

HWDSB

Policy Committee
Wednesday March 1, 2017
Room 340-D

Hamilton-Wentworth District School Board
20 Education Court, P.O. Box 2558
Hamilton, ON L8N 3L1

AGENDA: 2:00 pm

1. Call to Order
2. Approval of the Agenda

FINANCE & ADMINISTRATION:

3. Trustee Expense Policy - review
4. Copyright Policy – new, ministry mandated

Consent Items:

5. Equity & Diversity Pillar – executive summary of any changes made to procedures

Information:

6. Realignment of Pillar Policies - discussion
7. Next Policy Meeting:
 - a. Occupational Health & Safety
 - b. Workplace Violence Prevention and Harassment

8. Adjournment

POLICY COMMITTEE

Title: Trustee Expense

Pillar Policy: Finance and Administration

Last Reviewed: 2014



Recommended Action:

That the Trustee Expense policy be recommended for approval.

Background:

This policy was before Trustees at the February 2017 meeting. Trustees asked for some terms to be updated and for staff to review the corresponding procedure for items that would be more appropriately addressed within the policy. This would align the Trustee Expense policy with the Employee Expense approved by the Board at the February 13, 2017, meeting.

This policy is up for its scheduled review.

The intent of the policy remains intact.



Trustee Expense

Date Approved:

Projected Review Date:

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) believes in reimbursing Trustees for reasonable expenses incurred while on Board business.

GUIDING PRINCIPLES:

The Board is committed to:

- ensuring sound business practices are employed;
- ensuring accountability for the use of public funds are maintained;
- its reputation and integrity as a public employer is protected;
- being compliant with Ministry of Education School Board Expenditure Guidelines (2006: B15) and the Broader Public Sector Expenses Directive (2011); and
- ensuring expenses are associated with Trustee duties, support the program objectives of the organization and maximize the benefits to the Board.

The overriding principle is that Trustees shall be reimbursed for reasonable expenses incurred on authorized Board business in accordance with this policy.

INTENDED OUTCOMES:

- Trustees that incur expenses while performing their duties on behalf of the Board are reimbursed in a fair, consistent and transparent manner.
- Ensure compliance with the Ministry of Education School Board Expenditure Guidelines (2006: B15).
- Ensure compliance with the Broader Public Sector Expenses Directive.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Broader Public Sector Expenses: Sets out the requirement for the designated Broader Public Sector organizations to establish expense rules where expenses are reimbursed from public funds.

Trustee: Trustees are responsible for the operation of the public school system. They are elected in accordance with the Education Act at each municipal election, by the electoral group the board represents. A trustee is responsible, as a member of the board:

- to govern and set policy for the board
- to govern for the provision of curriculum, facilities, human and financial resources for the board
- to advocate for the needs of their communities
- as a constituency representative, to explain the policies and decisions of the board to residents

Trustees are available to help taxpayers, parents and others to address any issues they may have about the public school system.

The term trustee refers to both Ward Trustee and Student Trustee within this policy.

Ministry of Education School Board Expenditure Guidelines: The purpose of the guidelines are to define a province-wide standard intended for both trustees and school board staff that addresses the following areas of school board expenditure:

- use of corporate credit cards
- travel, meals and hospitality
- advertising
- advocacy

ACTION REQUIRED:

Trustees are eligible for reimbursement of the following expenses on an on-going basis:

- Monthly costs associated with a home phone if a Board issued mobile device is not used
- Long distance telephone costs related to Board business
- Basic office supplies
- Home internet service
- Hospitality
- Travel

Trustees will not be reimbursed for the following equipment, as they are provided by HWDSB for use throughout the Trustee's term of office:

- Home based computer or tablet with software
- Home based printer
- Mobile device/phone (including associated service costs)

All equipment will be provided in accordance with current Board standards and is to be returned to the Board at the end of the Trustee's term of office or can be purchased by the departing Trustee at the fair market value of the equipment at that time.

