



*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, FEBRUARY 23, 2016
4:00 P.M.**

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



- | | |
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| 1. Opening Prayer – Trustee Sicoli | - |
| 2. Attendance | - |
| 3. Approval of Agenda | - |
| 4. Declaration of Conflict of Interest | - |
| 5. Minutes of Policy Committee Meeting of January 26, 2016 | 5 |
| 6. Policies | |
| <i><u>Action Required</u></i> | |
| POLICIES – ANNUAL REVIEW – PRIOR TO VETTING | |
| 6.1 Employee Workplace Harassment Policy (201.7) | 6.1 |
| 6.2 Employee Workplace Violence Policy (201.11) | 6.2 |
| 6.3 Occupational Health & Safety Policy (201.6) | 6.3 |
| POLICIES – PRIOR TO VETTING | |
| 6.4 Religious Accommodation Policy (100.10.1) | 6.4 |
| 6.5 Naming of a Board Facility Policy (NEW) | 6.5 |
| 6.6 Establishment and Cyclical Review of Policies Policy (100.5) | 6.6 |
| 6.7 Board By-Laws Policy (100.1) | 6.7 |
| <i><u>Information</u></i> | |
| 6.8 Policies Currently Being Vetted until April 8, 2016 | |
| • Access to Board Premises – Safe Schools Policy (302.6.3) | - |
| • Reimbursement of Travel Expenses Policy (201.4) | - |
| 6.9 Policy and Guideline Review 2015-2016 Schedule | 6.9 |
| 7. Date of Next Meeting | |
| March 29, 2016 – 4:00 p.m. | |
| 8. Adjournment | - |

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

**TITLE: MINUTES OF THE POLICY COMMITTEE MEETING
OF JANUARY 26, 2016**

RECOMMENDATION

THAT the Policy Committee approve the minutes of the Policy Committee Meeting of January 26, 2016, as presented.



MINUTES OF THE POLICY COMMITTEE MEETING

TUESDAY, JANUARY 26, 2016

Minutes of the Policy Committee Meeting held on Tuesday, January, 2016 at 4:30 p.m. in the Holy Cross Community Room, at the Catholic Education Centre, 427 Rice Road, Welland.

The meeting was called to order at 4:30 p.m. by Director Crocco.

1. **Opening Prayer**

The meeting was opened with a prayer by Trustee Burtnik.

2. **Election of Chair of the Policy Committee 2016**

Director Crocco asked for nominations for the position of Chair of the Policy Committee 2016. Trustee Sicoli nominated Trustee Vernal, Trustee Burtnik seconded the nomination.

Director Crocco asked Trustee Vernal if she wished to stand for the position of Chair of the Policy Committee. Trustee Vernal accepted the nomination.

There were no further nominations forthcoming. Trustee Vernal was acclaimed to the position of Chair of the Policy Committee 2016.

Trustee Sicoli requested start time for the Policy Committee be moved to 4:00 p.m. The Policy Committee confirmed a start time for the Policy Committee during 2016 to 4:00 p.m.

3. **Attendance**

Committee Members	Present	Absent	Excused
Kathy Burtnik	✓		
Dino Sicoli	✓		
Pat Vernal (Committee Chair)	✓		

Student Trustees:

Michaela Bodis, Trustee

Aidan Harold, Trustee

Staff:

John Crocco, Director of Education
Scott Whitwell, Controller of Facilities Services
Ted Farrell, Superintendent of Education
Lee Ann Forsyth-Sells, Superintendent of Education
Mark Lefebvre, Superintendent of Education
Giancarlo Vetrone, Superintendent of Business & Finance
Anna Pisano, Administrative Assistant, Corporate Services & Communications Department
/Recording Secretary

4. Approval of Agenda

Moved by Trustee Burtnik

THAT the January 26, 2016, Policy Committee Agenda be approved, as presented.

APPROVED

5. Declaration of Conflict of Interest

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

6. Minutes of the Policy Committee Meeting of November 24, 2015

Moved by Trustee Burtnik

THAT the Policy Committee approve the minutes of the Policy Committee Meeting of November 24, 2015, as presented.

APPROVED

7. Policies

ACTION REQUIRED

POLICIES - FOR RECOMMENDATION TO FEBRUARY 9, 2016 COMMITTEE OF THE WHOLE MEETING

7.1 Facility Partnerships Policy (800.6)

Scott Whitwell, Controller of Facilities Services, presented feedback received from the vetting process and highlighted amendments to the Facility Partnerships Policy (800.6) following the vetting process.

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

POLICY STATEMENT

- Page 1 Paragraph 4 remove “*It is imperative that such*” add “*any*” and add the word “*must*”
- Page 1 Paragraph 6 change sentence to “*home, school, church and the broader community*”

ADMINISTRATIVE GUIDELINES

- Page 4 Paragraph 6 remove the second “*the*”
- Page 6 Paragraph 5 remove last sentence.

Moved by Trustee Burtnik

THAT the Policy Committee recommend to the February 9, 2016 Committee of the Whole Meeting to approve the Facility Partnerships Policy (800.6), as amended.

APPROVED

7.2 Pupil Accommodation Review Policy (701.2)

Ted Farrell, Superintendent of Education, presented feedback received from the vetting process and highlighted amendments to the Pupil Accommodation Review Policy (701.2) following the vetting process.

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

POLICY STATEMENT

- No amendment

ADMINISTRATIVE GUIDELINES

- Page 11 Paragraph 8 remove the word “*COMMITTEE*”

Moved by Trustee Sicoli

THAT the Policy Committee recommend to the February 9, 2016 Committee of the Whole Meeting to approve the Pupil Accommodation Review Policy (701.2), as amended.

APPROVED

7.3 Dress Code – Secondary Uniform – Safe Schools Policy (302.6.6)

Lee Ann Forsyth-Sells, Superintendent of Education, presented feedback received from the vetting process and highlighted amendments to the Dress Code – Secondary Uniform – Safe Schools Policy (302.6.6) following the vetting process.

