

AGENDA: 6:15 pm

1. Call to Order and Land Acknowledgement
2. O Canada
3. Meeting Roll Call
4. Approval of the Agenda
5. Declarations of Conflict of Interest
6. [Confirmation of the Minutes: March 15, 29 and April 6, 2021](#)
7. [Correspondence:](#)
 - A. [A. Smith re: External Investigation](#)
 - B. [M. Morris re: Bell Times](#)
 - C. [Rosedale Home & School Association and School Council re: Capital Priorities List – second phase renovation](#)
 - D. [Rainbow District School Board re: remote learning](#)

Reports from Trustee Special Committees:

8. [Governance – March 22, 2021](#)
9. [Audit – March 25, 2021](#)
10. [Finance & Facilities – April 1 and April 8, 2021](#)
11. [Policy – April 7, 2021](#)
12. [Program – April 6, 2021](#)

Reports from Legislated Committees:

13. [Special Education Advisory Committee – March 31, 2021](#)
14. Report from Committee of the Whole (private) – April 19, 2021
15. Oral Reports from Liaison Committees:
 - A. City/School Board Liaison Committee
 - B. Hamilton-Wentworth Home & School Association
 - C. Hamilton Foundation for Student Success (HWDSB Foundation)
 - D. Ontario Public School Boards' Association (OPSBA)

16. Adjournment and move to Standing Committee

Meeting times and locations are subject to change. Please refer to our website for the latest information.

<http://www.hwdsb.on.ca/trustees/meetings/>

Trustees: Kathy Archer (Electronically), Becky Buck (Electronically), Dawn Danko (Electronically), Penny Deathe (Electronically), Cam Galindo (Electronically), Alex Johnstone (Electronically), Maria Felix Miller (Electronically), Ray Mulholland (Electronically) and Paul Tut (Electronically). Student Trustees Ethan Hesler (Electronically) and Fatima Zakar (Electronically).

Regrets were received from Trustees Christine Bingham, Carole Paikin Miller and Student Trustee Skylar Seggie.

1. Call to Order

Dawn Danko, Chair of the Board, called the meeting to order at 6:01 p.m.

2. Approval of the Agenda:

RESOLUTION #21-59: Trustee Archer, seconded by Trustee Mulholland, moved: **That the agenda be approved.**

CARRIED UNANIMOUSLY

Student Trustees Hesler and Zakar voted in favour

3. Declarations of Conflict of Interest

None received.

4. Confirmation of the Minutes – February 16 and 22, 2021 and March 4, 2021

The minutes were confirmed.

5. Correspondence:

Received from HWDSB Safe Schools Bullying Prevention and Intervention Review Panel, Carol Gaudet, Natasha Farooq, Amanda Charland, Amy Ballinger, Julie Whittaker, Sarah Greenwood, and Stephanie Hiltz

RESOLUTION #21-60: Trustee Galindo, seconded by Trustee Deathe, moved: **That the correspondence be received and filed.**

CARRIED UNANIMOUSLY

Student Trustees Hesler and Zakar voted in favour

Reports from Trustee Special Committees:

6. Human Resources Committee – March 1, 2021

RESOLUTION #21-61: Trustee Deathe, seconded by Trustee Miller, moved: **That the Human Resources Committee Report – March 1, 2021 be received.**

CARRIED UNANIMOUSLY

Student Trustees Hesler and Zakar voted in favour

7. Governance Committee – March 2, 2021

RESOLUTION #21-62: Trustee Tut, seconded by Trustee Galindo, moved: **That the Governance Committee Report – March 2, 2021 be received.**

CARRIED UNANIMOUSLY

Student Trustees Hesler and Zakar voted in favour

8. Program Committee – March 3, 2021

RESOLUTION #21-63: Trustee Buck, seconded by Trustee Miller, moved: **That the Program Committee Report – March 3, 2021 be received.**

CARRIED UNANIMOUSLY
Student Trustees Hesler and Zakar voted in favour

Reports from Legislative Committees:

9. Special Education Advisory Committee – February 24, 2021

RESOLUTION #21-64: Trustee Johnstone, seconded by Trustee Deathe, moved: **That the Special Education Advisory Committee Report – February 24, 2021 be received.**

CARRIED UNANIMOUSLY
Student Trustees Hesler and Zakar voted in favour

10. Appointments to Committees:

- A. Human Rights & Equity Committee – Trustee Galindo self nominated
- B. Program Committee – Trustees Danko and Archer self nominated
- C. Finance & Facilities Committee – Trustee Tut nominated Trustee Galindo

11. Committee of the Whole (Private) – March 15, 2021

RESOLUTION #21-65: Trustee Galindo, seconded by Trustee Mulholland, moved: **That the report of the Committee of the Whole (private) – March 15, 2021 be approved including:**

- **That the Human Resources Committee report from March 1, 2021 be received.**

CARRIED UNANIMOUSLY
Student Trustees Hesler and Zakar voted in favour

12. Oral Reports from Liaison Committees:

A. City/School Board Liaison Committee

There is nothing to report at this time.

B. Hamilton-Wentworth Home & School Association

There is nothing to report at this time. Greensville and South Meadow are getting their Terms of Reference approved for joining the Hamilton-Wentworth Home & School Association.

C. Hamilton Foundation for Student Success (HWDSB Foundation)

- The Foundation has written their own letter regarding their commitment to anti-racism and anti-oppression and to serving the community.

D. Ontario Public School Boards' Association (OPSBA)

- The Legislative Assembly is adjourned until March 22, 2021
- The Provincial budget will be delivered on March 24, 2021
- Legislative updates were shared.
- GSN are expected early to mid-April.
- An update on Covid 19 was shared.

The meeting adjourned at 6:48 p.m.

Trustees: Kathy Archer (electronically), Christine Bingham (electronically), Becky Buck (electronically), Dawn Danko (electronically), Penny Deathe (electronically), Cam Galindo (electronically), Alex Johnstone (electronically), Maria Felix Miller (electronically), Carole Paikin Miller (electronically), Ray Mulholland (electronically) and Paul Tut (electronically). Student Trustee Ethan Hesler (electronically) and Fatima Zakar (electronically).

Regrets were received from Student Trustee Skylar Seggie.

1. Call to Order

Dawn Danko, Chair of the Board, called the meeting to order at 6:02 p.m.

Trustee Paikin Miller left the meeting.

2. Profiling Excellence

Staff:

ECO School Certification

The Staff listed below were honoured for the great work that they are doing in their schools in ECO Certification and learning. There are new schools being added to the list. The certification represents environmental excellence in our schools from Kindergarten to Grade 12. It is a full school approach involving students, staff community partners and communities to reduce environmental imprint. This can be done through a project, a campaign, an action and points are earned toward being certified. These folks are individuals who give countless hours and commitment to their schools, community, the environment and sustainability.

Barbara Albert Hughes James MacDonald	Paul Guagliano Westmount	Paula Wardle & Renee Ruttan George L. Armstrong
Kristen Ortwein Frank Panabaker	Heather Wilkie-Smith Holbrook	Michele Taylor Queen Victoria
Theresa Price Nora Henderson	Diana Asrani Queensdale	Beth Koruna Gordon Price
Carissa Salvador and Crystal Lupal Ryerson	Heather Anderson Norwood Park	Klara Gresku Ridgemount
Ashley Black Mary Hopkins	Stephanie Trepanier Cootes Paradise	Chrissy McComb & Eric Purcell Sir Allan MacNab
Denise Ordowich-Rivera & Janelle Sullivan Pauline Johnson	Roxanne Leach Millgrove	Jan Steinberg Allan A. Greenleaf

3. Approval of the Agenda:

RESOLUTION #21-66: Trustee Bingham, seconded by Trustee Tut, moved: **That the agenda be approved.**

CARRIED UNANIMOUSLY

Student Trustee Hesler and Zakar voted in favour

4. Declarations of Conflict of Interest

None were declared.

5. Correspondence

Received from A. Patel, C. Kulatugna-Moruza, N. Rea, D. Harris, J. Bailnag, T. Collins, C. Kroetsch, C. Woolnough, Project DROC, C. Deckert

RESOLUTION #21-67: Trustee Galindo, seconded by Trustee Deathe, moved: **That the correspondence be received and filed.**

CARRIED UNANIMOUSLY

Student Trustee Hesler and Zakar voted in favour

Trustee Galindo assumed the role as Chair.

Report from Trustee Special Committees:

6. Finance & Facilities Committee – March 11, 2021

RESOLUTION #21-68: Trustee Danko, seconded by Trustee Tut, moved: **That the Finance & Facilities Committee Report – March 11, 2021 be approved including that the 2021-22 Board Budget priorities be approved as (in alphabetical order):**

- Improving Student Achievement
- Mental Health & Well-Being
- School Revitalization
- Special Education
- 21st Century Learning

Trustee Mulholland asked that the finishing of Rosedale gymnasium be added to the capital priorities list. Associate Director Zucker shared that HWDSB was not given permission to use the proceeds of disposition for these projects therefore in order to continue with the completion of the Rosedale gymnasium it would need to be through the capital priorities submission. Notification was just received that submissions for business cases must be submitted to the Ministry by May 21, 2021. A list of priorities will be coming to the Board for approval prior to submission. Trustee Johnstone echoed Trustee Mulholland's comments. Trustee Buck shared that one of her schools, Queensdale School, is in the same position and she would also like the finishing of Queensdale school added to the Capital Priorities list as well.

CARRIED UNANIMOUSLY

Student Trustee Hesler and Zakar voted in favour

Trustee Danko resumed as Chair.

Reports from Legislated Committees:

7. Parent Involvement Committee – March 9, 2021

RESOLUTION #21-69: Trustee Deathe, seconded by Trustee Buck, moved: **That the Parent Involvement Committee Report – March 9, 2021 be received.**

CARRIED UNANIMOUSLY

Student Trustee Hesler and Zakar voted in favour

Reports from Community Advisory Committees:

8. Human Rights & Equity Advisory Committee – March 11, 2021

RESOLUTION #21-70: Trustee Miller, seconded by Trustee Galindo, moved: **That the Human Rights & Equity Advisory Committee Report – March 11, 2021 be received.**

CARRIED UNANIMOUSLY

Student Trustee Hesler and Zakar voted in favour

Reports from Staff:

9. School Re-Opening COVID-19 Update #9

Staff presented the report along with a slide presentation to Trustees outlining the latest School Re-Opening Updates.

RESOLUTION #21-71: Trustee Johnstone, seconded by Trustee Galindo, moved: **That the Chair write a letter to the Premier, Minister of Education and the Minister of Health to prioritize education workers in the vaccine rollout in order to keep the health and safety of our students and staff as our top priority and to keep schools open.**

CARRIED UNANIMOUSLY

Student Trustee Hesler and Zakar voted in favour

10. Resolution into Committee of the Whole (Private Session)

RESOLUTION #21-72: Trustee Archer, seconded by Trustee Bingham, moved: **That the Board move into Committee of the Whole (Private), this being done at 7:59 p.m.**

CARRIED UNANIMOUSLY

Student Trustees Hesler and Zakar voted in favour

Meeting resumed in public at 9:05 p.m. Trustee Deathe did not return to public session.

11. Committee of the Whole (Private) – March 29, 2021

Trustee Galindo, seconded by Trustee Tut, moved: **That the report of the Committee of the Whole (private) – March 29, 2021 be approved including:**

RESOLUTION #21-73 (A): That the Finance & Facilities Committee report from March 11, 2021 be approved including that the following properties be declared surplus to the Board and that that staff engage in Phase 1 of the Property Disposition Protocol according to Regulation 444/98:

- o Elizabeth Bagshaw
- o Glen Echo
- o Green Acres
- o Nora Frances Henderson – Vacant Lot
- o R.L. Hyslop

RESOLUTION #21-73 (B): The Board finds that Trustee Paikin Miller breached the Trustee Code of Conduct by failing to ensure she was private while participating in a Committee of the Whole private session of the Board.

Respect for confidentiality

10. Trustees shall keep confidential any information disclosed or discussed at a meeting of the Board or committee of the Board, or part of a meeting of the Board or committee of the Board, that was closed to the public as outlined in the Education Act, and keep confidential the substance of deliberations of such

meeting closed to the public, unless required to divulge such information by law or authorized by the Board to do so.

The Board also finds that Trustee Paikin Miller breached the Trustee Code of Conduct by making an aggressive statement that disparaged a fellow trustee, and that did not follow expectations for decorum.