Reporting Trustee Expenses

Trustee expenses will be posted quarterly (every three months) on the Board's website. These expenses are reported through the following categories:

- Mileage
- Internet
- Mobile device/phone
- Professional Development
- Other

Conference or Professional Development Activity

Trustee reimbursement for conferences or professional development activities shall not exceed \$1,000 per annum per Trustee, except for reimbursement for in-province conferences or professional development held by the Ontario Public School Boards' Association (OPSBA), the Canadian School Boards' Association (CSBA) and the Ontario Student Trustees' Association (OSTA).

When the CSBA holds its annual conference out of the province, the following Trustees shall have the first option to attend:

- Trustee designated as HWDSB's OPSBA liaison
- The Chair
- The Vice-Chair

Openings to the above allotment will be filled by drawing lots from those Trustees interested in attending.

In addition, in the situation that a Trustee feels a need to exceed the above noted \$1,000 individual limitation, or to attend an out-of-province professional development event (other than CSBA as noted above), with accompanying costs not subject to the \$1,000 limit, application may be submitted to the Executive Superintendent of Board Operations and Treasurer for permission to exceed the limitation on an exception basis or to attend the out-of-province event. The Executive Superintendent of Board Operations and Treasurer shall consider budget availability and the need for the professional development relating to the responsibilities of the Board member.

Advance discounts should be realized on registration fees where possible.

Travel

Trustee travel to and from his or her residence to attend a meeting of the Board, a committee of the Board or carrying out the responsibilities of a board member, will be reimbursed for kilometres travelled based on the Canada Revenue Agency non-taxable mileage rate.

Trustees are encouraged to travel by the most economical mode and share transportation whenever feasible. For distances more than a radius of 150 km, the Board will reimburse the lesser of the cost for a private automobile or the economy rate for air, train or bus fare.

Meals

Trustee reimbursement for meals shall not be combined; the sole exception is for lunch and dinner meals on the same day. If both lunch and dinner meals are claimed on the same day, the trustee can add the two rates together to cover the two meals.

Where a meal is included as part of a professional event (e.g., conference, workshop, etc.), the meal entitlement will not apply. Exceptions will be made for dietary restrictions.

Reimbursement for purchases of alcohol is not allowed. This includes:

- Alcohol consumed at a meal, event, conference, etc.
- Bottles of wine or other spirits, given as a gift or honorarium
- LCBO, Beer Store, wine store etc. gift certificates or gift cards, given as a gift or honorarium

In addition, the purchase of such items on Board purchasing cards and Board credit cards are not permitted.

Accommodation

Trustee reimbursement for overnight accommodation will be recognized when it is required and shall include: a reasonable room, parking and telephone costs.

Hospitality

Trustee hospitality should be extended in an economical, consistent and appropriate way when it will facilitate Board business or is considered desirable as a matter of courtesy.

Trustees may only accept infrequent and reasonable hospitality and may only accept infrequent and reasonable business gifts with a value of \$30 or less, including taxes and delivery. The frequency and nature of gifts or hospitality shall not be allowed to be such that the recipient might be, or might be deemed by others, to have been influenced in making a business decision because of accepting such gift or hospitality.

Discretionary Expenses

Expenses incurred must be directly connected with carrying out the responsibilities of a Trustee. There will be no reimbursement for expenses of a personal or political nature. Reimbursement for discretionary expenses shall not exceed \$1,200 per annum per Trustee.

Expenses allowed for reimbursement through discretionary expenses include:

- hospitality expenses to hold school or ward-based meetings
- admission fees to attend community-related presentations and events
- consumable supplies for the home-based office such as paper and toner

Trustees may not submit the following discretionary expenses for reimbursement:

- costs incurred to independently attend a fundraising event
- independent donations and/or contributions made to community-related presentations and events (includes those made in addition to, or instead of, admission fees)
- independent donations to a fundraising event or charity
- independent payment to a school or program

If a Trustee receives a donation slip for any expenses reimbursed by the Board, the Trustee is asked to submit the donation slip.

Travel Outside of the Province

For authorized travel outside of the province, the procedures noted for this policy are to be followed. However, it is understood that the costs of meals and hospitality outside of the province may differ. The Trustee is to ensure the costs incurred for meals and hospitality are reasonable and appropriate. Alcoholic purchases will not be reimbursed.

