



*The Niagara Catholic District School Board through  
the charisms of faith, social justice, support and leadership,  
nurtures an enriching Catholic learning community for all  
to reach their full potential and become living witnesses of Christ.*

*AGENDA AND MATERIAL*

**POLICY COMMITTEE MEETING**

**TUESDAY, NOVEMBER 26, 2019  
4:00 P.M.**

*HOLY CROSS COMMUNITY ROOM  
CATHOLIC EDUCATION CENTRE, WELLAND, ONTARIO*



- |  |   |
|--|---|
| 1. Opening Prayer – Trustee Huibers                        | - |
| 2. Attendance  | - |
| 3. Approval of Agenda                                      | - |
| 4. Declaration of Conflict of Interest                     | - |
| 5. Minutes of Policy Committee Meeting of October 22, 2019 | 5 |
| 6. Policies  |   |

Action Required

**POLICIES – FOR RECOMMENDATION TO DECEMBER 3, 2019 COMMITTEE OF THE WHOLE**

- |     |  |     |
|-----|--|-----|
| 6.1 | Catholic Leadership: Principal and Vice-Principal Selection Policy (202.2) | 6.1 |
| 6.2 | Religious Accommodation Policy (100.10.1)                                  | 6.2 |

**POLICIES – PRIOR TO VETTING**

- |     |  |     |
|-----|--|-----|
| 6.3 | Naming of a Board Facility, Designate Area or Chapel Policy (100.15) | 6.3 |
| 6.4 | Sexual Misconduct Policy (201.13)                                    | 6.4 |
| 6.5 | Employee Workplace Harassment Policy (201.7)                         | 6.5 |
| 6.6 | Employee Workplace Violence Policy (201.11)                          | 6.6 |
| 6.7 | Occupational Health and Safety Policy (201.6)                        | 6.7 |
| 6.8 | Student Use of Guide Dogs and Service Animals Policy (NEW)           | 6.8 |

Information

- |      |   |      |
|------|---|------|
| 6.9  | Policies Currently Being Vetted to January 15, 2020   | -    |
|      | <ul style="list-style-type: none"> <li>• Code of Conduct Policy (302.6.2)</li> <li>• Establishment and Cyclical Review of Policies Policy (100.5)</li> <li>• Purchasing/Supply Chain Management Policy (600.1)</li> <li>• Trustee Electronic Meetings (Board and Committees) Policy (100.8)</li> <li>• Volunteering in Catholic Schools Policy (800.9)</li> </ul> |      |
| 6.10 | Concussion Policy (303.1) – Administrative Procedures Updates   | 6.10 |
| 6.11 | Policy and Guideline Review 2019-2020 Schedule  | 6.11 |
| 7.   | Date of Next Meeting  |      |
|      | January 28, 2020 – 4:00 p.m.  |      |
| 8.   | Adjournment   | -    |

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: MINUTES OF THE POLICY COMMITTEE MEETING  
OCTOBER 22, 2019**

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**RECOMMENDATION**

**THAT** the Policy Committee approve the minutes of the Policy Committee Meeting of October 22, 2019, as presented.



## MINUTES OF THE POLICY COMMITTEE MEETING

**TUESDAY, OCTOBER 22, 2019**

Minutes of the Policy Committee Meeting held on Tuesday, October 22, 2019 at 4:00 p.m. in the Holy Cross Community Room, at the Catholic Education Centre, 427 Rice Road, Welland.

The meeting was called to order at 4:00 p.m. by Policy Committee Chair Huibers.

**1. Opening Prayer**

The meeting was opened with a prayer by Trustee Fera

**2. Attendance**

Committee Members	Present	Present Electronically	Absent	Excused
Larry Huibers (Committee Chair)	✓			
Frank Fera	✓			
Leanne Prince	✓			

**Trustees:**

*Rhianon Burkholder*

**Student Trustees:**

*Jade Bilodeau*

*Luca DiPietro*

**Staff:**

*John Crocco*, Director of Education

*Lee Ann Forsyth-Sells*, Superintendent of Education

*Frank Iannantuono*, Superintendent of Education/Human Resources

*Giancarlo Vetrone*, Superintendent of Business & Finance

*Anna Pisano*, Administrative Assistant, Corporate Services & Communications Department  
/Recording Secretary

3. **Approval of Agenda**

Moved by Trustee

**THAT** the October 22, 2019 Policy Committee Agenda be approved, as amended.

**MOVE ITEMS 6.7 TO 6.6, 6.9 TO 6.7 AND 6.6 TO 6.9**

**APPROVED**

4. **Declaration of Conflict of Interest**

No Disclosures of Interest were declared with any items on the agenda.

5. **Minutes of the Policy Committee Meeting of September 24, 2019**

Moved by Trustee Prince

**THAT** the Policy Committee approve the minutes of the Policy Committee Meeting of September 24, 2019, as presented.

**APPROVED**

6. **Policies**

***ACTION REQUIRED***

**POLICIES - FOR RECOMMENDATION TO NOVEMBER 12, 2019 COMMITTEE OF THE WHOLE MEETING**

6.1 **Employee Meals and Hospitality Policy (201.14)**

Giancarlo Vetrone, Superintendent of Business & Financial Services presented feedback received from the vetting process and highlighted recommended amendments to the Employee Meals and Hospitality Policy (201.14) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

**POLICY STATEMENT**

- No amendment

**ADMINISTRATIVE PROCEDURES**

- No amendment

Moved by Trustee Prince

**THAT** the Policy Committee recommend to the November 12, 2019 Committee of the Whole Meeting to approve the revisions to the Employee Meals and Hospitality Policy (201.14), as presented.

**APPROVED**

## **6.2 Employee Conferences, Workshops and Meetings Policy (201.15)**

Superintendent Vetrone presented feedback received from the vetting process and highlighted recommended amendments to the Employee Conferences, Workshops and Meetings Policy (201.15) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

### **POLICY STATEMENT**

- No amendment

### **ADMINISTRATIVE PROCEDURES**

- Link conference form

Moved by Trustee Prince

**THAT** the Policy Committee recommend to the November 12, 2019 Committee of the Whole Meeting to approve the revisions to the Employee Conferences, Workshops and Meetings Policy (201.15), as presented.

### **APPROVED**

## **6.3 Acceleration Retention Policy (400.5)**

Lee Ann Forsyth-Sells, Superintendent of Education presented feedback received from the vetting process and highlighted recommended amendments to the Acceleration Retention Policy (400.5) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

### **POLICY STATEMENT**

- No amendment

### **ADMINISTRATIVE PROCEDURES**

- Amend bullet 1 to “*Students may be recommended for either acceleration or retention from a number of services: parents/guardians, classroom teacher, principal and other related individuals who impact upon the child’s academic/social justice.*”

Moved by Trustee Prince

**THAT** the Policy Committee recommend to the November 12, 2019 Committee of the Whole Meeting to approve the revisions to the Acceleration Retention Policy (400.5), as presented.

### **APPROVED**

#### **6.4 Opening or Closing Exercises – Safe Schools Policy (302.6.1)**

Superintendent Forsyth-Sells presented feedback received from the vetting process and highlighted recommended amendments to the Opening or Closing Exercises – Safe Schools Policy (302.6.1) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

##### **POLICY STATEMENT**

- No amendment

##### **ADMINISTRATIVE PROCEDURES**

- No amendment

Moved by Trustee Prince

**THAT** the Policy Committee recommend to the November 12, 2019 Committee of the Whole Meeting to approve the revisions to the Opening or Closing Exercises – Safe Schools Policy (302.6.1), as presented.

##### **APPROVED**

#### **POLICIES - PRIOR TO VETTING**

#### **6.5 Establishment and Cyclical Review of Policies Policy (100.5)**

Director Crocco, presented the Establishment and Cyclical Review of Policies Policy (100.5). The Policy Committee reviewed and made two edits to the draft Authority Matrix to attach to the policy for vetting.

The Policy Committee suggested the following amendments:

##### **POLICY STATEMENT**

- No amendments

##### **ADMINISTRATIVE PROCEDURES**

- No amendments

The Policy Committee requested that the Policy, be vetted from October 23, 2019 to January 15, 2020 with a recommended deadline for presentation to the Policy Committee in January 2020, for consideration to the Committee of the Whole and Board in February 2020.

#### **6.6 Trustee Electronic Meetings (Board and Committees) Policy (100.8)**

Director Crocco, presented the Trustee Electronic Meetings (Board and Committees) Policy (100.8).

The Policy Committee suggested the following amendments:

**POLICY STATEMENT**

- No amendments

**ADMINISTRATIVE PROCEDURES**

- No amendments

The Policy Committee requested that the Policy, be vetted from October 23, 2019 to January 15, 2020 with a recommended deadline for presentation to the Policy Committee in January 2020, for consideration to the Committee of the Whole and Board in February 2020.

**6.7 Code of Conduct – Safe Schools Policy (302.6.2)**

Superintendent Forsyth-Sells presented the Code of Conduct – Safe Schools Policy (302.6.2).

The Policy Committee suggested the following amendments:

**POLICY STATEMENT**

- No amendments

**ADMINISTRATIVE PROCEDURES**

- No amendments

The Policy Committee requested that the Policy, be vetted from October 23, 2019 to January 15, 2020 with a recommended deadline for presentation to the Policy Committee in January 2020, for consideration to the Committee of the Whole and Board in February 2020.

**6.8 Purchasing/Supply Chain Management Policy (600.1)**

Superintendent Vetrone and Mark Ferri, Administrator of Purchasing Services, presented the Purchasing/Supply Chain Management Policy (600.1).

The Policy Committee suggested the following amendments:

**POLICY STATEMENT**

- No amendments

**ADMINISTRATIVE PROCEDURES**

- No amendments

The Policy Committee requested that the Policy, be vetted from October 23, 2019 to January 15, 2020 with a recommended deadline for presentation to the Policy Committee in January 2020, for consideration to the Committee of the Whole and Board in February 2020.

**6.9 Volunteering in Catholic Schools Policy (800.9)**

Frank Iannantuono, Superintendent of Education/Human Resources, presented the Volunteering in Catholic Schools Policy (800.9).

The Policy Committee suggested the following amendments:

**POLICY STATEMENT**

- No amendments

**ADMINISTRATIVE PROCEDURES**

- Bullet 1 change “no” to “not”

The Policy Committee requested that the Policy, be vetted from October 23, 2019 to January 15, 2020 with a recommended deadline for presentation to the Policy Committee in January 2020, for consideration to the Committee of the Whole and Board in February 2020.

***INFORMATION***

**6.10 Policies Currently Being Vetted to November 11, 2019**

- Catholic Leadership: Principal and Vice-Principal Selection Policy (202.2)
- Religious Accommodation Policy (100.10.1)

**6.11 Policy and Guideline Review 2018-2019 Schedule**

Director Crocco presented the Policy and Guideline Review 2018-2019 Schedule.

**7. Date of Next Meeting**

November 26, 2019 – 4:00 p.m.

**8. Adjournment**

The meeting adjourned at 5:46 p.m.



**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: FOR RECOMMENDATION TO COMMITTEE OF THE WHOLE  
CATHOLIC LEADERSHIP: PRINCIPAL AND VICE-PRINCIPAL  
SELECTION POLICY (202.2)**

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**RECOMMENDATION**

**THAT** the Policy Committee recommend to the Committee of the Whole approval of the Catholic Leadership: Principal and Vice-Principal Selection Policy (202.2), as presented.

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources  
Presented by: Frank Iannantuono, Superintendent of Education/Human Resources  
Date: November 26, 2019



Niagara Catholic District School Board  
**CATHOLIC LEADERSHIP: PRINCIPAL AND  
 VICE-PRINCIPAL SELECTION POLICY**

STATEMENT OF POLICY

200 – Human Resources

Policy No 202.2

Adopted Date: April 28, 1998

Latest Reviewed/Revised Date: February 28, 2017

In keeping with its Mission, Vision and Values, the Niagara Catholic District School believes that the realization of the goals of Catholic education requires leadership founded on faith, inspired by the Gospel, and committed to service.

For appointments to all positions of Principal and Vice-Principal with the Niagara Catholic District School Board, a candidate ~~shall~~ **will** have ~~a~~ demonstrated **a** record of promoting Catholic Education as evidenced ~~in~~ **by** one's personal faith journey, as well as an understanding of and a genuine commitment to the Board's mission and shared vision.

Individuals aspiring to Catholic leadership positions within the Niagara Catholic District School Board shall possess the qualifications required by Education Statutes and Regulations of Ontario, as well as those established by the Board. The Board will ensure that individuals appointed to positions of responsibility as Principals and Vice-Principals possess all of the qualifications, experience and necessary skills to perform this role.

Prior to the commencement of the Principal and Vice-Principal Selection process, the Director of Education will ~~consult~~ **review** and seek input from the Board of Trustees on the skill set and profile of a Catholic Principal and Vice-Principal within the Niagara Catholic District School Board.

The Director of Education will issue Administrative Procedures in support of this policy.

**References**

- [\*Bill 177, Student Achievement and School Board Governance Act, 2009\*](#)
- [\*Education Act and Regulations\*](#)
- [\*Effective Practices Guide for Principal/Vice-Principal Terms and Conditions of Employment\*](#)
- [\*Ontario Leadership Strategy\*](#)
- [\*Policy/Program Memorandum \(PPM\) No. 152 Terms and Conditions of the Employment of Principals and Vice-Principals, 2010\*](#)
- ~~[\*Reach Every Student: Energizing Ontario Education, 2008\*](#)~~



Niagara Catholic District School Board  
**CATHOLIC LEADERSHIP: PRINCIPAL AND  
VICE-PRINCIPAL SELECTION POLICY**  
ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 202.2

Adopted Date: April 28, 1998

Latest Reviewed/Revised Date: February 28, 2017

## PREAMBLE

The major objectives of the role description and the procedures outlined herein are to provide a set of clear expectations of the most competent and knowledgeable candidates aspiring to the position of Catholic Leadership ~~i.e. of a~~ Principal and Vice-Principal, while providing a clear set of procedures to be followed from application to appointment.

## ROLE OF THE PRINCIPAL/VICE-PRINCIPAL

Catholic Principals and Vice-Principals are the central figures within the leadership of the Niagara Catholic District School Board representing the mission and vision on a daily basis within each school community and on a system-wide basis.

The Principal is key to a quality Catholic school. The quality of a Principal's leadership is affected by the vision, knowledge, competence and personal qualities of the person who holds that position. The principal's leadership is a blend of educational skill, management skill and relationship-building, which is able to move others to perform well and to grow spiritually and professionally. Foremost among the attributes required must be a commitment and dedication to the mission and vision of Catholic education, and a willingness to accept responsibility from the Catholic community and to exercise Catholic leadership within this community.

Personal faith commitment is a fundamental criterion for leadership in Catholic education. This commitment will be evident in the candidate's involvement within their community and/or parish.

The Principal and Vice-Principal in the Catholic system demands a qualified educator who is a person of faith, vision, commitment and leadership. Throughout the stages of the selection process, evidence of strength in the following areas will be sought.

The Vice-Principal supports the Principal in the leadership of the school community.

## LEADERSHIP FRAMEWORK FOR CATHOLIC PRINCIPALS AND VICE-PRINCIPALS

- Catholic Faith, Community and Culture
- Setting Directions
- Building Relationships and Developing People
- Developing the Organization
- Leading the Instructional Program
- Securing Accountability

Qualifications required prior to assuming the position.

## SELECTION QUALIFICATIONS OF PRINCIPALS

Qualifications required prior to assuming the position:

1. Religious Education Qualifications  
Part III Specialist of the OECTA/OCSTA Religion course or equivalent course  
*or*  
Four full graduate courses in Theology/Christian Education toward a degree or diploma in Theology from a Catholic university.  
*or*  
Part II of the OECTA/OCSTA Religion course and two graduate courses in Theology/Christian Education toward a degree or diploma in Theology from a Catholic university.
2. Ontario School Principal's Qualifications Part I and Part II as per Ontario Regulation 184/97 under the Ontario College of Teachers' Act.
3. Part II of the Special Education qualifications as per the Ontario College of Teacher Qualifications.
4. A minimum of seven years of successful teaching and/or administrative experience preferably in Catholic education – five years as a teacher and two years in some position of responsibility in education (i.e. Vice-Principal).
5. A participating member of a Catholic community as attested by a parish priest.
6. A positive recommendation from the candidate's **current** Principal and an appropriate Superintendent of Education. **on the Application for Administrative Position form.**
7. Successful Vice-Principal Performance Appraisal (if applicable).
8. Successful completion in the Board's Leadership Program or an equivalent leadership program.

## SELECTION QUALIFICATIONS OF VICE-PRINCIPALS

Qualifications required prior to assuming the position:

1. Part II of the OECTA/OCSTA Religion course or equivalent course  
*or*  
Four full graduate courses in Theology/Christian Education toward a degree or diploma in Theology from a Catholic university.  
*or*  
Part I of the OECTA/OCSTA Religion course and two graduate courses in Theology/Christian Education toward a degree or diploma in Theology from a Catholic university.
2. Ontario School Principal's Qualifications Part I and Part II as per Ontario Regulation 184/97 under the Ontario College of Teachers' Act.
3. Part I of the Special Education Course will be required prior to assuming the position.
4. Vice-Principal candidates are required to have a minimum of five/ year's successful teaching and/or acceptable related experience in at least two different divisions (Primary, Junior, Intermediate, or Senior)

5. A positive recommendation from candidate's **current** Principal ~~and an appropriate Superintendent of Education.~~ **on the Application for Administrative Position form.**
6. A participating member of a Catholic community as attested by a parish priest.
7. Successful completion of the Leadership Identification Program or an equivalent leadership program.
8. The Administrative pools will run from the time of entry to the end of the school year in which it expires.