Civil behaviour

7. No Trustee shall 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.

Further, based on the above breaches, the following sanctions are recommended:

- A. Requesting a formal apology be issued to the Board for not addressing privacy concerns
- B. Requesting a formal apology be issued to Trustee Johnstone and the Board for making a disparaging remarks towards her
- C. Request that the Trustee commit to creating a private space to participate in private sessions and if this is not possible, to use a headset if possible. Noting any future breaches of privacy would include barring the Trustee from engaging in private session meetings.

Further, it is recommended that all Trustees review their responsibilities for protecting privacy related to the work of the Board and be provided with any tools needed to support this (ie: headsets) and establish best practices for participating in virtual private sessions.

Finally, that the report be attached to the Board Minutes for March 29, 2021 as an appendix.

Trustee Mulholland noted that he was opposed to the motion and to making the report public.

The motion **CARRIED** on the following division of votes:

In Favour (8): Trustees Archer, Buck, Bingham, Danko, Galindo, Johnstone, Miller and Tut

Opposed (1): Trustee Mulholland

12. Oral Reports from Liaison Committees:

A. Student Trustee Report – Local Activities & Ontario Student Trustees Association (OSTA) Report

- There have no been any recent OSTA events or activities.
- Student Senate have been planning their most recent meetings around Board updates and events.
- Student Trustee elections are currently happening and students in Grades 10 and 11 are able to submit their applications until March 31, 2021.

B. Director's Report

The Director, Manny Figueiredo shared that most of the updates were in the COVID report but the Director highlighted the leadership of all of the staff after one year of leading and managing during a pandemic. He spoke of staying connected and relationships that will get us through the next phase. We continue to try to be as proactive as we can by looking for solutions prior to any crisis occurring.

C. Chair's Report

The Chair indicated that it is a time of reflection as we have recently passed the one-year mark. We look forward to the long weekend and the delayed spring break in April. The Chair acknowledged the staff across the Board for the work that they have done. All staff are stretched thin and are tired due to

the continued disruptions so Chair Danko wanted to say “Thank You”. A big thank you was also extended to the students as well. We recognize that mental health and well-being has been a key focus and the students have worked through so many disruptions and transitions and have supported one another. This is not the year that was expected and we are going to keep working through it together. Gratitude was further extended the families who have been so patient and worked through so many disruptions. Currently there is no information to suggest that there is a shift in the spring break. There is also some information out there for a model of permanent remote learning for September however we do not have any information to date. The Chair shared that if this becomes a possibility that the Boards and OPSBA would like to have a voice in that decision and model.

The meeting adjourned at 9:25 p.m.

DRAFT

Code of Conduct Report

Investigation into Code of Conduct Complaint

Re: Trustee Paikin Miller

PRIVATE AND CONFIDENTIAL

Prepared by:

Trustee Dawn Danko & Trustee Penny Deathe

Draft Date: Jan 8, 2021

Final Report: Mar 10, 2021

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Mandate

On September 9, 2020, School Board Trustee Johnstone filed an Informal Code of Conduct complaint against School Board Trustee Carole Paikin Miller. As the Chair was filing the complaint, the Vice Chair presided over the Informal Code of Conduct process (Governance Procedure: Trustee Code of Conduct Paragraph 5, [REDACTED])

Trustee Danko engaged both parties through the Informal Code of Conduct procedure; the two parties participated in a mediation regarding the complaint items. Unfortunately, the mediation was not successful and remedies could not be agreed upon between Trustee Paikin Miller, Trustee Danko and Trustee Johnstone. When a remedy cannot be agreed upon by the parties, the Information Code of Conduct may be made Formal. As the Vice Chair presiding over the Informal Code of Conduct process, Trustee Danko completed the Formal Complaint form based on the initial Informal Complaint on October 22, 2020 (Governance Procedure: Trustee Code of Conduct Paragraph 11). [REDACTED]

As the Chair was the initial complainant and directly involved in the incidents in question, the vice chair, Trustee Danko, conducted the investigation of the formal complaint with an alternate per the Code of Conduct paragraphs 5 and 6.

[REDACTED]
[REDACTED] Trustee Deathe became the alternate for this investigation.

Executive Summary

On September 9, 2020 an Informal Code of Conduct complaint was filed against School Board Trustee Carole Paikin Miller. As remedies could not be agreed upon, two items in the informal complaint were filed as a Formal Code of Conduct on October 22, 2020 [REDACTED]. The specific allegations are summarized below:

- (i) On September 8, 2020, a [REDACTED] voice [REDACTED], was heard in the background of a private Committee of the Whole session of the Board; Trustee Paikin Miller is accused of violating section 10 of the Trustee Code of Conduct: *"Trustees shall keep confidential any information disclosed or discussed at a meeting of the Board or committee of the Board, or part of a meeting of the Board or committee of the Board, that was closed to the public as outlined in the Education Act, and keep confidential the substance of deliberations of such meeting closed to the public, unless required to divulge such information by law or authorized by the Board to do so."*
- (ii) On September 8, 2020, following the private Committee of the Whole meeting, Trustee Paikin Miller was heard to remark "Alex, this is war" as the call was being terminated; Trustee Paikin Miller is accused of violating sections 2 and 3 of the Trustee Code of Conduct: *"2. Trustees, as elected officials 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 and shall at all times act with decorum and be respectful of other Trustees, staff, students and the public.*
3. Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to Board staff or fellow Board members."

A formal code of conduct investigation was subsequently conducted by Trustee Danko and Trustee Deathe in accordance with the HWDSB Trustee Code of Conduct – Governance Procedure. Trustees Danko and Deathe determined, per the Code of Conduct, review of the

complaint and legal opinion that there were grounds to proceed with an investigation to determine whether or not there was a breach of the HWDSB Trustee Code of Conduct and, if there was a breach, whether or not sanctions may be appropriate.

Trustees Danko and Deathe offered an opportunity for an interview and to provide a written statement to Trustee Paikin Miller; the trustee declined an interview and provided a written response to the complaint [REDACTED] Trustee Johnstone was interviewed via MS Teams.

Following the September 8, 2020 private session meeting, the Director invited any Trustee who thought the confidentiality of the session was breached to send in a written notice. These were used as witness statements regarding the potential breach of confidentiality [REDACTED]

Further witnesses identified were interviewed individually via MS Teams; [REDACTED]
[REDACTED]

Trustees Paikin Miller and Johnstone were also invited to submit a written response to the draft report for consideration. Trustee Paikin Miller submitted a response [REDACTED] Trustee Johnstone did not provide a formal written response.

We, the investigators, present the balance of evidence in relation to the allegations. We find that

Code of Conduct Recommendations:

1. We recommend that Trustee Paikin Miller breached the Trustee Code of Conduct by failing to ensure she was private while participating in a Committee of the Whole private session of the Board.
2. We recommend that Trustee Paikin Miller breached the Trustee Code of Conduct by making an aggressive statement that disparaged a fellow trustee, and that did not follow expectations for decorum.

Recommended Actions:

1. To support a positive and productive environment for the Board of Trustees, we recommend Trustee Paikin Miller issue an apology to Trustee Johnstone and the Board
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for her actions at the September 8, 2020 meeting. Specifically, we recommend that Trustee Paikin Miller issue an apology for not addressing privacy concerns immediately during a private session, and that Trustee Paikin Miller apologize for her statement regarding “war” made towards Trustee Johnstone.

2. To ensure privacy is always protected, as is the responsibility of all Trustees, we recommend Trustee Paikin Miller commit to creating a private space in which she can participate in private sessions, and to use a headset, if possible, for such sessions. We recommend Trustee Paikin Miller review the Trustee Handbook rules with the appropriate staff and Chair of the Board.
 3. In the event of any future breach of privacy we recommend that further sanctions be taken, including barring Trustee Paikin Miller from attending private session meetings.
 4. To support all Trustees in engaging in private meetings in a virtual (online or teleconference) model, we recommend that the Board review Trustee responsibilities for protecting privacy relating to the work of the Board, provide any tools needed to support privacy (i.e. headsets), and establish best practices for participating in virtual private sessions.
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Conduct of the Investigation

Upon receiving the Informal Code of Conduct complaint, Trustee Danko had a telephone conversation with Trustee Paikin Miller regarding the complaint. Trustee Paikin Miller agreed to participate in a mediation with Trustee Johnstone to attempt to reach a resolution.

Trustee Danko was notified, on October 15, 2020, by the external mediator that the attempted mediation was not successful. Following the failed mediation, Trustee Johnstone submitted addendums to the complaint to move it to a formal complaint. Upon review of the code of conduct procedure, Trustee Danko clarified that a new complaint form is not required from Trustee Johnstone and that the person presiding over the informal complaint would move it to a formal complaint in the event remedies could not be agreed upon. Trustee Johnstone requested that an item relating to personal interactions not be moved to a formal complaint. Trustee Danko shared the Formal Code of Conduct complaint with Trustees on October 22, 2020 via Trustee Office Miller.

[REDACTED]

Trustee Deathe was asked to serve as the alternate for the Formal Code of Conduct investigation.

Trustees Danko and Deathe reviewed the complaint to determine whether there was required information provided and grounds for the complaint; they found there to be sufficient information and grounds (Paragraph 12, Code of Conduct Procedure, [REDACTED])

Trustees Danko and Deathe offered an opportunity for an interview and to provide a written statement to Trustee Paikin Miller; the trustee declined an interview and provided a written response to the complaint [REDACTED]. Trustee Johnstone was interviewed via MS Teams.

Following the meeting in question, the Director had invited any Trustee who thought the confidentiality of the session was breached to send in a written notice. These were used as witness statements regarding the potential breach of confidentiality [REDACTED]. Further

witnesses identified were interviewed individually via telephone [REDACTED]

[REDACTED]

Trustees Paikin Miller and Johnstone were also invited to submit a written response to the draft report for consideration. Trustee Paikin Miller submitted a response, [REDACTED] Trustee Johnstone did not provide a formal written response.

[REDACTED]

[REDACTED]

[REDACTED]

Evidence

Trustees Johnstone and Miller are member trustees on the Hamilton-Wentworth District School board.

In the complaint, dated September 9, 2020 [REDACTED] Trustee Johnstone set out two ways in which she believes Trustee Paikin Miller has breached the Code of Conduct. First, she raised concerns that Trustee Paikin Miller did not maintain confidentiality for a Committee of the Whole private session on September 8, 2020. Second, she alleges that Trustee Paikin Miller did not act with decorum and be respectful of other Trustees, and that her comments at the end of the September 8, 2020 private session were personal with regard to a Board member.

Evidence of Trustee Johnstone

A confidential interview was conducted with Trustee Johnstone and the investigators via MS Teams on November 24, 2020. [REDACTED]

In the initial informal Code of Conduct complaint, Trustee Johnstone stated: "on September 8, 2020, the Board was convened in a private Committee of the Whole I heard [REDACTED] [REDACTED] voice in the background as she spoke. In my capacity as Chair, I stopped the meeting and informed Trustee Paikin Miller that I could hear [REDACTED] in the background and that she was in breach of confidentiality. Trustee Paikin Miller objected and said, "No you didn't." I replied, "That's not true. I just heard [REDACTED] in the background." Trustee Paikin- Miller replied, "What you heard was [REDACTED] asking for [REDACTED] dinner." I informed all Trustees that this was a private and highly confidential meeting with the Board Solicitor and that because confidentiality had been breached I was ending the meeting and would reconvene when privacy could be enforced."

In her interview, Trustee Johnstone stated that when the voice was heard, it was while Trustee Paikin Miller was reading out a speech, highlighting concerns about three trustees. Trustee Johnstone shared that she recognized the voice as belonging to [REDACTED]

and that the statement in the background was echoing the comments Trustee Paikin Miller had just made; she did not believe it was not asking about dinner. She further noted that when she, as Chair, stated a voice was heard, first Trustee Paikin Miller denied this, then she dismissed it. She shared there continues to be denial from Trustee Paikin Miller despite multiple witnesses being present. Trustee Johnstone noted concern that there didn't seem to be a clear understanding of the rules not the significance of the breach of confidentiality.

In her initial complaint form Trustee Johnstone stated: "following the private Committee of the Whole meeting on September 8, 2020, the individuals on the conference call [REDACTED] [REDACTED] [REDACTED] each informed me that Trustee Paikin Miller remarked, "Alex, this is war!" as I was terminating the phone call" [REDACTED]

Trustee Johnstone shared there were multiple witnesses for the incident. She shared that she was concerned and uncomfortable that the incident became personalized and that there have been personal attacks on Trustee Johnstone relating to this, when she was doing her duty as Chair.

Trustee Johnstone notes we are in different times, working differently during COVID, which is why she started with an informal complaint and a mediation. She stated, however, that it is every Trustee's responsibility to know and follow the rules. She stated she would like to see support for Trustee Paikin Miller in reviewing the rules of the Board.

