

REGULAR BOARD MEETING AGENDA
PUBLIC SESSION

TUESDAY, MAY 9, 2023
7:00 p.m.

A

Board Room
Chatham Regional Education Centre
476 McNaughton Avenue East, Chatham

Page Reference

1. Call to Order		
2. Approval of Agenda		
3. Traditional Territorial Acknowledgement		
4. Declaration of Conflict of Interest		
5. Approval of the Minutes of:		
a) April 25, 2023 Regular Board Meeting		3
6. Business Arising from the Minutes		
7. Motions Emanating from the Regular Board Private Session		
8. Motion that the Actions of the Regular Board Private Session be the Action of the Board		
9. Presentations:		
a) Director's Snapshots of Excellence – Director Howitt		
10. Questions from the Public		
11. Reports for Board Action:		
a) Review of the Trustee Code of Conduct and Proposed Revisions to the LKDSB Procedural By-Laws <u>Recommendation</u> "That the Board approve the review of the Trustee Code of Conduct and the revisions to Sections 1.11, 4.1, 11.1, 11.6, 11.7, 12.1, 12.3, 12.4, and 12.5 of the LKDSB Procedural By-Laws."	Chair Campbell Report B-23-68	9
b) LKDSB Policy and Regulations on <i>Occupational Health and Safety</i> <u>Recommendation</u> "That the Board approve the review of the policy and regulations on <i>Occupational Health and Safety</i> ."	Director Howitt Report B-23-69	21
12. Reports for Board Information:		
a) Indigenous Liaison Committee Report	Trustee Northmore Report B-23-70	25
b) Ontario Public School Boards' Association (OPSBA) Report	Trustee Fletcher Oral Report	
c) Special Education Advisory Committee Report	Trustee Little Report B-23-71	27
d) Student Senate Report	Student Trustees Ali/ Nemcek/Soney Report B-23-72	31

13. Correspondence
14. New Business
15. Trustee Questions
16. Notices of Motion
17. Announcements
 - a) The 2023-2024 School Year Calendar approved by Trustees at the February 14, 2023 Board Meeting has been approved by the Ministry of Education and is posted on the LKDSB website.
 - b) The next Regular Board Meeting will be held on May 23, 2023 at the Sarnia Education Centre at 7:00 p.m.
18. Adjournment

PRESENT:

Trustees: Chair Randy Campbell, Vice-Chair Janet Barnes, Jane Bryce, Greg Agar, Ruth Ann Dodman, Jack Fletcher, Malinda Little, Roberta Northmore, Angela Richards, Kelley Robertson, and David Shortt

Student Trustees: Alizah Ali and Tristan Nemcek

Staff: Director of Education John Howitt, Associate Director Brian McKay, Superintendents of Education, Angie Barrese, Gary Girardi, Ben Hazzard, Helen Lane, and Mary Mancini

Regrets: Student Trustee Kobee Soney and Public Relations Officer Heather Hughes

Recording Secretary: Jaime Shannon, Executive Assistant to the Director

Call to Order: Chair Campbell called the meeting to order at 7:00 p.m.

#2023-76 Moved by Angela Richards, seconded by Greg Agar,

Approval of the Agenda

“That the Agenda for the Regular Board Meeting of April 25, 2023 be approved.”

CARRIED.

In Memoriam Chair Campbell read an In Memoriam for an LKDSB staff member. A moment of silence was observed.

Student Trustee Ali read the Traditional Territorial Acknowledgement.

Declaration of Conflict of Interest None.

#2023-77 Moved by Jane Bryce, seconded by David Shortt,

Approval of the Minutes
Apr/11/2023

“That the Board approve the Minutes of the Regular Board Meeting of April 11, 2023.”

CARRIED.

Business Arising None.

Motions Emanating from the Regular Board Private Session None.

#2023-78 Moved by Janet Barnes, seconded by Malinda Little,

Action of the Regular Board Private Session be the Action of the Board

“That the Action of the Board in Private Session be the Action of the Board.”

CARRIED.

Presentation – Staff Superintendent Girardi introduced Tana Turner from Turner Consulting Group. He explained that Turner Consulting Group was the third party responsible for administering the Staff Census. He remarked that completion of the Staff Census, along with the completed Student Census, was one more step in the pathway to completing the Equity Audit, the data from which will be used to

help create a more welcoming and inclusive Board. He thanked the LKDSB union partners for their support throughout the process.

Tana Turner explained that the Staff Census was conducted in November 2022 and the Equity Audit has recently started. She remarked that these assessment tools are important to help the Board understand any equity issues in the workplace. She explained that the Staff Census helped discover who is working in the Board and its composition, and the Equity Audit will review policies and procedures, and help with the understanding of the work environment, culture, and experience of employees. She provided Trustees with an overview of the data collected from the Staff Census and noted that graphs compared the Staff Census to the community it serves, which showed significant gaps in representation. She explained that the Equity Audit will help with understanding on how the Board got to this place, and any barriers to hiring that may be impacting these outcomes. She added that the process will also show areas of strength the Board can build on.

The Staff Census Report can be found on the [LKDSB website](#).

A Trustee remarked that she was concerned with the percentage of staff with 25 years or more of service (9%) as one may project there could be an increase in absenteeism with this group which could affect the budget, as well as the percentage of staff under thirty years of age (6%), and asked if these numbers had been taken into consideration for staffing. Director Howitt responded that there are challenges and opportunities in terms of staffing, and a potential turnover could allow the Board to correct some of the items highlighted in the Staff Census. He said they are looking to remove barriers and ensure staff is more representative of its communities. He noted there are challenges in staffing teachers as there is not a university with a faculty of education in the Board community, although the ITEP program helps local Indigenous community members become OCT qualified. He said the Board is always seeking opportunities to enhance its recruitment and retention and remarked that the communities within the Board are great to live, work, and raise a family in. Superintendent Girardi added that over the past few years it has been imperative to review policies and processes given the challenges in job sectors and more opportunities are looked for moving forward. He remarked that the Trustee's assessment of the statistics has been noted and he shared some of her thoughts as to what is potentially happening within the workforce.