Gifts of Appreciation

Token gifts of appreciation, valued at up to \$30 (inclusive of taxes and delivery charges, etc.), may be extended to persons who are not attached to the Board in exchange for pro bono services, including those provided at professional development events.

Gifts valued above \$30 must be justified and approved.

Alcohol may not be given as a gift (i.e. bottles of wine or other spirits, gift certificates for the LCBO, Beer Store or wine stores, etc.).

Unallowable Expenditures

The Board will not reimburse Trustees for the following expenditures:

- Alcoholic purchases including:
 - alcohol consumed at a meal, event, conference, etc.;
 - bottles of wine or other spirits as a gift/honorarium;
 - LCBO, Beer Store, wine store, etc. gift certificates as a gift/honorarium.
- Goods and services purchased from Board employees as stipulated in the *Education Act S 217*;
- Charges for use of recreational/fitness facilities;
- In-room movie rentals and mini-bar charges;
- Charges incurred by spouse or other family members;
- Parking or traffic violations;
- Automobile expenses, since these are reimbursed on a per kilometre basis;
- Expenses for hospitality, unless specifically allowed by this Policy;
- Expenses for re-furnishing or redecorating offices;
- Supporting a fundraiser for a specific political party;
- Supporting an event for a specific political party;
- Purchase of travel gift certificates;
- Lavish gifts (i.e. expenditures over \$75).

Claims

Claims for the reimbursement of Trustees' expenses require the approval of the Chair of the Board or the Executive Superintendent of Board Operations and Treasurer. For the Chair of the Board, approval of the Director of Education is required.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Trustees who incur expenses while performing their duties on behalf of the Board are reimbursed in a fair, consistent and transparent manner.	Reimbursements are made in a fair, consistent and transparent manner.
Ensure compliance with Ministry of Education School Board Expenditure Guidelines (2006: B15)	This policy will be assessed against the Ministry Expenditure Guidelines through the annual external audit.

Intended Outcome	Assessment
Ensure compliance with the Broader Public Sector Expenses Directive	This policy will be assessed against the Broader Public Sector Expenses Directive through the annual external audit.

REFERENCES:

Government Documents

Ministry of Education Expenditure Guidelines
 Broader Public Sector Expenses Directive

HWDSB Policies

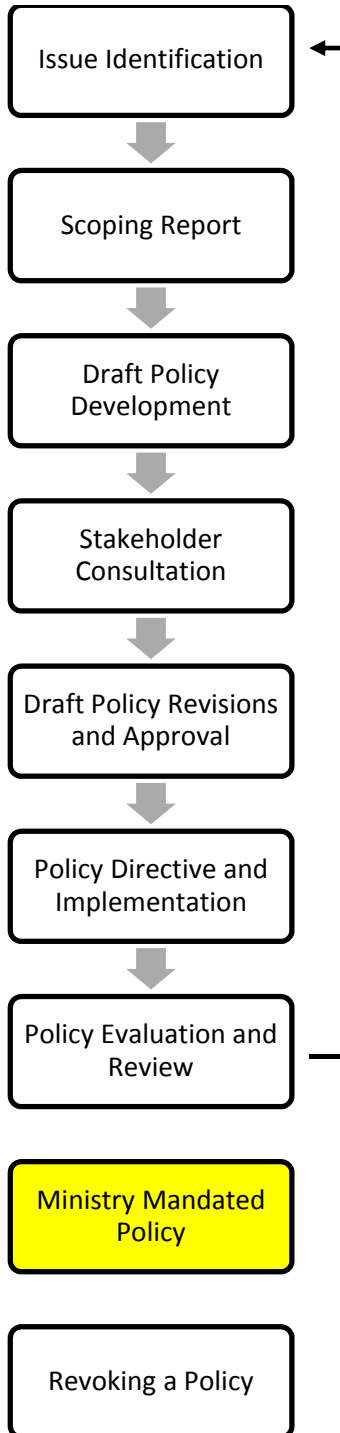
Finance and Administration Pillar

POLICY COMMITTEE

Title: Copyright

Pillar Policy: Finance and Administration

Last Reviewed: N/A



Recommended Action:

That the Copyright policy be recommended for approval.