Evidence of Trustee Paikin Miller

Trustee Paikin Miller declined an interview and submitted a written response to the complaint [REDACTED].

In her written statement Trustee Paikin Miller suggested she was in her kitchen during the meeting in question and that the voice heard in the background during the meeting was [REDACTED] [REDACTED] asking about dinner. She asked where the best practices and guidelines are with

respect to participating in meetings remotely and suggested family members should be able to move about their home. She also noted that she has heard family and pets in the background when participating in other board meetings remotely, but she did not specify if any of the incidents were in camera.

Given it is not possible to ensure all Trustees are protecting the privacy of in-camera sessions, Trustee Paikin Miller suggested in her written statement that perhaps the practice of remote participation in in-camera meetings be stopped until proper privacy protocols can be put in place.

With respect to the statement at the end of the session, Trustee Paikin Miller acknowledged that she made a statement. She indicated in her written statement that she would like to qualify that she did not say "Alex, this is war" but instead said "Alex, you've declared a war." Trustee Paikin Miller further noted that "while I will admit that this type of language is not typically how I present myself it must also be stated that at the time of the utterance of the phrase I, and [REDACTED] had just been falsely accused of breaching in-camera protocol."

Trustee Paikin Miller expressed concern about the complaint and asked that the process be concluded immediately and that an apology be issued by Trustee Johnstone. She also noted that [REDACTED] has experience in politics and has never been accused of breaking this rule (confidentiality).

Evidence of Witnesses

Following the September 8, 2020 meeting, the Director of Education as secretary of the Board sent an email stating that there may have been a breach of confidentiality during the Committee of the Whole Session, inviting anyone who may have witnessed a potential breach to send in a statement [REDACTED]

A number of witnesses shared written statements through the Director via email regarding the meeting in question. Additional witnesses were interviewed via telephone regarding the events at the meeting.

Overall, the majority of witnesses confirmed that a [REDACTED] voice was heard in the background while Trustee Paikin Miller had the floor during the private session. Witnesses confirmed that Trustee Paikin Miller initially stated the voice was not [REDACTED] but then stated it was her [REDACTED] asking for [REDACTED] dinner.

Two witnesses indicated the [REDACTED] voice in the background seemed to be reiterating the end of Trustee Paikin Miller's statement, suggesting the person in the background could hear her statement.

A majority of witnesses who were participating via telephone also confirmed that they heard Trustee Paikin Miller state "Alex, this is war" or something similar near the termination of the call.

Factual Findings

Based on the witness accounts and Trustee Paikin Miller's own admissions, we make the following factual findings in relation to the September 8, 2020 Committee of the Whole Private Session.

1. During the September 8, 2020 Committee of the Whole session, during Trustee Paikin Miller's statement and questions, [REDACTED] voice was heard over the teleconference call and [REDACTED] was likely present in the room with Trustee Paikin Miller at that moment.
 2. We find it more likely than not that [REDACTED] could hear at least part of her statement to the Committee in private session.
 3. We are unable to determine whether Trustee [REDACTED] was present at any other time during the meeting or whether [REDACTED] observed any other dialogue.
 4. We find as fact that Trustee Paikin Miller made a statement to the effect regarding declaring war or stating "this is war". We find as fact that this statement was directed at Trustee Alex Johnstone in response to her actions as Chair in the meeting. We find that regardless of the specific statement, this was not in line with decorum or respect expected of trustees, and was a targeted statement towards an individual and not an issue.
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Code of Conduct Recommendations

1. We find that Trustee Paikin Miller breached the Trustee Code of Conduct by failing to ensure she was private while participating in a Committee of the Whole private session of the Board.
2. We find that Trustee Paikin Miller breached the Trustee Code of Conduct by making an aggressive statement that disparaged a fellow trustee, and that did not follow expectations for decorum.

Recommended Actions

1. To support a positive and productive environment for the Board of Trustees, we recommend Trustee Paikin Miller issue an apology to Trustee Johnstone and the Board for her actions at the September 8, 2020 meeting. Specifically, we recommend that Trustee Paikin Miller issue an apology for not addressing privacy concerns immediately during a private session, and that Trustee Paikin Miller apologize for her statement regarding “war” made towards Trustee Johnstone.
 2. To ensure privacy is always protected, as is the responsibility of all Trustees, we recommend Trustee Paikin Miller commit to creating a private space in which she can participate in private sessions, and to use a headset if possible, for such sessions. We recommend Trustee Paikin Miller review the Trustee Handbook rules with the appropriate staff and Chair of the Board.
 3. In the event of any future breach of privacy we recommend that further sanctions be taken, including barring Trustee Paikin Miller from private session meetings.
 4. To support all Trustees in engaging in private meetings in a virtual (online or teleconference) model, we recommend that the Board review Trustee responsibilities for protecting privacy relating to the work of the Board, provide any tools needed to support privacy (i.e. headsets), and establish best practices for participating in virtual private sessions.
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[Redacted]



[Redacted]

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[Redacted]



HWDSB

Special Board Minutes

April 6, 2021

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

Trustees: All participating electronically - Kathy Archer, Becky Buck, Christine Bingham, Dawn Danko, Penny Deathe, Alex Johnstone, Maria Felix Miller, and Ray Mulholland. Regrets received from Carole Paikin Miller, Cam Galindo and Paul Tut.

1. Call to Order

Dawn Danko, Chair of the Board, called the special board meeting to order at 4:48 p.m.

It was moved by Trustee Archer, seconded by Trustee Bingham: That the Board adjourn and move to private session, this being done at 4:52 pm.

CARRIED.

HWDSB Trustee Board
20 Education Court, Hamilton, ON

Thursday March 25th, 2021.

Sent via email to hmillier@hwdsb.on.ca

RE: "FINAL REPORT OF THE EXTERNAL INVESTIGATOR FOR THE HAMILTON- WENTWORTH DISTRICT SCHOOL BOARD Re: Student Trustee Complaint of Breach of the Code of Conduct"

To Chair Danko and members of the HWDSB Trustee Board,

As a parent and teacher, I am dismayed with the grossly insufficient action that has been taken against trustees who were found by the Independent Investigator to have engaged in conduct that was racist. This lack of accountability demonstrates a profound absence of respect for the people whom you serve: students and their families. Your actions throughout this ordeal have shown that you prioritize your own interests above all else. Such callous disregard for the well-being of our students makes all of you - who have endeavoured to hide the identities of the offending trustees and downplay the impact of their actions - undeserving of the roles you have been entrusted with.

It seems that most of you have forgotten why we are here.

We are here for the students.

They should be at the centre of everything we do and our most marginalized need us to do all we can to make sure that they know they are heard and respected.

As a front-line educator, working with students every day, I have been left to try and explain to our students why those in power are not being held accountable for their racist deeds and words. There is nothing I can tell them because your actions are indefensible. The only thing I can do, and have done, is raise my voice to express my outrage so that my students will know that there are people within the HWDSB who do care about them, even if the elected trustees do not. While you might claim to care, your actions prove otherwise, and our students have been witnesses to that.

Even in the aftermath of the Investigator's report, many of you have still failed to demonstrate that you have learned anything from this. Your efforts have been focused on trying to protect yourselves and each other and it seems no effort has been made to understand why your conduct was problematic. The statements from Alex Johnstone, Becky Buck, and Kathy Archer (which were published at the last Board meeting) illustrate a complete absence of awareness about anti-racism action and philosophy. All focused on their *intent*, not on the *impact*. The first and most central

tenet of anti-racist action is that impact is more important than intent. These trustees' failure to recognize this – even after all that has happened – shows that they have made no effort at all to examine their harmful behaviour and beliefs.

While Alex Johnstone stated that she accepted the findings of the Independent Investigator and has expressed remorse for her behaviour, every apology in her statement was prefaced with what she saw as justifications for her actions. Qualified apologies are not sincere apologies.

Becky Buck's statement included a litany of excuses for her behaviour, thus further diminishing the sincerity of her already feeble attempt at an apology. Indeed, she appears to be seeking sympathy for herself.

Even more egregious was Kathy Archer's refusal to accept that her words at the June 22nd meeting were harmful, even after the Independent Investigator identified them as such. She has doubled down by stating that she stands behind her comments.

The gravity of these trustees' words and actions is such that even a sincere apology would be insufficient, but these were not sincere apologies. If they were, there would have been evidence of them having made *some* effort to understand the harm they had caused. There was none.

The harm the four trustees have caused has been compounded by your unwillingness to hold them accountable.

While you may not have the power to remove a trustee from their position, there are many courses of action you could have taken. You could have barred all four trustees from attending any meetings until the end of their terms in 2022. You could have asked all four of them to resign. You could have called on the Ministry of Education to step in or lobbied the MOE to introduce legislation that would create a mechanism for the removal of trustees who have been deemed unfit to serve.

Instead, you chose to take almost no action of substance. You chose your own interests over those of our students. Your conduct has been shameful.

Our students deserve better.

It's not too late to take appropriate action. It's never too late to do the right thing.

I implore you, on behalf of my students, to employ all tools at your disposal to fully sanction the four offending trustees and take steps with the goal of having them permanently removed from the Board.

Sincerely,

Alice Smith

From: Michelle Morris

Sent: March 30, 2021 4:23 PM

To: Manny Figueiredo [Staff] <mfigueir@hwdsb.on.ca>; Richard Koren [Staff] <rkoren@hwdsb.on.ca>; Michelle Visca [Staff] <mvisca@hwdsb.on.ca>; Dawn Danko [Trustee] <ddanko@hwdsb.on.ca>; Kathy Archer [Trustee] <kaarcher@hwdsb.on.ca>; Daryl Jerome <djerome@osstf21.ca>

Subject: Bell times-Sherwood

To all concerned,

As a concerned Sherwood parent, I am emailing on behalf of my own and three other Sherwood families. We have all agreed to formally express our dismay and frustration at the recent decision to change school bell times. As it affects all of us, the 30 minute adjusted bell times at Sherwood will pose extra difficulties and inconveniences.

The changes, as posted on HWDSB.on.ca seem incongruous at best. Why are so many elementary schools starting later, for example, and secondary starting earlier? These changes are problematic on so many levels. We understand the transportation difficulties, however we feel that the solution comes at another cost for Sherwood students and families.

After a year of having to adapt to so many changes, we feel that these changes will deal families and students yet another blow. Our families, as with many others, have been able to safely adapt our carpooling and ride sharing to the Sherwood bell time over the years and if possible would like to request a return to the 8:30 - 2:40 times.

Our children are already experiencing the anxiety of yet another significant change to their September routine when things are supposed to be getting back to some sort of normalcy. We know the Board is focused on the safety and mental wellbeing of all, and hope that our concerns can be taken into consideration.

I would like to request this letter be added as part of the Board's correspondence at the next Board meeting.

Thank you for your understanding.

Michelle Morris

Rosedale Home and School Association and School Council

25 Erindale Avenue, Hamilton, Ontario L8K 4R2

March 24th, 2021

Finance and Facilities Committee
Hamilton Wentworth District School Board
20 Education Court
P.O. Box 2558
Hamilton, ON L8N 3L1

Dear Finance and Facilities Committee Members:

We as members of the Rosedale Home and School Association and School Council are writing to please request that the second phase of the renovation at Rosedale Elementary School be added to the HWDSB's Capital Priorities List. This renovation has been on hold for quite some time and now with the proposal that it be cancelled due to the ministry not allowing the board to use proceeds of disposition. We as a community are very concerned as this phase was to include the addition of a new gym, repurposing the existing gym into a learning commons and LRT space and possibly 1 or 2 new classrooms.

During phase one of this project the school lost 2 classrooms, the library, LRT room, replacing this much needed space with two changerooms that cannot be used other than for storage at present, a hallway to nowhere (supposedly the hallway to the new gym) and a closet space for the library. Listed on your documents regarding what was to be completed in phase one also a visual arts room was mentioned which was never added.

As a result of this in 2019/20 with a huge surge in Kindergarten registration and the lack of classrooms, the Grade 5 class spent most of their school year (also due to covid and lockdown) with their classroom in half of the existing gym, while they waited for a portable to be installed on the school, property. At the start of the 2020/21 school year, we now have 3 portables on the property.

Our school is a small school of approximately 268 students, but steadily growing each year due to the influx of new families into the neighborhood. This is only going to increase the difficulty in coming years with enrollment increasing if this renovation is not completed as expected as the lack of space will become more of a problem and most likely result in more portables needed to be added and not enough usable space for physical activity or allowing our children to be actively engaged in literacy with a useable library.

