, corrective action or as otherwise required by law. Lakehead District School Board may be legally required to provide information to an outside authority. As well, LDSB may be legally required to speak to the respondent regarding the harassment, discrimination, or workplace harassment and, where appropriate, take further action. It is for these reasons that absolute confidentiality cannot be provided. Lakehead District School Board cannot be held responsible for the actions of the complainant(s), respondent(s) or others involved and in relation to any outside agency.
- 5.6.5 The investigator(s) will explore, with parties, any concerns of physical safety and will make them known to the appropriate superintendent and, when the matter involves an employee(s), inform the human resources manager.
- In some circumstances, an interim separation of parties pending final disposition of the complaint may be needed. An interim separation pursuant to these procedures does not constitute “discipline” or a “transfer”.
- 5.6.6 Regardless of the outcome of the complaint, no action will be taken against a complainant unless it can be shown that the complaint was made maliciously or in bad faith.
- 5.6.7 All parties (such as, complainants, respondents, and witnesses) shall be provided copies of the policy, these procedures and will also be advised about maintaining confidentiality and not engaging in reprisal or threats of reprisal.
- 5.6.8 Where a report or complaint is filed in good faith, the employee who filed the report shall not be subject to any reprisal by anyone in the employ of LDSB or not in the employ of the LDSB if said individual is a student, parent, guardian, community member or person who works on or is invited to LDSB premises.
- 5.6.9 Should an employee who filed a report or complaint in good faith be the subject of a reprisal, then an investigation into the alleged reprisal shall be initiated following its reporting to the superintendent, as needed.
- 5.6.10 Should the individual who is found to have reprisal against an employee who filed a report in good faith, also be an employee of LDSB and the reprisal was

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proven as a result of an investigation, then said individual may be subject to disciplinary action in accordance with the appropriate collective agreement and LDSB policies governing such matters.

- 5.6.11 Should the individual be found to have reprimed against an employee who filed a report in good faith be someone other than an employee of LDSB, and the reprisal is proven as a result of an investigation, then said individual may be subject to some form of sanction issued in accordance with LDSB policies and procedures and school/office where the employee who was subject to the proven reprisal works.

5.7 Formal Employee Complaints

- 5.7.1 Participants involved in the formal investigation will normally include the complainant, the respondent, witnesses (if any), an investigator(s) and/or support person(s).
- 5.7.2 Once a formal written complaint alleging harassment, discrimination or workplace harassment is received, the superintendent(s) appoints an investigator(s) with an identified lead investigator, where needed.
- 5.7.3 The investigator(s) meets with the appropriate principal or manager to discuss the issue. Investigator(s) will keep detailed notes pertinent to the investigation and as outlined in “records of investigation” (8.4).
- 5.7.4 The investigator(s) normally will meet with the complainant first, to obtain the necessary information pertaining to their complaint.
- 5.7.5 The investigator(s) will inform the respondent about the complaint and seek the respondent’s response to the allegations. A copy of the formal signed complaint will be submitted to the respondent, indicating the name of the complainant and respondent, the places, times, dates, and nature of the alleged incidents being investigated.
- 5.7.6 The investigator(s) conducts further fact-finding meeting(s) as needed including to interview potential witnesses.

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- 5.7.7 Once the investigator(s) has completed the fact-finding, the final report of the investigation and a final summary report will be prepared. The final summary report is provided to the complainant, respondent, and the appropriate superintendent(s) or RSO. This summary will respect confidentiality to the extent possible.
- 5.7.8 In cases where there is a breach of the policy, appropriate disciplinary or remedial sanctions will be implemented. A record of the remedial or disciplinary action will be placed in the appropriate employee's personnel file. The complainant and respondent will be informed, in writing, about results of the investigation and of any corrective action that has been or will be taken as a result of the investigation. In accordance with confidentiality and/or collective agreements, details of corrective action(s) against employees may not be disclosed.
- 5.7.9 Where a resolution cannot be reached, or if the complainant is not satisfied with the resolution, an outside agency may become involved. Lakehead District School Board will cooperate, as required, with external proceedings (i.e., police, Ontario Human Rights Tribunal) as required by law.
- 5.7.10 Should the complaint be proven to be malicious or in bad faith, the complainant may be subject to the disciplinary action.
- 5.7.11 Where an employee related complaint has been investigated, human resources will maintain the investigation records in accordance with section 8.0, Records.
- 5.7.12 Under Regulation 18(1) (b) of the Teaching Profession Act, a teacher must "on making an adverse report on another member, furnish that member with a written statement of the report at the earliest possible time and not later than three days after making the report."
- 5.8 Formal Student Complaints
- 5.8.1 Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any), and the principal or designated investigator and/or support person.
- 5.8.2 Once a formal written complaint alleging harassment or discrimination from a student is received, the principal or designate(s) shall conduct an investigation. The principal or designate(s) will keep detailed notes pertinent to the investigation and as outlined in "records of investigation" (8.4).
- 5.8.3 The principal or superintendent will inform the parents/guardians of the involved parties if the student(s) are under the age of 18.