## NIAGARA CATHOLIC DISTRICT SCHOOL BOARD: APPLICATION PROCESS

1. A completed application form.
2. A written pastoral reference (within the current school year).
3. A one-page statement of philosophy of Catholic Education which outlines past experiences and examples of personal commitment to Catholicism.
4. The names addresses and telephone numbers of five references from the applicant's current or previous work environment.
5. A current written professional reference from the applicant's immediate supervisor or supervisor from the previous year as requested on the application form.
6. Evidence of preferred qualities/experiences/**volunteerism** relating to leadership experiences and professional growth initiatives as requested on the application form.
7. A current copy of the candidate's Ontario Certificate of Qualification (O.C.T.).
8. A copy of the applicant's most recent Performance Appraisal.
9. A copy of the applicant's Annual Growth / **Learning** Plan.

## ADVERTISING AND APPLICATIONS

1. Applications will be invited from qualified internal candidates and ~~may be invited from qualified external candidates.~~
2. Application information provided to candidates will stipulate the qualifications and all additional requirements involved in the selection process.

## SELECTION PROCESS

The following process will establish a pool of potential Principals and Vice-Principals for each of the Elementary and Secondary School Panels:

1. Applications will be invited from qualified candidates for the positions of Principal and Vice-Principal as required.
2. The Superintendent of Human Resources, in consultation with Senior Administrative Council, shall review all applications to determine which applicants shall be invited to proceed in the selection process.
3. Those applicants not selected to proceed in the selection process shall be so notified and given reasons.

4. The Niagara Catholic Leadership Identification Process (L.I.P.) will be used in the selection of potential school leaders and in the creation of a "pool" from which appointments shall be made.
5. Vice-Principal applicants invited to proceed in the selection process ~~may~~ **will** participate in a Skills Assessment Program prior to the interview.
6. Applicants who have not previously participated in a Skills Assessment Program may be required to do so prior to the interview.
7. The Interview Committee(s) shall consist of the following:
  - i. A maximum of two Superintendents of Education
  - ii. Chair of the Committee: Superintendent of Human Resources **Services**
  - iii. Two Principals (**Elementary and Secondary**)
  - iv. ~~One Vice Principal~~

Members of the Interview Committee ~~shall~~ **will** be present for all interviews.

Members of the Interview Committee will be provided with copies of the applicants' resumes and applications.

**Members of the Interview Committee will make recommendation(s) to Senior Administrative Council for Principal or Vice-Principal appointment in the respective pool.**

8. The scoring system for the selection process will be as follows:
  - i. Principal:
    - 70% Track record
    - 30 % Interview
  - ii. Vice-Principal:
    - 70% Track Record and Skills Assessment
    - 30 % Interview

Track Record will is defined as qualifications, experience, professional growth and the supervisor's recommendations based on site visit(s).

9. Senior Administrative Council will review the results of the Interview Process, Skills Assessment and Track Record information in the formulation of a recommendation to be submitted to the Director of Education **for consideration**.
10. After consideration, the Director of Education will determine the final report and ~~following consultation with the Board of Trustees (In Camera) will determine inform the Board of~~ **inform the Board (In-Camera) of** placement in the Principal and/or Vice-Principal Pool.
11. The Superintendent of Human Resources **Services** who is the chairperson for the process shall coordinate the debriefing of each candidate upon request.

## CONFLICT OF INTEREST

No individual will be involved in any part of the selection process if it is self-declared and/or deemed to be a Conflict of Interest regarding any individual submitting their name for a position with Niagara Catholic. Conflicts of Interest will be declared to either the Superintendent of Education/Human Resources **Services** or to the Director of Education who will ensure that the individual declaring the conflict of interest is not involved in any facet of the selection process.

## FORMATION OF POTENTIAL PRINCIPAL AND VICE-PRINCIPAL POOLS

Assignments to the Principal or Vice-Principal Pool will be for up to two years renewable for a second two year term at the recommendation of the Director of Education who will inform the Board.

## APPOINTMENT AND ASSIGNMENT OF PRINCIPALS AND VICE-PRINCIPALS

1. Appointments and assignments as Principal or Vice-Principal will be made by the Director of Education:
  - i. **in consultation with Senior Administrative Council,**
  - ii. **with in** consideration of the Principal Profile as submitted by the Catholic School Council, and
  - iii. **will in consultation with inform the Chair of the Board, Vice-Chair of the Board and the local Trustee(s).**

Appointments and assignments will be reported to the Board.

2. Initial appointments to the position of Principal and Vice-Principal shall be for up to a one (1) year probationary term. Subsequent to a successful Performance Appraisal at the conclusion of this term, they may be confirmed in that role.

<b>Adopted Date:</b>	<b>April 28, 1998</b>
<b>Revision History:</b>	<b>January 8, 2002 October 23, 2002 January 25, 2011 February 28, 2012 February 28, 2017</b>

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: FOR RECOMMENDATION TO COMMITTEE OF THE WHOLE  
RELIGIOUS ACCOMMODATION POLICY (100.10.1)**

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**RECOMMENDATION**

**THAT** the Policy Committee recommend to the Committee of the Whole approval of the Religious Accommodation Policy (100.10.1), as presented.

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Prepared by: Yolanda Baldasaro, Superintendent of Education  
Presented by: Yolanda Baldasaro, Superintendent of Education  
Date: November 26, 2019





Niagara Catholic District School Board  
**RELIGIOUS ACCOMMODATION POLICY**  
 STATEMENT OF POLICY

100 – Board

Policy No 100.10.1

Adopted Date: June 15, 2010

Latest Reviewed/Revised Date: June 21, 2016

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board (the Board), the Board is committed to the values of freedom of religion and freedom from discriminatory or harassing behaviours based on religion and will take all reasonable steps to provide religious accommodations within the legal rights afforded to the Catholic school system. Such accommodations will be provided to staff, students and their families.

The Board believes in the dignity of all people and their equality as children of God. The Board recognizes the importance of freedom of religion and strives to recognize, value and honour the many customs, traditions and beliefs that make up the Catholic community.

Freedom of religion is an individual right and a collective responsibility. The Board commits to work with the community it serves to foster an inclusive learning environment that promotes acceptance and protects individuals from discrimination and harassment on the basis of their religion.

The Board and its staff are committed to the elimination of discrimination as outlined in relevant Provincial and Federal legislation in a manner which is consistent with the exercise of its denominational rights under section 93 of the *Constitution Act, 1867* and as recognized in section 19 of the Ontario *Human Rights Code (the “Code”)*.

In accordance with the Catholic Church’s teachings, it is the policy of the Board to provide, in all its operations, an educational environment which promotes and supports diversity within its Catholic community as well as the equal attainment of life opportunities for all students, staff, parents and other members of that community.

The Director of Education shall issue Administrative Procedures for the implementation of this policy.

**References:**

- [Canadian Charter of Rights and Freedoms](#)
- [Constitution Act, 1867](#)
- [Education Act](#)
- [Education Act – R.R.O. 1990, Regulation 298, “Operation of School-General” s 27-29, under the heading “Religion in Schools”](#)
- [Ontario’s Equity and Inclusive Education Strategy](#)
- [Ontario Human Rights Commission – Human Rights at Work](#)
- [Ontario Human Rights Code](#)
- [Ontario Human Rights Commission – Policy on Preventing Discrimination based on Creed](#)
- [Ministry of Education - Policy/Program Memorandum No. 108](#)
- [Ministry of Education - Policy/Program Memorandum No. 119](#)
- [Ministry of Education- Policy/Program Memorandum No. 162](#)
- [Ontario Schools: Kindergarten to Grade 12: Policy and Program Requirements 2016](#)
- [Multi-Faith Manual, Canadian Multi-Faith Federation](#)
- [Niagara Catholic District School Board Policies/Procedures](#)
  - [Equity and Inclusive Education Policy \(100.10\)](#)
  - [Elementary Standardized Dress Code Policy \(Safe Schools\)\(302.6.10\)](#)
  - [Dress Code – Secondary Uniform Policy \(Safe Schools\)\(302.6.6\)](#)
  - [Opening or Closing Exercises Policy \(Safe Schools\) \(302.6.1\)](#)



Niagara Catholic District School Board  
**RELIGIOUS ACCOMMODATION POLICY**  
 ADMINISTRATIVE PROCEDURES

100 – Board

Policy No 100.10.1

Adopted Date: June 15, 2010

Latest Reviewed/Revised Date: June 21, 2016

All Niagara schools and facilities exist within a broader context of law and public policy that protect and defend human rights.

The *Canadian Charter of Rights and Freedoms* (Section 2(a) and Section 15) guarantees freedom of religion. The Ontario *Human Rights Code* (the “Code”) protects an individual’s freedom from discriminatory or harassing behaviours based on prohibited grounds. Consistent with this legislation is the *Education Act*, its Regulations and policies governing equity and inclusion in schools:

- PPM No. 108, “Opening or Closing Exercises in Public Elementary and Secondary Schools”, released on January 12, 1989;
- R.R.O. 1990, Regulation 298, “Operation of School-General” s 27-29, under the heading “Religion in Schools”; and
- PPM No. 119, “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools”, released on April 22, 2013.

The Board recognizes, and is committed to, the values of freedom of religion and freedom from discriminatory or harassing behaviour based on prohibited grounds through its Equity and Inclusive Education Policy, the Safe Schools Policy and curriculum documents. All of these will be informed by-and interpreted in accordance with the principles of the Ontario *Human Rights Code*.

This Policy reflects the Board’s fidelity to Canadian law protecting freedom of religion in accordance with the Catholic Church’s teachings.

## DEFINITIONS

### 1. Accommodation

The Ontario Human Rights Commission (“OHRC”) Policy on Preventing Discrimination based on Creed, (“OHRC Policy”) released on September 17, 2015, recognizes a duty to accommodate creed beliefs and practices.

OHRC Policy provides that service providers, such as school boards, have a legal duty to accommodate people’s creed beliefs and practices to the point of undue hardship where they are:

- Adversely affected by a standard, rule or requirement of the organization;
- Sincerely (honestly) held; and
- Connected to a creed.

For creed protections, a person’s creed belief needs only to be sincerely held. The focus is on the person’s sincerely held personal or subjective understanding of their creed. They do not need to show that their belief is an essential or obligatory element of their creed, or that it is recognized by others of the same creed (including religious officials).

Fulfilling the duty to accommodate requires that the most appropriate accommodation be determined and provided short of undue hardship. The most appropriate accommodation is the one that most:

- Respects dignity (including autonomy, comfort and confidentiality);
- Responds to a person’s individualized needs; and
- Allows for integration and full participation.

The duty to accommodate is about more than providing the most appropriate accommodation in the circumstances (the substantive component). It is also about engaging in a meaningful, good-faith process to assess needs and find appropriate solutions (the procedural component).

Everyone involved in the accommodation process has a duty to cooperate to the best of their ability. While the Board is ultimately responsible for putting in place solutions and leading the process, persons seeking accommodation must cooperate in the process.

The OHRC’s Policy also recognizes that there are limits on rights based on creed, as there are on all grounds protected under the Ontario *Human Rights Code*. Limits can, for example, arise if creed rights interfere with the human rights of others.

The duty to accommodate is an obligation that arises when requirements, factors, or qualifications, which are imposed in good faith, have an adverse impact on, or provide an unfair preference for, a group of persons based on a protected ground under the Ontario *Human Rights Code*. The duty to accommodate must be provided to the point of undue hardship. In determining whether there is undue hardship, section 24(2) of the Ontario *Human Rights Code* provides that reference should be made to the cost of accommodation, outside sources of funding, if any, and health and safety requirements, if any.

## **2. Creed**

The OHRC states that although the Ontario *Human Rights Code* does not define creed, the courts and tribunals have often referred to religious beliefs and practices. Creed may also include non-religious belief systems that, like religion, substantially influence a person’s identity, worldview and way of life. The following characteristics are relevant when considering if a belief system is a creed under the Ontario *Human Rights Code*. A creed:

- Is sincerely, freely and deeply held;
- Is integrally linked to a person’s identity, self-definition and fulfilment;
- Is a particular and comprehensive, overarching system of belief that governs one’s conduct and practices;
- Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a Creator and/or a higher or different order of existence; and
- Has some “nexus” or connection to an organization or community that professes a shared system of belief.

Creed does not include secular, moral or ethical beliefs or political convictions. This policy does not extend to religions that incite hatred or violence against other individuals or groups, or to practices and observances that purport to have a religious basis, but which contravene international human rights standards or criminal law.

## **3. Undue Hardship**

Accommodation will be provided to the point of undue hardship, set out in the provisions of the Ontario *Human Rights Code*. A determination regarding undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety. It will be based on objective evidence.

A determination that an accommodation will create undue hardship carries with it significant liability for the Board. It should be made only with the approval of the appropriate Supervisory Officer or where appropriate the Board of Trustees.

Where a determination is made that an accommodation would create undue hardship, the person requesting accommodation will be given written notice, including the reasons for the decision and the objective evidence relied upon. The accommodation seeker shall be informed of his or her recourse under the Board's Equity and Inclusive Education Policy.

Where a determination has been made that an accommodation would cause undue hardship, the Board will proceed to implement the next best accommodation short of undue hardship, or will consider phasing in the requested accommodation.

## ACCOMMODATION PROCEDURES

The Accommodation Procedures are established to ensure that all Board staff, students, parents and other members of the school community are aware of their rights and responsibilities under the Ontario *Human Rights Code* with respect to religious accommodation. It also sets out the Board's procedures for accommodation and the responsibilities of each of the parties to the accommodation process. In accordance with the Equity and Inclusive Education Strategy, the Ontario *Human Rights Code* and OHRC's *Guidelines on Developing Human Rights Policies and Procedures*, it is intended that the accommodation process, as well as the accommodation itself, be effective and respectful of the dignity of accommodation seekers.

The Board is committed to providing an environment that is inclusive and that is free of barriers based on prohibited grounds. Accommodation will be provided in accordance with the principles of dignity and inclusion. The Board will work cooperatively and in a spirit of respect, with all partners in the accommodation process.

### 1. Accommodation Based on Request

The Board will take all reasonable steps to provide accommodation to individual members of a religious group to facilitate their religious beliefs and practices. All accommodation requests will be taken seriously. No person will be penalized for making an accommodation request.

The Board will base its decision to accommodate by applying the Ontario *Human Rights Code's* criteria of undue hardship, the Board's ability to fulfill its duties under Board policies and the provisions of the *Education Act*.

When concerns related to beliefs and practices arise in schools, collaboration among school, student, family, and religious community is needed in order to develop appropriate accommodation. It is the role of the Board and its staff to ensure equity and respect for the diverse religious beliefs and practices of students and their families and other staff in the school system. However, school administrators **staff** will not be placed in the position of monitoring a student's compliance with a religious obligation, and enforcing such practices.

### 2. General Procedures for Religious Accommodation

#### 2.1 Staff

If a staff member requests a religious accommodation, the staff member is required to advise their immediate supervisor, in writing at the beginning of the school year, to the extent possible. If September notice is not feasible, the staff member should make the request as early as possible.

The absence of employees due to religious observances should be granted as determined by this policy and the appropriate collective agreement/terms and conditions/employment contract.

## **2.2 Students**

Students must present written notice from their parents/guardians specifying their accommodation needs relating to religious observances, including holy days on which they will be absent from school. This notice should be made enough in advance, preferably at the beginning of each school year, to ensure that scheduling of major evaluations, such as tests, assignments or examinations, takes into consideration the religious observances.

Student handbooks and annual parent newsletters will include information about the procedure to follow to request an accommodation for religious observances and/or holy days.

## **3. Unresolved Requests**

If an individual feels that the request has not been considered despite the Board's commitment to provide accommodation, the individual is to follow the Board's Complaint Resolution Policy (800.3).

## **4. Areas of Accommodation**

For many students and staff of the Board, there are a number of areas where the practice of their religion will result in a request for accommodation on the part of the school and/or the Board. These areas include, but are not limited to the following:

- School opening and closing exercises;
- Absence for Religious Holy Days;
- Prayer;
- Dietary requirements;
- Fasting;
- Religious dress;
- Modesty requirements in physical education; and
- Participation in daily activities, curriculum and co-curricular activities.

### **4.1 School Opening and Closing Exercises**

Pursuant to the Ontario Ministry of Education Policy/Program Memorandum No. 108 ("Memorandum No. 108"), if a student or parent/guardian objects to all or part of the opening or closing exercises due to religious beliefs, the student will be exempted and given the option not to participate and to remain in class or in an agreed upon location through the duration of the exercise.

***Memorandum No. 108 states the following:***

1. All public elementary and secondary schools in Ontario must be opened or closed each day with the national anthem. "God Save the Queen" may be included.
2. The inclusion of any content beyond "O Canada" in opening or closing exercises is to be optional for public school boards.
3. Where public school boards resolve to include, in the opening or closing exercises in their schools, anything in addition to the content set out in item 1 above, it must be composed of either or both of the following:
  - a. One or more readings that impart social, moral, or spiritual values and that are representative of our multicultural society. Readings may be chosen from both scriptural writings, including prayers, and secular writings;
  - b. A period of silence.
4. Parents who object to part or all of the exercises may apply to the Principal to have their children exempted. Students who are adults may also exercise such a right.

## **4.2 Absence for Religious Holy Days**

The Board affirms and values the faith diversity in our Catholic secondary schools. Section 21(2) (g) of the *Education Act* provides that a person is excused from school attendance in observance of a “holy day by the Church or religious denomination to which he or she belongs.”

All staff and students who observe religious holidays in accordance with section 21(2) (g) of the *Education Act* may be excused from attendance, subject to the particular request for religious leave process.