Already a significant amount of Board funding has been spent on the first phase of this renovation. It makes not sense at all to leave it in its current state, from a financial and practical viewpoint.

It is unacceptable to us as parents and caregivers who support our kids learning that this renovation is not completed.

We sincerely hope that you will give serious consideration to adding us to the capital priorities list to complete this renovation and give our children a proper learning commons/library, LRT space, new gym and some much-needed classroom space so that they can learn in the best environment possible.

We thank you for your time in reading this and giving us your consideration.

Sincerely,

Nicola O’Connell (Home and School President)

[Redacted]

Brent Whetstone (School Council Chair)

[Redacted]

Colleen Eastabrook (Home and School Treasurer)

Amanda Whetstone (Home and School Secretary)

Jodi Ilgner

Sasha Ilgner

Erin Atack

Phil Whitehead

Mary Elliot

Teresa Lawrence

Joanna Terry



408 Wembley Drive, Sudbury, Ontario P3E 1P2 | Tel: 705.674.3171 | Toll Free: 1.888.421.2661 | rainbowschools.ca

April 9, 2021

Honourable Stephen Lecce
Minister of Education
Mowat Block
900 Bay Street
Toronto, ON M7A 1L2

Sent via email to Minister.edu@ontario.ca

Dear Minister Lecce:

Our Ontario in-person public education system is the great equalizer. It is the level playing field that provides equal opportunity for all children and young people regardless of race, colour or creed and regardless of geography, income or capabilities.

As partners in education, the proposal to expand student access to online and remote learning should have come to Trustees through a Ministry of Education request for stakeholder consultation or broader public input. Regrettably, it did not.

It is, therefore, with a sense of urgency that Rainbow District School Board held a Special Board Meeting on March 30, 2021 to discuss the Province's proposed plan to make online and remote learning a permanent option for parents/guardians and students.

For these and many additional reasons, Trustees unanimously approved the following motion:

"That the Rainbow District School Board write a letter expressing its grave concerns about the Provincial government's proposed plan for online and remote learning."

Trustees, Senior Administrators and Federation Leaders are united in our belief that in-person learning, where students come together with their peers and their teachers in a traditional school setting, preferably with reduced class sizes, provides the optimum environment for children and youth to develop physically, socially, emotionally and cognitively.

School boards moved to remote learning for one reason only - as a means to deliver education when schools were forced to close to keep everyone safe in a pandemic situation. Even as schools reopened, parents were only given the option to choose remote learning for individual personal safety reasons, not for educational value. A pandemic response does not provide validation for a permanent option.

There is no evidence-based data on the impact of remote learning from a pedagogical perspective. There is, however, significant information on the negative effects of remote learning on the overall well-being of children, young adults, their families and entire school communities.

The negative effects of online learning, while anecdotal, are significant and very real. They include the loss of social connection and self-identity, an increase in isolation, concerns for mental health, stress on families, but, first and foremost, a lack of human contact and interaction with others which is the fundamental fabric of the world in which we live.

The negative effects of remote learning are further compounded for students with special needs, those who are at risk, and students who struggle with mental health. At-risk students will be at even greater risk.

Students with special needs require repetitive and extensive services that can only be provided in person. Many do not have the support at home to help them participate in remote learning. Students with special needs have difficulty sustaining focus without in-person prompts. Behaviour strategies must be implemented regularly and consistently, otherwise regression occurs.

It is note-worthy that there has been a marked increase in Child and Family Services referrals for non-attendance and non-participation since remote learning became necessary.

Students with mental health issues will feel a greater sense of loneliness and isolation. Community and social support services will be more challenging to access. It is more difficult to identify if a student is struggling socially/emotionally if they are not in school. There is less opportunity to observe changes in behaviour, mood, sleep patterns, appetite and/or interactions with others. In order to support some students a strong network is required.

The many students in Rainbow Schools who identify as First Nations have a treaty right to education which has not been acknowledged nor addressed in the Province's proposal. Concern has been expressed that for Indigenous learners, this plan is only going to facilitate additional traumas, inequities and disadvantages to an already disadvantaged minority population, and to a population that actually has a right to education that is based in treaty.

Students of all ages also require tremendous self-regulation in the online environment. Troubleshooting technological difficulties can take precious time away from teaching and learning. Privacy and hacking concerns have also emerged, putting the safety of students and staff at risk.

Students need in class, lower pupil-teacher ratios to explore hobbies, talents, interests and career possibilities through opportunities provided by the in-school experience - technology, shops, music, food, athletics - the courses that get students excited about learning. In order to gain a sense of belonging and worth, students need to be active participants, not mere observers.

As this pandemic has shown, the biggest influence on student success is the circle of care provided by school staff, the frontline workers who invest their energy and expertise in shaping the next generation of citizens. They are the backbone of the public education system. And while they continue to demonstrate tremendous resiliency in delivering remote learning, they do so out of necessity, not by design.

Creating a permanent path to have students attempt online remote learning, wrapped in the illusion of providing parent choice, puts the entire education system at risk. It has been made clear that staffing for remote learning will come from existing dollars, thereby eroding investments in face-to-face instruction.



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Is the government's plan to make remote learning a permanent option another cost-cutting initiative with a broader objective? Will this plan result in increased class sizes and reduced funding for school boards? Is the broader objective to create a stand-alone structure that can be sold to the highest bidder to generate revenue for the province?

It is disingenuous to attempt to capitalize on the pandemic to move a government agenda forward. Making remote learning a permanent option is not only seen as the beginning of the privatization of public education, it will shortchange the current system and that will have long-term negative effects on our overall recovery and economy.

We invested in quality education in this province for a reason - to provide the best environment possible for all students to learn and to grow to become capable, confident, contributing members of society. We need to continue to invest in quality education to ensure all students have every opportunity to reach their full potential.

Making authentic connections is critical to student success. A strong circle of care through the student/teacher/support staff relationship is the hallmark of the in-person learning experience.

Most importantly, we respectfully request that we refocus on student well-being and success.

Students need to be educated. Our in-person public education system is the great equalizer. It is the level playing field that provides equal opportunity for all children and young people regardless of race, colour or creed and regardless of geography, income or capabilities. This is an issue worth fighting for.

Sincerely,

Doreen Dewar
Chair

cc: Premier Ford, premier@ontario.ca
 Nancy Naylor, Deputy Minister of Education Nancy.naylor@Ontario.ca
 Jamie West, MPP Sudbury JWest-QP@ndp.on.ca
 France Gélinas, MPP Nickel Belt fgelinas-qp@ndp.on.ca
 Michael Mantha, MPP Algoma-Manitoulin mmantha-qp@ndp.on.ca
 Cathy Abraham, OPSBA president President@opsba.org
 School Board Chairs
 Rainbow DSB Trustees
 Eric Laberge, president, Rainbow OSSTF eric.laberge@d03.osstf.ca
 Liana Holm, president, Rainbow ETFO lholm@etforainbow.on.ca

COMMITTEE REPORT

Presented to: Board

Date of Meeting: April 19, 2021

From: Governance Committee

Date of Meeting: March 22, 2021

The committee held a meeting from 5:30 p.m. to 6:47 p.m. on March 22, 2021 at 20 Education Court, Hamilton, ON, virtually through MS Teams, with Trustee Danko presiding.

Members present were: Trustees Alex Johnstone, Dawn Danko, Maria Felix Miller, and Cam Galindo. Regrets were received by Trustee Paul Tut. Also in attendance was Trustee Becky Buck.

ACTION ITEMS:**A. Trustee Code of Conduct – appointment of outside consultant**

Within the Boards' Trustee Code of Conduct, there is an option for an outside consultant to conduct a formal code of conduct inquiry.

15. If the Chair and Vice-chair are of the opinion that an outside consultant should conduct the inquiry, the consultant will be appointed by the Director.

Should a Code of Conduct come forward which requires the appointment of an Integrity Commissioner, the process will be followed as outlined in the [Governance Procedure: Trustee Code of Conduct](#).

On the motion of Trustee Galindo, the Governance Committee **recommends: that should the Chair and Vice Chair request the Director of Education to appoint an outside consultant to complete the undertaking of a formal Trustee Code of Conduct inquiry. Every effort will be made to first request that this work be completed by an Integrity Commissioner and in the case that this is not possible, another outside consultant will be appointed.**
CARRIED.

MONITORING ITEMS:**B. Trustee Annual Plan and Self-Evaluation Development**

Trustee Danko noted for the committee that the Board of Trustees has worked to fulfill their responsibility under the Education Act (Part VI), including promoting student achievement and well-being through a multi-year strategic plan. The Board of Trustees has an annual committee work plan that ensures effective reporting, policy review and development, as well as monitoring and evaluating the performance of the director of education -Education Act, Section 169.1 (Ontario, Dec 8, 2020). There are opportunities for the Board of Trustees to further focus and reflect to improve collective effectiveness of the Board going forward, and to meet the requirement of an annual review of effectiveness per the Board bylaws.

Upon consultation and review of practices at other Ontario Public School Boards, there is no specific framework for a Board self-evaluation; however, TDSB has engaged a consultant to develop a self-evaluation tool that is expected to be shared in the coming months. It is recommended that HWDSB Trustees leverage the work of TDSB and review the self-evaluation tool, as well as the process followed to establish the tool, when it is publicly available.

HWDSB Trustee Self-Evaluation: Proposed Framework**1. Self-Reflection**

- a. The Governance Committee shall request all Trustees engage in a self-reflection exercise with respect to key foundational knowledge, effectiveness and satisfaction with work as a Trustee.

2. Goal Setting

- a. The Governance Committee shall establish key areas for goal setting that align with Trustee Responsibilities under the Education Act, the HWDSB Trustee Handbook, and the HWDSB Strategies Directions.
- b. The Governance Committee, with feedback from all Trustees, shall recommend specific, measurable, achievable goals for the Board of Trustees. Goals should focus on specific work as it relates to Trustee and Board effectiveness.

3. Action Planning

- a. The Governance Committee shall recommend or highlight specific actions that will support the goals for the Board of Trustees.
- b. Timelines or targets should be set in collaboration with staff where staff support is required to meet the goals.

4. Assessment Planning

- a. The Governance Committee shall recommend measurements of success with respect to the specific goals for the Board of Trustees.
- b. The Governance Committee shall review and make a recommendation with respect to self-evaluation tools developed by other organizations or boards.

5. Annual Reporting

- a. The Governance Committee shall support the Chair in developing an annual report for the Board of Trustees Annual Plan and Self-Evaluation.
- b. The Annual Report will be posted publicly on the HWDSB website.

A Trustee sub-committee will be created to assist Trustee Danko in further development of the framework and will be presented to a future Governance Committee meeting for further discussion. Trustees are encouraged to connect directly with Trustee Danko regarding feedback or participation on the sub-committee.

C. Governance Review – Update

Staff provided a presentation on the Governance Review presented at the last Governance meeting noting that the feedback received from committee members will be incorporated into the document that staff are working on. Staff continue to work through the procurement process related to the governance review and once the third party consultant has been hired, an updated timeline will be provided to the committee.

Respectfully submitted,
Dawn Danko, Interim-Chair of the Committee

COMMITTEE REPORT

Presented to: Board

Date of Meeting: April 19, 2021

From: Audit Committee

Date of Meeting: March 25, 201

The committee held a virtual meeting from 5:36 p.m. to 5:51 p.m. on March 25, 2021 with Trustee Dawn Danko presiding.

Members participating were: Trustee Christine Bingham, Trustee Paul Tut and Trustee Dawn Danko. External members participating were: John Laratta and Divya Iyengar.

MONITORING ITEMS:

A. Update on School Board Sector Issues

Transportation – A bell time study was completed by the Hamilton Wentworth Student Transportation Services consortium for both HWDSB and HWCDSB. Changes to bell times for September 2021 were released on March 25, 2021. These changes resulted in twenty five fewer bus runs which improves the current bus driver shortage.

2021-22 Budget – Budget planning is currently underway. HWDSB is mainly funded by Grants for Student Needs (GSN) which is based on enrollment numbers. The board is expecting enrollment to reduced therefore funding will be reduced, which will result in reductions for September 2021. The actual grant amounts will not be known until sometime in April. Staff are working with Executive Council and the Finance and Facilities Committee to look at ways to balance the budget.

Respectfully submitted,
Dawn Danko, Chair

COMMITTEE REPORT

Presented to: Board

Date of Meeting: April 19, 2021

From: Finance and Facilities Committee

Date of Meeting: April 1, 2021

The committee held a virtual meeting from 5:45 p.m. to 6:42 p.m. on April 1, 2021 with Trustee Cam Galindo presiding as Chair for the meeting.