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

POLICY STATEMENT

- No amendment

ADMINISTRATIVE GUIDELINES

- No amendment

Moved by Trustee Sicoli

THAT the Policy Committee recommend to the February 9, 2016 Committee of the Whole Meeting to approve the Dress Code – Secondary Uniform – Safe Schools Policy (302.6.6), as presented.

APPROVED

7.4 Elementary Standardized Dress Code – Safe Schools Policy (302.6.10)

Superintendent Forsyth-Sells, presented feedback received from the vetting process and highlighted amendments to the Elementary Standardized Dress Code – Safe Schools Policy (302.6.10) following the vetting process.

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

POLICY STATEMENT

- No amendment

ADMINISTRATIVE GUIDELINES

- No amendment

Moved by Trustee Burtnik

THAT the Policy Committee recommend to the February 9, 2016 Committee of the Whole Meeting to approve the Elementary Standardized Dress Code – Safe Schools Policy (302.6.10), as presented.

APPROVED

7.5 French Immersion (NEW)

Mark Lefebvre, Superintendent of Education, presented feedback received from the vetting process and highlighted amendments to the French Immersion Policy following the vetting process.

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

POLICY STATEMENT

- No amendment

ADMINISTRATIVE GUIDELINES

- Page 3 Attendance - 1st sentence change “may” to ‘are to”, 2nd sentence change to “Any out of boundary requests will follow the Board’s Admission of Elementary and Secondary Students Policy and the Student Transportation Policy”
- Registration Processes - 1st paragraph change the word “here” to “there”
- Page 4 EQAO Participation – remove second paragraph

- Page 4 Resources – 1st sentence to read “*The Board will provide*” and remove “*(print and non print)*”

Moved by Trustee Burtnik

THAT the Policy Committee recommend to the February 9, 2016 Committee of the Whole Meeting to approve the French Immersion Policy, as amended.

APPROVED

POLICIES - PRIOR TO VETTING

7.6 Access to Board Premises – Safe Schools Policy (302.6.3)

Superintendent Forsyth-Sells, presented the Access to Board Premises – Safe Schools Policy (302.6.3).

The Policy Committee suggested the following amendments:

POLICY STATEMENT

- No amendments

ADMINISTRATIVE GUIDELINES

- Page 4 ACCESS TO BOARD PREMISES CARDS – 5th paragraph to be changed to “*A Niagara Catholic Photo Identification Access Card will be made available upon the request of a Trustee, including Student Trustees of the Board, for access to the Catholic Education Centre and Holy Cross Community Room during their term of office.*”

The Policy Committee requested that the Access to Board Premises – Safe Schools Policy (302.6.3), be vetted from January 28, 2016 to April 8, 2016 with a recommended deadline for presentation to the Policy Committee in April, 2016, for consideration to the Committee of the Whole and Board in May, 2016.

7.7 Reimbursement of Travel Expenses Policy (201.4)

Giancarlo Vetrone, Superintendent of Business & Financial Services, presented the Reimbursement of Travel Expenses Policy (201.4).

The Policy Committee suggested the following amendments:

POLICY STATEMENT

- No amendments

ADMINISTRATIVE GUIDELINES

- Page 2 last paragraph add “*Employees will be notified when the annual per-kilometre rate is changed through a Memorandum issued by the Superintendent of Business & Financial Services.*”

The Policy Committee requested that the Reimbursement of Travel Expenses Policy (201.4), be vetted from January 28, 2016 to April 8, 2016 with a recommended deadline for presentation to the Policy Committee in April, 2016, for consideration to the Committee of the Whole and Board in May, 2016.

INFORMATION

7.8 Policy and Guideline Review 2015-2016 Schedule

Director Crocco presented the Policy and Guideline Review 2015-2016 Schedule.

7. Date of Next Meeting

February 23, 2016 – 4:00 p.m.

8. Adjournment

The meeting adjourned at 6:33 p.m.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

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

Prepared by: Frank Iannantuono, Superintendent of Education
Presented by: Frank Iannantuono, Superintendent of Education
Date: February 23, 2016



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: February 24, 2015

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 responsibility of the employer and the employee. Therefore, any employee who becomes aware of a harassment situation has a responsibility to draw appropriate attention to it.

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 guidelines 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 with respect to workplace, harassment 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 Guidelines for the implementation of this Policy.

References

- [*Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)*](#)
- [*Occupational Health & Safety Act \(December 2009\)*](#)
- [*Human Rights Code 1990*](#)
- [*Safe Schools Act 2012*](#)
- [*Teaching Profession Act*](#)
- [*Niagara Catholic District School Board Policies/Procedures*](#)
 - [*Complaint Resolution Policy \(800.3\)*](#)
 - [*Employee Workplace Violence Policy \(201.11\)*](#)
 - [*Trustee Code of Conduct \(100.12\)*](#)
 - [*Family and Children's Services Niagara \(FACS\) Protocol*](#)
 - [*Protocol Between Niagara Region Police Service and the Niagara Catholic District School Board*](#)



Niagara Catholic District School Board

EMPLOYEE WORKPLACE HARASSMENT POLICY

ADMINISTRATIVE GUIDELINES

200 – Human Resources

Policy No 201.7

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: February 24, 2015

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.

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.

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 his/her 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. 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 his/her 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 may 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 her/his 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.
- The complaint shall be forwarded to the Director if the accused is a Trustee.
- 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 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 ten (10) 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.
- **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 wishes regarding future interactions with the respondent may 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. He/she may select to proceed with an investigation through his / her 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 he/she choose to investigate the matter through his / her office he/she 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.

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. 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 his/her 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 guidelines 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).
- Failure to take measures to address harassment in the workplace has legal implications for the employer (Board) under the Ontario Human Rights Code.
- 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 extended 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.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

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

Prepared by: Frank Iannantuono, Superintendent of Education
Presented by: Frank Iannantuono, Superintendent of Education
Date: February 23, 2016



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: February 24, 2015

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 on the Niagara Catholic District School Board premises, while conducting company business, or work related functions, whether such violence is perpetrated by senior administration, managers, employees, contractors, customers, clients, visitors or members of the general public.