Background:

The Copyright Act (R.S.C. 1985) is the federal statute that governs copyright law in Canada. The act is intended to balance the interests that people have in using copyright-protected works with the right of creators to receive payment for the use of those works.

The Copyright Act contains many users' rights provisions that allow the use of a copyright-protected work for specific purposes. One of these users' rights is known as "fair dealing".

On June 29, 2012, the Copyright Act was amended with the passage of the Copyright Modernization Act (S.C. 2012, c.20). A key amendment expanded the fair dealing provision to identify education as one of the eligible purposes for fair dealing. This means that all employees in elementary and secondary school settings will be able to use copyright-protected works within set conditions and limits without obtaining permission and without paying a fee to the copyright owner or to a copyright collective.

The Supreme Court of Canada's decision of July 12, 2012, clarified that educators may copy "short excerpts" of copyright-protected works for students in their classes. The court's decision complements the addition of education as an eligible purpose for fair dealing in the Copyright Act.



Copyright / Fair Dealing

Date Approved:

Projected Review Date:

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) ensures that it will comply with the *Fair Dealing Guidelines* as developed by the Council of Ministers of Education Canada (CMEC) Copyright Consortium and the prohibition on the copying of consumables.

GUIDING PRINCIPLES:

- HWDSB respects the rights of copyright owners and shall not knowingly copy, sell, distribute or use any print or electronic materials, without the express permission of the copyright owner, or in accordance with appropriate policies and/or licence agreements.
- All use of copyright-protected work shall follow the *Canada Copyright Act* and its Regulations, the *Copyright Modernization Act*, the *Fair Dealing Guidelines*, relevant policies of HWDSB and all institutional licensing agreements.

INTENDED OUTCOMES:

- That all staff and students are made aware of HWDSB's obligations in accordance with the *Copyright Modernization Act* on an annual basis.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Consumables: Consumables are materials intended for one-time use. Copying, scanning or printing materials intended for one-time use is strictly prohibited. This prohibition does not apply to reproduces.

Copyright: A set of exclusive rights, including the right to copy a work, a performance or sound recording.

Copyright Infringement: Violation of copyright through unauthorized copying or use of work or other subject matter under copyright.

Copyright Modernization Act: An amendment to the Federal Copyright Act, which:

- updates the rights and protections of copyright owners to better address the challenges and opportunities of the Internet, so as to be in line with international standards;

- clarifies Internet service providers' liability and make the enabling of online copyright infringement itself an infringement of copyright;
- permits businesses, educators and libraries to make greater use of copyright material in digital form;
- allows educators and students to make greater use of copyright material;
- permits certain uses of copyright material by consumers;
- gives photographers the same rights as other creators; and
- ensures that it remains technologically neutral.

Fair Dealing Guidelines: The fair dealing provision in the *Copyright Act* permits the use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties.

Materials intended for one-time use: Workbooks and exercise books in which a student records answers. These are materials created and intended for each student to have his or her own copy.

Reproducibles: A reproducible is not intended for one-time use, but is sold or provided with the rights holder's authorization to reproduce it for educational use.

ACTION REQUIRED:

On an annual basis:

- Communication about the Fair Dealing Guidelines and consumables will be made available to all schools and departments within the Board.
- Principals/Managers will make staff and students aware of the Fair Dealing Guidelines and the prohibition of copying consumables.
- All new staff will receive the Fair Dealing Guidelines as part of their new employee orientation package.
- The Fair Dealing Guidelines and consumables poster will be posted near every photocopier, scanner, print station and/or other device used to reproduce any copyright-protected material.

PROGRESS INDICATORS:

Intended Outcome	Assessment
That all staff and students are made aware of HWDSB's obligations in accordance with the <i>Copyright Modernization Act</i> on an annual basis	Attestations by Principals/Managers of the communication.