Members participating were: Trustees Becky Buck, Dawn Danko, Cam Galindo, Alex Johnstone and Paul Tut.

ACTION ITEMS:**A. 2021-22 Accommodation Strategy Schedule**

In April 2018, the Ministry of Education (MOE) released the revised Pupil Accommodation Guidelines (PARG). The next steps identified by the MOE to implement the Final Revised PARG was to release additional supporting documentation and templates. As indicated by the MOE, while these supports are being developed there will continue to be no new pupil accommodation reviews. These templates have yet to be released as of April 1, 2021.

As per the Ministry of Education direction, all future accommodation reviews have not been scheduled and are identified on the schedule as remaining. The accommodation strategy schedule recaps completed accommodation strategies from 2011-12 to 2020-21 and outlines the remaining three planning areas to be reviewed.

On the motion of Dawn Danko, the Finance and Facilities Committee **RECOMMENDS: that the Board approve the 2021-22 Accommodation Strategy Schedule.**

CARRIED

MONITORING ITEMS:**B. 2021-22 Budget Development**

Staff provided an overview of the process to develop the preliminary budget and the assumptions used:

- GSN (Grants for Student Needs)
- Enrolment
- Staffing
- Other Budgets

Respectfully submitted,
Cam Galindo, Chair of the Committee



2021 Long-Term Facilities Master Plan
 Section 1.7: Accommodation Strategy Schedule

Planning Area	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Remaining
1 Westdale												
Dalewood	Complete											
Cootes Paradise	Complete											
Glenwood												
Prince Philip	Complete			Closed	Sold							
2 Flamborough												LP
Allan Greenleaf		BR										
Balaclava		BR										
Flamborough Centre												
Guy Brown		BR										
Mary Hopkins												
Millgrove		BR	Complete									
3 Central Mountain												
Cardinal Heights		GR	Complete		HS	HS	Closed	Sold				
Eastmount Park			Complete		Closed	Sold						
Franklin Road			Complete									
GL Armstrong			Complete									
Linden Park		GR	Complete		Closed				Sold			
Norwood Park												
Pauline Johnson			Complete									
Queensdale			Complete									
Ridgemount		GR	Complete									
4 East Hamilton City 1												
Hillcrest			Complete									
Parkdale			Complete									
Rosedale			Complete									
Roxborough Park			Complete		Closed	Sold						
Viscount Montgomery			Complete									
WH Ballard			Complete	BR								
Woodward			Complete		Closed	Sold						

AR	: Accommodation Review	HS	: School being used for transition
In Progress	: Accommodation Review in Progress	BR	: Boundary Review
Complete	: Completed Accommodation Review	In Progress	: Boundary Review in Progress
Open	: New School Open	Closed	: Closed School
GR	: Grade Reorganization	LP	: Land Purchase

curiosity • creativity • possibility



2021 Long-Term Facilities Master Plan Section 1.7: Accommodation Strategy Schedule

Planning Area	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Remaining
5 West Hamilton City												
Bennetto						Complete						
Cathy Wever						Complete						
Central						Complete						
Dr. Davey						Complete						
Earl Kitchener						Complete						
Hess Street						Complete						
Queen Victoria						Complete						
Ryerson						Complete						
Strathcona						Complete						
6 West Glanbrook												
Bell-Stone			Complete	Closed	Sold							
Mount Hope			Complete									
7 East Hamilton Mountain												
CB Stirling												AR
Helen Detwiler												AR
Highview												AR
Huntington Park												AR
Lawfield												AR
Lincoln Alexander												AR
Lisgar												AR
Ray Lewis												AR
Richard Beasley												AR
Templemead												AR
8 Lower Stoney Creek												
Collegiate Avenue					Complete				Closed		Open	LP
Eastdale (Closed)					Complete			Closed				
Eastdale (New Facility)									Open			
Green Acres					Complete				HS	HS	Closed	
Memorial (Stoney Creek)					Complete					Closed		
Mountain View					Complete			HS	HS	Closed		
RL Hyslop					Complete				HS	HS	Closed	
South Meadow										Open		
Winona												

AR	: Accommodation Review	HS	: School being used for transition
In Progress	: Accommodation Review in Progress	BR	: Boundary Review
Complete	: Completed Accommodation Review	In Progress	: Boundary Review in Progress
Open	: New School Open	Closed	: Closed School
GR	: Grade Reorganization	LP	: Land Purchase





2021 Long-Term Facilities Master Plan
Section 1.7: Accommodation Strategy Schedule

Planning Area	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Remaining
9 West Hamilton Mountain												
Buchanan Park												AR
Chedoke				HS	HS	HS						AR
Gordon Price												AR
Holbrook												AR
James Macdonald												AR
Mountview												AR
RA Riddell												AR
Westview												AR
Westwood												AR
10 Ancaster												
Ancaster Meadow												
CH Bray						Complete			Closed			
Frank Panabaker - North						Complete			HS	HS	HS	Close
Frank Panabaker - South						Complete						
Rousseau						Complete						
Spring Valley										Open		
Queen's Rangers						Complete			HS	Closed		
Tiffany Hills			LP			Open						
11 East Hamilton City 2												
Elizabeth Bagshaw					Complete							Close
Glen Brae					Complete							Close
Glen Echo					Complete							Close
Glen Campus School											Open	
Lake Avenue					Complete							
Sir Isaac Brock					Complete							Close
Sir Wilfrid Laurier					Complete							

AR	: Accommodation Review	HS	: School being used for transition
In Progress	: Accommodation Review in Progress	BR	: Boundary Review
Complete	: Completed Accommodation Review	In Progress	: Boundary Review in Progress
Open	: New School Open	Closed	: Closed School
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2021 Long-Term Facilities Master Plan Section 1.7: Accommodation Strategy Schedule

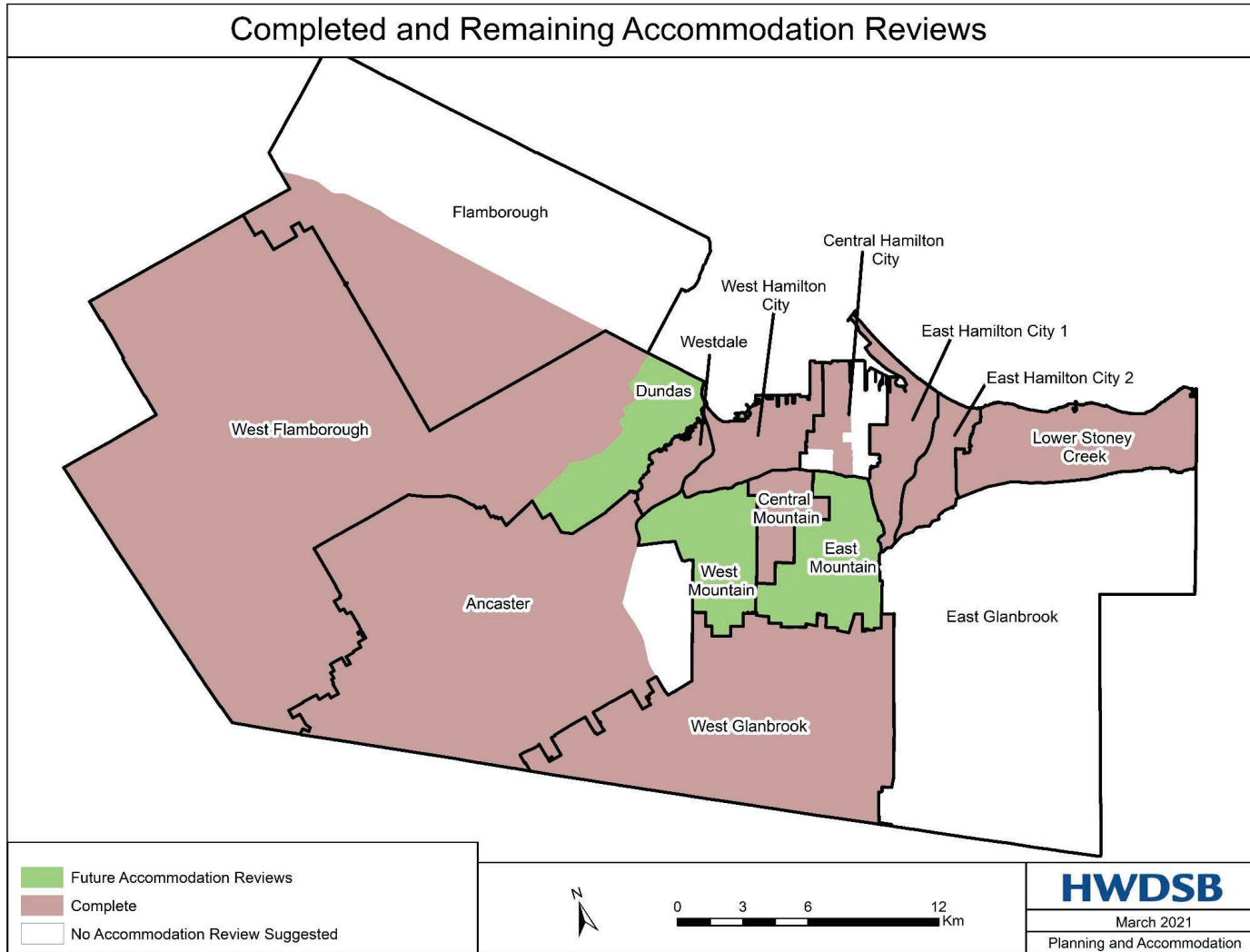
Planning Area	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Remaining
12 Central Hamilton City												
AM Cunningham				BR								
Adelaide Hoodless												
King George	Complete	Closed					Sold					
Memorial (Hamilton)	Complete											
Prince of Wales	Complete											
Queen Mary	BR			BR								
13 Dundas and West Flamborough												
Beverly Central			Complete						HS	Closed		
Dr. John Seaton			Complete						HS	Closed		
Greensville			Complete				Closed					
Greensville (New Facility)										Open		
Rockton										Open		
Spencer Valley		BR	Complete				HS	HS	HS	Closed		
Dundana												AR
Dundas Central												AR
Sir William Osler												AR
Yorkview												AR
14 East Glanbrook and Upper Stoney Creek											LP	LP
Bellmoore								BR				
Billy Green							BR					
Gatestone		BR										
Janet Lee							BR					
Michaelle Jean												
Mount Albion		BR										
Shannen Koostachin				LP			BR	BR	Open			
Tapleystown							BR					

AR	: Accommodation Review	HS	: School being used for transition
In Progress	: Accommodation Review in Progress	BR	: Boundary Review
Complete	: Completed Accommodation Review	In Progress	: Boundary Review in Progress
Open	: New School Open	Closed	: Closed School
GR	: Grade Reorganization	LP	: Land Purchase

Elementary Accommodation Reviews	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Remaining
	2	0	4	0	2	2	0	0	0	0	0	3



2021 Long-Term Facilities Master Plan Section 1.7: Accommodation Strategy Schedule





2021 Long-Term Facilities Master Plan
 Section 1.7: Accommodation Strategy Schedule

Planning Area	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Remaining
North Secondary												
Delta	Complete								Closed			
Bernie Custis									Open			
Glendale	Complete											
Orchard Park	Complete											
Parkview	Complete			Closed								
Sir John A. Macdonald	Complete								Closed			
Sir Winston Churchill	Complete											
South Secondary												
Mountain	Complete						Closed	Sold				
Hill Park	Complete			Closed								
Nora Frances Henderson (Barton)	Complete			HS	HS	HS	HS	HS	HS	Closed		
Nora Frances Henderson (New Site)									BR	Open		
Saltfleet												
Sherwood	Complete								BR			
Sir Allan MacNab	Complete								BR			
Westmount												
West Secondary												
Ancaster High	Complete											
Dundas Valley	Complete											
Parkside	Complete			Closed	Sold							
Waterdown												
Westdale	Complete											

AR	: Accommodation Review	HS	: School being used for transition
In Progress	: Accommodation Review in Progress	BR	: Boundary Review
Complete	: Completed Accommodation Review	In Progress	: Boundary Review in Progress
Open	: New School Open	Closed	: Closed School
GR	: Grade Reorganization	LP	: Land Purchase



COMMITTEE REPORT

Presented to: Board

Date of Meeting: April 19, 2021

From: Finance and Facilities Committee

Date of Meeting: April 8, 2021

The committee held a virtual meeting from 5:33 p.m. to 6:36 p.m. on April 8, 2021 with Trustee Cam Galindo presiding as Chair for the meeting.