If the employee believes they are at risk of violence in the workplace including domestic violence they must advise the employer and the employer should 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.

The Board will assess the risks of workplace violence that may arise from the nature of the workplace, and provide relevant training, information and instruction, in accordance with current legislation in the Province of Ontario.

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, Safe Physical Intervention for Students, 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 Guidelines 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 \(December 2009\)**](#)
- [**Niagara Catholic District School Board Policies/Procedures**](#)
 - [**Employee Workplace Harassment Policy \(201.7\)**](#)



Niagara Catholic District School Board
EMPLOYEE WORKPLACE VIOLENCE POLICY
ADMINISTRATIVE GUIDELINES

200 – Human Resources

Policy No 201.11

Adopted Date: March 26, 2002

Latest Reviewed/Revised Date: February 24, 2015

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

- the exercise of physical force by a person against an employee, in a workplace, that causes or could cause physical injury to the employee;
- an attempt to exercise physical force against an employee, in a workplace, that could cause physical injury to the employee; and
- a statement or behaviour that it is reasonable for an 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.

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

The Employee Workplace Violence Policy and Administrative Guidelines shall be posted in a conspicuous place (**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 an 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 an Employee to physical injury may occur in the workplace, the employer will take every reasonable precaution to protect the employee.

COMPLAINT PROCEDURE

When an 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. At the earliest opportunity, 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 Plant.
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 guidelines 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 Violent Incident Form*, resulting from the investigation will be forwarded to the Senior Administrator of Human Resources with a copy to the appropriate Superintendent or Controller of Plant. 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 Plant 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 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 Plant 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 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 Plant, 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 Representatives 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 Employee Workplace Violence Survey will be conducted on an annual basis in order to monitor employee input on risk assessments, and the provision of necessary information to employees.~~

The employer will provide for a risk assessment 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. 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 within 48 hours. Absent 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 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.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

**TITLE: POLICIES – PRIOR TO VETTING
OCCUPATIONAL HEALTH & SAFETY POLICY (201.6)**

Prepared by: Frank Iannantuono, Superintendent of Education
Presented by: Frank Iannantuono, Superintendent of Education
Date: February 23, 2016



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: February 24, 2015

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 endeavour to provide and maintain as safe a work environment as possible.

The Director of Education shall issue Administrative Guidelines 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 GUIDELINES

200 – Human Resources

Policy No 201.6

Adopted Date: January 29, 2002

Latest Reviewed/Revised Date: February 24, 2015

Every supervisor has a responsibility to the safety of employees who report to him/her 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 Board, through its supervisors and/or other designated personnel, has a responsibility to respond promptly to any concerns put forth by any party regarding matters of occupational health and safety that are within the Board's jurisdiction.

Every employee has a responsibility to work in a safe manner; to use or wear the equipment, protective devices or clothing that the Board, or legislation, requires to be used or worn; to report to his/her supervisor, the absence or defect in any equipment or protective device of which s/he is aware and which may endanger him/herself or another worker; to report to his/her supervisor any hazard or potential hazard, within the Board's jurisdiction, of which s/he is aware.

All parties employed within or contracted by the Board 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.

Refer to the Occupational Health and Safety Procedural Manual developed by the Joint Occupational Health & Safety Committee.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

**TITLE: POLICIES – PRIOR TO VETTING
RELIGIOUS ACCOMMODATION POLICY (100.10.1)**

Prepared by: Yolanda Baldasaro, Superintendent of Education
Presented by: Yolanda Baldasaro, Superintendent of Education
Date: February 23, 2016



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: November 23, 2010

In keeping with the Mission, Vision and Values of the The Niagara Catholic District School Board (the Board) **Niagara Catholic** 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.

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**. ~~other recognized faith communities.~~

The Director of Education ~~will~~ **shall** issue Administrative Guidelines ~~in support~~ **for the implementation** of this policy.

References:

- [Canadian Charter of Rights and Freedoms](#)
- [Constitution Act, 1982](#)
- [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 Commission - Ontario Human Rights Code](#)
- [Ontario Human Rights Commission – Policy on **Preventing Discrimination based on Creed** **Creed and the Accommodation of Religious Observances**](#)
- [Ministry of Education - Policy/Program Memorandum No. 108](#)
- [Ministry of Education - Policy/Program Memorandum No. 119 \(2009\)](#)
- **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 \(Safe Schools\)\(302.6.6\)](#)



Niagara Catholic District School Board
RELIGIOUS ACCOMMODATION POLICY
 ADMINISTRATIVE GUIDELINES

100 – Board

Policy No 100.10.1

Adopted Date: June 15, 2010

Latest Reviewed/Revised Date: November 23, 2010

All school boards 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 **religion prohibited grounds**. Consistent with this legislation is the *Education Act*, its Regulations and policies governing **Equity equity and Inclusion inclusion** in **Schools-schools**:

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

The Board and its staff are committed to the elimination of discrimination as outlined in **this Federal and 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, 1982* and as recognized in section 19 of the *Ontario Human Rights Code* (the Code).

The Board recognizes, and is committed to, the values of freedom of religion and freedom from discriminatory or harassing behaviour based on **religion-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’s *Policy on Creed and the Accommodation of Religious Observances* defines “accommodation” as a duty corresponding to the right to be free from **discrimination: (“OHRC”) Policy on Preventing Discrimination based on Creed, (“OHRC Policy”) released on September 17, 2015, recognizes a duty to accommodate creed beliefs and practices.**

The *Code* provides the right to be free from discrimination, and there is a general corresponding duty to protect the right: the “duty to accommodate.” The duty arises when a person’s religious beliefs conflict with a requirement, qualification or practice. The *Code* imposes a duty to accommodate based on the needs of the group of which the person making the request is a member. Accommodation may modify a rule or make an exception to all or part of it for the person requesting accommodation. **OHRC Policy provides that service providers, such as school boards, have a legal duty to accommodate people’s beliefs and practices to the point of undue hardship where there 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

~~Creed is interpreted by the Ontario Human Rights Commission Policy on Creed and the Accommodation of Religious Observances as "religious creed" or "religion." It is defined as a professed system and confession of faith, including both beliefs and observances of worship.~~

~~The existence of religious beliefs and practices are both necessary and sufficient to the meaning of creed, if the beliefs and practices are sincerely held and/or observed.~~

~~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.~~

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 un the 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.