The Board will encourage members of diverse groups to identify their religious holy days at the beginning of each school year. Upon identification, the Board will make reasonable efforts to acknowledge the different observances of its Catholic community when planning programs and events, such as Board-wide tests and examinations. To the extent possible, conferences, meetings, workshops, co-curricular activities and exams/tests, will not be scheduled on these religious holy days.

All staff and students who request to observe a religious holy day should be allowed this right without having to undergo any unnecessary hardship.

Staff requesting a leave will advise their immediate supervisor at, or as close as possible to, the beginning of the school year and the leave will be granted in accordance with the terms of the appropriate collective agreement/terms and conditions/employment contract.

Students requesting a leave will give written notice from their parent/guardian **or adult student** to the school at, or as close as possible to, the beginning of the school year. Such procedures should be easy to understand and follow.

Student agendas, annual school newsletters and announcements will include information about the procedures for requesting leaves.

All staff members acting on behalf of/representing the Board on other organizations, which in partnership with the Board are planning events or activities that involve students and/or staff of Board schools, have the responsibility to bring this procedure to the attention of these organizations.

Administrators will consult with Human Resource Services regarding staff leave as required.

### ***Unresolved Requests***

If an individual feels that the request has not been considered despite the Board’s commitment to provide accommodation, the individual is to follow the Board’s Complaint Resolution Policy (800.3).

## **4.3 Prayer**

The Board recognizes the significance of prayer in religious practice. Board schools will make reasonable efforts to accommodate individuals’ requirement for daily prayer by providing an appropriate location within the building for students and staff to participate in prayer. This may mean a quiet space in the Library Information Centre, an empty room, or wherever it is mutually satisfactory for the school and the student or staff member requesting the accommodation. Adult presence should be for supervision purposes only.



#### **4.4 Dietary Restrictions**

The Board is sensitive to the different dietary restrictions of various religious groups, staff and students. Such sensitivity includes attending to issues related to the menus provided by catering companies, snacks in elementary schools, and food provided within schools, at school-sponsored activities and community events.

Breakfast and lunch programs in schools will consider relevant dietary restrictions in their menu planning. Availability of vegetarian options is recommended as a form of inclusive design.

Staff will provide special attention to accommodations requested during overnight outdoor education activities, as well as field trips that extend over a mealtime period.

#### **4.5 Fasting**

The Board is sensitive to religious periods of fasting. Schools will endeavour to provide appropriate space, other than cafeterias or lunchrooms, for individuals who are fasting in religious observance. The Board recognizes that students who are fasting may need exemptions from certain physical education classes and Board schools should make reasonable efforts to provide appropriate accommodations.

#### **4.6 Religious Dress**

“Dress Code” is the appropriate dress policy established by the Board. Students are required to comply with the Elementary Standardized Dress Code Policy (302.6.10) or the Dress Code - Secondary Uniform Policy (302.6.6) in all Niagara Catholic schools.

The Board recognizes that there are certain religious communities that require specific items of ceremonial dress. The Board understands that some religious attire, which is a requirement of religious observance, may not conform to a school’s Dress Code Policy or Uniform Policy. Board schools will reasonably accommodate students with regard to religious attire. Religious attire is not cultural dress; it is a requirement of religious observation.

Religious attire that should be reasonably accommodated in Board schools includes, but is not limited to:

- Head covers: Yarmulkes, turbans, Rastafarian headdress, hijabs
- Crucifixes, Stars of David, etc.
- Items of ceremonial dress.

Administrators will ask the student to wear religious attire in the same colour as the elementary standardized dress code or secondary uniform however, there may be religious requirements of colour that cannot be modified.

Special attention will be given to accommodations necessary for a student to participate in physical education and school organized sports.

The Board seeks to foster an atmosphere of cultural understanding in order to be proactive in addressing potential harassment about religious attire. Schools should be aware that harassment about religious attire is one of the most common types of harassment and bullying. In accordance with Board policy, the Board and its schools will not tolerate any harassment or bullying directed at, or inappropriate actions taken against, an individual’s religious attire and there will be appropriate consequences for individuals who violate this rule.

There are religious communities that require specific items of ceremonial dress which may be commonly perceived as contravening Board policies, for example the use of the Kirpan by Khalsa Sikh students. Requirements regarding the accommodation of Khalsa Sikh students who wish to carry a Kirpan are set out at [Appendix A](#).

#### **4.7 Modesty Requirements for Dress in Physical Education Classes**

The Board recognizes that some religious communities observe strict modesty attire in respect of their religion. This can become a matter of concern when students are asked to wear the clothing used in physical education activities. These Accommodation Guidelines are designed inclusively, taking into account common religious needs that may exist.

If a student and his or her family has concerns that cannot be addressed through inclusive design, the school should discuss the modesty requirements with them, and, taking into consideration the Ministry of Education's mandated expectations in the physical education curriculum, provide reasonable accommodation. The curriculum requirements should be explained to the student and his or her family so that it has sufficient information to understand the physical education curriculum and to select available curriculum alternatives.

#### **4.8 Participation in Daily Activities, Curriculum and Co-curricular Activities**

The Board will seek to reasonably accommodate students where there is a demonstrated conflict between a specific class, curriculum or co-curricular activity and a religious requirement or observance. Where an academic or co-curricular accommodation is requested, the school should have an informed discussion with the student's parents/guardians to understand the nature and extent of the conflict.

The school staff should make it clear during the discussion that its role is to protect students and staff from harassment and discrimination because of their religion and cultural practices. Where these conflict with the school routines, activities or curriculum, the school should consider accommodation. It cannot, however, accommodate religious values and beliefs that clearly conflict with mandated Ministry of Education and Board policies.

It is important to note that when an individual requests an accommodation related to the curriculum or co-curricular activity, the accommodation applies to the individual requesting the accommodation.

The Ministry of Education recommends substitutions when there are exemptions requested related to specific curriculum (~~Ontario Secondary Schools, Grades 9-12, Program and Diploma Requirements~~ **Ontario Schools: Kindergarten to Grade 12: Policy and Program Requirements 2016, Ministry of Education- Policy/Program Memorandum No. 162**).

In general, the Board recommends an informed, common-sense approach to questions of religion and curriculum and co-curricular activities. Hopefully, these questions can be solved by an open discussion between the teacher, the student and the student's family.

### **LIMITATIONS TO RELIGIOUS ACCOMMODATION**

1. The Board supports freedom of religion and an individual's right to manifest the individual's religious beliefs and observances. The right to freedom of religion, however, is not absolute and religious accommodation in the Board is carried out in the larger context of the Catholic education system and denominational rights of Catholic schools.
2. The Board, at all times, will seek to accommodate an individual's right to freedom of religion in a manner that not only respects the individual's beliefs but the principles of the Catholic Church. Following the general custom of the Church, non-Catholics are welcome to join in prayer services and liturgical celebrations of the Catholic Church community excluding some restrictions such as sharing in Holy Communion.
3. All chapels in Niagara Catholic schools are specifically designed and furnished for prayer and liturgy within the Catholic tradition and are not to be considered multi-faith chapels. Chapels are open to all



people for individual silent prayer or meditation. Non-Catholic liturgies or group prayers will not be held in any chapel.

4. For students requesting a prayer space, school administrators are to designate an appropriate space or classroom, other than the chapel, for religious celebrations celebrated by other Christian denominations or faith traditions. Such requests will be made to the Principal, who, in discussion with the Family of Schools Superintendent and in consultation with the local Ordinary, will make the final decision.

<b>Adopted Date:</b>	<b>June 15, 2010</b>
<b>Revision History:</b>	<b>November 23, 2010</b> <b>June 21, 2016</b>

**REQUIREMENTS FOR KIRPAN ACCOMMODATION**

A Kirpan is a ceremonial sword that must be worn by all Khalsa Sikhs baptized in the Khalsa Sikh tradition. The Board seeks to accommodate Khalsa Sikhs who wear a kirpan under the following conditions as follows:

- The five articles of faith worn by Khalsa Sikhs are the Kachera, Kara, Kanga, Kesh and Kirpan. At the beginning of the school year or upon registration, the student and parents/guardians must report to their respective school administration that they are Khalsa Sikhs and wear the five articles of faith, including a Kirpan.

The Principal, in consultation with the student and their parents/guardians, will develop appropriate accommodations to allow the student to wear the Kirpan while ensuring the safety of others. These may include the following conditions:

- There is notification in writing to the Principal by the parents/guardians and student and, where possible, from the Gurdwara (place of worship), confirming that the student requesting accommodation is a Khalsa Sikh.
- The Kirpan is six inches or less.
- The Kirpan will be sufficiently secured with a stitched flap so it is not easily removed from its sheath.
- The Kirpan will not be worn visibly, but under the wearer's clothing.
- Students under the age of eighteen must be accompanied by parents/guardians when discussing the rules regarding the wearing of a Kirpan.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICIES - PRIOR TO VETTING  
NAMING OF A BOARD FACILITY, DESIGNATE AREA OR  
CHAPEL POLICY (100.15)**

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Prepared by: John Crocco, Director of Education/Secretary-Treasurer  
Presented by: John Crocco, Director of Education/Secretary-Treasurer  
Date: November 26, 2019



Niagara Catholic District School Board

## ***NAMING OF A BOARD FACILITY, DESIGNATED AREA OR CHAPEL***

### **STATEMENT OF POLICY**

100 – Board

Policy No 100.15

Adopted Date: June 21, 2016

Latest Reviewed/Revised Date: Nil

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, all Board facilities, designated area or Chapel will be named to honour the Divinity, a Catholic tradition, a person, or a group that has been officially recognized by the Catholic Church or the Bishop of the Diocese of St. Catharines.

The name of all Board facilities, designated area or Chapel, in whole or in part, will reflect the faith traditions and Gospel values of the Catholic Church, be of inspiration, unique identity and a connection for the students, staff and families associated within the community it serves.

**Affirming the universal call to holiness, when an individual for whom a current school has been named is canonized by the Catholic Church or the individual's title or name has been changed by the Catholic Church, following consultation, the Board will change the name of the school accordingly and work with the school community through the transition.**

All requests to the Board to consider naming or renaming of a Board facility, designated area or Chapel, in whole or in part, must meet the criteria and process outlined within the Administrative Procedures.

The Director of Education will issue Administrative Procedures for the implementation of this Policy.

#### References

- [\*Education Act\*](#)
- [\*Code of Canon Law\*](#)



Niagara Catholic District School Board

## **NAMING OF A BOARD FACILITY, DESIGNATED AREA OR CHAPEL**

### ADMINISTRATIVE PROCEDURES

100 - Board

Policy No 100.15

Adopted Date: June 21, 2016

Latest Reviewed/Revised Date: Nil

All requests for the naming or renaming of a Board facility, designated area or Chapel, in whole or in part, will meet the criteria outlined in the Administrative Procedures and adhere to the following process for consideration and approval:

1. All requests to name or rename a Board facility or designated area, in whole or in part, excluding Chapels, must be:
  - a. Named after a Saint, a Pope, one of the mysteries of the Catholic Church or an exemplary Catholic individual or group of individuals;
  - b. Designated as “Catholic” in the name of the whole facility;
  - c. Used in full and not abbreviated;
  - d. Named in the possessive form;
  - e. Unique within the names approved for Board facilities;
  - f. Prominently displayed on the exterior of the facility or designated area along with the Board logo for the naming of an entire facility; or,
  - g. Prominently displayed in the interior of the facility identifying the named designated area.
2. All requests will be presented to the Family of Schools’ Superintendent of Education for consideration.
3. If supported by the Family of Schools’ Superintendent of Education, a recommendation will be made to the Director of Education for consideration.
4. If supported by the Director of Education, the Director will determine the appropriate course of action to present the request to the Board of Trustees.
5. The Board of Trustees will approve the naming of all Board facilities, designated area or Chapel, in whole or in part.

Excluded from the above process is the renaming of an existing Board facility if the individual is canonized by the ~~Holy Father~~ **Catholic Church**. In this circumstance, following consultation with the Family of Schools’ Superintendent of Education, the school Principal, the Student Council President, where it is in place, and the Chair of the Catholic School Council, the Director of Education will bring a report to the Board of Trustees ~~for consideration.~~ **to change the name of the school accordingly and to work with the school community through the transition.**

### **NAMING OR RENAMING OF A BOARD FACILITY IN WHOLE**

**Excluding the canonization of an individual for whom a school is named, or an individual’s title has been changed by the Catholic Church**, all requests for the name of a new Board facility or to rename a current Board facility will meet the criteria outlined in this Policy and Administrative Procedures and adhere to the following process for consideration and approval.

The Director of Education will bring an Ad Hoc Committee report to the Board for the naming or renaming of a Board facility. The report will include the Terms of Reference and include the criteria as noted within this Policy and Administrative Procedures, the Ad Hoc Committee Membership and the timeline for the recommendation of the Ad Hoc Committee for the consideration of the Board.

The Ad Hoc Committee will consult with:

- a) the Bishop of the Diocese of St. Catharines;
- b) the local Trustee(s);
- c) the Chair and Vice-Chair of the Board;
- d) the Director of Education;
- e) the Board Chaplaincy Leader;
- f) where possible, staff of the facility;
- g) where possible, the local Student Council(s);
- h) where possible, the local Catholic School Council(s);
- i) where possible, the local Catholic school community.

### **PROCESS FOR NAMING OR RENAMING OF A DESIGNATED AREA WITHIN A BOARD FACILITY**

All requests for the naming or renaming of a designated area of a Board facility will meet the criteria outlined in this Policy and Administrative Procedures and adhere to the following process for consideration and approval:

1. Requests will be presented to the Family of Schools' Superintendent of Education for consideration.
2. If supported by the Family of Schools' Superintendent of Education, a recommendation will be made to the Director of Education for consideration.
3. If supported by the Director of Education, the Director will present the recommendation to the Board of Trustees for consideration.
4. The Board of Trustees will approve the naming or renaming of all designated areas within a Board facility.
5. The name of the designated area of the Board facility will be displayed with an appropriate sign or lettering.

### **PROCESS FOR NAMING OR RENAMING A CHAPEL WITHIN A BOARD FACILITY**

All requests for the naming or renaming of a Chapel within a Board facility will meet the criteria outlined in this Policy and Administrative Procedures and adhere to the following process for consideration and approval.

All Chapels in the Niagara Catholic District School Board will be named after the Blessed Trinity, or a name for Christ, or a mystery of his life already accepted in the liturgy, or the name of the Holy Spirit, or a name for the Blessed Virgin Mary, or a name of a holy angel, or the name of a Saint, or the name of a blessed provided the Bishop has given permission.

1. All requests will be presented to the Family of Schools' Superintendent of Education for consideration.
2. If supported by the Family of Schools' Superintendent of Education, a recommendation will be made to the Director of Education for consideration.
3. The Director of Education will consult with the Bishop of the Diocese of St. Catharines for endorsement.

4. If supported by the Director of Education and endorsed by the Bishop of the Diocese of St. Catharines, the Director will present the recommendation to the Board of Trustees for consideration.
5. The Board of Trustees will approve the naming or renaming of a Chapel within a Board facility.
6. The name of the Chapel within a Board facility will be displayed with an appropriate interior sign or lettering.

<b>Adopted Date:</b>	<b>June 21, 2016</b>
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<b>Revision History:</b>	
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**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICIES - PRIOR TO VETTING  
SEXUAL MISCONDUCT POLICY (201.13)**

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources  
Presented by: Frank Iannantuono, Superintendent of Education/Human Resources  
Date: November 26, 2019





Niagara Catholic District School Board

**SEXUAL MISCONDUCT POLICY**

## STATEMENT OF POLICY

200 – Human Resources

Policy No 201.13

Adopted Date: June 26, 2006

Latest Reviewed/Revised Date: June 17, 2014

In keeping with the Mission, Vision, and Values of the Niagara Catholic District School Board, the Board believes that all students, employees, volunteers and other individuals who have a legal right to be at sites owned, leased, operated or being used by the Board, have a right to study and work in an environment free from sexual misconduct.

Students, employees, volunteers and other individuals who have a legal and educational right to be at sites owned, leased, operated or being used by the Board and who lodge a complaint of sexual misconduct, or who report their suspicion of such conduct, must be able to do so without threat or fear of reprisal. The complainant and the accused have equal rights at all steps throughout the process.

The Director of Education will issue Administrative Procedures for the implementation of this Policy.

**References**

- [\*Child and Family Services Act\*](#)
- [\*Criminal Code of Canada\*](#)
- [\*Education Act\*](#)
- [\*Human Rights Code\*](#)
- [\*Ontario College of Teachers Act\*](#)
- [\*Ontario College of Teachers\*](#)
  - [\*Professional Advisory - Professional Misconduct Related to Sexual Abuse and Sexual Misconduct\*](#)
  - [\*The Ethical Standards for the Teaching Profession\*](#)
  - [\*The Standards of Practice for the Teaching Profession\*](#)
- [\*Ontario Regulations\*](#)
  - [\*Ontario Regulation 298 - Operation of Schools - General\*](#)
  - [\*Ontario Regulation 437 / 97 - Professional Misconduct\*](#)
  - [\*Ontario Regulation 521 / 01 - Collection of Personal Information\*](#)
- [\*Robins Report\*](#)
- [\*Safe Schools Act, 2000\*](#)
- [\*Student Protection Act, 2002\*](#)
- [\*Teacher Profession Act\*](#)
- [\*Niagara Catholic District School Board Policies/Procedures\*](#)
  - [\*Bullying Prevention & Intervention Policy \(302.6.8\)\*](#)
  - [\*Employee Workplace Harassment Policy \(201.7\)\*](#)
  - [\*Family and Children's Services Niagara \(FACS\) Protocol\*](#)
  - [\*Police Protocol between the Niagara Regional Police Services and the Niagara Catholic District School Board\*](#)



Niagara Catholic District School Board

**SEXUAL MISCONDUCT POLICY**

ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 201.13

Adopted Date: August 28, 2006

Latest Reviewed/Revised Date: June 17, 2014

**DEFINITIONS OF SEXUAL MISCONDUCT**

*Definitions are subject to changes from time to time as the appropriate legislation is reviewed and amended.*

**1. Sexual Abuse**

Sexual abuse is a form of professional misconduct. The *Student Protection Act* defines sexual abuse of a student and amends the *Ontario College of Teachers Act* to include this definition:

- sexual intercourse or other forms of physical sexual relations between the member and a student,
- touching, of a sexual nature, of the student by the member, or
- behaviour or remarks of a sexual nature by the member towards the student.