Members participating were: Trustees Becky Buck, Dawn Danko, Cam Galindo, Alex Johnstone and Paul Tut.

ACTION ITEMS:**A. 2021-22 School Based Staffing**

Staff presented the report and indicated that the staffing approved in the recommended action will provide for the smooth start up to the 2021-22 school year and enables the staffing process to ensure collective agreement compliance along with effective school based staffing decisions. This recommendation represents staff that is allocated to schools and not system positions. As GSN funding has not been released yet, staff have been very conservative in their staffing assumptions. Once funding is finalized and collective agreement timelines are met, positions can be added but they cannot be reduced.

On the motion of Dawn Danko, the Finance and Facilities Committee **RECOMMENDS: that the Board approve the preliminary allocation of the following full-time equivalent positions for the purpose of 2021-22 school based staffing:**

Elementary Teachers	2,042.10
Secondary Teachers	909.70
Early Childhood Educators	245.00
Educational Assistants	654.00
Principals/Vice Principals	155.00
School Office Administration	196.50
School Custodial	354.50

CARRIED

Trustee Johnstone declared a conflict of interest and was not in attendance for the vote.

MONITORING ITEMS:**B. 2021-22 Budget Development**

Staff presented additional information on the budget. Enrolment is projected to be down approximately 1,100 students. Based on the decrease in enrolment, this will result in a significant decreasing in funding. There are also increases in projected expenses that do not have a corresponding increase in projected revenue. Using the projected enrolment and best information available with regards to the GSN, Board staff have estimated the revenue and are expenditures. Revenues compared to expenses are expected to result in a project deficit of approximately \$9million at this time. This is a conservative estimate and will be updated when the GSN is received and as budget decisions are made.

Respectfully submitted,
Cam Galindo, Chair of the Committee

COMMITTEE REPORT

Presented to: Board

Date of Meeting: April 19, 2021

From: Policy Committee

Date of Meeting: April 7, 2021

The committee held a meeting from 5:32 p.m. to 6:31 p.m. on April 07, 2021 with Trustee Miller presiding.

Members present were: Trustees Becky Buck, Cam Galindo and Maria Felix Miller.

ACTION ITEMS:**A. Procurement Policy**

The Committee considered the Procurement Policy. This Policy is up for its cyclical review. Staff have reviewed this policy and changes have been made to reflect newer language and a number of items that are procedural in nature have been moved to the procedures.

On motion of Trustee Buck, the Policy Committee **RECOMMENDS that the Procurement Policy be approved.**

CARRIED UNANIMOUSLY

B. Recruitment and Selection Policy

The Committee considered the Recruitment and Selection Policy. This policy was brought before Trustees in December based on the draft Policy/Program Memorandum (PPM) No. 165. Staff have reviewed the policy approved in December 2020 and made a minor change to the current policy to comply with the finalized PPM released by the Ministry.

On motion of Trustee Galindo, the Policy Committee **RECOMMENDS that the Recruitment and Selection Policy be approved.**

CARRIED UNANIMOUSLY

C. Human Rights Scoping Report

The Committee considered the Human Right Scoping Report. Under the Ontario Human Rights Code, HWDSB is responsible for ensuring that learning and work environments are safe, inclusive and free from discrimination, bias and harassment.

A Human Rights Policy and associated procedures would serve as an anchor to related policies and further HWDSB's commitment to a learning and work environment that is safe, inclusive and free from discrimination, bias and harassment.

HWDSB currently has a number of policies and related procedures that include elements of human rights tenants such as the Equity and Inclusion Policy 5.4, the Workplace Violence and Harassment Prevention Policy 4.9, and the Accommodation of Staff Policy 4.1. These policies, however, do not specifically address human rights concerns and do not define a clear and consistent human rights complaints process in a manner that is accessible, consistent and clear to everyone.

Staff recommend that a Human Rights Policy be created as a Pillar Policy allowing other related HWDSB policies to be aligned with this policy and ground in the Human Rights Code.

In light of the recent third-party investigation into alleged trustee code of conduct breaches two recommendations regarding Human Rights Policy and procedures were put forward:

Recommendation 8: That by June 30, 2021, the Board shall create a comprehensive EDI Policy and Human Rights Policy for the Board, which shall be distributed to all Trustees on an annual basis.

Recommendation 11: That by August 1, 2021, the Board shall create a formal Complaint and Investigations Policy and Procedure for bringing Code of Conduct complaints, which allege a breach of the Board's EDI Policy or Human Rights Policy to the Human Rights Department of the Board, to be dealt with in a manner which is independent from the Trustees. Such Policies shall include timelines which are in accordance with the Ontario Human Rights Code, R.S.O. 1990, c. H.19 for the bringing of such complaints, and shall provide for an independent investigation of the Complaint by the Human Rights Department of the Board and a formal Report and Recommendations, if any, to be issued to the Trustees. The Trustees shall impose such sanctions, if any, as the Trustees may feel appropriate and consistent with the sanctions prescribed by the Trustees Code of Conduct.

An overarching HWDSB Human Rights policy and associated procedures will support all members of the HWDSB community with understanding their human rights, their roles and responsibilities as well as establish a process for a clear, fair, consistent and effective mechanism to receiving and resolve complaints of code-based discrimination and harassment.

On motion of Trustee Buck, the Policy Committee **RECOMMENDS** that the **Human Rights Scoping Report** be **approved and that Staff move forward with creating the Human Rights Policy as a Pillar Policy.**

CARRIED UNANIMOUSLY

Respectfully submitted,
Maria Felix Miller, Chair of the Committee



Procurement

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) supports the procurement of products and services that meet the needs of students, educators, and staff while supporting the ethical, fair and transparent treatment of all suppliers of goods and services. Utilizing a central Procurement Department as a means of obtaining maximum value for each dollar spent consistent with the educational goals of the Board.

Procurement staff shall adhere to the procurement ethics established by the Ontario Public Buyers Association (OPBA) and Universal Public Purchasing Certification Council (UPPCC) in respect of all procurement processes. The Board adheres to, and insists upon adherence to, a strict ethical standard in all of its purchasing acquisitions by all bidders and vendors.

This procurement policy applies to all employees, Board of Trustees, and School Council members involved in the procurement of goods and services. This policy applies to all goods/services acquired using HWDSB budgets, school generated funds, school council funds, donations or any other funds generated on behalf of the HWDSB.

GUIDING PRINCIPLES:

Procurement procedures support the overall goals, priorities, strategic directions and accountability measures established by the Board:

- To procure by purchase or rental, the required quality and quantity of goods and services in an efficient, safe and cost-effective manner.
- To establish, when possible, standards for goods and services, ensure an acceptable level of quality for the system, promote work performed by qualified tradespeople, and promote efficiencies with respect to cost and service.
- To encourage open competitive bidding amongst qualified and compliant suppliers, through a fair and transparent process in respect of the acquisition and disposal of goods and services, where practical or legally mandated.
- To consider all costs (including acquisition, operating and disposal costs), in evaluating bid submissions from vendors.
- To not base a decision solely on the lowest bid price and consider other factors, where appropriate in evaluating bid submissions, such as, but not limited to, availability, supplier qualification and supplier's commitment to fair business practices.
- To operate a centralized purchasing program for the purchase of goods and services through the Procurement and Risk Management Department of the Business Services Department.



Procurement

Date Approved: XXXX

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- To encourage cooperative procurement activities with other Ontario public organizations with a focus on our Hamilton-Wentworth educational partners
- To purchase products and services which take into account environmental, health and safety factors, and will not knowingly purchase goods and/or services from manufacturers who operate in contravention of local and international labour law and standards.
- To ensure compliance with appropriate regulatory bodies including but not limited to the Broader Publics Sector Procurement Directive (BPS), Education Act, Canada-European Union Comprehensive Economic and Trade Agreement (CETA) and Canadian *Free Trade Agreement (CFTA)*

INTENDED OUTCOMES:

The intended outcomes of the Procurement Policy are to:

- Obtain the maximum value for each dollar spent consistent with the educational goals of the Board and to provide a procurement service that meets the needs of students, educators, and staff.
- Establish standards for goods and services to ensure an acceptable level of quality for the system, and to promote efficiencies with respect to cost and service.
- Establish appropriate budget controls and procurement approval processes that ensure fiscal responsibility
- Maintain a procurement process that is fair, open and transparent when acquiring goods and services from suppliers

RESPONSIBILITY:

Director of Education

Associate Director, Support Services and Treasurer

*Subject to the Education Act statutes, only the Director of Education or the Associate Director, Support Services and Treasurer can contractually bind the Board. Only with written expressed consent may the named individuals above delegate the authority to contractually bind the Board. The Associate Director, Support Services has overall responsibility for administering this policy, supported by the Manager of Procurement and Risk Services. Any contract signed by a Board employee, who is not authorized to enter into a contract, will be considered an obligation of the person signing the contract and not an obligation of the Board.



Procurement

Date Approved: XXXX

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TERMINOLOGY:

Board: refers to Hamilton-Wentworth District School Board

Broader Public Sector (BPS) Procurement Directive: The Directive applies to all designated broader public sector organizations as provided for under Section 12 of the *Broader Public Sector Accountability Act 2010*. The purpose of the directive is to ensure that publicly funded goods and services, including construction, consulting services, and information technology is acquired by BPS organizations through a process that is open, fair and transparent; outlines responsibilities of BPS organizations throughout each stage of the procurement process; and ensures that procurement processes are managed consistently throughout the BPS.

Canadian Free Trade Agreement (CFTA) is an inter-governmental trade agreement regulating trade within Canada. It took effect on July 1, 2017.

Comprehensive and Economic Trade Agreement (or CETA): refers to a trade deal between the European Union and Canada.

Education Act: refers to the main piece of legislation, or “statute”, governing public education in Ontario.

ACTION REQUIRED:

Procedures and a centralized procurement department will be in place to operationalize this policy under the requirements of legislation, BPS and trade agreements. Board procedures will support an ethical procurement of products and services that meet the needs of students, educators, and staff while supporting a fair and transparent treatment of all suppliers.

PROGRESS INDICATORS:

Successful procurement processes will ensure timely, cost effective, transparent acquisition of goods and services that aligns with the educational goals of the Board and fair business principles.



Procurement

Date Approved: XXXX

Projected Review Date: XXXX

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Intended Outcome	Assessment
Obtain the maximum value for each dollar spent consistent with the educational goals of the Board-and to provide a procurement service that meets the needs of students, educators, and staff.	Exhibit the prudent and transparent use of the Board's financial resources through quarterly interim financial reporting and annual audited financial statements.
Establish standards for goods and services to ensure an acceptable level of quality for the system, and to promote efficiencies with respect to cost and service.	Appropriate application of Procurement Policy, Procedure and compliance to mandated Ministry legislation and collaborative purchasing through various cooperative opportunities.
Establish appropriate budget controls and procurement approval processes that ensure fiscal responsibility	Ensuring purchases are made within budget allotments and that only authorized staff approve purchases.
Maintain a procurement process that is fair, open and transparent when acquiring goods and services from suppliers.	Show that procurement processes are managed consistently and provide feedback to suppliers when requested.

REFERENCES:

Government Documents

Broader Public Sector Accountability Act 2010 (BPS)

Education Act

Canada-European Union Comprehensive Economic and Trade Agreement (*CETA*)

Canadian Free Trade Agreement (*CFTA*)

HWDSB Policies

Employee Expense

School Generated Funds

Excursions

Nutrition



Recruitment and Selection

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) strives to attract a diverse and qualified workforce to support the achievement of its strategic Annual Plan, Equity Action Plan and Workplace Equity Action Plan. The Board is committed to creating and sustaining an inclusive, caring and safe learning and working environment through recruitment and promotion practices that are consistent, equitable, transparent, free from discrimination and that support the Board's mission, vision and values.

GUIDING PRINCIPLES:

This policy applies to all candidates and staff members for any position of employment with the Hamilton-Wentworth District School Board. HWDSB believes in:

- Establishing and maintaining discrimination free environments.
- Maintaining the highest level of ethical and professional standards.
- Developing a workforce that is representative of the diversity of the student body in the Hamilton-Wentworth community. This may include the development of a Special Programs recruitment strategy available through the Human Rights Code.
- Recruiting and hiring skilled and qualified employees to support student achievement.
- Exercise due diligence throughout the hiring process to align with all legislated requirements and the provisions of the collective agreements, where applicable.
- Provide a bias free, Equitable, fair and transparent interview process for all job competitions
- Providing support and training to staff who are involved in the hiring process.