3. Undue Hardship

Accommodation will be provided to the point of undue hardship, ~~as defined by the Ontario Human Rights Commission~~ 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. ~~and under the Ontario Human Rights Code.~~

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.

PROCEDURES – ACCOMMODATION GUIDELINES

The Administrative Guidelines 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 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 ~~creed (religion)~~ prohibited grounds. Accommodation will be provided in accordance with the principles of dignity, individualization, 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 ~~should~~ **will** not be placed in the position of monitoring a ~~child's~~ **student's** compliance with a religious obligation, and enforcing such practices.

2. General Procedures for Religious Accommodation

2.1 Staff

The person requesting accommodation should advise the administration at the beginning of the school year, to the extent possible. If September notice is not feasible, the person 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.

2.2 Students

Students must present **verbal or** 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 ~~into consideration~~.

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 ~~their~~ **his/her** 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;
- Leave of Absence for Religious Holy Days;
- Prayer;
- Dietary requirements;
- Fasting;
- Religious dress;
- Modesty requirements in physical education; and
- Participation in daily activities and curriculum.

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.
~~These requirements will be interpreted in accordance with the Code and the Board will consider other requests for accommodation as may be made.~~

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/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. 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.**

(Examples of) Significant Holy Days

Baha’j	Ridvan
Buddhist	Lunar New Year/Chinese
Western Christian	Good Friday
Eastern Christian	Christmas, Holy Friday
Hindu	Diwali
Jewish	Rosh Hashanah (2 days), Yom Kippur, Passover (first day)
Muslim	Eid-ul-Fitr, Eid-ul-Adha
Sikh	Baisakhi

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 ~~should~~ **will** advise ~~the school administration~~ **their immediate supervisor** at, or as close as possible to, the beginning of the school year and ~~the leave should be~~ **will be** granted in accordance with the terms of the appropriate collective agreement/**terms and conditions.**

Students requesting a leave ~~should~~ **will** give **verbal or** written notice from their parent/guardian 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.

DRAFT

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/managers will consult with the Human Resources Department staff regarding staff leave as required.

Unresolved Requests

If an individual feels that ~~their~~ **his/her** 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~~ **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. 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 both **elementary and secondary** ~~and elementary~~ 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~~ special attention to accommodations requested during ~~needs to be given to~~ overnight outdoor education activities, as well as field trips that extend over a mealtime period.

4.5 Fasting ~~and/or Restriction of Food Intake~~

The Board is sensitive to religious periods of fasting, ~~and/or restriction of food intake~~. **Board Elementary, Secondary and Continuing Education** schools will endeavour to provide appropriate space, other than cafeterias or lunchrooms, for individuals who are fasting ~~and/or restricting food intake~~ in religious observance. The Board recognizes that students who are fasting ~~and/or restricting food intake~~ 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**. ~~a school, and may include a school uniform~~. **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.**

DRAFT

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.

~~Where uniforms are worn, Administrators may~~ **will** ask the student to wear religious attire in the same colour as the **elementary standardized dress code or secondary** uniform (~~e.g. the head scarves for females~~); however, there may be religious requirements of colour that cannot be modified.

Special attention ~~must~~ **will** be given to accommodations necessary for a student to participate in physical education and school organized sports. ~~Where possible, these should be incorporated into Board policies as part of an inclusive design process.~~

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 ~~teasing~~ **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. ~~For specific guidelines on~~ **A guideline regarding** the accommodation of Khalsa Sikh students ~~wishing who wish~~ to carry a Kirpan, ~~please see~~ **is 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. ~~Such policies should be~~ **These Administrative 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 and Curriculum

The Board will seek to reasonably accommodate students where there is a demonstrated conflict between a specific class or curriculum and a religious requirement or observance. Where academic 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, the accommodation applies to the individual in question and not to the whole class or to classroom practices in general.

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).

In general, the Board recommends an informed, common-sense approach to questions of religion and curriculum. Hopefully, these questions can be solved by an open discussion between the teacher, the student and his/her family.

LIMITATIONS TO RELIGIOUS ACCOMMODATION

1. The Board supports freedom of religion and an individual's right to manifest his/her 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. ~~As for All chapels in Niagara Catholic schools, they are specifically designed and furnished for prayer and liturgy within the Catholic tradition and are not to be considered multi-faith chapels. Following the general custom of the Church, non-Catholics are welcome to join in prayer services and liturgical celebrations of the Catholic Church community (keeping in mind some restrictions such as sharing in Holy Communion). Such a chapel is~~ **Chapels are** open to all people for individual silent prayer or meditation. ~~However, it is not appropriate that non-~~**Non-**Catholic liturgies or group prayers **will not** be held in ~~this setting~~ **any chapel.**
4. ~~It is therefore recommended:~~
 - ~~That school administrators designate another appropriate space or classroom, other than the chapel, for religious celebrations celebrated by other Christian denominations or faith traditions; and~~
 - ~~That Catholic school boards consult with their respective local Ordinary on such accommodations.~~

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.

GUIDELINE FOR KIRPAN ACCOMMODATION

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

- 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 his/her 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:

- 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.
- 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.
- 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
FEBRUARY 23, 2016**

**TITLE: POLICIES – PRIOR TO VETTING
NAMING OF A BOARD FACILITY POLICY (NEW)**

Prepared by: John Crocco, Director of Education/Secretary-Treasurer
Presented by: John Crocco, Director of Education/Secretary-Treasurer
Date: February 23, 2016

Administrative Guideline – School Name Selection

AG 100.1

Adopted: March 25, 2003

Amended: May 27, 2003

It is recognized that the selection of the name of each school shall:

1. serve to express our Catholic heritage both local & universal;
2. provide young people with examples for their appropriate Christ-centered development.