REFERENCES:

Government Documents

Bill C-11: Copyright Modernization Act

Supreme Court of Canada Judgment – Alberta (Education) v. Canadian Copyright Licensing Agency (Access Copyright), 2012, SCC 37

Fair Dealing Guidelines - Council of Ministers of Education Canada (CMEC) Copyright Consortium

PPM 157: Use of Copyright-Protected Works for Education

HWDSB Policies

Finance and Administration Pillar

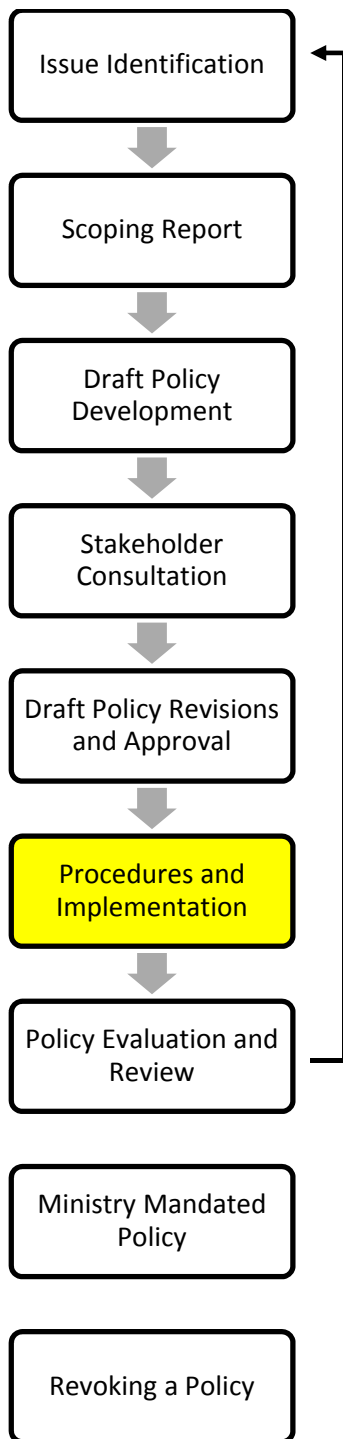
Procurement

21st Century Learning and Technology

POLICY COMMITTEE

Title: Equity and Diversity Procedures

Pillar Policy: Equity and Diversity



Consent Agenda Item: Procedures under Equity and Diversity.

The following chart updates Trustees on the changes made to the procedures attached to the policies, under the Equity and Diversity Pillar policy.

The policies and procedures under this pillar include:

1.1 Barrier Free Learning Environments

- Barrier-Free Learning Environments

1.2 Equity and Inclusive Education

- Antiracism and Ethnocultural Equity
- Anti-Classism and Socio-Economic Equity
- Gender Equity
- Persons with Disabilities
- Religious Accommodation
- Sexual Orientation

1.3 First Nation, Métis and Inuit Education

- First Nation, Métis, and Inuit Education Procedure: Voluntary, Confidential First Nation, Métis and Inuit Self-Identification

1.4 Integrated Accessibility Standards

- Accessibility Plans
- Accessibility in Employment
- Accessibility Standards for Information and Communication
- Accessibility Standards for Student Transportation
- Monitoring and Feedback on Accessible Customer
- Notification of Disruption of Service
- Use of Assistive Devices by the General Public
- Use of Service Animals by the General Public
- Use of a Support Person by the General Public

As per the discussion that took place at the September 2016 Policy Committee meeting, the Equity and Diversity Pillar is the consent agenda item for March.

Consent Agenda: A consent agenda groups the routine, procedural, informational and self-explanatory non-controversial items typically found in an agenda. These items are then presented to the committee allowing anyone to request that a specific item be pulled out for discussion.

Listed below is a summary of the changes to all procedures under the Equity and Diversity Pillar, that were made in the last year.