INTENDED OUTCOMES:

The Board will endeavor to continuously improve removing barriers for all applicants applying to job vacancies with the HWDSB will:

- Make every effort to identify and remove discriminatory biases and systemic barriers that may limit the opportunities of individuals for employment, mentoring, retention, promotion, and succession planning in all Board and school positions, including those groups that have traditionally been and/or are currently marginalized within our society.
- Implement strategies to attract and retain a staff that reflects the diversity within the region and that is capable of understanding and responding to the experiences of the diverse communities within the Board's jurisdiction.
- Ensure the Boards hiring practices align with all mandated legislative requirements.



Recruitment and Selection

Date Approved: XXXX

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- Provide and maintain a safe and secure working and learning environment.

RESPONSIBILITY:

Director of Education
 Superintendent of Human Resource Services
 Members of Executive Council

TERMINOLOGY:

Accommodation: A reasonable modification or adjustment to a job, the work environment or the hiring process based on individual personal circumstance.

Applicant: A person who applies to a vacant position.

Candidate: An applicant who is engaged in the selection process for a position. This may include an existing employee or external applicant.

Conflict of Interest: A potential, apparent, or actual conflict where an employee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the Board, or with the participation in any recommendation or decision pertaining to hiring within the Board.

Conflict of Interest – Relationship: Relationship means any relationship of the employee to persons of their immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Employee: Full-time or part-time employees of the School Board involved in hiring.

Equity: A condition or state of fair, inclusive and respectful treatment of all people. It does not mean treating people the same without regard for individual differences.

Qualifications and Merit: Adhering to qualifications pursuant to Regulation 298, "Operations of Schools General", and valuing applicants additional experiences such as; skills, background, lived experience and work experiences including foreign-trained experience.

Special Programs: The Ontario Human Rights Code enables organizations to create temporary special measures, referred to as "special programs", to address the effects of systemic discrimination. Special programs help to promote substantive equality by creating opportunities for people and groups who



Recruitment and Selection

Date Approved: XXXX

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face disadvantage and discrimination. Where people from specific marginalized communities are demonstrably under-represented in a board’s workforce, well-designed special programs can allow boards to preferentially hire people from these communities. Such programs are expressly protected under the Code.

ACTION REQUIRED:

Recruit for prospective staff who are qualified and meet the specific qualifications for each position using a bias free, consistent, inclusive, equitable and transparent recruitment practices. Assist qualified staff from diverse backgrounds to acquire relevant employment experiences by providing appropriate learning opportunities when possible (e.g. job coaching).

PROGRESS INDICATORS:

Intended Outcome	Assessment
Identify and remove discriminatory biases and systemic barriers that may limit the opportunities of individuals for employment.	Continue to implement the HWDSB Equity Action Plan and Workplace Equity Action Plan.
Implement strategies to attract and retain a staff that reflects the diversity within the region.	<p>Conduct ongoing research regarding HWDSB demographics to better inform recruiting and hiring practices.</p> <p>Community outreach to inform members from our diverse community about career opportunities in education to address current and emerging staffing needs and attract applicants that represent our student population.</p> <p>All candidates selected for interview meet the educational, skill and experience qualifications/merit required for the advertised position.</p>
Meet mandated legislative requirements.	<p>Continue to ensure all mandated legislative requirements are reflected in the Boards Procedures.</p> <p>Implement the Workplace Equity Audit hiring recommendations as outlined in the Workplace Equity Audit.</p>

Recruitment and Selection

Date Approved: XXXX

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	<p>Implement recommendations related to the Ministry of Education Policy/Program Memorandum No. 165</p> <p>The recruitment process is applied consistently to all potential candidates.</p> <p>Hiring supervisors receive appropriate training and tools for leading a fair and equitable hiring process.</p> <p>Staff who participate on interviewing panels receive appropriate training and tools for participating in the hiring process.</p>
<p>Provide and maintain a safe and secure working and learning environment to protect all students and staff from exposure to harmful risk.</p>	<p>All criminal background checks and vulnerable sector screenings are reviewed and meet HWDSB requirements.</p>

REFERENCES:

Government Documents

- Canadian Charter of Rights and Freedoms
- Child and Family Services Act
- Criminal Code of Canada
- Education Act
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health & Safety Act
- Ontario Human Rights Code
- Police Services Act
- Youth Criminal Justice Act
- Accessibility for Ontarians with Disabilities Act
- Ministry of Education Policy/Program Memorandum No. 165

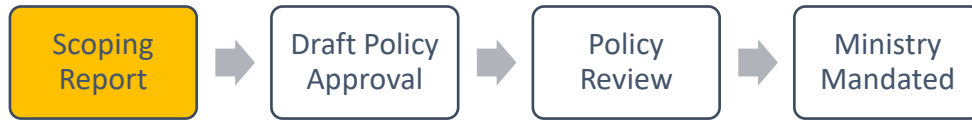
HWDSB Policies

- Integrated Accessibility Standards 1.4
- Occupational Health and Safety Policy 4.3
- Equity and Inclusion Policy 5.4

Subject: Human Rights Policy

Executive Council Member Responsible: Manny Figueiredo, Director of Education

Does an Act or Regulation require HWDSB to develop the proposed policy? No



ISSUE

HWDSB currently has a number of policies and related procedures that include elements of human rights tenants such as the Equity and Inclusion Policy 5.4, the Workplace Violence and Harassment Prevention Policy 4.9, and the Accommodation of Staff Policy 4.1.

These policies, however, do not specifically address human rights concerns and do not define a clear and consistent human rights complaints process in a manner that is accessible, consistent and clear to everyone.

A human rights policy and associated procedures would serve as an anchor to related policies and further HWDSB’s commitment to a learning and work environment that is safe, inclusive and free from discrimination, bias and harassment.

BACKGROUND

Under the Ontario Human Rights Code, HWDSB is responsible for ensuring that learning and work environments are safe, inclusive and free from discrimination, bias and harassment.

HWDSB’s [Equity Action Plan](#), a key element of the board’s Positive Culture and Well-being strategic priority, commits to develop safe and inclusive reporting structures by:

- Assessing discrimination and harassment reporting policies, procedures and processes;
- Improving and/or establishing processes that enable students and staff to safely report incidents of code-based discrimination and harassment; and
- Exploring the need for a human rights policy and procedure to support and improve protocols used in handling code-based complaints and allegations.

From a variety of reviews conducted as well as recent investigations, it can be inferred that staff, students, families and other stakeholders may not find it easy to navigate the system, nor understand the process of reporting and resolving incidents. For example,

the Safe School Review on Bullying Prevention and Intervention has reported that there is a lack of clarity in reporting, transparency and accountability and emphasizes the need to create a reporting structure that supports students and families who may not feel safe or comfortable following the traditional approach of [addressing concerns](#). In addition, the recent third-party investigation into alleged trustee code of conduct breaches put forth two recommendations regarding human rights policy and procedure:

Recommendation 8: *That by June 30, 2021, the Board shall create a comprehensive EDI Policy and Human Rights Policy for the Board, which shall be distributed to all Trustees on an annual basis.*

Recommendation 11: *That by August 1, 2021, the Board shall create a formal Complaint and Investigations Policy and Procedure for bringing Code of Conduct complaints, which allege a breach of the Board's EDI Policy or Human Rights Policy to the Human Rights Department of the Board, to be dealt with in a manner which is independent from the Trustees. Such Policies shall include timelines which are in accordance with the Ontario Human Rights Code, R.S.O. 1990, c. H.19 for the bringing of such complaints, and shall provide for an independent investigation of the Complaint by the Human Rights Department of the Board and a formal Report and Recommendations, if any, to be issued to the Trustees. The Trustees shall impose such sanctions, if any, as the Trustees may feel appropriate and consistent with the sanctions prescribed by the Trustees Code of Conduct.*

On February 3, 2021, the HWDSB Board of Trustees adopted all recommendations from the independent trustee code of conduct review.

An overarching HWDSB Human Rights policy and associated procedures will support all members of the HWDSB community with understanding their human rights, their roles and responsibilities as well as establish a process for a clear, fair, consistent and effective mechanism to receiving and resolve complaints of code-based discrimination and harassment.

CONSIDERATIONS

An HWDSB Human Rights policy development process would include:

1. Legislative framework:

- The United Nations Declaration of Human Rights
- The United Nations Declaration on the Rights of Indigenous Peoples
- The United Nations Convention on the Rights of the Child
- The Ontario Human Rights Code

- The Anti-Racism Act, 2017
 - Accessibility for Ontarians with Disabilities Act
 - Occupational Health and Safety Act
 - The Truth and Reconciliation Commission of Canada's Report and Calls to Action
 - Education Act
 - Related ministry Policy/Procedure Memoranda
2. HWDSB's commitment: A statement demonstrating HWDSB's commitment to fostering and maintaining a culture of human rights that permeates in all HWDSB learning and work environments.
 3. Objectives: The policy would serve as a guide to ensure that human rights is embedded in all HWDSB policies and procedures, sets direction and defines roles and responsibilities of all stakeholders in HWDSB, supports human rights and identity-based data collection to identify gaps and trends; and creates a clear and consistent structure for human rights concerns to be brought forward and resolved in a timely manner using culturally responsive approaches.
 4. Application of the policy: The policy would apply to all members of the HWDSB community including, but not limited to, trustees, committee members, staff, students, parents/guardians, permit holders, vendors, service providers, contractors, volunteers, visitors and all other persons who are invited to, work at, or attend Board and school events.
 5. Protected grounds: The policy would list and explain all protected grounds
 6. Intersectional, anti-colonial, anti-oppressive, anti-racist frameworks and acknowledgement of historical and ongoing systemic discrimination and oppression including, but not limited to colonialism, racism, ableism, sexism, homophobia, biphobia, transphobia, classism, islamophobia, antisemitism and other forms of oppressions and discrimination.
 7. Community engagement and consultations- students, trustees, staff, parents/guardians/caregivers, unions, community partners, diverse communities that experience discrimination due to abilities, race, gender, sexual orientation, ancestry, ethnicity, religion, economic status and other code grounds.
 8. Application of Indigenous Cultural Safety by consulting and engaging in a meaningful way with HWDSB Indigenous team and the local Indigenous communities.
 9. Review and alignment with related HWDSB policies, employee collective agreement and terms and conditions, the Ontario Human Rights Commission policies and

guidelines, as well as promising practices from other school boards, the Ministry of Education/Equity Secretariat.

RECOMMENDATION(S)

Staff recommends the development of an HWDSB Human Rights policy that includes:

- Services for students, families and community members
- Employment and workplaces (all employees)
- Other members of the HWDSB community including volunteers, permit holders, vendors, service providers, contractors, volunteers, visitors

In addition, staff recommends reviewing the following related policies and associated procedures for consistency and alignment with a new Human Rights policy:

- Equity and Inclusion Policy 5.4,
- Workplace Violence and Harassment Prevention Policy 4.9,
- Staff Accommodation Policy 4.1

References:

[A Policy Primer: Guide to developing human rights policies and procedures, OHRC](#)

[Guide to your rights and responsibilities under the Human Rights Code](#)

[HWDSB Equity Action Plan](#)

[HWDSB Policy- Accommodation for Staff](#)

[HWDSB Policy- Workplace Violence and Harassment Prevention](#)

[HWDSB Policy- Equity and Inclusion](#)

COMMITTEE REPORT

Presented to: Board

Date of Meeting: April 19, 2021

From: Program Committee

Date of Meeting: April 6, 2021

The committee held a meeting through MS TEAMS from 5:31 p.m. to 8:12 p.m. on April 6, 2021 with Trustee Becky Buck presiding.

Members virtually present were: Trustee Kathy Archer, Becky Buck, Dawn Danko, Penny Deathe and Maria Felix Miller. Also, in Attendance: Trustee Alex Johnstone.

MONITORING ITEM:**A. Safe Schools Action Plan**

Staff presented the Report highlighting that the Recommendations and Action Steps within the Panel's Report align with the Positive Culture and Well-Being focus in the Board Annual Plan. It was shared that we must have places where everyone belongs and everyone achieves.

In the report it states that Hamilton-Wentworth District School Board is committed to responding to the voices of students, parents/guardians/caregivers, staff and community as shared within that report. This means:

- a relentless focus on building positive and inclusive cultures in all classrooms and schools – a place where everyone belongs, everyone is safe and everyone achieves;
- creating learning environments where student identity and voice are centered – students' lived experiences are honoured and an essential part of learning;
- relationships are positive, supportive, caring and kind;
- creating structures to gather, listen and respond to student voice – student voice must inform school and board plans;
- safety is paramount and incidents of bullying are addressed with active involvement of students and families – this includes the student who experiences bullying, the student who displays bullying behavior and the student who witnesses bullying.