**2. Sexual Misconduct**

Sexual misconduct is offensive conduct of a sexual nature, which may affect the personal integrity, or security of any student, employee of the Board, volunteers or other persons covered by this policy, as well as the school environment.

**3. Sexual Harassment**

Sexual harassment of students may be defined as a form of sexual misconduct as follows:

Inappropriate behaviour or remarks of a sexual nature which may constitute professional misconduct include, but are not limited to, conduct that would amount to sexual harassment or sexual discrimination under the Ontario Human Rights Code. These need not be overtly sexual but may nonetheless demean or cause personal embarrassment to a student, based upon a student's gender, race or sexual orientation.

Board employees of the Niagara Catholic District School Board must avoid even a single event that may constitute sexual harassment, including but not limited to:

- objectionable conduct or comments incompatible with the role of an employee regardless of whether the affected student(s) appear to be offended by the conduct or comments
- sexual harassment of non-students or of co-workers
- reprisals or threatened reprisals for rejecting sexual advances.

**4. Sexual Relationships**

Regardless of the age of a student and whether there are any criminal law considerations, it is unacceptable for Board employees of the Niagara Catholic District School Board to engage in or attempt to establish a sexual relationship with a student.

Sexual relationships include, but are not limited to, any sexual relationship with:

- a student, regardless of the student's age
- a former student under the age of 18
- a former student who suffers from a disability affecting his or her ability to consent to a relationship.

Responsibility for ensuring that a ~~member~~employee-student relationship is professional and appropriate rests with the employee and not with the student. This remains the case even when it is the student who attempts to initiate an inappropriate relationship. Any conduct directed to establishing such a relationship may constitute professional misconduct.

A student may be a student who is in the school or school system where the ~~member~~employee is employed, or in relation to whom an ~~member~~employee is otherwise considered to hold a position of trust and responsibility.

Board employees of the Niagara Catholic District School Board must not engage in activity directed to establishing a sexual relationship. This includes, but is not limited to:

- any form of sexual touching **of students**
- sending intimate correspondence to students
- making telephone calls of a personal nature to students
- engaging in sexualized dialogue through any means with students
- making suggestive comments to students
- dating students
- giving personal gifts to students
- **grooming of students**

Board employees of the Niagara Catholic District School Board **must avoid**:

- inviting individual students to their homes
- seeing students in private and isolated situations
- exchanging personal notes, comments or communication
- becoming personally involved in students' affairs
- sharing personal information about themselves **to students**
- making physical contact of a sexual nature **with a student**.

## **5. Professional Misconduct for ~~Academic Teaching Staff~~**

A sexual relationship with a student or former student under the age of 18, or conduct directed to establishing such a relationship, may be regarded as professional misconduct. This conduct may also amount to sexual exploitation or sexual assault, which is addressed in the Criminal Code of Canada and the Ontario College of Teachers Act.

Where allegations of sexual misconduct are consistent with those offences outlined in the Criminal Code, the procedures set out through the FACS and Niagara Regional Police Protocols must be followed.

Where sexual misconduct may not amount to a criminal offence, but may amount to professional misconduct, then the Principal of the school **and/or the Immediate Supervisor** must conduct an investigation of the matter.

The matter of the investigation shall be conducted in a fair and judicious manner to ensure the confidentiality of all parties. The alleged perpetrator will be entitled to representation during questioning. Allegations about sexual misconduct usually require an explanation.

## **6. Criminal Offences**

The following offences are considered Criminal in nature under the Criminal Code of Canada.

- Sexual interference - is an offence, which victimizes children under age 14. Generally, sexual interference involves an adult touching a child for a sexual purpose.

Invitation to touching - is also an offence as it applies to children under the age of 14. Generally this act involves an adult inducing a child to touch him or her. It is **not** a defense that the child purportedly consented to such activity.

- Sexual exploitation - conduct of a sexual nature that is committed by a person who is in a position of trust or authority towards a young person (meaning a person at least 14 years old but under 18 years of age).
  - It is no defense that the young person purportedly consented to the activity. Teachers and other school personnel and volunteers will almost inevitably be regarded as being in positions of trust or authority respecting students with whom they interrelate.
  - Indecent act and sexual exposure - criminalize indecent acts or the exposure of private parts, even absent of any suggested or actual physical contact between the perpetrator and another person. Sexual Assault - is an assault committed in circumstances of a sexual nature such as to violate the sexual integrity of its victim.

## INVESTIGATION PROCEDURES

All reports of sexual misconduct will be thoroughly investigated by the supervising administrator with a report to their ~~administrative~~ **immediate** supervisor.

### Academic Teaching Staff

The *Student Protection Act* also amended the Teaching Profession Act. An ~~member~~ **employee** who makes an adverse report about another member respecting suspected sexual abuse of a student by that other member need not provide him or her with a copy of the report or with any information about the report. *“Members of the College may not engage in, or threaten to engage in, reprisals against anyone who discloses, reports for otherwise provides information with respect to alleged or suspected professional misconduct of a sexual nature.”*

Nor shall any disclosure be made that would undermine any ongoing or contemplated police or Family and Children’s Services (FACS) investigation.

The receiver of the complaint will treat the complaint and those associated with sensitivity and afford all the necessary protection in handling of such complaints.

Confidentiality will be respected and maintained at all times as required by relevant legislation.

Anyone who retaliates or threatens to retaliate against a person, who makes a complaint or reports alleged misconduct, in good faith, shall be subject to disciplinary action up to and including termination of employment.

A teacher who makes an adverse report about another teacher suspected of physical or sexual abuse or harassment of a student by that other teacher, shall not provide him or her a copy of the report or with any information about the report.

Where applicable, and if permitted by law, Police or FACS as well the ~~Ontario College of Teacher~~ investigators **of the governing body** should be consulted as to the nature and timing of disclosure of pertinent information to the alleged perpetrator.

Individuals who knowingly make unfounded allegations of sexual misconduct shall be subject to disciplinary action.

The Superintendent of Human Resources Services, under the direction of the Director of Education will ensure that:

- improper conduct is the subject of appropriate disciplinary action
- appropriate records of improper conduct are kept;
- prospective employers as well as professional bodies and organizations are properly notified of such conduct.

Sexual misconduct with students under the age of sixteen (16), the Protocols and procedures set out in the *Family and Children's Services Niagara (FACS) Protocol* and the *Police and School Board Protocol* will be followed for alleged sexual misconduct.

### **Board Employee**

Where a Board employee or volunteer is suspected of sexual misconduct, the individual making a report to FACS or the Police, shall notify the Principal and the appropriate Superintendent who supervises the alleged perpetrator, of the report.

### **Principal**

Where the Principal is suspected of such conduct, the notification of the report shall go to the appropriate Family of Schools Superintendent and to the Superintendent of Human Resources and/or Director of Education.

### **Superintendent of Education**

When a complaint is filed against the conduct of a Superintendent of Education, Superintendent of Business and Finance or the Controller of Facilities Services, the Director of Education will investigate the complaint.

An appeal of the decision by the Director of Education rests with the Board.

### **Director of Education**

When a complaint is filed against the conduct of the Director of Education, the Director or the Chairperson of the Board, whoever receives the complaint will notify the appropriate Board Solicitor to determine the next course of action. A report will be presented to the Board at the earliest opportunity.

The Board liaison with the Niagara Regional Police will request from the Police that when they become aware that a Principal is under investigation for sexual misconduct that they notify the Superintendent of Human Resources.

### **Reporting of an Allegation**

A student, employee or volunteer who has made a report concerning any allegation of sexual misconduct against an employee or volunteer and is not satisfied with the response may contact the Principal or the **Family of Schools** Superintendent of the school directly to investigate the matter and to report back to the student, employee or volunteer the status of the investigation.

The subject matter of the complaint should not be discussed with the alleged perpetrator until specific instructions are received from the investigating police or FACS personnel conducting the investigation.

Senior Administration is obliged to address the interim status of the employee or volunteer against whom allegations of sexual abuse have been made, pending a preliminary investigation of the allegation.

When considering the interim status of an individual accused of misconduct, safety and security of the alleged victim (s) is paramount. However, the interim status must also reflect a consistency of approach following the principles of procedural fairness to all affected.

Where sexual abuse has been alleged against an employee or a volunteers, the subject of the allegations should be removed from the classroom or from situations involving unsupervised access to students, pending determination as to whether abuse has occurred.

~~The removal of the alleged perpetrator is mandated in legislation as soon as Senior Administration becomes aware that a teacher, temporary teacher, employee or volunteer has been charged with, or convicted of an offence under the Criminal Code involving sexual conduct and minors or of any other offence under the Criminal Code that in the opinion of the Senior Administration indicates that students may be at risk.~~

Depending on the circumstances, removal may involve reassignment to other duties, suspension or in some circumstances, commencement of termination proceedings, ~~for example, where abuse is admitted.~~

While the Family and Children Services/Police determination may be an "unable to verify report", the Board may still, in its discretion, determine that there is sufficient information from its own investigation for discipline or discharge.

An employee or volunteer's assignment, re-assignment or employment status should be revisited upon completion of any police or FACS investigation, after any criminal charges are laid, after any criminal case is completed and upon completion of any internal investigation.

Where sexual misconduct is alleged, the police, together with FACS, if the allegations fall within the FACS jurisdiction, will conduct the investigation.

Any internal investigation should be deferred, pending conclusion of any ongoing or contemplated police investigation.

### **Where the Alleged Victim is Sixteen (16) and Over**

- Where an employee or volunteer of the Board has reasonable grounds to suspect that a student sixteen (16) and over has suffered, or is at risk of likely suffering, sexual abuse as a result of actions of a person having charge of that student, he or she shall forthwith report those suspicions and the information on which they are based directly to the police.
- Such employees or volunteers shall also notify the Principal of the school who supervises the alleged perpetrator of the report. If the Principal is the suspected perpetrator, the employee or volunteer shall notify the appropriate Superintendent of this report.
- Given the age of the complainant/ student, after a report has been made to the police, the parents should not be notified of the complaint or allegations unless specific consent has been obtained from the student.
- If the alleged perpetrator has access to children under the age of 16, the statutory reporting obligation of notifying FACS will also be triggered regardless of the fact that the particular student suspected to have been abused is 16 years of age or over.

### **Where the Alleged Perpetrator is a Student**

- In some cases a young offender (after they attain the age of 12) may be criminally responsible for sexual abuse.
- Where a student is alleged to have sexually abused another student the procedures outlined in the FACS protocol and Niagara Regional Police protocol must be followed.

- The Principal, in consultation with the Superintendent, will review the available information to determine whether the student who is alleged to have abused another student may remain in school pending investigation of the matter.
- Where the student is charged with the sexual abuse of another student, the Principal, after consultation with the Police and FACS, will immediately remove the alleged offender from the school until the investigation is completed or the charge has been disposed of or a decision is made by the Senior Staff.
- Upon conclusion of the matter, the Principal in consultation with the Superintendent will determine the placement of the student.

**Employer Responsibilities**

The *Student Protection Act* stipulates that employers must report to the ~~College~~ **Governing Body** at the time member is charged with a sexual offence.

The Director of Education shall promptly notify the ~~Ontario College of Teachers~~ **Governing Body** in writing when they have dismissed, suspended or otherwise disciplined a member in the Board’s employ for an action of professional misconduct, and provide the reasons for such action.

The Director of Education shall promptly notify the ~~Ontario College of Teachers~~ **Governing Body** in writing where, in the opinion of the Director, a committee of the ~~Ontario College of Teachers~~ **Governing Body** should review the conduct or actions of a member who is or has been employed by the Board.

Where a current or former employee is not a member of the ~~Ontario College of Teachers~~ **Governing Body**, the Director of Education shall promptly notify any applicable licensing body in writing of the circumstances set out above.

The removal of the teacher or individual from the classroom may be considered as an interim measure until the investigation is complete.

The matter once investigated and found to have merit, will require disciplinary action up to and including termination of employment.

**Appendix A** Sexual Misconduct Complaint Form

<b>Adopted Date:</b>	<b>June 26, 2006</b>
<b>Revision History:</b>	<b>June 17, 2014</b>





NIAGARA CATHOLIC  
DISTRICT SCHOOL BOARD

**NIAGARA CATHOLIC DISTRICT SCHOOL BOARD**  
**SEXUAL MISCONDUCT COMPLAINT FORM**

*Private and Confidential*  
**Complainants may seek assistance before completing this form.**  
**Please use back of form for further comments**

This information is being collected under the Authority of The Education Act, and will be used for the purposes of reporting Sexual Misconduct. Questions about this collection should be directed to the Superintendent of Education - Human Resources, Niagara Catholic District School Board, 427 Rice Road, Welland, ON L3C 7C1 Telephone (905) 735-0240

Name of Complainant	
School/Department/Work Site	
Status of Complainant	
<input type="checkbox"/> Student <input type="checkbox"/> Employee <input type="checkbox"/> Other	
Job Title: _____	
Description of Alleged Sexual Misconduct	
Name(s) of Person(s) Accused of Sexual Misconduct	
_____	
Date(s) of Incident(s) or Time Frame	
Location(s) of Incident(s)	
Has this complaint been reported previously? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, to whom? _____	
What actions were taken? (Police and/or FACS) _____	
Contact Name: _____ Phone Number of Contact: _____	
Resolution Requested	
Complainant(s) Signature(s)	Date
_____	_____
_____	_____

**The information contained in this form is of a highly confidential nature and will be protected in accordance with all relevant legislation.**

**INSTRUCTIONS FOR HANDLING THIS FORM**  
Place this form in a sealed envelope marked "PRIVATE AND CONFIDENTIAL"  
and forward to the Family of Schools Superintendent



**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICIES - PRIOR TO VETTING  
EMPLOYEE WORKPLACE HARASSMENT POLICY (201.7)**

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources

Presented by: Frank Iannantuono, Superintendent of Education/Human Resources

Date: November 26, 2019



Niagara Catholic District School Board

**EMPLOYEE WORKPLACE HARASSMENT POLICY**

## STATEMENT OF POLICY

200 – Human Resources

Policy No 201.7

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: October 22, 2019

In keeping with the Mission, Vision, and Values of the Niagara Catholic District School Board, the Niagara Catholic District School Board is committed to providing a safe working environment in which all Employees are treated with consideration, dignity, respect, equity and in accordance with the gospel values of Jesus Christ, as well as the Mission, Vision and Values of the Board.

The Board believes that the eradication of harassment in the school/workplace is the joint obligation of the employer and the employee. Therefore, any employee who becomes aware of a harassment situation between employees has a responsibility to draw appropriate attention to it. Any failure to take measures to address harassment in the workplace has legal implications for the employer under the Ontario Human Rights Code.

Where the occasion of a complaint of harassment arises, the Board may achieve resolution through a formal or informal process. During the process all information gathered is to be kept confidential. It is the intention of the policy and the resulting procedures to attempt to protect both the complainant and the accused. Therefore, each party has equal rights at all steps throughout the process.

The Board will review this policy on an annual basis, and will post this policy in the workplace along with any applicable procedures and/or related programs.

The Director of Education will issue administrative procedures for the implementation of this policy.

**References:**

- [\*\*Municipal Freedom of Information and Protection of Privacy Act\*\*](#)
- [\*\*Occupational Health & Safety Act \(December 2009\) Bill 13\*\*](#)
- [\*\*Bill 132: Sexual Violence and Harassment Action Plan Act\*\*](#)
- [\*\*Ontario Human Rights Code 1990\*\*](#)
- [\*\*Teaching Profession Act\*\*](#)
- [\*\*Niagara Catholic District School Board Policies/Procedures\*\*](#)
  - [\*\*Workplace Violence Policy \(201.11\)\*\*](#)
  - [\*\*Trustee Code of Conduct\*\*](#)
  - [\*\*Complaint Resolution Policy\*\*](#)
  - [\*\*Protocol Between Niagara Region Police Service and the Niagara Catholic District School Board\*\*](#)
  - [\*\*Employee Code of Conduct & Ethics Policy\*\*](#)



Niagara Catholic District School Board

**EMPLOYEE WORKPLACE HARASSMENT POLICY**

ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 201.7

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: October 22, 2019

The expected duties of a Supervisor of the Niagara Catholic District School Board are comprised of but not limited to the responsibilities of training, evaluating, counselling, supervising and disciplining when warranted. These duties in itself do not constitute harassment.

**WORKPLACE HARASSMENT**

Means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought to reasonably to be known to be unwelcome or, workplace sexual harassment

**ETHNOCULTURAL HARASSMENT**

Is one or a series of unwanted, unsolicited remarks, behaviours or communications, in any form, directed toward an individual or members of an identifiable group because of a prohibited ground of discrimination, which has the effect of:

- Creating an intimidating, hostile, or offensive psychological or emotional climate for work or study, and/or
- Undermining work/academic performance, and/or
- Preventing or impairing full and equal enjoyment of employment/educational services, benefits, and/or opportunities.