1.1 Barrier Free Learning Environments (policy review date: 2020)

Last reviewed in 2016

Procedure Name	Last Amended	Changes Made	Reason
Barrier-Free Learning Environments	2016	Title changed from Accessibility (Barrier-Free) Pathways	The procedure did not change, but the name did change in accordance with the policy

1.2 Equity and Inclusive Education (policy review date: 2018)

Last reviewed in 2014

Procedure Name	Last Amended	Changes Made	Reason
Antiracism and Ethnocultural Equity	2014	None	N/A
Anti-Classism and Socio-Economic Equity	2014	None	N/A
Gender Equity	2014	None	N/A
Persons with Disabilities	2014	None	N/A
Religious Accommodation	2014	None	N/A
Sexual Orientation	2014	None	N/A

1.3 First Nation, Métis and Inuit Education (policy review date: 2020)

Last reviewed in 2016

Procedure Name	Last Amended	Changes Made	Reason
First Nation, Métis, and Inuit Education Procedure: Voluntary, Confidential First Nation, Métis and Inuit Self-Identification	2016	None	N/A

1.4 Integrated Accessibility Standards (policy review date: 2021)

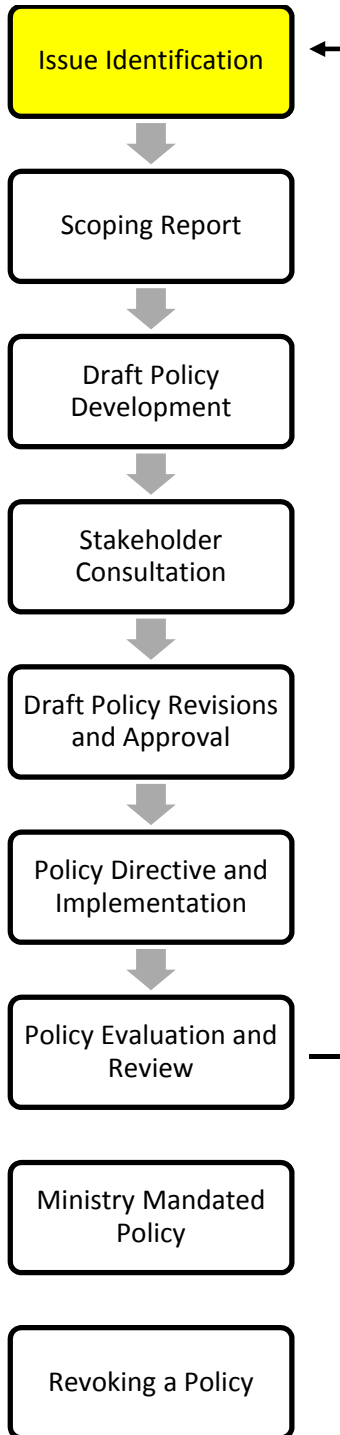
Last reviewed in 2017

Procedure Name	Last Amended	Changes Made	Reason
Accessibility Plans	2017	None	N/A
Accessibility in Employment	2017	None	N/A
Accessibility Standards for Information and Communication	2017	None	N/A
Accessibility Standards for Student Transportation	2017	None	N/A
Monitoring and Feedback on Accessible Customer	2017	None	N/A
Notification of Disruption of Service	2017	None	N/A

Procedure Name	Last Amended	Changes Made	Reason
Use of Assistive Devices by the General Public	2017	None	N/A
Use of Service Animals by the General Public	2017	None	N/A
Use of a Support Person by the General Public	2017	None	N/A

POLICY COMMITTEE

Title: DRAFT realignment/renaming of Pillar Policies



Recommended Action:

That the committee review the draft realignment/renaming of Pillar Policies and provide direction to staff.

Background:

At the October policy meeting, Trustees discussed realigning HWDSB's policies and procedures now that the organization has new Strategic Directions.

The committee directed staff to prepare a draft for consideration.

At the January meeting, the committee gave direction to staff to:

- Consider another name for Parents & Community Relations
- Split Finance and Facilities into two pillars

The committee asked that once the pillar names were settled, the itemization of the policies would be discussed.

Before Trustees today, is the updated version of the restructuring, incorporating the direction from the committee.