A Trustee noted that Recommendation #7 states that it is recommended that the LKDSB undertake efforts to close the gaps in representation for Indigenous and racialized employees by conducting outreach recruitment, removing barriers in the hiring process, and providing needed supports for hiring and advancement, and relayed that the First Nations have advocated for a First Nations representative to sit on the hiring committee for positions relative to First Nation students and education. Superintendent Lane responded that First Nation representatives are invited to participate in interviews involving First Nations education. She added that they are most welcome to participate, and in the past they respond to the invitation quite willingly.

A Trustee asked how the recommendations will be acted upon. Director Howitt responded that the recommendations are very important and the Equity Audit will provide more detail on where the Board will go with the recommendations.

He relayed that some are addressed or alluded to in the 2022-2023 Operational Plan and will be part of the 2023-2024 Operational Plan. He stated that following-through with the recommendations is important for credibility of the Board and to help ensure there is community buy-in and future success. Tana Turner added that the results of the Equity Audit will provide a full picture of the recommendations, so she had suggested waiting until the findings of the Equity Audit were available before acting on the Staff Census recommendations.

Superintendent Girardi explained there was a conscious decision in terms of the timeline of items and remarked that it is important and necessary work, is shared work, and will make the Board a better place.

Delegations

None.

Questions from the Public

None.

#2023-79
LKDSB Policy and
Regulations on
Performance of Medical
and Physical Procedures
for Students
Report B-23-65

Director Howitt reported to Trustees that the Policy and Regulations on *Performance of Medical and Physical Procedures for Students* were being brought forth as part of the LKDSB Cyclical Review. He explained that changes are not recommended for the Policy as it continues to reflect the philosophy of the LKDSB, and the Regulations have been updated to reflect current position titles and housekeeping changes.

Director Howitt noted that the colour blue will be used when noting revisions in documents as an accommodation measure.

Moved by Jane Bryce, seconded by Kelley Robertson,

“That the Board approve the review of the Policy and revised Regulations on *Performance of Medical and Physical Procedures for Students*.”

CARRIED.

Ontario Public School
Boards' Association
Update (OPSBA)

Trustee Fletcher relayed that the OPSBA Annual General Meeting will be held on June 8, 9, and 10 in Blue Mountain Village, Ontario. He suggested Trustees review the recent email from OPSBA regarding provincial updates as significant items impactful to boards were included.

Ontario Principals' Council
(OPC) Conference Summit
on Public Education in
Canada 2023

Student Trustee Nemcek provided Trustees with his takeaways from the OPC Conference he attended in Toronto, Ontario on April 3 and 4, 2023. He relayed that the conference was on the future of education and students from across the province were invited to attend to provide student voice. He highlighted the presentations received from Yong Zhao, who presented his ideas on education systems, collaboration, and standardized testing, and Nigaan Sinclair, who presented on Indigenous Education in schools.

Staff Census
Report B-23-66

Superintendent Girardi noted that the Board Report accompanied the earlier presentation on the Staff Census.

Director Howitt relayed that the Staff Census was shared with LKDSB staff that day and would be posted on the LKDSB website the following day. He noted that it had been shared in its entirety, which is important to help people understand the direction the Board is taking and the reason its making the decisions it is.

A Trustee asked when the Equity Audit would take place. Superintendent Girardi responded that two portions will be completed shortly, the survey offered to all staff and the opportunity to participate in focus groups, and that the information will be finalized in June with a report in the beginning of the 2023-2024 school year.

A Trustee asked if the release of the Operational Plan will be delayed to ensure the information from the Equity Audit is included. Director Howitt reminded Trustees that the previous year's Operational Plan with actual outcomes is brought forth to Trustees in September and the current year's Operational Plan is brought forth to Trustees in October. He explained that the Senior Team works on the upcoming year's Operational Plan throughout the summer and the timing was intentional to help use its findings to create goals, especially in relation to the Strategic Priority of Inclusive Diversity.

Correspondence

None.

New Business

None.

Trustee Questions

A Student Trustee asked if there could be an opportunity for secondary school students to take two summer semester credits instead of one, to allow them to graduate one year early. Superintendent Mancini responded that LKDSB students are permitted to take only one summer semester credit course as the courses are intense, 110 hours over four weeks, and the Board would like to set students up for success. She noted that special permission has been given in the past to take two summer semester credit courses, but it was not successful very often. She noted that the LKDSB has one summer semester in July, but students can take a course in August through the consortium. She explained that there are many permutations that would allow a student to complete their OSSD in June or July of Grade 11, including reach-ahead credits prior to beginning Grade 9, summer semester courses, co-operative placements, and dual credit courses.

A Trustee requested that the Agenda Review Committee review the Minister's recent memorandum on *The Better Schools and Student Outcomes Act, 2023* and include it on the Board Agenda as Correspondence. She asked what the *Provincial Priorities Framework* and *Transparent and Accountable Use of Resources* will mean for the LKDSB as she feels the board is very transparent and accountable on its resources and budget. Director Howitt remarked that the Board welcomes accountability measures and there are expectations implied throughout the memorandum. He agreed that the Board is excellent in transparency. He noted that this is not the case with every board, and the Ministry has deemed it necessary to ensure this behaviour occurs everywhere. He relayed budget consultations with Board Committees were set to begin the following week.