**SEXUAL HARASSMENT IS:**

Unwanted sexual attention of a persistent or abusive nature made by a person who knows, or ought to know, that such attention is unwanted;

- Implied or expressed threat or reprisal in the form either of actual reprisal or the denial of opportunity for refusal to comply with a sexually oriented request; and
- Sexually oriented remarks, gestures and/or behaviour which may reasonably be perceived to cause humiliation or a negative psychological and/or emotional environment for work or study.
- Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome

**Sexual Harassment may include:**

- The display or distributing of offensive material such as pictures, cartoons, e-mails and graffiti in schools, or in other Board premises,
- Unwanted and unnecessary physical contact,
- Unwelcome remarks, jokes or other gestures of a sexual nature.
- Unwelcome sexual innuendo, sexual advances, inappropriate body contact, request for sexual favours and the display of exploitive material.

**Sexual Harassment is not:**

- Conduct which both parties find acceptable such as an occasional compliment,
- An occasional or appropriate comment which a reasonable person, in their circumstances, would not take to have an unwelcome sexual connotation.
- Relationships between consenting adults which are voluntary. However, when such a relationship ends, continued unwanted attention may constitute sexual harassment.

**COMPLAINT RESOLUTION PROCEDURES - INFORMAL RESOLUTION  
(VERBAL PROCESS)**

- Complainants are encouraged to attempt to resolve concerns at the Informal Resolution Stage, within two (2) working days or timelines agreed upon by both parties. However, if the complainant believes circumstances make this difficult to do; the complainant may follow the Formal Resolution procedures.
- The complainant may speak directly to the accused, in order to:
  - identify the specific conduct, action or attitudes which are alleged to be harassing
  - demand that the conduct, action or attitudes cease
- The complainant may choose to speak to their Immediate Supervisor, or another Supervisor, in an attempt to resolve the complaint.
- This Supervisor may arrange informal meetings to resolve the issue and the parties concerned shall be accompanied by an advocate to attend the meetings if they so choose.
- No formal written records are necessary at this stage. It is strongly suggested, however, that the parties should keep personal documentation of the meeting(s).

**COMPLAINT RESOLUTION PROCEDURES - FORMAL RESOLUTION**

- This complaint procedure is not intended to affect the employee's rights and duties as outlined in relevant legislation and/or Collective Agreements or Terms of Employment.
- If the complainant is not satisfied that the informal resolution procedure has produced acceptable results, or if circumstances warrant further action, then the complainant may initiate the formal resolution procedure.
- The complainant has the right to bring forward a formal complaint and to obtain a review of their complaint in an atmosphere of respect and confidentiality without fear of embarrassment or reprisals.
- The formal complaint shall be in written form.
- The formal complaint should be brought to the attention of the Immediate Supervisor with copies to the appropriate Superintendent and the Senior Administrator of Human Resources.
- Resolution to the formal complaint process shall be initiated through the Immediate Supervisor or Senior Administrator of Human Resources.
- When the accused is the Immediate Supervisor the complaint shall be directed to the appropriate Superintendent, with a copy to the Senior Administrator of Human Resources.
- When the accused person is a Superintendent or Senior Administrator of Human Resources the complaint shall be directed to the Director of Education.
- When allegations are made against the Director the complaint shall be directed to the Chairperson of the Board.
- When allegations are made against a Trustee the complaint shall be directed to the Director of Education who will follow the process according to the Trustee Code of Conduct Policy.
- The formal written complaint shall include:
  - identification of the accused individual(s) involved
  - identification of the specific conduct, action, or attitudes which the complainant considers harassing
  - identification of any witnesses to the conduct, action or attitudes
  - a suggested resolution
- A copy of this complaint must be sent by the complainant to the accused within three (3) working days of the registration of the complaint.

- If the complaint is directed at another member of the College of Teachers, teachers are required to comply with section 18 1(b) of the regulation made under the **Teaching Profession Act**.

## INVESTIGATIVE PROCEDURE OF THE COMPLAINT BY THE SUPERVISOR

- Upon receipt of a formal complaint the Supervisor shall ascertain that a copy of the complaint has been provided to the accused and to the appropriate Superintendent and the Senior Administrator of Human Resources.
- The Supervisor shall arrange a meeting within two (2) working days of the written complaint being sent to the accused. Each party to this meeting may have an advocate present during the meeting. This advocate may be a Principal, Vice Principal, Supervisor, trusted staff member, friend, association or union representative.
- During this meeting the Supervisor shall review the complaint, allow each party to present their position relative to the complaint, and question the parties for clarification.
- **No Merit**  
A written report is expected if the Supervisor concludes after an internal investigation that the complainant's allegations have no merit. This report shall be completed with a rationale for ending the investigation. The report shall be communicated to the parties within ten (10) working days of the meeting. A copy of this report shall be forwarded to the appropriate Superintendent and to the Senior Administrator of Human Resources. If there is a determination that a report of harassment has been filed in bad faith, the investigation process will be discontinued and disciplinary action may occur.
- **With Merit**  
An internal investigation is expected if the Supervisor concludes that the allegations have merit. After internal investigation:
  - If it is clear that the respondent's behaviour did constitute harassment/discrimination, the respondent will be required to provide a written plan that outlines what will be done to prevent any reoccurrence of the harassing behaviour(s).
  - The plan will also address future interactions with the complainant to ensure that there will be no overt or subtle intimidation or retaliation. The plan may include specific action regarding harassment/discrimination prevention education or counselling provided in the community.
  - The complainant's requests regarding future interactions with the respondent will be considered in the development and the final approval of the plan.
  - The Superintendent of Human Resources will determine the appropriate disciplinary action to be taken.
- If either party is not accepting of the findings the matter may be referred to the Director of Education. The Director of Education may elect to proceed with an investigation through their office or refer the matter to an independent third party. Selection of the third party shall be the exclusive decision of the Director of Education.
- Should the Director of Education choose to investigate the matter through the Director of Education's office the Director of Education may request, in writing a meeting with either party for the purpose of reviewing the decision reached by the Supervisor. This request must be made within fourteen (14) working days of the decision by the Supervisor. The Director of Education will hold a meeting with both parties.
- After a meeting with the Director of Education a written final decision will be presented to both parties. A copy of this final decision including any prescribed action and discipline will be filed with the Senior Administrator of Human Resources.
- The final decision of the Director of Education may be appealed to the Committee of the Whole/or the Board by either party not to exceed sixty (60) school days.
- If the complaint is against the Director of Education the Chair of the Board will refer the issue to the Board after conducting an informal investigation in order to assess merit.
- If the complaint is against a Trustee, the Director of Education will refer the issue to the Chair of the Board after conducting an informal investigation in order to assess merit.
- If the complaint is against the Chair, the Director of Education will refer the issue to the Vice- Chair of the Board after conducting an informal investigation in order to assess merit.

- The Board will ensure the worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, are informed in writing of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation

## RECORDS

- All records for cases determined to have merit, shall be sealed and placed in the accused person's electronic personnel file and are accessible only to authorized Board personnel, the accused and any representative of the accused with the appropriate written permission of the accused. If there are no further complaints that are deemed to have merit, within a three (3) year period this individual may request, in writing, that their record be removed and destroyed.
- At the written request of the accused, the Director of Education and/or delegate may review the appropriate harassment file after a three (3) year period provided the individual has fully complied with the Board's Employee Workplace Harassment policy during that time period.
- The Director of Education and/or delegate may, at their discretion, determine that the harassment file be retained or destroyed following the review.

## OTHER CONSIDERATIONS

- All investigations, accusations and all matters dealing with the Employee Workplace Harassment complaints will be conducted with regard to due process and confidentiality.
- Any breach of confidentiality by those parties involved may result in disciplinary action.
- The process does not abrogate or deny the rights of any employee granted or contained in any other provincial acts or regulations, federal legislation or collective agreements.
- If the most recent incident giving rise to the complaint occurred prior to the current school year or prior to six months before initiation of the complaint, the complaint must have a reasonable explanation of why the complaint was not promptly made and the Supervisor, in consultation with the appropriate Supervisory Officer and/or Controller of Facilities Services, must be satisfied that the delay was incurred in good faith and no substantial prejudice will result to any individual affected by the delay.
- If the complaint is made by a student or a parent against an employee of the Board the appropriate Supervisor will exercise the relevant procedures or regulations as set out in the Police Protocol section of the Safe Schools Policy (302.6) as well as the FACS Protocol.
- All Principals/Supervisors shall make all employees aware of this policy as well as the Employee Assistance Program (EAP).
- This policy will be implemented in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
- Timelines to the investigation and the process listed in this policy may be adjusted with the approval and agreement of the parties.
- Copies of this policy will be submitted to the complainant and harasser upon receipt of the complaint.

<b>Adopted Date:</b>	<b>March 26, 2002</b>
<b>Revision History:</b>	<b>February 23, 2010</b> <b>February 28, 2012</b> <b>November 26, 2013</b> <b>February 24, 2015</b> <b>June 21, 2016</b> <b>May 23, 2017</b> <b>November 27, 2018</b> <b>July 10, 2019</b> <b>October 22, 2019</b>

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICIES - PRIOR TO VETTING  
EMPLOYEE WORKPLACE VIOLENCE POLICY (201.11)**

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources

Presented by: Frank Iannantuono, Superintendent of Education/Human Resources

Date: November 26, 2019



Niagara Catholic District School Board  
**EMPLOYEE WORKPLACE VIOLENCE POLICY**  
STATEMENT OF POLICY

200 – Human Resources

Policy No 201.11

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: November 27, 2018

In keeping with the Mission, Vision, and Values of the Niagara Catholic District School Board, the Niagara Catholic District School Board is committed to providing a safe working environment in which all Employees are treated with consideration, dignity, respect, equity and in accordance with the gospel values of Jesus Christ, as well as the Mission, Vision and Values of the Board.

The Board believes that the eradication of workplace violence in the school/workplace is the joint responsibility of the employer and the employee. Therefore, any employee who becomes aware of a potential workplace violence situation has a responsibility to draw appropriate attention to it.

Workplace Violence will not be tolerated while an employee is conducting company business, or work related functions.

If the employee believes they are at risk of violence in the workplace including domestic violence they must advise the employer and the employer will take appropriate steps which may include seeking the assistance of the local police.

Where the occasion of workplace violence arises, the Board will achieve resolution through a formal process. During the process all information gathered is to be kept confidential.

In accordance with current legislation in the Province of Ontario, the Board will assess the risks of workplace violence ([Appendix A](#)) that may arise from the nature of the workplace, and provide relevant training, information and instruction to the employees.

This Policy is to be applied in conjunction with other Board Policies dealing with employee behaviour, progressive discipline, conflict resolution and school safety (i.e. Code of Conduct, Access to School Premises, Criminal Background Check, Police and School Board Protocol, Occupational Health and Safety, Employee Workplace Harassment).

The Board will review this policy with respect to workplace violence, on an annual basis, and will post this policy in the workplace along with any applicable procedures and/or related programs.

The Director of Education will issue Administrative Procedures for the implementation of this policy.

### **References**

- [\*Bill 168: Occupational Health and Safety Amendment Act \(Violence and Harassment in the Workplace\) 2009\*](#)
- [\*Human Rights Code\*](#)
- [\*Municipal Freedom of Information and Protection of Privacy Act\*](#)
- [\*Occupational Health & Safety Act \(December 2009\)\*](#)
- ~~[\*Workplace Violence in School Boards: A Guide to the Law\*](#)~~
- [\*Niagara Catholic District School Board Policies/Procedures\*](#)
  - [\*Employee Workplace Harassment Policy \(201.7\)\*](#)





Niagara Catholic District School Board  
**EMPLOYEE WORKPLACE VIOLENCE POLICY**  
 ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 201.11

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: November 27, 2018

**Workplace Violence** is defined by the Ministry of Labour (MOL) as:

- the exercise of physical force by a person against a employee, in a workplace, that causes or could cause physical injury to the employee;
- an attempt to exercise physical force against a employee in a workplace, that could cause physical injury to the employee; and
- a statement or behaviour that it is reasonable for a employee to interpret as a threat to exercise physical force against the employee, in the workplace, that could cause physical injury to the employee.
- **Workplace** refers to any place where employees perform work or work-related duties or functions. Schools and school-related activities, such as co-curricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions fall within the ambit of this policy.
- **Employee** refers to all employees of the Board.

**According to the Occupational Health & Safety Act:**

- “worker” means any of the following
  - A person who performs work or supplies services for monetary compensation.
  - A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled
  - A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.
  - A person who receives training from an employer, but who, under the Employment Standards Act, 2000, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met.
  - Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation;

Definitions are subject to changes from time to time as the appropriate legislation is reviewed or amended.

The Employee Workplace Violence Policy and Administrative Procedures shall be posted in a specific area, at the Health and Safety Station, in every workplace throughout the Niagara Catholic District School Board.

## PROVISION OF INFORMATION

**Disclosure** of Information with respect to Workplace Violence provided to a employee may include personal information related to a risk of violence from a person with a history of violent behaviour if,

- The employee can be expected to encounter that person in the course of his or her work; and
- The risk of workplace violence is likely to expose the employee to physical injury, as outlined in legislation.

No employer or supervisor shall disclose more personal information than is reasonably necessary to protect the worker from physical injury.

## DOMESTIC VIOLENCE

If the employer becomes aware, or ought to reasonably be aware that domestic violence that is likely to expose a employee to physical injury may occur in the workplace, the employer will take every reasonable precaution to protect the employee.

## COMPLAINT PROCEDURE

When a employee has been the subject of a workplace violence, the following steps shall be considered:

1. The alleged assailant will be removed from the presence of the employee immediately, if the immediate Supervisor at the time of the incident deems it reasonable and practical.
2. The employee(s) shall receive immediate and appropriate support and/or medical attention if warranted.
3. In the event of a physical assault, medical verification of the injury sustained in the assault must be established and recorded as soon as possible by the immediate Supervisor.
4. Without delay, the assaulted employee(s) shall inform the immediate Supervisor. The immediate Supervisor must inform the Senior Administrator of Human Resources, who will then notify the appropriate Superintendent or Controller of Facilities Services.
5. It shall be the responsibility of the Senior Administrator of Human Resources to inform the appropriate Union President, if applicable, of the incident. These procedures do not preclude the assaulted employee(s) from contacting the Police and/or their Association/union representatives.
6. The immediate Supervisor will advise the alleged assailant, as soon as it is practical, that documentation of the specific details shall be recorded.
7. The immediate Supervisor will endeavour to restore the environment to normalcy and will conduct an investigation into the assault. The completed ~~Niagara Catholic Employee Workplace Violence Incident Report Form~~, Ontario Education Service Corporation (OESC) On-Line Reporting System resulting from the investigation will be forwarded to the Senior Administrator of Human Resources with a copy to the appropriate Superintendent or Controller of Facilities Services. A copy of the ~~Niagara Catholic Workplace Safety and Insurance Board Employee Incident/Accident Report~~ will also be required in the event of a physical assault.
8. Upon receiving the reports from the employee and immediate Supervisor, the Senior Administrator of Human Resources will consult with the appropriate Superintendent(s) and/or Controller of Facilities Services prior to any action taken.
9. The Senior Administrator of Human Resources may seek legal advice for the Board regarding the incident.
10. The Senior Administrator of Human Resources shall inform the employee of the support mechanisms available through the Board.
11. With the approval of the Superintendent of Human Resources, the Senior Administrator of Human Resources may, if deemed appropriate, grant an approved leave of absence without loss of pay or sick leave credit, to the employee(s) who has been the subject of an assault.
12. The Niagara Catholic District School Board will not discriminate against employees because they are perceived to be victims of workplace violence.
13. In all cases, with Police involvement, the employee and immediate Supervisor shall report the incident(s) on the appropriate form.
14. Copies of reports made by the employee and immediate Supervisor must be given to the Senior Administrator of Human Resources, appropriate Superintendent(s) and/or Controller of Facilities if appropriate, where appropriate action will be taken. Upon written request to the Senior Administrator of Human Resources, a copy of the detailed report from the immediate Supervisor will be provided to the employee(s).
15. Where the two (2) or more parties involved in the assault are assigned to the same department or work-site, future work assignments and location shall be reviewed with the Senior Administrator

of Human Resources, the appropriate Superintendent(s) or Controller of Facilities, and the Immediate Supervisor.

16. Infringement of this policy will give rise to disciplinary measures up to and including termination of employment.

**JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE REPRESENTATIVES**

The employer shall advise the Joint Occupational Health and Safety Committee at the school site of the results of the assessment or re-assessment of the Workplace Violence Management Program and provide a copy where the assessment or re-assessment is in writing.

The Workplace Violence Survey ([Appendix B](#)) will be conducted as often as necessary in order to monitor employee input on assessments and the provision necessary information to employees.

The employer will provide for a risk assessment ([Appendix A](#)) in relation to workplace violence having regard to the nature of the workplace, the type of work, working conditions, circumstances that would be common to similar workplaces and circumstances particular to that workplace. The results of the risk assessment must be provided to the joint health and safety committee or the health and safety representative, or, if none exists, to the workers themselves within ten (ten) working days or a timeline agreed upon by both parties. Risk assessment must be performed as often as necessary.

The OHSA requires employers to notify the Ministry of Labour of critical injury (as defined by the OHSA) or fatality immediately and file a written report with 48 hours. In the absence of a critical injury or fatality, an employer need not report a workplace violence incident to the Ministry of Labour unless ordered to do so by a Ministry of Labour Inspector.

The JHSC, the health and safety representative and the union(s) shall be notified within four (4) days of a workplace violence incident if a person is disabled from performing his or her usual work or requires medical attention because of the incident.

This Policy is to be interpreted and applied in conjunction with other board policies dealing with employee behaviour, progressive discipline, conflict prevention and resolution, and school safety.