DRAFT Realignment/Renaming of Pillar Policies

Policies	Comments
1. Community Relations	
1.0 Effective Communication Pillar	Recommend the development of a new pillar policy to incorporate the areas reflected within this new pillar.
1.1 Accessibility (Barrier-Free) "Pathways"	Currently resides within the Equity and Diversity Pillar. Recommend re-naming this policy to Barrier-Free Learning Environments so that it is more clear as to what the policy speaks to.
1.2 Integrated Accessibility Standards	Currently resides within the Equity and Diversity Pillar.
1.3 Privacy and Information Management	Currently resides within the Finance and Administration Pillar.
1.4 Community Engagement	Currently resides within the Engagement Pillar.
1.5 Parent Engagement	Currently resides within the Engagement Pillar.
1.6 Visual Identity	Currently resides within the Finance and Administration Pillar. Recommend a naming change which allows for a more inclusive lens that incorporates school logos, nicknames and mascots.
1.7 Volunteer	Currently resides within the Engagement Pillar.
2. Finance	
2.0 Finance and Facilities Pillar	Recommend a name change to incorporate the facilities aspect.
2.1 Advertising Expenditures	No change has been made or recommended.
2.2 Advocacy Expenditures	No change has been made or recommended.
2.3 Educational Development Charges: Alternative Accommodations	No change has been made or recommended.
2.4 Educational Development Charges: School Sites and Operating Budget	No change has been made or recommended.
2.5 Employee Expense	No change has been made or recommended.
2.6 Fundraising	No change has been made or recommended.
2.7 Procurement	No change has been made or recommended.
2.8 Pupil Accommodation Review	No change has been made or recommended.
2.9 Transportation	No change has been made or recommended.
2.10 Trustee Expense	No change has been made or recommended.

Policies		Comments
3. Facilities		
3.1	Use of Board Facilities	Currently resides within the Engagement Pillar.
3.2	Facilities Partnership	Currently resides within the Engagement Pillar. This policy will be recommended for revocation when the Use of Board Facilities returns after consultation.
3.3	Naming of Schools	Currently resides within the Engagement Pillar.
3.4	Political Activity in Schools During Elections	Currently resides within the Engagement Pillar.
3.5	Boundary Review	No change has been made or recommended.
3.6	Property Disposition	No change has been made or recommended.
3.7	Inclement Weather and Board Cancellations	No change has been made or recommended.
4. Student and Staff Well-Being		
4.0	Safe & Healthy School/Workplace Pillar	Recommend a name change as this pillar is combining the Healthy School and Workplace Pillar with the Safe Schools Pillar.
4.1	Environment	Currently resides within the Healthy School & Workplace Pillar.
4.2	Medical Health Supports	Currently resides within the Healthy School & Workplace Pillar.
4.3	Nutrition	Currently resides within the Healthy School & Workplace Pillar.
4.4	Arrivals Check	Currently resides within the Safe Schools Pillar.
4.5	Bullying Prevention and Intervention	Currently resides within the Safe Schools Pillar.
4.6	Code of Conduct	Currently resides within the Safe Schools Pillar.
4.7	Student Behaviour and Discipline	Currently resides within the Safe Schools Pillar.

Policies		Comments
5. Human Resources		
5.0	Human Resources Pillar	No change has been made or recommended.
5.1	Accommodation of Staff	No change has been made or recommended.
5.2	Employee Attendance Support	No change has been made or recommended.
5.3	Workplace Violence and Harassment Prevention	No change has been made or recommended.
5.4	Occupational Health & Safety	No change has been made or recommended.
5.5	Performance Appraisal	No change has been made or recommended.
5.6	Recruitment and Selection	No change has been made or recommended.
5.7	Staff Engagement	Currently resides within the Engagement Pillar.
5.8	Staff Progressive Discipline	No change has been made or recommended.
5.9	Professional Learning	No change has been made or recommended.
6. Student Learning and Achievement		
6.0	Student Learning and Achievement Pillar	Recommend a name change to align with Strategic Directions.
6.1	Student Engagement	Currently resides within the Engagement Pillar.
6.2	Assessment, Evaluation and Reporting	No change has been made or recommended.
6.3	Educational Excursions	No change has been made or recommended.
6.4	21 st Century Learning and Technology	No change has been made or recommended.
6.5	Community Involvement Activities	No change has been made or recommended.
6.6	Program	No change has been made or recommended.
6.7	Student Fees	No change has been made or recommended.
6.8	First Nations, Metis and Inuit Education	Currently resides in Equity and Diversity Pillar.
6.9	Equity and Inclusive Education	Currently resides in Equity and Diversity Pillar.