A Trustee noted that some items in the memorandum were quite prescriptive of requirements for boards and municipalities and asked if the Director had knowledge as to how these requirements would be undertaken. She noted that she was glad to see the Ministry is thinking about excess pupil space but was not sure what it would mean for the LKDSB. Director Howitt reminded Trustees that *The Better Schools and Student Outcomes Act, 2023* is in its first reading

and not law, and there could be changes based on public input, which is due by May 16, 2023. He explained that “Upon Proclamation” means the language will have passed but will not be enacted until a specific later date and “Upon Royal Assent” means the proposed language will be immediately in effect, and it is important to read the legislation from those two places. He remarked that *School Board-Municipality Cooperation in Support of Child Care Programs* is an area of strength for the LKDSB, and Chatham-Kent Lambton Administrative Services (CLASS) has had a long-standing position dedicated to working with the municipalities on childcare. In terms of *Maximizing Capital Assets*, he noted there are LKDSB schools that share playing fields with coterminous board schools, and Trustees could consider school partnerships in the future should it be required. He relayed that *Governance and Leadership* details standardized training requirements for Trustees and Directors of Education, Trustee Conduct, and Directors of Education Performance Appraisals. He remarked that training is always welcome and shared that there have been ongoing consultations regarding the Trustee Code of Conduct, so its inclusion was not a surprise. He explained that the review of the Board’s existing Trustee Code of Conduct will be reported on at the May 9, 2023 Board Meeting to meet the current Education Act requirement for it to be reviewed every 4 years by May 15. He noted that the LKDSB has the Director’s Performance Appraisal as part of its Procedural By-Laws to ensure it is completed every year, which is not the case for other boards. In terms of *Early Integrated Planning with Municipalities*, Director Howitt relayed that the LKDSB has an ongoing involvement in planning groups with Municipalities. He noted *Teacher Oversight* detailed enabling more efficient disciplinary processes for the Ontario College of Teachers and College of Early Childhood Educators.

A Trustee referred to the minutes of the March 23, 2023 SEAC meeting, which detailed a presentation on Trauma-Sensitive Practices. He noted that everyone in the Board should have this training and asked who receives it and whether a presentation to Trustees would be beneficial. Superintendent Barrese responded that the individuals who presented to SEAC are part of the Board’s Trauma Team, which includes staff who are formally trained or have relevant life experience, and the training is available to anyone in the Board. She noted that the work is not done in isolation and Superintendent Lane and the Equity, Diversity, and Inclusion team had been included to ensure the work is done through that lens. She said that the training is primarily focused on supporting students in a school setting, but her team would be delighted to present the training to the Board. She noted that schools will often request training if there has been an incident, and members attend school staff meetings as much as possible in order to share information. She explained that prior to the pandemic, all Multi-Disciplinary Teams received trauma informed training, which is what it was called at the time, but due to staffing shortages and pandemic restrictions, it has been difficult to bring staff together. She added that the training is being completed, it is just not as uniform as it used to be, and relayed that it was scheduled as one of the workshops at the April 28, 2023 Professional Development Day. She remarked that they aim to offer as much support as they can within the parameters available. Director Howitt added that this is desirable training for staff, but it is difficult to find sufficient time for staff to complete the legislated and required training. He noted that many of the Professional Development Days are scheduled with contractual and Ministry required items, and there is a limited number of minutes that training can take place during staff meetings, so many times the training is voluntary, which does not allow for it to

be uniform. He explained that the Board is always looking for ways to try to recover from a training deficit created from the staffing shortages and pandemic restrictions.

Notices of Motion

None.

Announcements

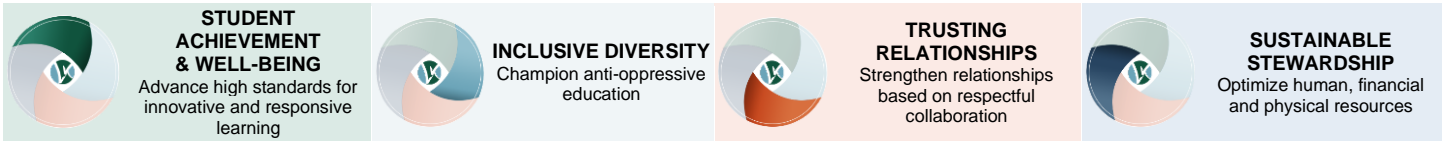
The next Regular Board Meeting will be held on Tuesday, May 9, 2023 at the Chatham Regional Education Centre at 7:00 p.m.

Adjournment

There being no further business of the Board, Chair Campbell declared the Meeting adjourned at 8:22 p.m.

Chair of the Board

Director of Education and
Secretary of the Board



FROM: Randy Campbell, Chair

DATE: May 9, 2023

SUBJECT: Review of the Trustee Code of Conduct and Proposed Revisions to the LKDSB Procedural By-Laws



Ontario Regulation 246/18 *Members of School Boards – Code of Conduct* requires every school board to review its code of conduct before May 15, 2019 and on or before May 15 in every fourth year thereafter. The next deadline to review the Trustee Code of Conduct is May 15, 2023.

At the February 14, 2023 Board Meeting it was announced that the Board was entering into a review of the Trustee Code of Conduct. Trustees were asked to provide any input to the Chair of the Board. Feedback received from Trustees was reviewed by the Chair and Vice-Chair of the Board, and the Director of Education.

The Trustee Code of Conduct can be found within the LKDSB Procedural By-Laws in Section 11 *School Board Member (Trustee) Code of Conduct for the Lambton Kent District School Board*, Section 12 *Enforcement of the Code of Conduct*, and Section 13 *Acknowledgement and Undertaking*.

During the review of the Trustee Code of Conduct, a review of the LKDSB Procedural By-Laws was undertaken.