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- 5.8.4 The investigator(s) normally will meet with the complainant first, to obtain the necessary information pertaining to their complaint.
- 5.8.5 The investigator(s) will inform the respondent about the complaint and seek the respondent's response to the allegations. A copy of the formal signed complaint will be submitted to the respondent, indicating the name of the complainant and respondent, the places, times, dates, and nature of the alleged incidents being investigated.
- 5.8.6 The principal or designate(s) conducts further fact-finding meeting(s,) as needed, including to interview potential witnesses.
- 5.8.7 Once the principal or designate(s) has completed the fact-finding investigation, the final report of the investigation and a final summary report will be prepared. The final summary report is provided to the complainant (parent/guardian where appropriate), respondent and the appropriate superintendent(s) or RSO. This summary will respect confidentiality to the extent possible.
- 5.8.8 In cases where there is a finding that a breach of the policy has occurred, appropriate disciplinary/remedial sanctions will be implemented. A record of the remedial or disciplinary action will be kept. The complainant and respondent will be informed, in writing, about results of the investigation and of any corrective action that has been or will be taken as a result of the investigation. In accordance with confidentiality and/or collective agreements, details of corrective action(s) against employees may not be disclosed.
- 5.8.9 Where a resolution cannot be reached, or if the complainant and/or their parents/guardians are not satisfied with the resolution, an outside agency may become involved. Lakehead District School Board will cooperate, as required, with any external proceedings (for example, police, Ontario Human Rights Tribunal).
- 5.8.10 Should the complaint be determined to be malicious or in bad faith, the complainant may be subject to the disciplinary action.

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5.9 Formal Other User Complaints

- 5.9.1 Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any), and an investigator and/or support person.
- 5.9.2 Once a formal written complaint alleging harassment or discrimination is received from another user, the appropriate superintendent will appoint an investigator(s).
- 5.9.3 The investigator(s) will meet with the manager to discuss the issue, as needed. The investigator(s) will keep detailed notes pertinent to the investigation and as outlined in “records of investigation” (8.4).
- 5.9.4 The investigator(s) conducts further fact-finding meeting(s), as needed, including to interview potential witnesses.
- 5.9.5 Once the investigator(s) has completed the fact-finding investigation, the final report of the investigation and a final summary report will be prepared. The final summary report is provided to the complainant, respondent, and the appropriate superintendent(s) or RSO. This summary will respect confidentiality to the extent possible.
- 5.9.6 The complainant and respondent will be informed, in writing, about results of the investigation and of any corrective action that has been or will be taken as a result of the investigation. In accordance with confidentiality and/or collective agreements, details of corrective action(s) against employees may not be disclosed.
- 5.9.7 Where a resolution cannot be reached, or if the complainant and/or their parents/guardians are not satisfied with the resolution, an outside agency may become involved. Lakehead District School Board will cooperate, as required, with external proceedings (for example, police, Ontario Human Rights Tribunal).
- 5.9.8 Should the complaint be determined to be malicious or in bad faith, the complainant may be subject to the disciplinary action.

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6.0 Possible Remedial or Disciplinary Action

The type of remedy or discipline should:

- be based on an investigation;
- take all relevant factors into consideration; and
- be in accordance with the principles of progressive discipline and just cause, where applicable.

6.1 Employee Respondents

Any remedial or disciplinary action must be taken in consultation with the human resource manager or the superintendent of business. Action taken against an employee respondent may include discipline, up to and including, termination.

Some examples are as follows:

- an oral or written reprimand and/or a letter in file;
- counselling or training with an educational component focused on the impact of discrimination;
- continuing the employee in their assignment with precautionary measures, where appropriate;
- suspending the employee without pay; and
- termination.

Depending on the severity of remedial or disciplinary action taken, LDSB may be obligated to report the matter to the employee's regulatory body.

6.2 For student respondents remedial or disciplinary action to address the misconduct could be as follows:

- an oral or written reprimand and/or a letter;
- counselling with an educational component focused on discrimination;
- informing parents, where applicable, according to LDSB policy;
- suspension;
- transfer (class or school);
- expulsion; and
- other appropriate discipline as outlined in the Education Act, other LDSB policies, or applicable Code(s) of Conduct.