<b>Adopted Date:</b>	<b>April 23, 2002</b>
<b>Revision History:</b>	<b>June 15, 2010</b>
	<b>November 23, 2010</b>
	<b>December 20, 2011</b>
	<b>November 26, 2013</b>
	<b>February 24, 2015</b>
	<b>June 21, 2016</b>
	<b>May 23, 2017</b>
	<b>November 27, 2018</b>

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICIES - PRIOR TO VETTING  
OCCUPATIONAL HEALTH AND SAFETY POLICY (201.6)**

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Prepared by: Frank Iannantuono, Superintendent of Education/Human Resources  
Presented by: Frank Iannantuono, Superintendent of Education/Human Resources  
Date: November 26, 2019



Niagara Catholic District School Board  
**OCCUPATIONAL HEALTH & SAFETY POLICY**  
STATEMENT OF POLICY

200 – Human Resources

Policy No 201.6

Adopted Date: January 29, 2002

Latest Reviewed/Revised Date: November 27, 2018

In keeping with the Mission, Vision, and Values of the Niagara Catholic District School Board the Niagara Catholic District School Board believes that the prevention of employee occupational illness and injury and the prevention of accidents to volunteers, students and visitors on Board premises, is of the utmost importance. The Board, therefore, shall maintain as safe working environment as possible and take all reasonable precautions to prevent injury or occupational illness at Niagara Catholic District School Board sites and is committed to providing a safe, respectful and healthy workplace and learning environment for all employees, students, volunteers, visitors and contractors. The Board is committed to continually improving health and safety practices and performance in compliance with the Occupational Health and Safety Act.

The Director of Education shall issue Administrative Procedures for the implementation of this Policy.

**Reference**

- [\*\*\*Occupational Health and Safety Act and Regulations for Industrial Establishments, R.S.O. 2001, Chapter 0.1\*\*\*](#)



Niagara Catholic District School Board  
**OCCUPATIONAL HEALTH & SAFETY POLICY**  
ADMINISTRATIVE PROCEDURES

200 – Human Resources

Policy No 201.6

Adopted Date: January 29, 2002

Latest Reviewed/Revised Date: November 27, 2018

Every employee has a responsibility to work in a safe manner; to use or wear the equipment, protective devices or clothing that the Employer, or legislation, requires to be used or worn; to report to their supervisor, the absence or defect in any equipment or protective device of which they are aware and which may endanger them or another worker; to report to their Supervisor any hazard or potential hazard, within the Board's jurisdiction, of which they are aware.

The Employer through the Supervisor has a responsibility for the safety of employees who report to them and therefore must ensure that employees work in a safe manner and use or wear the equipment, protective devices or clothing that the Board, or legislation, requires to be used or worn. Additionally, the Employer and/or other designated personnel, has an obligation to address concerns put forth by any party regarding matters of occupational health and safety that are within the Board's jurisdiction.

The Niagara Catholic District School Board supports the Internal Responsibility System whereby all workplace parties participate in building safety programs that exceed the minimum standards as set out by the Occupational Health and Safety Act. Employees who direct work are responsible for ensuring that safe work procedures and training are implemented and followed to maintain a safe and healthy workplace. They are also responsible to ensure that hazards, unsafe conditions, practices and behaviors that are reported to them are addressed.

All parties employed within or contracted by the Employer must act in compliance with the *Occupational Health and Safety Act and Regulations for Industrial Establishments, R.S.O. 2001, Chapter 0.1*, as amended.

<b>Adopted Date:</b>	<b>January 29, 2002</b>
<b>Revision History:</b>	<b>December 20, 2011</b> <b>November 26, 2013</b> <b>June 21, 2016</b> <b>May 23, 2017</b> <b>November 27, 2018</b>

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICIES - PRIOR TO VETTING  
STUDENT USE OF GUIDE DOGS AND SERVICE ANIMALS  
POLICY (NEW)**

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Prepared by: Pat Rocca, Superintendent of Education  
Presented by: Pat Rocca, Superintendent of Education  
Date: November 26, 2019



Niagara Catholic District School Board

**STUDENT USE OF GUIDE DOGS AND SERVICE ANIMALS**

## STATEMENT OF POLICY

300 – Schools/Students

Policy No

Adopted Date: NEW

Latest Reviewed/Revised Date:

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the Niagara Catholic District School Board recognizes the importance of the health, safety and overall well-being of its students.

The Niagara Catholic District School Board is committed to the learning of all students and provides a range of differentiated placements, programs and interventions to support student success. It is the policy of the Niagara Catholic District School Board, in accordance with its obligations pursuant to the *Ontario Human Rights Code*, to provide individualized accommodation to students with disabilities to enable them to have meaningful access to education services.

In circumstances where a parent or adult student requests to have the student's Guide Dog, Service Dog or Service Animal accompany the student while attending school or a school-related event, each such request shall be reviewed individually by the Board staff considering the student's dignity, integration, independence and disability-related learning needs and the accommodations available to enable meaningful access to education.

Pursuant to the *Education Act* and regulations, a school building is not a place to which the public is customarily admitted. The process of accommodation shall also consider the competing human rights of other students and of staff; the impact of the Guide Dog, Service Dog or Service Animal on the learning environment; and the health and safety of all individuals who are or might be in the school, on school grounds or at a school-related event.

The Board shall retain data regarding the requests for Guide Dogs, Service Dogs and Service Animals as outlined in its Administrative Procedure.

The Director of Education will issue Administrative Procedures for the implementation of the Policy.

**References:**

- [\*Human Rights Code, RSO 1990, c.H.19\*](#)
- [\*Education Act, RSO 1990, c.E2, s. 170\(1\), s.265\(1\); O. Reg. 298, s.11\*](#)
- [\*PPM 163 School Board Policies on Service Animals\*](#)
- [\*J.F. v. Waterloo Catholic District School Board, 2017 HRTO 1121 \(CanLII\)\*](#)
- [\*Accessibility for Ontarians with Disabilities Act, 2005, SO 2005, c.11\*](#)
- [\*Blind Persons' Rights Act, RSO 1990, c.B7,\*](#)
- [\*Dog Owners' Liability Act, RSO 1990, c.D16\*](#)
- [\*Health Protection and Promotion Act, RSO 1990, c.H7\*](#)



**STUDENT USE OF GUIDE DOGS AND SERVICE ANIMALS**

## ADMINISTRATIVE PROCEDURES

300 – Schools/Students

Policy No

Adopted Date: NEW

Latest Reviewed/Revised Date:

**PURPOSE**

- 1.1 It is the policy of the Niagara Catholic District School Board in accordance with its obligations pursuant to the Ontario *Human Rights Code* to provide individualized accommodation to students with disabilities to enable them to have meaningful access to education services in a manner that respects their dignity, maximizes integration and facilitates the development of independence.
- (a) The Board utilizes a variety of placements, differentiated programming, and evidence-based interventions and strategies to provide meaningful access to education for students who have disability-related needs that impact their learning.
  - (b) The Board does not provide Guide Dogs, Service Dogs or Service Animals to students.
  - (c) The Board encourages any family considering the purchase of a Guide Dog, Service Dog or Service Animal to meet with the school principal or Family of Schools Superintendent of Education before making a commitment.
- 1.2 This Administrative Procedure identifies the individualized process to be followed when a parent or adult student applies to the Board to have a Guide Dog, Service Dog or Service Animal accompany the student while the student is attending school or a school-related event.
- 1.3 Pursuant to the *Education Act* and regulations, a school building is not a place to which the public is customarily admitted. Pursuant to the *Education Act* and Ontario Regulation 474/00 *Access to School Premises*, the Niagara Catholic District School Board requires each school to have a process for visitors.
- 1.4 Any determination of whether a Guide Dog, Service Dog or Service Animal is an appropriate accommodation for a student while receiving education services is a decision of the board. A regulated health professional cannot unilaterally prescribe that a Guide Dog, Service Dog or Service Animal be a specific accommodation while the student is receiving education services at school.
- 1.5 When an adult student or parent seeks to have their child attend school or school related events with a Guide Dog / Service Dog, both the Guide Dog / Service Dog **and** the Student Handler must be certified as having been successfully trained by an accredited training facility.
- (a) Only in exceptional circumstances subject to the standards of undue hardship pursuant the *Human Rights Code*, will the School Board consider an application for a student who will not be acting as the primary trained Handler of the Guide Dog / Service Dog.
- 1.6 Only in exceptional circumstances subject to the standards of undue hardship pursuant the *Human Rights Code*, will the Board consider Service Animals, other than dogs, as an accommodation for

a student and only if other reasonable methods of accommodation in the school setting have been unsuccessful in meeting the demonstrated disability-related learning needs of the student.

## BACKGROUND

- 2.1 Service animals have traditionally been highly trained dogs that assist individuals with various tasks of daily living (Guide Dog, Hearing and Signal Dogs, Mobility Assistance Dogs, Seizure Response Dogs).
- 2.2 In most circumstances, a Guide Dog will be a highly trained dog provided to support the orientation and mobility needs of a student handler who has a diagnosis of blindness/low vision, and the Guide Dog will provide the student handler with greater independence, dignity and opportunity for integration.
- 2.3 The term Service Animal is used in the *Accessibility Standards for Customer Service* made under the *Accessibility for Ontarians with Disabilities Act* (AODA), to describe an animal that assists an individual with a disability to be able to access goods and services available to the public. **A school is not a public space and is not generally accessible to the public. The AODA does *not* apply to a student's use of a Service Dog / Service Animal when accessing education services in school buildings.**
  - (a) Pursuant to the *Code* it is possible that a Service Animal might include different species that provide a therapeutic function (horses), emotional support, sensory function, companionship and/or comfort.
  - (b) The determination of whether the animal is an appropriate accommodation in the school setting to accommodate a demonstrated disability-related learning need is a decision of the board.
    - (i) Such a decision will consider that animals, other than dogs, are not trained by an Accredited Training Organization and may pose a risk to the safety of students and staff and/or may be disruptive to the learning environment and/or may act as a distraction in the learning environment.
- 2.4 Due to risks to safety, and risks of disruption and distraction in the learning environment, the School Board does ***not*** permit training of potential guide dogs and service dogs in the school setting or during school activities.

## DEFINITIONS

- 3.1 For the purpose of this Procedure the following definitions apply:

***Accredited training organization*** is a guide dog or service dog trainer that is accredited by:

- International Guide Dog Federation (“IGDF”): which develops and ensures compliance with the standards by which Guide Dogs for the blind/low vision are trained by its member organizations; or
- Assistance Dogs International (“ADI”): which develops and ensures compliance with the standards by which Guide, Hearing and Service Dogs are trained by its member organizations;

or

- A Guide Dog or Service Dog trainer that attests to compliance with the Meghan Search and Rescue Standard in Support of Accessibility: Persons with a Disability Teamed with Service Dogs standard for training (MSAR).

**Adult student** shall be defined to mean a student who is 18 years of age or older or 16 or 17 years of age and has removed him/her/themselves from the care and control of their custodial parent

**Disability** means,

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the [Workplace Safety and Insurance Act, 1997](#);

**Guide Dog** means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations pursuant to the *Blind Persons' Rights Act*;

**Handler** refers to the individual trained by an Accredited Training Organization who is managing the Guide Dog / Service Dog and in most cases will be the student for whom the Guide Dog / Service Dog is provided;

**Parent** shall be defined to mean a custodial parent of the student or a guardian pursuant to the *Education Act*;

**Service Dog** means a dog which has been certified after successfully completing a training program provided by an Accredited Training Organization.

**Service Animal** for the purpose of this Administrative Procedure includes a therapy dog, companion animal, comfort animal and emotional support animal and includes a dog or other domesticated animal that may legally reside in an urban, residential home, that is not highly trained to perform particular tasks to assist with a student's disability-related needs, but provides emotional support (and/or companionship, calming influence) for a student with a disability-related mental health and/or psychological need and/or comfort during a difficult period.

## ROLES AND RESPONSIBILITIES

- 3.2 School principals are responsible for the management of the school premises, the staff providing educational programs and the safety of all students.
  - (a) A school principal has authority to exclude any animal, including Guide Dogs / Service Dogs and Service Animals, from entry onto school premises and school building(s), as an

accommodation for a student, provided that the student is offered appropriate alternative accommodation to meet the student’s demonstrated disability-related learning needs.

School Principals, before admitting a Guide Dog / Service Dog into the school or on school related activities with the student Handler, shall require a parent/adult student to review the Niagara Catholic District School Board Guidelines for the Use of Service Animals for Use by Students in Schools package, found in Appendix A. Upon review of the Guidelines found in Appendix A, the school Principal shall arrange a meeting with the parents of the student along with the Area Coordinator of Student Support Services in order to ensure clarity of process as well as determine next steps.

- (b) Before admitting a Service Animal, the school principal shall require the parent/adult student to submit the completed “Request for a Service Animal”, included in Appendix B of the Guidelines for the Use of Service Animals for Use by Students in Schools.
- 3.3 On receipt of an application for a Guide Dog / Service Dog or Service Animal, the school principal shall review the application for completeness and may request any additional information or clarification necessary to assess the request for accommodation.
- 3.4 The school principal shall be responsible for communication with the parent/adult student with respect to the accommodation process, and where approved the implementation and management of the accommodation found in Appendix C of the Guidelines for the Use of Service Animals for Use by Students in Schools.
- 3.5 Where a student supported by a Guide Dog / Service Dog / Service Animal, whose parent is the Handler, seeks only to attend a school excursion with the Guide Dog / Service Dog / Service Animal, which is at a location where the public is customarily admitted, efforts will be made to facilitate the student’s participation with the Guide Dog / Service Dog / Service Animal and parent as the Handler.
- (a) Inquiries may need to be made regarding competing rights and transportation arrangements.

**Parents/Adult Students**

- 3.6 Parents or adult students are required to provide all necessary documentation and engage in the consultation process for the purpose of considering and implementing, if appropriate, the request that a Guide Dog / Service Dog accompany the student at school and/or on school-related activities. The parent or adult student shall be responsible for:
- (a) submission of Appendix B;
  - (b) all costs related to the dog, food, grooming, harness, crate and/or mat and veterinary care;
  - (c) obtaining training and maintaining the Guide Dog / Service Dog training to provide the accommodation in a safe manner that does not disrupt student learning;
  - (d) providing confirmation of municipal license for the dog (to be updated annually),
  - (e) providing confirmation of certificates of training not older than 6 months from an Accredited Training Organization attesting that the dog and student Handler have

successfully completed training and may safely engage in a public setting without creating a risk of safety or a risk of disruption within a school setting;

- (a) diagnosis from a registered pediatrician, psychologist, psychiatrist (or other regulated health professional as determined by the School Board) with a recommendation for the use of a Guide Dog / Service Dog;
- (b) a description of the services provided by the Guide Dog / Service Dog to the student, and how those services will accommodate the student's disability-related needs and assist the student in achieving their learning goals and/or goals of daily living while at school;
- (c) a certificate not greater than three (3) months old from a veterinarian qualified to practice veterinary medicine in the Province of Ontario attesting that, the dog is an adult; identifying the age and breed; does not have a disease or illness that might pose a risk to humans; has received all required vaccinations; and is in good health to assist the student (to be updated annually);
- (d) general liability insurance providing coverage in an amount specified by the Board<sup>1</sup> in the event of an injury or death as a result of the Guide Dog / Service Dog's attendance on school property or on a school-related activity (to be updated annually)<sup>2</sup>.

## **Students**

3.7 Students will be expected to act as the Guide Dog / Service Dog's primary Handler. The student Handler must:

- (a) demonstrate the ability to control the Guide Dog / Service Dog in accordance with the training received;
- (b) ensure that the Guide Dog / Service Dog is always wearing a vest and leash or harness when the dog is not in its crate.
- (c) ensure the Guide Dog / Service Dog does not disrupt the learning of others with unnecessary movement, vocalization or other behaviour, including aggressive or threatening behaviour;
- (d) ensure that the Guide Dog / Service Dog's biological needs are addressed;
- (e) transition and maintain at all times the Guide Dog / Service Dog on a leash, harness, mat and/or crate;
- (f) comply with an accommodation plan that addresses the competing rights of others;

## **Guide Dog / Service Dog**

4.1 The Guide Dog / Service Dog:

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<sup>1</sup> Note usually 2 million in general liability insurance coverage is requested. This requirement might need to be waived on the basis of equity in the event that it causes financial hardship for a family.

<sup>2</sup> Note insurance should not pose a barrier to the provision of accommodation as a result of socio-economic factors

- (a) shall be a highly trained and certified by Accredited Training Organization;
  - (i) will have evidence of training or re-certification confirming compliance with training requirements within the last 6 months be required;
- (b) must be groomed and clean;
- (c) must at all times while on school property be responsive to commands and demonstrate that it can perform the necessary tasks or accommodation;
- (d) must **not** engage in behaviour that puts at risk the safety of others, including other animals, or that creates disruption or distraction in the learning environment;
  - (i) such behaviour includes, but is not limited to, growling, nipping, barking, attention seeking, eating;
  - (ii) any such behaviour is grounds to prohibit the Guide Dog / Service Dog's attendance on school property and in the school building,
- (e) must have control of its biological functions so as not to soil the inside of buildings, or require feeding during the school day;
- (f) must demonstrate continuous appropriate behaviour with its Handler and others in the school environment to remain eligible for entry in school buildings or school-related events.