We will do this by:

- being transparent with students, parents/guardians/caregivers, staff and community – Implementation Plans, Outcomes Measures and Timelines related to the Safe Schools Action Plan, will be shared and updated regularly;
- creating structures to ensure student, parent/guardian/caregiver, staff and community voice inform school and board plans and that these plans are publicly shared and reported on;
- improved engagement with attention to working with those impacted by decisions;
- building relationships and trust through our actions – listening and responding and
- being accountable at the school and system-level for improvement in student safety and well-being.

Staff walked Trustees through the Board Annual Plan noting that there is a three-phase approach and the immediate action plan recommendations will be addressed in Phase One and some will be addressed in Phase One as well as Phase Two. The timelines for the three phases are:

Phase 1	March, 2021 to August, 2021
Phase 2	September, 2021 to August, 2022
Phase 3	September, 2022 to August, 2023

Staff shared that they will be working on these immediate actions first:

- Reflect upon findings and recommendations and share widely
- Create lead staff position
- Coordinate efforts – align with other student well-being initiatives and work such as, Equity Action Plan and Mental Health Strategy
- Make a commitment – develop commitment statement, establish core organizational values, establish timelines and clear, measurable outcomes
- Ensure specialized supports for students affected by bullying.
- Increase supervision outside of the classroom – pursue creative solutions
- Collect and widely report school-level data on bullying
- Design and distribute bullying awareness materials
- Form a high-level steering committee with wide representation to oversee implementation
- Develop a community-led, independent committee to advise on implementation at the highest level

It was noted that regular updates will be coming to Trustees.

The Program Committee unanimously consented to receive the Safe Schools Action Plan.

B. 21st Century Learning Update: Remote Learning

Staff presented the 21st Century Learning Update: Remote Learning. It was noted that remote learning is broken down into three parts:

- 1) 2020-21 Remote Learning Update
- 2) Learning from Remote Learning in 2020-21
- 3) Planning for 2021-22

There was discussion of the device strategy and having equity of access. One to one devices were provided to Secondary students and device kits were provided to students in grades 4-8. The board did have a good number of devices to draw from. Staff had to decide on a standard learning platform and the Hub and MS Teams were brought together into one learning platform for students. In March 2021 a parent survey was conducted with 2400 respondents and it was learned that a good number of families would like to have remote learning continue. Staff shared that they will have consistency of platforms however, connectedness does pose some challenges. In planning for next year staff are considering a change in model for elementary remote learning and are considering a dual track model where students participate both in person and remote. Support for students will be provided by staff at the school, and students will have opportunities of connecting with fellow students on excursions and at student assemblies. Secondary school will have e-learning. In answer to a question staff shared that Trustees will be updated as more details are received about independent learning versus our options of remote and e-learning. The dual model would not require separate funding as this model would allow us to have staff and students in schools while learning remotely. Currently one transition period exists in the dual model however there can always be flexibility due to extenuating circumstances.

Trustee Johnstone suggested that a letter be written by the Chair to Public Health noting that in the absence of more aggressive and proactive public health leadership from the province, it is the responsibility of Hamilton Public Health to determine if COVID-19 conditions should warrant the closing or opening of Hamilton schools. It is the responsibility of HWDSB to act on determinations made by HPH to ensure the safety and well-being of all students and staff. And in the spirit of transparency and accountability, request that Hamilton Public Health provide formal, written correspondence regarding what conditions would prompt them to enact Section 22 of the Health Protection and Promotion Act and close our buildings. Further, that HPH provides specific details on how frontline education workers receive the vaccination and if this will factor into the decision to close or open schools.

Additional sentiments from committee members also highlighted concerns about school closures and that trustees were concerned about what another move to remote learning would mean for the mental and physical health of our students. The hope was that HPH along with the province would opt for other measures and keep school buildings open.

It was also requested that the Chair articulate the same concerns and questions to the Government of Ontario, the Minister of Education and Ontario's Chief Medical Officer of Health.

There was unanimous consent from the Program Committee members to ask that the Chair send a written letter to Public Health as well as Ministry leads as noted above.

C. Student Learning and Achievement Update

Staff updated Trustees on the Progress Report from Semester 2 Interim Report. It is consistent with Semester 1 when students had difficulty at the beginning of the semester but progress well by the end of the semester. This is often related to attendance issues or handing in assignments late. Parents/guardians are contacted and a plan is put in place to support the student in moving forward in a positive direction. Staff outlined the student success supports that are in place. Secondary teachers are making the adjustments to courses to support students in being successful. It was also noted that social work referrals were high in the Fall however, they have now levelled off. Further updates will be coming to Trustees in June.

Respectfully submitted,
Becky Buck, Chair of the Committee

13-1
Committee Report

Presented to: Board

Meeting Date: April 19, 2021

From: Special Education Advisory Committee (SEAC)

Meeting date: March 31, 2021

The Committee held a meeting on Wednesday, March 31, 2021 beginning at 5:38 pm ending at 7:57 pm, with Vice-Chair Mark Courtepatte presiding.

Members present were Cecile Santos-Ayrault, Association for Bright Children of Ontario, Judy Colantino, SEAC Chair, Down Syndrome Association of Hamilton, Lindsay Bray, McMaster Children's Hospital Developmental Pediatrics and Rehabilitation Portfolio, Lita Barrie, VOICE for Hearing Impaired Children, Lorraine Sayles, Children's Aid Society of Hamilton Lynn Vanderbrug, Lynwood Charlton Centre, Mark Courtepatte, Vice Chair, FASD Parent & Caregiver Support Group, Michelle Campbell, Autism Ontario (Central West Chapter), Penny Deathe, Trustee Ward 15, Susi Owen, CNIB Hamilton and Niagara, Tracy Sherriff, Community Living Hamilton, Maureen Pangan, Learning Disabilities Association of Halton-Hamilton

Regrets: Alex Johnstone, Trustee Wards 11 & 12, Alyson Kowalchuk P.A.L.S. Parent Advocacy Learning Support Group, Jessica Malcew, VOICE for Hearing Impaired Children (Alternate), Rebecca Hill, COPE 527 (Alternate)

ACTION ITEM

On the motion of Susi Owen, seconded by Lita Barrie, the Committee recommends that HWDSB Board of Trustees send a letter to the Ministry of Education supporting Durham District School Board's letter dated February 9, 2021, regarding online learning supports and universal design for learning

INFORMATION ITEMS

a) Greetings from Chair of the Board, Dawn Danko

Chair Danko brought greetings on behalf of the Board of Trustees

b) 2021-2022 Board Annual Plan

Manny Figueiredo, Director of Education presented an overview of Positive Culture & Well Being and Student Learning & Achievement Goals

c) Budget Update

Denise Dawson, Senior Manager of Business Services presented an overview of budget priorities

MEMBERS' UPDATE

a) Trustees

Penny Deathe, Trustee Ward 15

- Received third party governance action plan <https://www.hwdsb.on.ca/about/trustees/governance-action-plan/>
- Trustee Johnstone is meeting with OPSBA regarding remote learning – more information to come
- Secondary graduations will occur with walk/drive through model

b) Local Association Representatives

Mark Courtepatte, Vice Chair, FASD Parent & Caregiver Support Group

- On March 10, 2021 Minister Smith MCCSS announced a further \$2.8 million annual funding for 12 new FASD diagnostic clinics
- FASD Webinar Series "Together towards a Better Tomorrow". We had 5 world class FASD experts presenting. We had a high number of registered attendees. The links for the webinar recordings are on our website, training tab. https://www.hamiltonfasdsupport.ca/?page_id=31

Judy Colantino, SEAC Chair, Down Syndrome Association of Hamilton

- March 21 was World Down Syndrome Day – HWDSB students celebrated with "Rock Your Socks" events

Michelle Campbell, Autism Ontario (Central West Chapter)

- April 2nd is World Autism Awareness Day. A swag bag drive through will be held at the Education Centre on April 17th

SUPERINTENDENT'S UPDATE

Peggy Blair, Superintendent of Specialized Services

- Received funding from Ministry of Education to offer summer learning opportunities. A variety of programs will be offered this summer
- An Education Community Partnership Program has closed; staff are working with Ministry of Education to determine if the existing program funding would be available to develop programs with a community partner
- A brief overview of the regulatory requirements for SEAC was presented

Respectfully submitted by Judy Colantino, Chair of SEAC



Durham District School Board
400 Taunton Road East
Whitby, Ontario L1R 2K6
Ph: 905-666-5500
1-800-265-3968
ddsb.ca

February 9, 2021

The Honorable Stephen Lecce
Minister of Education
315 Front Street West, 14th Floor
Toronto ON M7A 0B8

Dear Minister Lecce:

Re: On-Line Learning Supports/ Universal Design for Learning

As staff and students in Durham District School Board and the rest of the province pivot again to remote learning, members of SEAC would like to encourage the Ministry of Education to strengthen its commitment to Universal Design for Learning (UDL) by ensuring provincial online learning resources, and platforms used to access said resources, are accessible to all students. Further, we wish to impress upon the Ministry the urgent need to update and continue to ensure that previously-created content remains or becomes accessible.

We welcome the Ministry's November 2020 commitment to additional elementary online learning supports in their partnerships with TVO and TFO to "provide high quality remote learning resources." As these new resources are created and maintained, a commitment and focus to create accessible resources is critical for the ongoing learning of students with special needs. For instance, when videos have instructors delivering lessons with interactive whiteboards, use of developmentally-appropriate wait time should be incorporated to allow for processing. Further, Descriptive Video (DV) should be available on all videos, textual documents must be made available in an accessible PDF, and text format such as Word or HTML to ensure access and compatibility to all readers for students with vision loss or impaired vision. In the case of Closed Captioning (CC), the timing and accuracy should be improved to ensure that communication for students who are Deaf or Hard of Hearing is not impeded.

In grades 9 to 12, we recognize that E-Learning is being promoted as “it gives students more choices to customize their education based on their strengths, needs and interests.” Our concern is that courses are not maintained and contain links that are broken and resources that fail to meet today's basic accessibility standards. Some examples of this relate to the concern that captioning, transcripts and described video are often unavailable which means E-Learning is, in fact, less accessible and does not meet the strengths or needs of many of our exceptional students. This consistent review and revision could ensure that Ontario’s resources reflect the diverse students of the province and meet their respective needs.

All of the Ministry’s resources should champion UDL, and the suggestions we make are meant to be the minimum standard expected. To be a leader, the Province should make a commitment to procuring provincial access to technology which integrates accessibility and allows UDL to be more easily integrated, as well as to ensure the Province is following its own principles contained in the *Accessibility for Ontarians with Disabilities Act* (AODA). We also encourage the Province to make a broader commitment to platforms that champion accessibility and to partner with Ontarians with disabilities who have lived experience, so that those it serves play an integral part in the work being done and ensures that the Province can reach the goal of universally-accessible learning for all.

In conclusion, we stress to the Ministry that, while the resources provide students with greater options for their education, the Ministry must also ensure that these resource options are available to all students by keeping accessibility at the forefront of all planning.

Yours truly,



SEAC Chair
Durham District School Board

cc: Chairs of all Ontario Special Education Advisory Committees



Small Schools Make a Difference

March 18, 2021

The Honourable Stephen Lecce
Ministry of Education
Mowat Block, 900 Bay Street
Toronto, ON M7A 1L2

Distributed by Electronic Mail

Dear Minister Lecce:

On behalf of the Special Education Advisory Committee (SEAC) for the Superior-Greenstone District School Board (SGDSB), I am writing in support of the concerns brought forward by Durham District School Board (DDSB), regarding On-line Learning Supports and Universal Design for Learning. We agree with the statements put forward by DDSB, that a focus on creating accessible resources for the delivery of online content is critical for the ongoing learning of students with special needs.

Furthermore, we agree with the DDSB's recommendations that E-Learning courses be regularly maintained with up-to-date links and accessible resources that both reflect and meet the needs of the diverse students of the province. This supports allowing all students to have more choices in customizing their education based on their strengths, needs and interests.

We agree that a commitment by the province is necessary towards the procurement of provincial access to technology which integrates accessibility and allows UDL to be more easily integrated. This is an important step in the province's work towards achieving the goal of universally accessible learning for all.

We kindly request consideration of our suggestions outlined above to support the updating of online learning supports, E-Learning opportunities and creating accessible opportunities for all students.

Sincerely,

A handwritten signature in black ink, appearing to read 'Margaret McIntyre'.

Margaret McIntyre
Chair

cc Ontario District School Boards SEAC
Nicole Morden-Cormier, Director of Education