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6.3 For other user respondents action taken could be as follows:

- a letter of disapproval and warning;
- revoking of permits or contracts;
- issuing a trespass notice; and
- other remedies as applicable by law.

7.0 Withdrawn & Abandoned Complaints

7.1 A complainant who has submitted a formal or informal complaint under this policy may opt at any time to withdraw their complaint.

7.1.1 Intent to withdraw a complaint must be submitted to the investigator or RSO in writing.

7.1.2 Once a complaint is withdrawn, the file will be considered closed and cannot be revived. The complainant can resubmit the complaint to open a new file, subject to the time limits outlined in this procedure.

7.2 A complainant can also voluntarily elect to forgo their formal complaint and investigation to instead participate in any options outlined in Section 4 – Informal Complaint Process.

7.3 The investigator will take all reasonable steps to contact and gather information from the complainant and all parties involved. Should the complainant cease contact with the investigator during the investigation, the complaint file may be deemed abandoned.

7.3.1 The investigator must demonstrate that they attempted to communicate with the complainant without response for a period of at least thirty (30) days in order to deem a complaint abandoned.

7.3.2 The investigator will notify the RSO (or other designated party) that the file is abandoned and closed. These files cannot be reopened.

7.3.3 Complainants may resubmit their complaint to open a new file, subject to the time limits outlined in this procedure.

8.0 Records

8.1 All information will be gathered and dealt with in accordance with the Municipal Freedom of Information and Protection of Individual Privacy Act and be marked “PRIVATE AND CONFIDENTIAL”. Records of investigation will be kept securely and according to the record retention schedule at LDSB.

8.2 Records of investigation may include copies of the complaint, details regarding the incident/complaint, investigation notes, summaries, or reports.

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- 8.3 Human resources will maintain investigation records pertaining to employees in a confidential file.
- 8.4 Records shall be kept for a period of a minimum of two years and in accordance with LDSB's Records Retention Schedule. If, at the time prescribed in the retention schedule, there is no litigation, investigation, ongoing concerns, or further activity under these procedures and the 7030 Human Rights and Workplace Harassment Policy involving a party to the original complaint, all records of the complaint may be destroyed. A record of the type of document destroyed, by whom and when, should be kept in accordance with privacy legislation.
- 8.4.1 The director of education and superintendent of human resources must approve the destruction of records of the complaints from an employee's confidential file. Approval will not be unreasonably withheld.
- 8.4.2 For records of complaints against a superintendent, the director of education should follow the advice of the external legal counsel who managed the complaint.
- 8.4.3 For records of complaints against the director of education, the Board of Trustees should follow the advice of the external legal counsel and human resources expert who managed the complaint.

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9. Review

These procedures will be reviewed annually, in accordance with the Occupational Health and Safety Act, R.S.O. 1990, subsection 32.0.1(1).

<u>Cross Reference</u>	<u>Date Approved</u> April 19, 1994	<u>Legal Reference</u>
7030 Workplace Harassment and Human Rights Procedures	<u>Date Revised</u> June 22, 2004	Education Act
7040 Violence in the Workplace	April 22, 2008	Safe Schools Act
1020 Equity and Inclusive Education - Faith and Creed Accommodation Guideline Appendix A	April 23, 2013	Ontario Human Rights Code
8070 Safe Schools, System Expectations	November 24, 2020	Occupational Health and Safety Act
8071 Bullying Prevention and Intervention	February 27, 2024	Policy/Program Memorandum 120 – Reporting Violent Incidents
8072 Sexual Orientation and Gender Identity		Policy/Program Memorandum 128 – Provincial Code of Conduct & School Board Codes of Conduct
8075 Service Animals in Schools		
Trustee Code of Conduct		

LAKEHEAD PUBLIC SCHOOLS
OFFICE OF THE DIRECTOR OF EDUCATION

2025 APR 08
Report No. 038-25

TO THE CHAIR AND MEMBERS OF
THE BOARD ADVISORY COMMITTEE – Public Session

RE: 2025-2029 MULTI-YEAR STRATEGIC PLAN

1. Background

- 1.1 The Education Act, Section 169-1, outlines Lakehead District School Board's responsibility for student achievement and effective stewardship of resources.
- 1.2 A recommendation was passed by the Board at the April 27, 2021 Regular Board meeting approving the 2021-2024 Multi-Year Strategic Plan.

2. Situation

- 2.1 Consultants were contracted to assist with the creation and development of the 2025-2029 Multi-Year Strategic Plan.
- 2.2 Input into the strategic plan was provided by the Board of Trustees.
- 2.3 Stakeholder groups and staff, were consulted throughout the process to provide feedback and input into the final plan.