The recommended changes to the Trustee Code of Conduct and LKDSB Procedural By-Laws can be found attached to the report.

Recommendation:

“That the Board approve the review of the Trustee Code of Conduct and the revisions to Sections 1.11, 4.1, 11.1, 11.6, 11.7, 12.1, 12.3, 12.4, and 12.5 of the LKDSB Procedural By-Laws.”

SECTION 1 INTERPRETATION

1.11 The Board's First Nation Partners shall appoint the First Nation Trustee to serve on the Lambton Kent District School Board for a four year term consistent with the term of the elected Trustees. *The First Nation Trustee shall be deemed to be an elected member of the Board as per Ontario Regulation 462/97 First Nations Representation on Boards.*

SECTION 4 ORDER OF BUSINESS FOR MEETINGS

4.1

REGULAR BOARD MEETINGS PUBLIC SESSION	BOARD MEETINGS (PRIVATE SESSION)	ORGANIZATIONAL MEETING
1. Call to Order Regrets	Call to Order Regrets	Call to Order (student performance)
2. Approval of Agenda Traditional Territorial Acknowledgement	Approval of Agenda Traditional Territorial Acknowledgement	Appointment of Scrutineers
3. Declaration of Conflict of Interest	Declaration of Conflict of Interest	Election of Chairpers
4. Approval of the Minutes	Approval of the Minutes	Election of Vice- Chairperson
5. Business Arising from the Minutes	Business Arising from the Minutes	Election of Delegate and Alternate to OPSBA
6. Actions of the Committee of the Whole Private Session		Striking Committee Retires to Select Composition of Boar Committees
7. Presentations, Delegations (10 minutes per presentation) and Public Questions	Presentations, Delegations (10 minutes per presentation)	Report of Striking Committee
8. Reports for Action: Board Committees Director Trustees Associate Director Superintendents	Reports for Action: Board Committees Director Trustees Associate Director Superintendents	Motion to destroy ballots
9. Reports for Information: Board Committees Director Trustees Associate Director Superintendents	Reports for Information: Board Committees Director Trustees Associate Director Superintendents	Appointment of Signi Officers of the Board
10. Correspondence	Correspondence	Appointment of Lega Counsel for the Boar
11. New Business	New Business	
12. Trustee Questions	Trustee Questions	
13. Notices of Motion	Notices of Motion	
14. Announcements		
15. Adjournment	Adjournment	Adjournment

SECTION 11 SCHOOL BOARD MEMBER (TRUSTEE) CODE OF CONDUCT FOR THE LAMBTON KENT DISTRICT SCHOOL BOARD

11.1 Purpose A Trustee position, [as defined in Sections 1.09, 1.10, and 1.11](#), is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.

11.2 Applications This Code of Conduct and the Enforcement Procedures apply to all Trustees of the Board, including the Chair and Vice-Chair of the Board and Student Trustees. Trustees of the Board shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board. Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students. Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner, especially when attending Board events, or while on Board property. Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to Board staff or fellow Board members. Trustees shall endeavour to participate in trustee development opportunities to enhance their ability to fulfill their obligations.

11.3 Avoidance of Personal Advantage and Conflict of Interest No Trustee shall accept a gift from any person or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence the Trustee when performing their duties to the Board. However, this does not, for example, preclude a Trustee from accepting a free ticket or admission to a charitable event or professional development event as per Lambton Kent District School Board Hospitality policy and regulation R-BU-521. A Trustee shall not use their office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated. Trustees are required to declare a conflict of interest at Board Meetings or Board Committee Meetings as per the Lambton Kent District School Board regulation on Conflict of Interest for Trustees, R-OP-446. No Trustee shall use their office to obtain employment with the Board for the Trustee or a family member

- 11.4
Compliance
with Legislation
- A Trustee of the Board shall discharge their duties in accordance with the *Education Act* and any regulations, directives or guidelines thereunder and comply with the *Municipal Freedom of Information and Protection of Privacy Act*, and any other relevant legislation. Every Trustee of the Board shall uphold the letter and spirit of this Code of Conduct. Every Trustee shall respect and understand the roles and duties of the individual Trustees, Board of Trustees, the Director of Education and the Chair of the Board.
- 11.5
Civil Behaviour
- 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.
- A Trustee of the Board shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board.
- When expressing individual views, Trustees shall respect the differing points of view of other Trustees on the Board, staff, students and the public.
- Trustees shall at all times act with decorum and shall be respectful of other Trustees of the Board, staff, students and the public.
- All Trustees of the Board shall endeavour to work with other Trustees of the Board and staff of the Board in a spirit of respect, openness, courtesy, and co-operation.
- 11.6
Respect for
Confidentiality
- Every Trustee 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, and keep confidential the substance of deliberations of a meeting closed to the public, unless required to divulge such information by law or authorized by the Board to do so.
- No Trustee shall use confidential information for either personal gain or to the detriment of the Board. Trustees shall not divulge confidential information, including personal information about an identifiable individual or information subject to solicitor-client privilege that a Trustee becomes aware of because of their position, except when required by law or authorize by the Board to do so.
- [The obligation to maintain confidentiality is in perpetuity.](#)
- 11.7
Upholding
Decisions
- All Trustees of the Board shall accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board. Each Trustee shall uphold the

implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, if permitted by the Board's Rules of Order, can be brought by a Trustee.

A Trustee should be able to explain the rationale for a resolution passed by the Board. A Trustee may respectfully state their position on a resolution provided it does not in any way undermine the implementation of the resolution.

Each Trustee shall comply with Board policies, procedures, By-Laws, and Rules of Order.

The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair of the Board or Board to do so. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board, [but sharing their own opinions](#).