To this end all schools shall:

1. be designated as "Catholic" schools; (i.e. Brigid's "Catholic" Elementary School)
2. in the future, be given names describing God, a Saint, or an exemplary deceased Catholic person;
3. in the selection for a school name the Bishop of the Diocese shall be consulted in a timely matter.

Staff shall implement the following process once the Board has determined that a new school needs to be named or an established school needs to be renamed:

1. The Director of Education or designate shall bring forward a recommendation to form an Ad Hoc Committee for the purpose of naming or renaming a school.
2. The Ad Hoc Committee shall explore possible names to be considered before staff proceeds with the consultation process.
3. The consultation process shall include:
 - i. the Bishop of the Diocese
 - ii. the local trustees
 - iii. where appropriate and/or possible the school council(s) and the student council(s)
 - iv. if possible, and desirable, a degree of consultation with the school community is also encouraged.

The Ad Hoc Committee shall report to the Board through the usual process.

NOTE:

The need to name areas of a particular school (i.e. resource centre, gymnasium, etc.) shall be cleared by school staff through senior staff before any public announcements are made.

The Director shall inform the Board of the school's request and explore an appropriate course of action to respond to the request.



Niagara Catholic District School Board

NAMING OF A BOARD FACILITY

STATEMENT OF POLICY

100 - Board

Policy No (NEW)

Adopted Date: New

Latest Reviewed/Revised Date: Nil

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the Naming of Board Facility Policy and the accompanying Administrative Guidelines provides the criteria and process to name or rename a Board facility or to name or rename a designated area within a Board facility.

Requests for the naming or renaming of a Board facility will ensure that the following criteria are achieved in the recommendation to the Board:

- a) Named after a Saint, a Pope, one of the mysteries of the Catholic Church or an exemplary deceased Catholic individual or group of individuals;
- b) Designated as “Catholic” in the name of a facility;
- c) Endorsed by the Bishop of the Diocese of St. Catharines;
- d) Endorsed by the Director of Education;
- e) Recommended by the Ad Hoc Committee of the Board;
- f) Approved by the Board.

The name of the school will be displayed on the exterior of the school along with the Board logo.

Requests for the naming or renaming of a designated area of a Board facility will ensure that the following criteria are achieved in the recommendation to the Board;

- a) Named after a Saint, Pope, one of the mysteries of the Catholic Church or an exemplary deceased Catholic individual or group of individuals;
- b) Chapels 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.
- c) Endorsed by the Bishop of the Diocese of St. Catharines;
- d) Recommended by the Director of Education;
- e) Approved by the Board.

The name of the designated area of the Board facility will be displayed with an appropriate sign or lettering.

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

References

- *Education Act*
- *Code of Canon Law*



Niagara Catholic District School Board

NAMING OF A BOARD FACILITY

ADMINISTRATIVE GUIDELINES

100 - Board

Policy No (NEW)

Adopted Date: New

Latest Reviewed/Revised Date: Nil

PROCESS FOR NAMING OR RENAMING OF A BOARD FACILITY

Requests for the name of a new Board facility or to rename a current Board facility will 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, the Ad Hoc Committee Membership and the timeline for the recommendation of the Ad Hoc Committee for the consideration of the Board.

Once constituted, the Ad Hoc Committee will explore possible names to be considered before staff proceeds with the consultation process.

The consultation process shall include:

- a) the Bishop of the Diocese of St. Catharines
- b) the local Trustee(s)
- c) the local Student Council(s)
- d) the local Catholic School Council(s)
- e) where possible, the local Catholic school community.

The Ad Hoc Committee will report its recommendation to the Board for consideration.

The Board will approve all name or renaming of facilities within Niagara Catholic.

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

Requests by staff to name or rename a designated area within a Board facility will adhere to the following process for consideration and approval.

Requests will be presented to the Family of Schools Superintendent of Education for consideration.

If supported by the Family of Schools Superintendent of Education, a recommendation will be made to the Director of Education for consideration.

If supported by the Director of Education, the Director shall inform the Board of the request and explore an appropriate course of action to respond to the request.

The Board will approve all naming or renaming of a designated area within a Board facility.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

**TITLE: POLICIES – PRIOR TO VETTING
ESTABLISHMENT AND CYCLICAL REVIEW OF POLICIES
POLICY (100.5)**

Prepared by: John Crocco, Director of Education/Secretary-Treasurer
Presented by: John Crocco, Director of Education/Secretary-Treasurer
Date: February 23, 2016



Niagara Catholic District School Board

**ESTABLISHMENT AND CYCLICAL
REVIEW OF POLICIES POLICY**

STATEMENT OF POLICY

100 – Board

Policy No 100.5

Adopted Date: October 27, 1998

Latest Reviewed/Revised Date: April 27, 2010

In keeping with the Mission, Vision and Values of the The Niagara Catholic District School Board, in order to fulfill its duties and responsibilities, **the Board** reserves ~~to itself~~ the **governing** function of establishing and cyclically reviewing Policies. ~~for those to whom it delegates authority.~~ The Policies that regulate action will govern the ~~operation of the~~ **Niagara Catholic** school system. ~~and the internal operations of the Board.~~ The **Policies Policy** pertaining to the internal **governing** operations of the Board **of Trustees** shall be called By-laws.

The Director of Education, as Chief Executive Officer, is accountable to the Board for the implementation of Board approved Policy and shall issue Administrative Guidelines **to implement** ~~in support of~~ each Policy.

The Policies of the Board shall be congruent with and supportive of the Education Act and Regulations of the Province of Ontario, all **applicable** laws and statutes, ~~and of the Mission Statement and Vision 2020 Strategic Plan~~ of the **Niagara Catholic District School Board**. ~~and all applicable laws and statutes.~~

The process of establishing Policies and the cyclical review of all Policies will include timely consultation with individuals and groups as deemed appropriate to a particular policy.

All Policies will shall be reviewed on a cyclical basis of at least every five (5) years to ensure that they continue to meet the current needs of the system and are in compliance with current legislation and Ministry of Education expectations. **Specific Policies may be reviewed earlier within the five year cycle as required to ensure alignment with changes in law, regulations or at the request of the Board, Policy Committee or the Director of Education.**

The Director of Education will issue Administrative Guidelines **to implement** ~~in support of~~ this policy.