## ASSESSMENT OF THE ACCOMMODATION REQUEST

- 5.1 Once the application and all necessary documentation is received by the school principal, a review will take place by the board team supporting the student and a meeting shall be scheduled to review the accommodation request. Every effort will be made to review the documentation and schedule a meeting in a reasonable timeframe.
- 5.2 A meeting with the Board team supporting the student, the parent/adult student and student (as appropriate), the health practitioner recommending the Guide Dog / Service Dog or Service Animal for the student, the trainer of the Guide Dog / Service Dog and of the Handler, and any other individuals who may contribute to the accommodation process may be scheduled to review the request for accommodation.
- 5.3 Each request for a Guide Dog / Service Dog or Service Animal will be addressed on an individual basis giving consideration to:
  - (a) the individual learning strengths and needs of the student, the student's IEP goals, safety plan, behaviour plan and/or student's medical plan of care (if any);
    - (i) supporting documents such as psychological assessments, occupational or physical therapy assessments, functional behaviour assessments etc.
  - (b) evidence of how the Guide Dog / Service Dog or Service Animal's attendance at school might provide accommodation for a demonstrated disability-related learning need and/or act of daily living necessary while at school;
  - (c) assessment information provided by a regulated health professional with expertise regarding the student's disability-related needs supporting the request for a Guide Dog / Service Dog or Service Animal;

- (d) the training and certification of the Guide Dog / Service Dog and student as Handler;
  - (e) the impact of the accommodation on the student's dignity, integration and independence;
  - (f) whether one or more alternative accommodations can meet the needs of the student;
  - (g) whether the student's attendance with a Guide Dog / Service Dog or Service Animal might require an increase in the level of staff support provided to the student;
  - (h) whether training will be required for staff and/or the student;
  - (i) the impact of the accommodation on the learning environment for the student, other students, including, health, safety, disruption and distraction;
  - (j) any competing human rights of students, staff, and community members using the school pursuant to a permit;
    - (i) recommendations for accommodation plans to reconcile competing rights.
- 5.4 The process of accommodation, including inquiries regarding competing rights and notice to the school community, shall respect the student's right to privacy regarding their disability and specific learning needs and/or needs of daily living.
- 5.5 Where the student is not the primary Handler, board staff must be trained as the Handler(s) and accompany the student and dog at all times. As a result, such requests will be individually considered, in accordance with the duty to accommodate to the point of undue hardship, including consideration of the resources required, alternative accommodations that might meet the student's demonstrated disability-related learning needs and the impact on the staff and other students.
- 5.6 Service Animals shall only be considered when reasonable methods of accommodation in the school setting have been unsuccessful in meeting the demonstrated disability-related learning needs of the student. Parents must complete an application for a Service Animal included in Appendix B of the Procedure.
- (a) The accommodation process following a request by a parent/adult student for a Service Animal shall be consistent with the process noted above, but shall also include any special considerations that may arise if an animal is a species other than a dog, including the ability to be trained, necessary biological functions, the capacity for the animal to respond to commands, whether the animal may be kept on a leash/harness/crate/mat and how such restrictions might impact accommodation.
- 5.7 The determination with respect to the application for a Guide Dog / Service Dog / Service Animal shall be communicated to the parent/adult student in writing in accordance with Appendix D.

## **IMPLEMENTING THE ACCOMMODATION**

- 6.1 Where approval is granted, the school principal in consultation with the student's educational team, will do the following:
- (a) make changes to the student's IEP goals and/or student's medical plan of care;



- (i) may provide for the accommodation on an interim trial basis, in which case the indicators of success or lack of success for this form of accommodation will be identified before the trial period begins.
- (b) organize an orientation session for school staff, students and the student Handler;
- (c) Complete the “Administrative Checklist for the Implementation of a Service Animal into a School Environment” found in Appendix F of the *Guidelines for the Use of Service Animals for Use by Students in Schools*.
- (d) develop a timetable identifying a bio-break, water break, location/process to be followed during instructional and non-instructional times;
  - (i) access may be limited to certain activities, areas of the school, or certain times of the day, including but not limited to, where exclusion is required pursuant to the *Health Protection and Promotion Act* or the *Food Safety and Quality Act 2001*, which prohibit Service Animals from being in places where food is prepared, processed or handled.
  - (ii) assessment may be required by the Board’s Coordinator of Health and Safety regarding safety issues applicable to different areas/activities in the school;
- (e) develop emergency procedures, to include a fire exit plan, lockdown plan, evacuation plan;
- (f) provide notice to the community via a letter to parents (found in Appendix D and Appendix E) of the Guidelines For the use of Service Animals for Use by Students in Schools; posting on the school’s website / social media; presentation by the trainer of the Guide Dog / Service Dog during a school council meeting or association supporting the use of the Service Animal; signage on the school’s front door, gymnasium and library information centre doors; communication to potential occasional staff accepting a position where the Guide Dog / Service Dog or Service Animal may be providing service to the student;
- (g) arrange student assembly for introduction and orientation regarding the Guide Dog / Service Dog or Service Animal;
- (h) arrangements for transportation of the Guide Dog / Service Dog or Service Animal to and from school, if necessary;
  - (i) If the Guide Dog / Service Dog or Service Animal will be accompanying the student on a school vehicle, inquiries must be made regarding competing rights, the transportation plan must specify where the Guide Dog / Service Dog or Service Animal and student will be located; the vehicle shall have a sticker / sign identifying the presence of a Guide Dog / Service Dog or Service Animal is on board;
  - (ii) Documentation about the Guide Dog / Service Dog or Service Animal will be included with the route information so that new or substitute bus drivers are aware of the Guide Dog / Service Dog’s or Service Animal’s presence.
  - (iii) Specialized transportation shall **not** be provided solely for the purpose enabling the Guide Dog / Service Dog or Service Animal to travel to and from school with the student;



**CONTINUOUS ASSESSMENT**

- 7.1 A review of the effectiveness of the Guide Dog, Service Dog or Service Animal in supporting the student's learning goals shall be undertaken as part of each review of the student's IEP, in the event of a Violent Incident Report, and as otherwise deemed necessary by the Principal.
- 7.2 Approval may be revoked at any time by the principal if:
- (a) there are any concerns for the health and safety of students, staff or the Guide Dog / Service Dog / Service Animal;
  - (b) there is behaviour that is distracting, disruptive or aggressive, including making noise, failing to follow commands, growling or nipping. In the event that this behaviour occurs, the Handler will be required to remove the Guide Dog / Service Dog / Service Animal from the classroom immediately and the student's parent/guardian will be called to pick up the Guide Dog / Service Dog / Service Animal from the school. Alternative options for accommodation will be discussed.
  - (c) there has been a change to the student's circumstances or disability-related needs, which had supported the original approval or a change to the needs of students/staff such that there is a new competing right;
  - (d) the board in its discretion determines that the accommodation is not effective for the student's demonstrated disability-related learning needs or acts of daily living.

**RECORDS**

- 8.1 A copy of the application and confirmation of approval, as well as any other relevant documents supporting the accommodation shall be retained in the student's Ontario Student Record.
- 8.2 The Board shall be required to collect, use and disclose the personal information of the student in order to fulfill the accommodation process. Notice of the collection, use and disclosure must be provided to the parent/adult student. Efforts should be made to limit the personal information to only that which is necessary.
- 8.3 The Board is required pursuant to PPM 163 School Board Policies on Service Animals to collect information regarding the implementation of the policy and procedure regarding Guide Dogs and Service Animals, including.
- (a) Total number of requests for students to be accompanied by Guide Dog / Service Dogs / Service Animals;
    - (i) Whether requests are for elementary or secondary school students;
    - (ii) The student's grade;
    - (iii) Whether the student is the Handler;
  - (b) The number of requests approved and denied;

- (i) If denied, the rationale for the decision, including a description of other supports and/or services provided to the student to support their access to the Ontario Curriculum;
- (ii) Species of Service Animals requested and approved; and
- (iii) Types of needs being supported: emotional, social, psychological, physical.

**FOOD AREAS**

Regulation 493/17, of Ontario’s *Health Protection and Promotion Act*, allows Guide Dogs and Service Animals in areas where food is served, sold, and offered for sale. Steps should be taken to ensure that Guide Dogs and Service Animals in school cafeterias, or areas where students are consuming food, are not disruptive and do not eat student food. No animals are allowed in areas where food is prepared, processed, or handled such as the kitchen of the school cafeteria or the hospitality classroom.

**RELATED FORMS AND LETTERS**

**Forms**

**Appendix A: Information for Parents/Guardians Requesting a Service Animal in the School**

**Appendix B: Application Request for Service Animal**

**Appendix C: Management Plan for the Care of the Service Animal**

**Appendix D: Sample Letter to the School Community**

**Sample Letter to Families with Children in the Classroom**

**Appendix F: Administrative Checklist for the Implementation of a Service Animal into a School Environment**

- Sample Letter to the Parents of Students on the School Bus
- Sample Letter to the Parents of Students in the Class(es)
- Sample Letter Approving the Guide Dog / Service Dog / Service Animal
- Sample Letter Denying the Guide Dog / Service Dog / Service Animal

<b>Adopted Date:</b>	<b>NEW</b>
<b>Revision History:</b>	

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: INFORMATION  
CONCUSSION POLICY (303.1) – ADMINISTRATIVE  
PROCEDURES UPDATES**

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Prepared by: Pat Rocca, Superintendent of Education  
Presented by: Pat Rocca, Superintendent of Education  
Date: November 26, 2019



Niagara Catholic District School Board

**CONCUSSION POLICY**

STATEMENT OF POLICY

300 – Schools/Students

Policy No 303.1

Adopted Date: December 16, 2014

Latest Reviewed Date: Nil

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the Niagara Catholic District School Board (Board) recognizes the importance of the health, safety and overall well-being of its students and is committed to taking steps to reduce the risk of injury.

The Board recognizes that children and adolescents are among those at greatest risk for concussions and that while there is potential for a concussion any time there is body trauma, the risk is greatest during activities where collisions can occur, such as during physical education classes, playground time, or school-based sports activities.

Concussion prevention and management requires the cooperation of all partners in the school community. To ensure the safety of students while they enjoy the many benefits of being active, parents/guardians, students, volunteers, staff, and school boards must all understand and fulfill their responsibilities. It is critical to a student's recovery that Return to Learn/Return to Physical Activity Plan be developed through a collaborative team approach led by the school principal.

Increasing awareness of conditions to prevent and identify symptoms related to concussions will support the proper management of concussions, reducing increased risk. This Policy authorizes the creation of administrative procedures for implementation, which might include requirements described in Ministry of Education Policy/Program Memoranda, as matters of policy, and any such administrative procedures shall be considered procedures pursuant to the *Education Act* and other relevant and/or Ministry of Education materials all of which will be sufficient for the purposes of implementing the requirements of Ministry of Education Policy/Program Memoranda.

The Director of Education will issue Administrative Procedures for the implementation of the Policy.

***References***

- [\*Education Act\*](#)
- [\*Ministry of Education, Policy/Program Memorandum 158, School Board Policies on Concussion\*](#)
- [\*Parachute Canada\*](#)
- [\*Approved Concussion Awareness Resources – Rowan's Law\*](#)
- [\*Ministry of Education Approved Concussion Resources\*](#)
- [\*Ontario Physical Activity Safety Standards\*\[https://safety.ophea.net/tools-resources/concussions in Education\]\(https://safety.ophea.net/tools-resources/concussions-in-education\)](https://safety.ophea.net/tools-resources/concussions-in-education)



Niagara Catholic District School Board

**CONCUSSION POLICY**

ADMINISTRATIVE PROCEDURES

300 – Schools/Students

Policy No 303.1

Adopted Date: December 16, 2014

Latest Reviewed/Revised Date: NIL

**PURPOSE**

The Niagara Catholic District School Board recognizes concussions as a serious injury which requires appropriate follow-up measures to reduce risk of potential additional injury. Concussion awareness, prevention, identification and management are a priority for the Board. The implementation of the Board's Concussion Policy and Administrative Procedures is another important step in creating healthier schools in the Niagara Catholic District School Board.

**DEFINITIONS****A concussion:**

- is a brain injury that causes changes in how the brain functions
- Symptoms can be physical (e.g., headache, dizziness), cognitive (e.g., difficulty concentrating or remembering), emotional/behavioural (e.g., depression, irritability) and/or related to sleep (e.g., drowsiness, difficulty falling asleep);
- may be caused either by a direct blow to the head, face or neck, or a blow to the body, that transmits a force to the head that causes the brain to move rapidly within the skull;
- can occur even if there has been no loss of consciousness (in fact most concussions occur without a loss of consciousness);
- cannot be seen on X-rays, standard CT scans or MRIs;
- is a clinical diagnosis made by a medical doctor or nurse practitioner\* \* It is critical that a student with a suspected concussion be examined by a medical doctor or nurse practitioner as soon as possible.

**CONCUSSION SIGNS AND SYMPTOMS**

The first step to managing a concussion is being able to recognize common signs and symptoms. A concussion should be suspected following a blow to the head, face or neck, or a blow to the body that transmits a force to the head.

It is important to recognize that **one or more** of the signs or symptoms of a concussion which may take hours or day to appear.

**COMMON SIGNS AND SYMPTOMS OF A CONCUSSION****Signs and symptoms may be different for everyone**

- Signs and symptoms can appear immediately after the injury or may take hours or days to emerge
- Concussion symptoms for younger students may not be as obvious compared to older students
- A student may be reluctant to report symptoms because of a fear that they will be removed from the activity, their status on a team or in a game could be jeopardized or academics could be impacted

- ❑ It may be difficult for students under 10, with special education needs, or students for whom English/French is not their first language, to communicate how they are feeling
- ❑ If student loses consciousness or signs or symptoms worsen, call 911
- ❑ Cognitive or physical activities can cause student's symptoms to reappear
- ❑ Steps are not days-each step must take a minimum of 24 hours and the length of time needed to complete each step will vary based on the severity of the concussion and the student
- ❑ The signs and symptoms of a concussion often last for 7-10 days, but may last longer in children and adolescents
- ❑ Compared to older students, elementary school children are more likely to complain of physical problems or misbehave in response to cognitive overload, fatigue, and other concussion symptoms
- ❑ If a student returns to activity while symptomatic, or before the brain has fully recovered, they are at an increased risk of sustaining another concussion with symptoms that can be prolonged and increased
- ❑ Principals, supervising staff, coaches and volunteers must be very aware of students asking to return to learn and return to play too early.
- ❑ Parents/guardians must report non-school related concussions
- ❑ Return to Learn/Return to Physical Activity steps must be followed regardless of where diagnosed concussion occurred

## DOCUMENTATION

If staff, in communication with the school principal, suspects head trauma or a concussion might be possible:

**Appendix C1: *Tool to Identify a Suspected Concussion* and Appendix D2: *Documentation of Medical Exam*** must be given to the parent/guardian and student.

**Appendix C2: *Concussion Recognition Tool*** is a pocket sized tool that can also be used to identify a suspected concussion. If staff is not sure of the presence of one or more of these signs and symptoms of a possible concussion

## THE DIAGNOSIS OF A CONCUSSION

Medical doctors and nurse practitioners are the only healthcare professionals in Canada with licensed training and expertise to diagnose a concussion; therefore, all students with suspected concussions should undergo evaluation by one of these professionals.

## PREVENTION

Regardless of the steps taken to prevent injury, some injuries may occur. The severity of the injury may be mitigated by the following:

1. Awareness and education for coaches, volunteers, staff, parents and students to:
  - a) Recognize the symptoms of concussion;
  - b) Remove the student from play;
  - c) Refer the student to a medical doctor/nurse practitioner
  - d) Deliver curriculum based lessons on concussion awareness to students at specified grades
2. Wearing the school's sport specific protective equipment:
  - a) Equipment will fit properly;
  - b) Equipment will be well maintained;

- c) Equipment will be worn consistently and correctly;
  - d) Equipment will meet current safety standards;
  - e) Damaged or expired equipment will be replaced
3. Follow OPHEA sport specific safety guidelines and our Niagara Catholic Fair Play Code of Conduct
  4. Ensure all students receive instruction, understand and follow the sport/activity specific safety rules and skills prior to participation (e.g. eliminate all checks to the head and eliminate all hits from behind)
  5. Teach skills in proper progression (e.g. emphasize the principles of head-injury prevention, keeping the head up and avoiding collision)
  6. Outline the concussion risks associated with the activity/sport and demonstrate how they can be minimized e.g. teach proper sport techniques - correct tackling in football, effective positioning in soccer, how to avoid over-crowding when using the playground
  7. Students must follow their supervising staff/coach's/volunteer's safety instructions at all times
  8. Reinforce that it is extremely important not to return to learning or physical activity while still recovering from a concussion to avoid further risk of injury.
  9. Discourage parents/guardians/volunteers/teachers/coaches, school staff from pressuring recovering concussed students to play or learn before they are ready
  10. Parents need to reinforce with their child the importance of following the school's safety procedures
  11. Parents need to report concussion history on school medical form
  12. Provide reassurance, support and request/offer academic accommodations as needed

## PROCEDURES

Immediate action must be taken by the individual (e.g. principal, teacher, coach) responsible for the student if the student receives a blow to the head, face or neck, or a blow to the body that transmits a force to the head. If in doubt, sit the student out and proceed with protocol.

*Further to the Concussion Policy, the Board outlines the following roles and responsibilities:*

## RESPONSIBILITIES

### **Family of Schools Superintendents of Education will:**

- Perform an annual review of the Concussion Policy and Administrative Procedures to ensure the procedures align with current best practice recommendations and, at a minimum, the OPHEA concussion guidelines.
- Create a Concussion Board Report (**Appendix I**), to be completed by school principals, to track student concussions and record staff concussion education.
- Review concussion board reports annually to ensure compliance with and effectiveness of the Administrative Procedures.
- Ensure concussion education is made available to all school personnel and volunteers.
- Implement concussion awareness and education strategies for students and their parents/guardians.
- Provide support to schools and staff to ensure enforcement of Return to Learn and Return to Physical Activity Guidelines and the Board Concussion Policy and Administrative Procedures.