SECTION 12 ENFORCEMENT OF THE CODE OF CONDUCT

12.1 Identify a Breach of [the](#) Code

A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Board. This is done through the Chair of the Board.

Any allegation of a breach of [the](#) Code must be brought to the attention of the Chair of the Board no later than six (6) weeks after the breach comes to the knowledge of the Trustee reporting the breach. Notwithstanding the foregoing, in no circumstances shall an inquiry into a breach of the Code be undertaken after the expiration of the six (6) months from the time the contravention is alleged to have occurred.

Any allegation of [a break-breach](#) of the Code ~~of Conduct~~ shall be investigated following the Informal or Formal Complaint Procedure below, as the case may be.

It is expected that whenever possible, allegations of [a break breach](#) of the Code ~~of Conduct~~ by a Trustee shall be investigated following the informal Complaint Procedure. It is recognized that from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding their

obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the Formal Complaint Procedure.

12.2
Chair/Presiding
Officer

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

When necessary, alternate Trustee(s), the past Chair and one (or two if required) Trustee(s) chosen by lot shall be chosen to be used when the circumstance warrant that one or both Trustees are needed in place of the Chair and/or Vice- Chair of the Board to carry out any of the duties required under this Code of Conduct and Enforcement. In no circumstance shall the Trustee who brought the complaint of a breach of the Code of Conduct be involved in conducting any Formal Inquiry into the complaint. Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or committee of the Board from exercising their power pursuant to s. 207(3) of the *Education Act* to *expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting*. For greater certainty, this may be done at the sole discretion of the Chair or Presiding Officer, as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code.

The Chair of the Board or Presiding Officer of any meeting of the Board or committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.

The Chair of the Board or Presiding Officer shall follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures contained in any Policy or By-Law of the Board. A breach of a rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the *Enforcement of the Code of Conduct*, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

12.3 Informal Complaint Procedure

The Chair of the Board on their own initiative, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee of the Board who is alleged to have breached the Code, to discuss the **potential** breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private.

The remedial measures may include, for example, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation *Professional Development Program for School Board Trustees*. If the Chair of the Board and the Trustee alleged to have breached this Code cannot agree on a remedy, then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the Formal Complaint Procedure below.

12.4 Formal Complaint Procedure

A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the **alleged** breach to the attention of the Board by first providing to the Chair of the Board a written, signed complaint setting out the following: (i) the name of the Trustee who is alleged to have breached the Code; (ii) the alleged breach or breaches of the Code; (iii) information as to when the **alleged** breach came to the Trustee's attention; (iv) the grounds for the belief by the Trustee that a breach of the Code has occurred; and (v) the names and contact information of any witnesses to the **alleged** breach or any other persons who have relevant information regarding the alleged breach. Except as provided below, if a written complaint is filed with the Chair of the Board then a formal inquiry shall be undertaken, unless the complainant subsequently withdraws the complaint or agrees that the complaint may be dealt with in accordance with the Informal Complaint Procedure.

In an election year for Trustees, a code of conduct complaint respecting a Trustee who is seeking re-election shall not be brought during the period commencing two months prior to election day and ending after the first Board meeting after the new term of office of the Board commences. If the Trustee accused of a breach of the Code is not re-elected, no inquiry into the alleged breach of the Code by that Trustee shall be undertaken. The

limitation period for bringing a complaint shall be extended as necessary.

The Chair of the Board shall provide to all Trustees of the Board a confidential copy of the complaint within ten (10) days of receiving it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board of Trustees for a decision as to whether or not the Trustee has breached this Code.

12.5
Refusal to
Conduct an
Inquiry

If the Chair and Vice-Chair of the Board are of the opinion that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, they shall prepare a confidential report to all Trustees of the Board Inquiry stating their opinion and rationale for it. [Should there be a Board resolution on the recommendation](#), the Trustee who is alleged to have breached the Code of Conduct shall not vote on the resolution. If the opinion is adopted by the Board of Trustees a formal inquiry shall not be conducted.

If the Chair and Vice-Chair of the Board cannot agree on the above then a full formal inquiry shall be conducted.

If an allegation of a breach of the Code of Conduct on its face is with respect to the non-compliance with a more specific Board Policy with a separate complaint procedure, the allegation shall be processed under that procedure.

12.6
Steps of Formal
Inquiry

If a formal inquiry of an allegation of a breach of the Code of Conduct is undertaken, it shall be done by the Chair and Vice-Chair of the Board, if appropriate, or any two of the Chair, Vice-Chair and the alternate Trustees, or an outside consultant chosen by the Chair and Vice-Chair.

Regardless of who undertakes the formal inquiry the following steps shall be followed.

The *Statutory Powers Procedure Act* does not apply to anything done regarding the Enforcement of this Code of Conduct. No formal trial-type hearing will be conducted.

Procedural fairness shall govern the formal inquiry. The formal inquiry will be conducted in private.

The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct.

The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations both in a private meeting with the person(s) undertaking the formal inquiry and in writing.

It is expected that the formal inquiry will be conducted within 90 calendar days of the receipt of the written response to the complaint. If a longer period of time is required to complete the inquiry, the reason for the extension shall be explained in the final report to the Board. The Trustee who is alleged to have breached the Code of Conduct shall provide a written response to the allegations within 10 days of receiving the written allegation, or such extended period of the time as the investigators deem appropriate in the circumstance.

If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in their absence.

12.6 The final report shall outline the finding of facts and a recommendation or opinion as to whether the Code of Conduct has been breached.

If the Chair and Vice-Chair of the Board when conducting the formal inquiry cannot agree on the final finding of facts, it shall be referred to an outside investigator to complete the formal inquiry.