References

- [Education Act](#)
- [Niagara Catholic District School Board Policies/Procedures](#)
 - [Board By-laws \(100.1\)](#)



Niagara Catholic District School Board

**ESTABLISHMENT AND CYCLICAL
REVIEW OF POLICIES POLICY**
ADMINISTRATIVE GUIDELINES

100 – Board

Policy No 100.5

Adopted Date: October 27, 1998

Latest Reviewed/Revised Date: April 27, 2010

The development and review of all policies shall be initiated by the Board, **Policy Committee** or the Director of Education. The Director of Education may delegate the development or revision of Policy Statements and Administrative Guidelines to appropriate members of Senior Administrative Council and staff.

The establishment of new Policies and Administrative Guidelines as well as the cyclical review of existing Policies and Administrative Guidelines will adhere to the following process:

1. The draft of a new Policy or changes to an existing Policy will be reviewed by Senior Administrative Council. ~~for input.~~
2. Once approved by the Director of Education, the draft Policy will ~~then~~ be forwarded to the Policy Committee. ~~for input and information.~~
3. The Policy Committee may recommend that the draft Policy be vetted to various stakeholder groups or that it be returned to staff for further study.
4. Once approved by the Policy Committee for vetting, the draft Policy will then be distributed to stakeholder groups as identified in these Administrative Guidelines. ~~in the Policy Development Update Form.~~
5. Once the vetting process has been completed, Senior Administrative Council will consider the recommendations from the vetting process as part of the design of the final draft Policy to the Policy Committee. ~~will then be presented to Senior Administrative Council for review.~~
6. Once approved by the Director of Education, the final draft Policy will ~~then~~ be submitted to the Policy Committee for review and consideration as a recommendation to the Committee of the Whole. At the Policy Committee, the lead member of Senior Administrative Council will provide a summary of the feedback received during the vetting process and any changes made to the draft Policy. Once approved by the Policy Committee, the final draft will be forwarded to the Committee of the Whole as a recommendation for consideration at the next Committee of the Whole meeting.
7. Once reviewed and approved by the Committee of the Whole, the final draft will ~~then~~ be forwarded to the Board as a recommendation for consideration at the next Board Meeting. ~~its next meeting.~~
8. The Director of Education will issue Administrative Guidelines, if necessary, to implement in support of the Policy, ensure it is posted on the Board website and brought to the attention of staff for compliance. ~~and will distribute the policy to the system.~~
9. Once approved by the Board, the Policy Policies and Administrative Guidelines will be reviewed with the appropriate administrative staff, who will then in turn review the Policy and Administrative Guidelines with school staff for implementation as of the date of Board approval. ~~to begin the implementation process.~~

VETTING PROCESS

As determined by the Policy Committee, a ~~A~~ draft Policy and its accompanying Administrative Guidelines may be vetted with all or any of the following individuals or groups:

- Trustees
- Director of Education
- Superintendents
- **Administrators**
- Principals/Vice-Principals
- Student Achievement Department
- OECTA Elementary
- OECTA Secondary
- OECTA Occasional Teachers
- CUPE
- Managers
- Principals'/Vice-Principals' ~~Council~~ **Association**
- ~~Non-Unionized Staff~~
- Catholic School Councils ~~Chairs~~
- ~~Regional Catholic School Council~~
- **Alliance Committee**
- **Parent Involvement Committee**
- Special Education Advisory Committee
- The Bishop
- Pastors
- Board Solicitors
- Student Senates
- Others **as identified by the Policy Committee**

VETTING TIMELINE

The timeline for vetting will generally be six (6) weeks to ensure an opportunity for placement on the agendas of Staff Meetings, Catholic School Councils, Alliance, Parent Involvement and Special Education Advisory Committee meetings of the Niagara Catholic District School Board.

As part of the Vetting Process, all draft Policy and Administrative Guidelines will be placed on the Board website for feedback from members of the Niagara Catholic community.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

**TITLE: POLICIES – PRIOR TO VETTING
BOARD BY-LAWS POLICY (100.1)**

Prepared by: John Crocco, Director of Education/Secretary-Treasurer
Presented by: John Crocco, Director of Education/Secretary-Treasurer
Date: February 23, 2016



Adopted Date: December 18, 1997

Latest Reviewed/Revised Date: October 26, 2010

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BOARD BY-LAWS

Pursuant to the provisions of the *Education Act* and regulations thereunder **its Regulations**, the By-Laws of Niagara Catholic District School Board shall regulate the powers and responsibilities of the Board, its officers and committees, and shall be observed for the procedure and dispatch of business at the meetings of the Board and its committees.

By-Laws of Niagara Catholic District School Board shall be approved by the Board and reviewed from time to time as directed by the Board or recommended by the Director of Education/Secretary-Treasurer.

Definitions used in these By-Laws and not otherwise defined in the text shall have the meanings set out in the attached Definitions Schedule.

BOARD ORGANIZATION

The administrative organization of Niagara Catholic District School Board shall be subject to periodic review to ensure that it is designed to meet the needs of the school system.

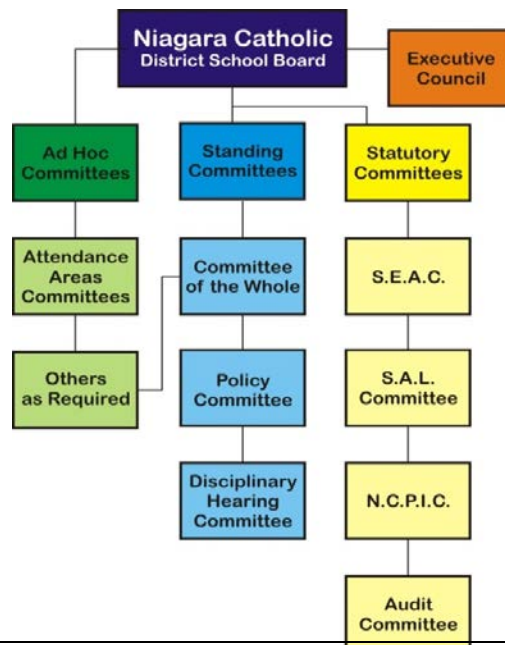
1. NAME AND JURISDICTION OF THE BOARD

The name of the Board shall be “Niagara Catholic District School Board” and it shall have jurisdiction as is provided by the *Education Act* and Regulations.