- Ensure that all board staff, including volunteers, involved in physical activity and supervision (includes but not limited to: recess supervision, curricular, interschool, and intramural physical activity, before and after school care), are trained to recognize signs and symptoms of a suspected concussion and what immediate action to take.
- Ensure that information on the Concussion Policy and Administrative Procedures is shared with the school community, including organizations that use the school facilities, such as community sports organizations and licensed child-care providers operating in schools of the Board where applicable.
- Ensure each elementary and secondary school implements the Return to Learn and Return to Physical Activity Plan (**Appendix E1, E2**)

## Principals will:

- Abide by the Concussion Policy and Administrative Procedures.
- Ensure staff, volunteers, parents/guardians, and students are aware of the Concussion Policy and Administrative Procedures and understand their roles and responsibilities.
- Ensure the Concussion Policy and Administrative Procedures is followed by all school staff (including occasional staff/support staff, recess supervisors), parents/guardians, students, and volunteers.
- In honour of Rowan's Law Day, provide training for staff and coaching volunteers by the last Wednesday in September every school year beginning September 2020, and repeat as necessary. The Rowan's Law Day Toolkit for Schools contains sample tools to recognize Rowan's Law Day in schools and to encourage conversation and raise awareness among students, staff and the school community about concussion safety. See Appendix H
- Provide annual concussion training for relevant school staff utilizing the Opeha's Concussion Identification, Management, and Prevention for Schools 2019/20. The e-Learning module was developed to increase awareness and understanding of concussion and of the methods and strategies to be used for identification and appropriate management of concussions. The module also includes strategies and resources to assist in the education of concussion prevention. This e-Learning module is intended for all school staff including educators, administrators, and support staff
- Ensure the Concussion Recognition Tool is included in occasional teacher lesson plans and field trip folders.
- Share concussion information with students and their parents/guardians.
- Ensure lessons on Head Trauma/Concussion Awareness are delivered annually to all students.
- Ensure OPHEA safety guidelines are being followed.
- Work as closely as possible with students, parents/guardians, staff, volunteers, and health professionals to support concussed students with their recovery and academic success.
- Maintain up to date emergency contact and telephone numbers.
- Complete concussion Board report (OSBIE/Appendix 1, Student Concussion) as each injury occurs or each term/semester.
- Attempt to obtain parental/guardian cooperation in reporting all non-school related concussions.
- Ensure concussion information is readily available to all school staff and volunteers.
- Ensure that all incidents are recorded, reported and filed as required by this Administrative Guideline, as appropriate, and with an OSBIE incident report form.
- For students who are experiencing difficulty in their learning environment as a result of a concussion, coordinate the development of an Individual Education Plan (IEP). See the revised OPHEA Strategies released by OPHEA for Return to Learn Strategies/Approaches.
- Approve any adjustments to the student's schedule as required.
- Alert appropriate staff about students with a suspected or diagnosed concussion.
- Prior to student return to school, ensure completion and collection of the following documentation:
  - Documentation of Monitoring Medical Examination Form (**Appendix D2**)
  - Documentation for a Diagnosed Concussion – Return to Learn/Return to Physical Activity Plan (**Appendices E1, E2**)
  - File above documents (**Appendices D2, E1, E2**) in student's OSR and provide copy to appropriate school staff.
- Once concussion is diagnosed, appoint primary staff member to act as the student's liaison to ensure adequate communication and coordination of student's needs.



- Ensure Parent/Guardian complete 'Acknowledgement of Risk/Permission to Participate Form
- Ensure Parent/Guardian has been notified of any suspected concussion during the school day the incident occurred at the first reasonable opportunity.

If the Parent/Guardian refuses a physician consultation and/or refuses to adhere to the concussion admin procedure the **Principal will:**

- Discuss parental concerns (e.g. documentation fees) surrounding the process and attempt to address these concerns
- Provide rationale for the required steps of the Concussion Administrative Procedure
- Include parent/guardian and their child in every step of the recovery process
- Provide parents with concussion information to increase their awareness and knowledge
- Re-iterate the importance of obtaining an official diagnosis from trained physician
- Explain to parent/guardian if staff feels immediate medical attention is required that they are obligated to call 911 even on parent refusal
- Inform parent/guardian that school is obligated to follow the steps of the "Return to Learn" and "Return to Physical Activity" process
- Have parent sign off **Appendix E1 and E2**
- If unsuccessful in acquiring full parental cooperation seek support from Senior Administration

**School Staff (Includes administration staff, teaching staff, support staff, coaches, volunteers) will:**

- Attend and complete concussion training (e.g. staff meeting, online, workshop, read concussion package, etc.).
- Ensure that the Acknowledgement of Risk/Permission to Participate Appendix A distributed, completed and signed by parent prior to student participation in a sport.
- Ensure age-appropriate concussion education, including prevention, is included for all students participating in activities that could result in a concussion.
- **Every school year, Confirmation must be received from parents, students, coaches, and trainers (which includes both school staff and volunteers) that a Concussion Code of Conduct has been reviewed prior to any participation in board-sponsored interschool sports. (Appendix G1, G2, G3)**
- Be able to recognize signs, symptoms and respond appropriately in the event of a concussion see **Appendix C1: Tool to Identify a Suspected Concussion and Appendix C2 Pocket Concussion Recognition Tool.**
- Follow current OPHEA safety guidelines and implement risk management and injury prevention strategies.
- **Learn about concussions, including prevention strategies, signs and symptoms, concussion management and student roles and responsibilities, throughout applicable curriculum such as:**
  - OPHEA's Concussion Awareness Resources
  - Rowan's Law E Booklets for students 15 years old and up (which includes student athletes, parents, coaches, official, or Educators).
- Make sure that occasional teaching staff are updated on concussed student's condition.

**Parents/Guardians will:**

- Insure that any equipment used by their child meets up to date safety standards.
- Review with your child the concussion information that is distributed through the school (e.g. learn signs and symptom of concussion (**Appendix A**).
- **Every school year, provide confirmation to the school that they and their child(ren) have reviewed the Concussion Code of Conduct prior to any participation in board-sponsored interschool sports.**
- **Learn about concussions, including prevention strategies, signs and symptoms, concussion management and student roles and responsibilities, throughout applicable curriculum such as:**
  - OPHEA's Concussion Awareness Resources
  - Rowan's Law E Booklets for students 15 years old and up (which includes student athletes, parents, coaches, official, or Educators).
- Reinforce concussion prevention strategies (e.g. **Player Student Code of Conduct**) with your child.
- Understand and follow parent/guardian roles and responsibilities in the Administrative Procedures.

- In the event of a suspected concussion, ensure child is assessed as soon as possible by physician/nurse practitioner, optimally on the same day.
- Cooperate with school to facilitate Return to Learn and Return to Physical Activity.
- Follow physician/nurse practitioner recommendations to promote recovery.
- Be responsible for the completion of all required documentation.
- Support your child’s progress through recommended Return to Learn and Return to Physical Activity Guidelines.
- Collaborate with school to manage suspected or diagnosed concussions appropriately.
- Report any non-school related concussion or suspected concussion to the principal (Return to Learn/Return to Physical Activity guidelines will still apply)

**Students will:**

- Learn about concussions, including prevention strategies, signs and symptoms, concussion management and student roles and responsibilities, throughout applicable curriculum such as:
  - OPHEA’s Concussion Awareness Resources
  - Rowan’s Law E Booklets for students 10 years old and Under
  - Rowan’s Law E Booklets for students 11 – 14 years of age
  - Rowan’s Law E Booklets for students 15 years old and up~~we have both curriculum councils creating lesson plans for head injury prevention and awareness.~~
- **Every school year, provide confirmation to the school that they have reviewed the Concussion Code of Conduct prior to any participation in board-sponsored interschool sports.**
- Immediately inform school staff of suspected or diagnosed concussions occurring during or outside of school.
- Inform school staff if you experience any concussion related symptoms (immediate, delayed or reoccurring).
- Remain on school premises until parent/guardian arrives if concussion is suspected
- Communicate concerns and challenges during recovery process with staff concussion liaison, school staff, parents/guardians, and health care providers.
- Follow concussion management strategies as per medical doctor/nurse practitioner direction and Return to Learn/Return to Physical Activity Guidelines.

**Physician and/or other health care professionals will:**

- Assist in the development of an individualized Academic and Physical Concussion Management Plan.
- Monitor recovery process and modify concussion management plan as required.
- Complete required documentation (**Appendices D2, F**).
- If symptoms persist beyond 10 days, referral may be made to brain injury specialist.

<b>Adopted Date:</b>	<b>December 16, 2014</b>
<b>Revision History:</b>	

## OTHER SOURCES OF CONCUSSION INFORMATION

Approved Concussion Awareness Resources: <https://www.ontario.ca/page/rowans-law-concussion-awareness-resources>

### General Concussion Information

- [Parachute Canada](#)
- [Centre for Disease Control: Traumatic Brain Injury](#)
- <http://www.concussionsontario.org>
- <http://www.cdc.gov/concussion/sports/prevention.html>

### ELearning Modules

- [Coaches Association of Ontario](#)

### Online Videos

- [What's a Concussion, Anyway?](#) (OREGON CENTER FOR APPLIED SCIENCES, INC.)

### Concussion Research

- [Consensus statement on concussion in sport: the 4th International Conference on Concussion in Sport held in Zurich, November 2012](#)

### OPHEA Safety Guidelines

- [Ontario Physical Education Safety Guidelines](#)

### Concussion Tools

- [Concussion Recognition Tool](#)
- [Sport Concussion Assessment Tool](#)
- [Child Sport Concussion Assessment Tool](#)
- [Concussion App](#) – From Hockey Canada

### Student Education

- [Hamilton Brain Injury Association: Bikes, Blades and Boards Education Program info@hbia.ca](#)
- [Coaching Association of Ontario](#)

## REFERENCES

Parachute Canada (Formerly Think First) –

- <http://www.youtube.com/parachutecanada>
- [http://www.cces.ca/files/pdfs/CCES\\_Active&Safe\\_Pledge\\_E.pdf](http://www.cces.ca/files/pdfs/CCES_Active&Safe_Pledge_E.pdf)
- OPHEA Safety Guidelines, 2012 and 2013, Elementary and Secondary – <http://www.safety.ophea.net>
- Center for Disease Control and Prevention: Returning to School after a Concussion: A fact Sheet for School Professionals [www.cdc.gov/concussion](http://www.cdc.gov/concussion)
- [http://www.hockeycanada.ca/en-ca/news/2012\\_nr\\_130\\_en](http://www.hockeycanada.ca/en-ca/news/2012_nr_130_en)
- [www.ontario.ca/concussions](http://www.ontario.ca/concussions)

## APPENDICES

*Appendix A* – Tool to Identify Suspected Concussion

*Appendix B* – Documentation of Medical Examination

*Appendix C* – Documentation for a Diagnosed Concussion Return to Learn/Physical Activity

*Appendix D* – Pocket Concussion Recognition Tool

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD  
POLICY COMMITTEE MEETING  
NOVEMBER 26, 2019**

**TITLE: POLICY AND GUIDELINE REVIEW SCHEDULE**

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The Policy and Guideline Review  
Schedule is presented for information.

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Prepared by: John Crocco, Director of Education/Secretary-Treasurer  
Presented by: John Crocco, Director of Education/Secretary-Treasurer  
Date: November 26, 2019



# POLICY AND GUIDELINE REVIEW SCHEDULE

SEPTEMBER 2019 - JUNE 2020

Updated: November 26, 2019

SORTED BY POLICY COMMITTEE MEETING DATE				
Policy Issued	Reviewed Revised	Policy #	POLICY NAME	Prior to Vetting After Vetting
1998	2017	202.2	Catholic Leadership: Principal & Vice-Principal Selection	September 2019
2010	2016	100.10.1	Religious Accommodation	September 2019
NEW	NEW	NEW	Emergency Instructors Elementary	September 2019
NEW	NEW	NEW	Catholic Leadership: Supervisory Officer & Controller of Facilities Selection	September 2019
1998	2016	100.5	Establishment and Cyclical Review of Policies	October 2019
2013	2013	800.9	Volunteering in Catholic Schools	October 2019
2005	2014	100.8	Trustee Electronic Meetings (Board and Committees)	October 2019
1998	2015	600.1	Purchasing/Supply Chain Management	October 2019
2001	2013	302.6.2	Code of Conduct - Safe Schools	October 2019
2007	2013	201.14	Employee Meals & Hospitality	October 2019
2007	2013	201.15	Employee Conferences, Workshops & Meetings	October 2019
2003	2013	400.5	Acceleration/Retention (Elementary)	October 2019
2001	2013	302.6.1	Opening or Closing Exercises - Safe Schools	October 2019
2016	2016	100.15	Naming of a Board Facility, Designated Area or Chapel	November 2019
2006	2014	201.13	Sexual Misconduct	November 2019
2002	2018	201.7	Employee Workplace Harassment *	November 2019
2002	2018	201.11	Employee Workplace Violence *	November 2019
2002	2018	201.6	Occupational Health & Safety *	November 2019
NEW	NEW	NEW	Student Use of Guide Dogs & Service Animals	November 2019
1998	2017	202.2	Catholic Leadership: Principal & Vice-Principal Selection	November 2019
2010	2016	100.10.1	Religious Accommodation	November 2019
1998	2012	301.3	Attendance Areas	January 2020
2002	2013	701.3	Video Security Surveillance	January 2020
2001	2014	302.6.7	Criminal Background Check - Safe Schools	January 2020
2010	2015	100.10	Equity and Inclusive Education	January 2020
1998	2016	100.5	Establishment and Cyclical Review of Policies	January 2020
2013	2013	800.9	Volunteering in Catholic Schools	January 2020
2005	2014	100.8	Trustee Electronic Meetings (Board and Committees)	January 2020
1998	2015	600.1	Purchasing/Supply Chain Management	January 2020
2001	2013	302.6.2	Code of Conduct - Safe Schools	January 2020
2007	2014	600.5	Advertising Expenditures	February 2020
2007	2014	100.9	Advocacy Expenditures	February 2020
2013	2013	203.4	Leadership Pathways	February 2020
2006	2014	301.6	School Generated Funds	February 2020
2016	2016	100.15	Naming of a Board Facility, Designated Area or Chapel	February 2020
2006	2014	201.13	Sexual Misconduct	February 2020
2002	2018	201.7	Employee Workplace Harassment *	February 2020
2002	2018	201.11	Employee Workplace Violence *	February 2020
2002	2018	201.6	Occupational Health & Safety *	February 2020
NEW	NEW	NEW	Student Use of Guide Dogs & Service Animals	February 2020
2006	2014	301.7	Ontario Student Record (OSR)	March 2020
2014	2014	303.1	Concussion	March 2020
1998	2014	701.1	Architect Selection	March 2020
1998	2012	301.3	Attendance Areas	March 2020
2002	2013	701.3	Video Security Surveillance	March 2020
2001	2014	302.6.7	Criminal Background Check - Safe Schools	March 2020
2010	2015	100.10	Equity and Inclusive Education	March 2020
2012	2015	201.16	Attendance Support Program	April 2020
1998	2015	201.2	Retirement & Service Recognition Celebration	April 2020
2007	2015	800.4	Volunteer Recognition	April 2020
2007	2014	600.5	Advertising Expenditures	April 2020
2007	2014	100.9	Advocacy Expenditures	April 2020
2013	2013	203.4	Leadership Pathways	April 2020
2006	2014	301.6	School Generated Funds	April 2020
2009	2015	301.8	Safe Physical Intervention with Students	May 2020
2001	2015	302.4	Volunteer Driver	May 2020
1998	2016	701.2	Pupil Accommodation Review	May 2020
2006	2014	301.7	Ontario Student Record (OSR)	May 2020
2014	2014	303.1	Concussion	May 2020
1998	2014	701.1	Architect Selection	May 2020

\* Ministry of Labour Compliance Annual Review

**SORTED BY CW/BOARD MEETING DATE**

Policy Issued	Reviewed Revised	Policy #	POLICY NAME	CW/BD
NEW	NEW	NEW	Emergency Instructors Elementary	October 2019
NEW	NEW	NEW	Catholic Leadership: Supervisory Officer & Controller of Facilities Selection	October 2019
2007	2013	201.14	Employee Meals & Hospitality	November 2019
2007	2013	201.15	Employee Conferences, Workshops & Meetings	November 2019
2003	2013	400.5	Acceleration/Retention (Elementary)	November 2019
2001	2013	302.6.1	Opening or Closing Exercises - Safe Schools	November 2019
1998	2017	202.2	Catholic Leadership: Principal & Vice-Principal Selection	December 2019
2010	2016	100.10.1	Religious Accommodation	December 2019
1998	2016	100.5	Establishment and Cyclical Review of Policies	February 2020
2013	2013	800.9	Volunteering in Catholic Schools	February 2020
2005	2014	100.8	Trustee Electronic Meetings (Board and Committees)	February 2020
1998	2015	600.1	Purchasing/Supply Chain Management	February 2020
2001	2013	302.6.2	Code of Conduct - Safe Schools	February 2020
2016	2016	100.15	Naming of a Board Facility, Designated Area or Chapel	March 2020
2006	2014	201.13	Sexual Misconduct	March 2020
2002	2018	201.7	Employee Workplace Harassment *	March 2020
2002	2018	201.11	Employee Workplace Violence *	March 2020
2002	2018	201.6	Occupational Health & Safety *	March 2020
NEW	NEW	NEW	Student Use of Guide Dogs and Service Animals	March 2020
1998	2012	301.3	Attendance Areas	April 2020
2002	2013	701.3	Video Security Surveillance	April 2020
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2007	2014	600.5	Advertising Expenditures	May 2020
2007	2014	100.9	Advocacy Expenditures	May 2020
2013	2013	203.4	Leadership Pathways	May 2020
2006	2014	301.6	School Generated Funds	May 2020
2006	2014	301.7	Ontario Student Record (OSR)	June 2020
2014	2014	303.1	Concussion	June 2020
1998	2014	701.1	Architect Selection	June 2020