12.7
Suspension of a
Formal Inquiry

If the investigators, when conducting the formal inquiry, discover that the subject matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another *Act*, the formal inquiry shall be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the rest of the Board of Trustees.

12.8
Decision

The final report shall be delivered to the Board of Trustees, and a decision by the Board of Trustees as to whether or not the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical after receipt of the final report by the Board.

Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter.

If the Board of Trustees determines that there has been no breach of the Code of Conduct or that a contravention occurred, although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed.

The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a complaint investigated in accordance with the Formal Complaint Procedure must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees of the Board present and voting.

Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:

- (a) the security of the property of the board;
- (b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
- (c) the acquisition or disposal of a school site;
- (d) decisions in respect of negotiations with employees of the board; or
- (e) litigation affecting the board.

The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction. The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.

The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, and shall not be required to answer any questions at that meeting.

The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction.

12.9
Sanctions

If the Board determines that the Trustee has breached the Board's Code of Conduct, the Board may impose one or more of the following sanctions:

- (a) Censure of the Trustee.
- (b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
- (c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.

The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.

A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.

The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the *Education Act* regarding absences from meetings.

12.10
Reconsideration

If the Board determines that a Trustee has breached the Board's Code of Conduct the Board shall,

- a) give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board;
- b) the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least fourteen (14) days after the notice is received by the Trustee; and
- c) consider any submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.

If the Board revokes a determination, any sanction imposed by the Board is revoked.

If the Board confirms a determination, the Board shall, within the fourteen (14) days above, confirm, vary or revoke the sanction.

If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.

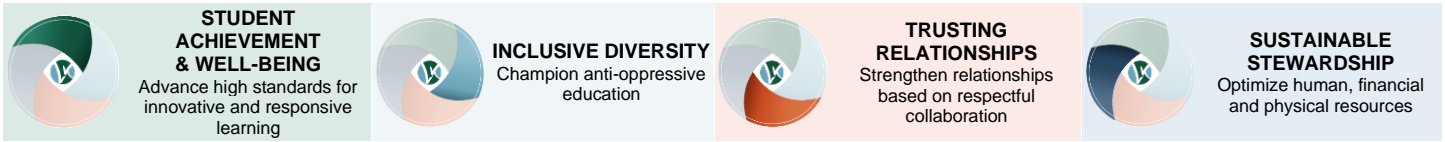
The Board decisions to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees present and voting. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination. The Board shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.

The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the deliberations and shall not be required to answer any questions at that meeting.

If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

SECTION 13 ACKNOWLEDGEMENT AND UNDERTAKING

- 13.1 Each Trustee will sign and confirm that they have read, understand and agree to abide by the Board's Code of Conduct and the Enforcement Procedures for the duration of their current elected term of office.



FROM: Director Howitt, Director of Education

DATE: May 9, 2023

SUBJECT: LKDSB Policy and Regulations on Occupational Health & Safety



The Occupational Health and Safety Act requires school boards to review their policies on health and safety annually.

The members of the Board’s Health and Safety Committees, Union Representatives, and members of the Executive Council have had an opportunity to review the documents and there were no proposed changes.

Recommendation:

“That the Board approve the review of the policy and regulations on Occupational Health and Safety.”



POLICY

SUBJECT: Occupational Health and Safety

It is the policy of the Board to strive to comply with the Occupational Health and Safety Act, and all other applicable health and safety legislation, to protect staff, students and visitors and reduce workplace injury and illness by providing a safe and healthy environment.

Implementation Date: September 25, 2001
Revised: October 28, 2008
Reviewed: May 11, 2010, May 10, 2011, January 14, 2014, February 24, 2015
Revised: September 26, 2017
Reviewed: June 7, 2022, [May 9, 2023](#)

Reference: Occupational Health and Safety Act and all applicable Federal, Provincial Health and Safety legislation and associated LKDSB Policies, Regulations and Administrative Procedures



REGULATIONS

SUBJECT: Occupational Health and Safety

The Lambton Kent District School Board recognizes that health and safety is a corporate value and is of paramount importance and is committed to the protection of its employees from workplace injury and occupational disease. The Board strives to achieve continual improvement in health and safety and expects that employees at all levels within the organization will share in this goal.

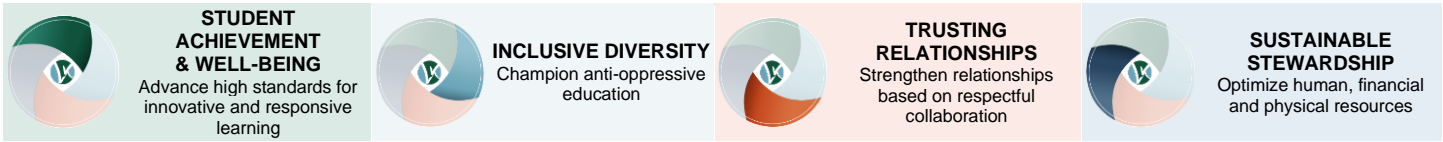
As the employer, the Board acknowledges that it is responsible for worker health and safety. Although the Occupational Health and Safety Act only pertains to workers, the Board believes that health and safety is a shared responsibility and expects that all staff, students and visitors will behave in a safe and responsible manner while on School Board Property or while participating in School Board functions.