RECOMMENDATION

It is recommended that the Board Advisory Committee refer the following to the Board for approval:

“That Lakehead District School Board approve the 2025-2029 Multi-Year Strategic Plan, Appendix A to Report No. 038-25”.

Respectfully submitted,

SHERRI-LYNNE PHARAND
Director of Education



2025-2029 Strategic Plan

Territorial Acknowledgement & Commitment

Lakehead District School Board is located on the traditional territory of the Ojibwe people of Fort William First Nation, signatory to the Robinson Superior Treaty of 1850. We acknowledge First Nations, Metis and Inuit who reside in this territory and across our Nation; we are committed to moving forward in the spirit of reconciliation and respect for all Canadians.

Our Vision

We provide equitable and inclusive environments where everyone belongs and succeeds.

Our Mission

We are committed to the success of *every* student.

Our Values

Belonging
Empathy
Integrity
Respect

Our Commitment to Reconciliation

We commit to the following four principles of reconciliation between Indigenous and non-Indigenous communities throughout every aspect of Lakehead Public Schools:

Relationality
Relevancy
Respect
Responsibility

Our Principles

Lakehead Public Schools strives to embody the following three principles:

Belong

We provide environments where everyone belongs.

Succeed

We hold high expectations for all learners.

Reconcile

We commit to a spirit and journey of reconciliation.

2025-2029 Strategic Plan



Belong

We provide environments where everyone belongs.

- Advance equitable opportunities and support for students and staff facing systemic barriers.
- Cultivate safe learning and work environments where everyone feels seen, valued, and connected.
- Provide clear and consistent communication channels for students, staff, families, and community partners.
- Support the mental health, resilience, and well-being of students and staff.



Succeed

We hold high expectations for all learners.

- Recognize the potential and needs of all learners by providing them with the supports to succeed.
- Develop transferable skills such as critical thinking and citizenship to prepare students for future success in a changing world.
- Build digital literacy and guide safe online behaviour for students.
- Provide experiential, land-based, and authentic learning opportunities for students.
- Deliver meaningful professional development that aligns with school and learner needs.
- Provide opportunities for students to play an active role in their educational experience and school life.



Reconcile

We commit to a spirit and journey of reconciliation.

- Support and sustain partnerships with Indigenous Elders, Knowledge Carriers, and
- Indigenous communities.
- Weave Indigenous perspectives and practices into teaching and learning for all students and staff, guided by the Indigenous Education Framework and the Truth and Reconciliation Commission Calls to Action.
- Grow dedicated and welcoming spaces for Indigenous cultural practices.
- Provide land-based and experiential learning opportunities to connect students with the natural environment.
- Deliver professional development for staff in culturally safe and responsive pedagogy.

Lakehead Public Schools commits to the adoption of an Indigenous Education Framework that fully commits to the spirit of Royal Commission on Aboriginal Peoples and the Truth and Reconciliation Commission of Canada, which seeks to:

- empower acts of reconciliation throughout all spheres of Canadian society,
- address the ongoing impact of colonialism on Indigenous Communities,
- engage the oppression and marginalization of Indigenous communities in Canadian society, and;
- provide culturally competent pedagogies in all aspects of education in Canada.

This Framework prioritizes the incorporation of Indigenous education throughout Lakehead Public Schools and is embodied throughout all facets of the Strategic Plan. It commits to a spirit of reconciliation, a journey requiring constant focus, energy, and commitment to collectivity and inclusion while confronting the historical and present marginalization of Indigenous peoples.

Lakehead Public Schools therefore believes that for reconciliation to be possible, Indigenous and non-Indigenous relationships must be guided by the following principles:

Relevancy

Education must be relevant and support students in building a healthy mental, physical, emotional and spiritual well-being, and prepare them to work, live, and help build Indigenous and Canadian societies. This means that Indigenous success means the success of every learner.

Respect

Respect is the key to learning, found through commitments to wisdom, love, bravery, honesty, humility, and truth. Due to longstanding misunderstandings, violence, and policies and practices in Canadian society, values of patience, listening, and generosity must guide Indigenous and non-Indigenous relationships as well as connections with the earth, water, and sky.

Relationality

The world is a relational place, with Indigenous knowledge based in the study of how living beings share gifts and build positive, sustainable relationships. These are best understood in the expressions, ceremonies, pedagogies, languages, and stories within Indigenous cultures and communities.

Responsibility

The creation of healthy and meaningful relationships between Indigenous communities and Canadians is a responsibility of all peoples. In essence, everyone and everything has a role and place in this world and are important, contributing members to a full and cyclical universe.



Lakehead
Public
Schools

INDIGENOUS EDUCATION FRAMEWORK



Relationality

Relevancy

Respect

Responsibility