2. MISSION STATEMENT

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.

3. ORGANIZATION CHART



4. STRUCTURE OF THE BOARD

The Structure of the Board, its Sections and its ~~Standing~~ Committees will be set up according to the Organization Chart in **Section 3** and the following description.

i. Board of Trustees

The Board shall be composed of all eight (8) trustees and shall perform duties in accordance with the *Education Act* and its Regulations, Board By-Laws and Policies.

ii. Executive Council

The Executive Council shall be composed of the Chairperson of the Board, the Vice-Chairperson of the Board and the Director of Education/Secretary-Treasurer. It shall:

- (a) Review and assist with the preparation of the agenda for **Committee of the Whole and** Board meetings
- (b) Assist in planning, coordination and communication

iii. Statutory Committees

The Board is required by the *Education Act* to have the following Statutory Committees:

- Special Education Advisory Committee (SEAC)
- Supervised Alternative Learning **Committee** (SAL)
- **Audit Committee**

In addition the Board has the following standing committees:

- Niagara Catholic Parent Involvement Committee (NCPIC)
- **Policy Committee**
- ~~Audit Committee~~ **Disciplinary Hearing Committee**

The Board may also put in place other committees as required from time to time.

iv. Terms of Reference

Special Education Advisory Committee (SEAC)

The Special Education Advisory Committee will be responsible to the Board for examining, reviewing and making recommendations, as appropriate, relative to the provision of special education programs and services. The composition and role of the Special Education Advisory Committee is outlined in the *Education Act* and its Regulations **and in particular O Reg 464/97.**

Supervised Alternative Learning (SAL)

The Supervised Alternative Learning for Excused Pupils Committee is a statutory Committee of the Board established annually. The composition and role of the Supervised Alternative Learning for Excused Pupils Committee is outlined in the *Education Act* and its Regulations **and in particular O Reg 374/10.**

Niagara Catholic Parent Involvement Committee (NCPIC)

The purpose of the Niagara Catholic Parent Involvement Committee (NCPIC) is to support, encourage and enhance parent engagement at the Board level in order to improve student achievement and well-being. The NCPIC provides information and advice on parent engagement to the Board; communicates with and supports Catholic School Councils of the Board; and undertakes activities to help parents of pupils of the Board support their children's learning at home and at school.

The NCPIC is comprised of the number of parent members the Board determines appropriate; the Director of Education; one member of the Board appointed by the Board and the number of community representatives, up to three, the Board determines appropriate. Subject to the By-laws of the NCPIC, the Board may appoint one elementary principal, one secondary principal, one elementary teacher, one secondary teacher and one person employed by the Board, other than a principal, vice-principal or teacher.

The NCPIC ~~meets~~ shall meet at least four times in each school year.

Audit Committee

The Audit Committee assists the Board in fulfilling its duties related to governance and oversight. The duties of the Audit Committee fall under the following key areas: The financial reporting process, internal control framework, risk management practices, performance and function of the Board's internal and external auditors and the Board's compliance with its obligations under legislation.

The Committee ~~meets~~ shall meet at least 3 (three) times per year, plus ad hoc meetings as required.

The Committee is made up of 3 (three) trustees and 2 (two) external members approved by the Chairperson, Vice Chairperson and the Director of Education.

The composition and role of the Committee is outlined in the *Education Act* and its Regulations and in particular O Reg 361/10.

5. OFFICERS OF THE BOARD

The officers of the Board shall consist of the Chairperson, the Vice-Chairperson of the Board who are elected trustees, and the Director of Education/Secretary-Treasurer, who is the Chief Executive Officer. They shall have such duties as are assigned to them by the *Education Act* and its Regulations, Board By-Laws and Policies.

6. DUTIES OF BOARD OFFICIALS

i. Trustees of the Board

In accordance with the *Education Act* and its Regulations, trustees, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Board's Policies, are required to;

- (a) act in the best interest of Catholic Education;

- (b) carry out their responsibilities in a manner that assists the Board in fulfilling its duties under the *Education Act*, the Regulations and the guidelines issued under the Act, Board's By-Laws and Board Policies;
- (c) attend and participate in meetings of the Board, including meetings of board committees of which they are members;
- (d) bring concerns of parents, students and supporters of the Board to the attention of Board staff through Policies determined by the Board;
- (e) uphold the implementation of any Board resolution after it is passed by the Board;
- (f) entrust the day to day management of the Board to its staff through the Board's Director of Education;
- (g) promote student achievement and well-being;
- (h) ensure effective stewardship of the Board's resources;
- (i) develop, monitor and evaluate the effectiveness of Policies;
- (j) develop and annually review the Board's ~~m~~Multi-yYear plan;
- (k) comply with the Board's Code of Conduct Policy and addressed in Section 21 of these By-Laws.

ii. Chairperson of the Board

In accordance with the *Education Act* and its Regulations, the Chairperson of the Board, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Policies, is required to;

- (a) act in the best interest of Catholic Education;
- (b) preside over meetings of the Board;
- (c) conduct the meetings in accordance with the Board's procedures and practices for the conduct of board meetings;
- (d) **in consultation with Executive Council**, establish agendas for the **Committee of the Whole and Board Meetings**, in consultation with the ~~Board's~~ Director of Education or the Supervisory Officer acting as the Board's Director of Education;
- (e) ensure that members of the Board have the information needed for informed discussion of the agenda items;
- (f) with the Director of Education, act as spokesperson to the public on behalf of the Board, unless otherwise determined by the Board;
- (g) convey the decisions of the Board to the ~~Board's~~ Director of Education or the Supervisory Officer acting as the ~~Board's~~ Director of Education;
- (h) provide leadership to the Board in maintaining the Board's focus on the ~~m~~Multi-yYear pPlan;
- (i) provide leadership to the Board in maintaining the Board's focus on the Board's ~~m~~Mission ~~and v~~Vision **and Values**; ~~and~~
- (j) **serve as an Ad Hoc member of any Board committee;**
- (k) **be an official signing officer of the Board;**
- (l) assume such other responsibilities as may be specified by the Board; **and**
- (m) perform such duties as are related to his/her position as ~~an elected~~ a trustee.