1. The Lambton Kent District School Board takes responsibility as the employer for the health and safety of its employees.
2. Supervisors will be trained on a continual basis as appropriate and will be held accountable for the health and safety of workers under their supervision.
3. Supervisors will ensure that equipment, materials and protective devices provided by the Board are maintained in good condition, and that workers work in compliance with established safe work practices, procedures and applicable legislation.
4. Supervisors will ensure that workers receive adequate training on a continual basis as appropriate in their specific work tasks to protect their health and safety.
5. Every worker will support the Board's health and safety initiative and protect her or his own health and safety by working in compliance with the law and with safe work practices and procedures established by the Board.
6. Each worker will report to their supervisor, as soon as possible, any hazardous conditions, injury, accident or illness related to the workplace of which they have knowledge.
7. Senior Management will evaluate on an annual basis in order to measure the effectiveness of the health and safety management system, identify any improvements needed, and communicate to employees and to appropriate groups when appropriate (i.e. School Council etc.) the results of the evaluation and resulting plan for improvements.

8. The Board reserves the right to establish and enforce more stringent standards as may be considered appropriate.

Implementation Date: October 28, 2008
Reviewed: May 11, 2010, May 11, 2011, January 14, 2014, February 24, 2015
Revised: September 26, 2017
Reviewed: June 7, 2022, [May 9, 2023](#)

Reference: Occupational Health and Safety Act and all applicable Federal, Provincial Health and Safety legislation and associated LKDSB Policies, Regulations and Administrative Procedures



FROM: Roberta Northmore, Trustee

DATE: May 9, 2023

SUBJECT: Indigenous Liaison Committee Report



The April 19, 2023 meeting of the Indigenous Liaison Committee (ILC) was held at Great Lakes Secondary School with Trustee Roberta Northmore chairing the meeting.

Reports from the First Nation Communities were received:

Kettle and Stony Point First Nation

Education Director and Principal David Ennis reported there is now a Cultural Room dedicated to the development of culture and language in the community. This room has enormous potential for student learning and community engagement with the plan to bring an Indigenous perspective. The school is in the early stages of developing a program called EBS – Education Bridge Services.

Vicki Ware, Aamjiwnaang First Nation

Education Coordinator Vicki Ware reported that Chief and Council approved to welcome students in grade three at Aamjiwnaang in September so it will then become a K-3 school. The community is also involved with a project in conjunction with Sir John Moore School. The Kinoomaadziwin Education Body (KEB) regional board is holding their spring meeting on May 31st in the community.

Jolene Whiteye, Eelünaapéewi Lahkéewiit

Education Manager Jolene Whiteye reported that the community is hosting a children’s Pow Wow on May 5th at the Community Centre from 10 am – noon. There is a new Student Success Worker at Ridgetown District High School, John McGregor Secondary School and Chatham Kent Secondary School. The task force completed a review of the Post-secondary program which was sent to Chief and Council for consideration.

Trustee Roberta Northmore reported that a concern from a Student Trustee was brought forward regarding some students becoming lax when hearing the Land Acknowledgement during daily announcements. A question was asked if there could be a change in how it is delivered in schools. It was noted that if there were to be changes made, it would be decided through the ILC committee. Indigenous Lead Dallas Sinopole reported that there has been a lot of work that has been done with Elders and stakeholders with respect to what the Land Acknowledgement truly means to Indigenous people. He suggested that the Elders are brought back to the table to have further discussion.

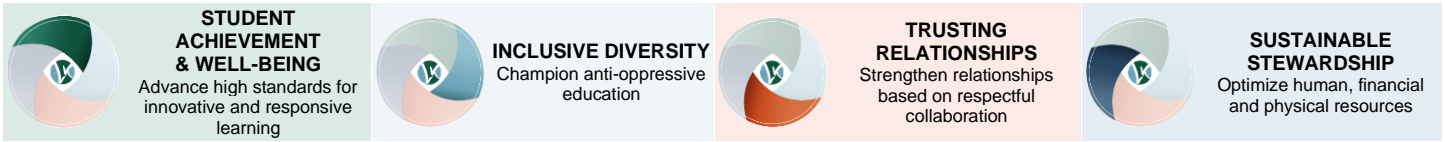
Derek Stenton, principal of Great Lakes Secondary School, Paul Beasley, principal of Naahii Ridge Public School and Rhonda Leystra, principal of North Lambton Secondary School delivered their

Indigenous student data presentations.

Superintendent Lane extended an invitation from the Board of Trustees to the four First Nation education representatives to put together a workshop for the Trustees to learn more about each community that is represented. The school board has provided the Strategic Priorities plaques to each of the First Nation communities. The first cohort of the Indigenous Teachers Education Program (ITEP) will complete their classes in July. The degrees will be conferred upon in October and there will be a graduation event for the candidates. There will also be an upcoming job posting for the ITEP coordinator.

Administrators from 50 schools submitted reports from across the district and these reports are archived on the staff portal for all LKDSB staff to be able to reference. [School Administrative Reports](#)

The next ILC meeting is tentatively scheduled on May 17, 2023, at 6:00 p.m. with the location to be determined.



FROM: Malinda Little, Trustee and Vice-Chair of the Special Education Advisory Committee

DATE: May 9, 2023

SUBJECT: Special Education Advisory Committee (SEAC) Meeting Summary (April 20, 2023)



The Special Education Advisory Committee (SEAC) of the Lambton Kent District School Board met in Room 125 at the Thames Campus of St. Clair College of Applied Arts & Technology on Thursday, April 20, 2023. Following is a report of the activities of the meeting:

Business Arising from the Minutes

There was no business arising from the meeting of March 23, 2023.

Presentation: Options Classroom

Greta Saklak, the Options Classroom Teacher, provided an overview of the Options Program which provides an alternative to students aged 18 – 21 who are capable of attaining paid employment if given extra supports in the areas of work and independent living. Two Options Program students shared information with the Committee about the importance of this program to their overall success.

Presentation: Updates from Reviews from 2021-2022 School Year

Secondary Student Support Services/Well-Being Coordinator Heather Touzin provided a brief update on the secondary ALLP Program and changes, including additional classes/teachers, planned for the Fall and said that changes, including additional classes, are also planned for the elementary panel.

Exceptional Pupil Numbers

Superintendent Barrese shared information regarding the number of exceptional pupils as of March 31, 2023. She explained the differentiation between students who are identified versus not identified and the process and timing that can be involved with the Board formally identifying a student.

PAaC on SEAC Resources

Members of SEAC reviewed some reference materials provided by the PAaC on SEAC, including a Glossary of Terms. At the Chair's request, Superintendent Barrese advised the Committee members that, at the May Meeting, the 2023-2024 budget would be presented.

Special Education Plan

The System Coordinator of Student Support Services/Well-Being outlined the Sections and Appendices of the Special Education Plan that were reviewed by the Student Support Services/Well-Being Team for the April Meeting of SEAC, and she provided the rationale for any amendments/additions or deletions that were made.

Correspondence

A tip sheet containing key messaging and information with regard to special education funding, which augments information available in the PAaC on SEAC's 'Resource Guide', was provided to the membership for their information and use.

A letter dated March 10, 2023 from the Kawartha Pine Ridge DSB (copy attached) regarding SIP Claim Funding was received, but no action was taken.

Next Meeting

Thursday, May 18, 2023

2nd Floor at Wallaceburg & District Museum, 505 King Street, Wallaceburg
(There is an elevator available.)



March 10, 2023

Honourable Stephen Lecce, Minister of Education
Ministry of Education
15th Floor, 438 University Avenue
Toronto, ON M5G 2K8

Dear Minister Lecce:

Re: Special Incidence Portion (SIP) Claim Funding

I am writing to you on behalf of the members of the Kawartha Pine Ridge District School Board (KPRDSB) Special Education Advisory Committee (SEAC) to request your consideration of an increase in the maximum per pupil SIP claim amount. Currently, the maximum per pupil funding received from the Ministry of Education is \$28,803.00, which, while very appreciated, amounts to approximately one quarter of the Education Worker salary and benefits costs to support our students with the highest needs. The remaining cost is funded through both the Special Education enveloped grants, as well as through the GSNs.

At KPRDSB, we strive to be very efficient with our resources, yet we continue to spend beyond the Special Education funding envelope by 6.7% in order to ensure that students' programming needs are met. Expenses related to supporting students continue to outpace the revenue provided, which includes the very labour-intensive SIP claims. We do not want to reduce services which some students need to be successful at school; therefore, our entire school system is put under strain because we are required to allocate revenues from other grants to meet our moral and legal obligations to students with special education needs.

We urge you and your team, Minister Lecce, to review the data which is being used to determine Special Education grants in order to assess the true costs of supporting students with special needs. Specifically, we are requesting that the maximum amount of SIP claim funding per pupil be increased to accurately reflect the costs of ensuring these students have full access to education.

We look forward to your response, and we thank you for your consideration.

Sincerely,

Angela Lloyd, SEAC Chairperson
Kawartha Pine Ridge District School Board

Trustees:

Steve Russell
(Chairperson)

Jaine Klassen Jennings
(Vice-chairperson)

Cathy Abraham
Paul Brown
Terry Brown
Sean Conway
Cyndi Dickson
Kathleen Flynn
Rose Kitney
Angela Lloyd
Diane Lloyd

Maria Mahfuz
Kelly Mitchell
(Student Trustees)

Rita Russo
Director of Education

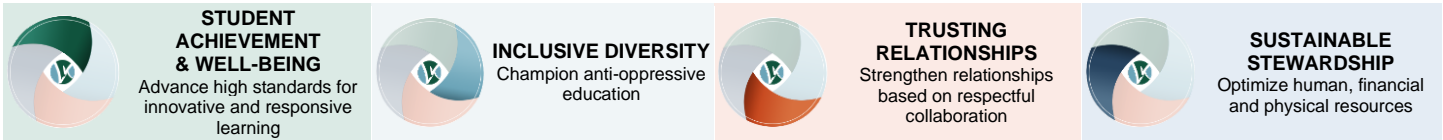
EDUCATION CENTRE
1994 Fisher Drive
Peterborough, Ontario
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(705) 742-9773
1 (877) 741-4577
Fax: (705) 742-7801

Website: www.kprschools.ca

Honourable Stephen Lecce
March 10, 2023
Page 2

Cc: Ontario Public School Boards
Chairs of all Ontario Special Advisory Committees
Ontario Public School Boards' Association (OPSBA)
Todd J. McCarthy, MPP Durham
Hon. David Piccini, MPP Northumberland - Peterborough South
Laurie Scott, MPP Haliburton – Kawartha Lakes - Brock
Dave Smith, MPP Peterborough Kawartha
Hon. Todd Smith, MPP Bay of Quinte



FROM: Alizah Ali, Tristan Nemcek, Kobee Soney, Student Trustees

DATE: May 9, 2023

SUBJECT: Student Senate



The final Student Senate meeting of the 2022-2023 school year took place on May 1, 2023. The meeting was held in-person at the Chatham Regional Education Centre and Sarnia Education Centre. Clara Veenendaal Chaired the meeting.

Associate Director McKay provided Student Senators with a presentation on the 2023-2024 Budget: Grants for Student Needs.

Director Howitt provided Student Senators with an overview of the LKDSB Student Census and the LKDSB Staff Census.

Director Howitt thanked Student Senators for their work on the Student Senate Project for the 2022-2023 school year, which had the theme of Supporting Grade 8 to 9 Transitions. A PowerPoint presentation template was completed for Secondary School Principals to fill in with their school's information so it could be shared with incoming Grade 9 students. It included information on administrative staff, school athletics, clubs and extracurriculars, advice from seniors, and important school contacts if they need support. A "Nature Walk" activity sheet was also part of the project.