iii. Vice-Chairperson of the Board

In accordance with the *Education Act* and its Regulations, the Vice-Chairperson of the Board, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Policies, is required to;

- (a) act in the best interest of Catholic Education;
- (b) act in place of the Board Chairperson when absent and fulfill the duties of the Chairperson of the Board;

- (c) Chair the Committee of the Whole Board Meeting;
- (d) perform such duties as determined by the Board or by the Chairperson;
- (e) perform such duties as are related to his/her position as ~~an elected~~ a trustee; and
- (f) be an official signing officer of the Board and shall assume all responsibilities and duties of the Chair in the event that the Chair is absent or incapacitated for a period exceeding forty-eight 48 hours.

iv. Director of Education – Chief Executive Officer

The Director of Education is the Chief Education Officer and the Chief Executive Officer (CEO) of the Board. The Chief Executive Officer of a Board shall ensure that Board staff comply with the duties under the *Education Act* and its Regulations, Board By-Laws and Policies established by the Board and shall develop and maintain an effective organization and programs required to implement the *Education Act* and its Regulations, Board's By-Laws and Policies.

In accordance with the *Education Act* and its Regulations, the Director of Education, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Policies, is required to;

- (a) act in the best interest of Catholic Education;
- (b) oversee the day to day management of the Board through Board staff;
- (c) annually review with the Board the ~~m~~Multi-~~y~~Year ~~p~~Plan;
- (d) ensure that the ~~m~~Multi-~~y~~Year ~~p~~Plan establishes the Board's priorities and identifies specific measures and resources that will be applied in achieving the priorities and in carrying out its duties under the *Education Act*, in particular, its responsibility for student achievement;
- (e) implement and monitor the implementation of the ~~m~~Multi-~~y~~Year ~~p~~Plan; and other reports as required as CEO of the Board or as determined by Executive Council or by Board motion to provide the Board with information to fulfill their duties as trustees and as CEO of the Board;
- (f) report periodically to the Board on the implementation of the ~~m~~Multi-~~y~~Year ~~p~~Plan and other reports as required as CEO of the Board and as determined by Executive Council or by Board motion to provide the Board with information to fulfill their duties as trustees and as CEO of the Board;
- (g) act as Secretary to the Board;
- (h) immediately upon discovery, bring to the attention of the Board any act or omission by the Board that in the opinion of the Director of Education may result in or has resulted in a contravention of the *Education Act* or any policy, guideline or regulation made under the *Education Act*; and
- (i) advise the Deputy Minister of Education if the Board does not respond in a satisfactory manner to an act or omission brought to its attention.

v. Board Officers

The duties of Board Officers shall be as outlined in the *Education Act* and its Regulations and in the job description and Terms and Conditions approved by the Board **from time to time**.

7. INAUGURAL MEETING OF THE BOARD

- i. Subject to any statutory requirement, on the first Tuesday of December following a municipal election, the Board will hold the Inaugural Meeting of the Board.
- ii. At the appointed time, the Director of Education who is the Chief Executive Officer (CEO) and Secretary-Treasurer or in his/her absence, a person designated by the Director of Education, shall preside until the election of the Chairperson.
- iii. The Agenda for the Inaugural Meeting of the Board will be:

A. ROUTINE MATTERS

1. Meeting Called to Order – *(Director of Education or Designate)*
2. Opening Prayer *(Bishop of St. Catharines or Designate)*
3. Roll Call
4. Declaration of Conflict of Interest
5. Returns of Election – *(Director of Education)*
6. Declaration of Office and Oath of Allegiance *(Director of Education or Designate)*
7. Election of Chairperson and Vice-Chairperson
8. Chairperson's Remarks
9. Vice-Chairperson's Remarks
10. Appointment of Board Auditors
11. Board Committees

B. MOMENT OF SILENT REFLECTION

C. ADJOURNMENT

- iv. At the Inaugural Meeting following a municipal election, ~~the~~ the Director of Education shall read the returns of the election to the Board as certified to him/her by the municipal clerks and may request a Judge to attend to take the Declaration and the Oath of Allegiance as set out in the *Education Act*.
- v. At the Inaugural Meeting following a municipal election, every person elected to the Board shall make and sign the Declaration and the Oath of Allegiance before the Secretary of the Board or before any person authorized to administer an oath unless such requirement was fulfilled prior to the organizational meeting.
- vi. **Election of Chairperson & Vice-Chairperson**
 - (a) The Director of Education shall name the scrutineers appointed for the election of the Chairperson and Vice-Chairperson.
 - (b) The election of the Chairperson shall be by nomination and vote by ballot. The candidate receiving a clear majority of votes cast by all members present shall be elected but the count shall not be declared. Should no candidate receive a clear majority of votes cast, the candidate receiving the least number of votes shall be dropped and balloting shall be continued in this manner until a majority of ballots cast shall be in favour of one person or an equality of votes results in a tie, in which case one further ballot shall be held. If an

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equality of votes shall result again, the candidates shall draw lots (straws) to fill the position. The drawing of lots shall be done in alphabetical order and the person who draws the longest straw shall be elected.

- (c) The person elected Chairperson shall be Chairperson until the next organizational meeting and shall at once take the chair and preside over the election of Vice-Chairperson (in the manner set out with respect to the election of the Chairperson in section (v. (b) above) and the further conduct of the meeting. The Chairperson has the right to vote as any other trustee for the position of Vice-Chairperson. The person elected Vice-Chairperson shall be Vice-Chairperson until the next organizational meeting of the Board.

vii. Ballots - The scrutineers shall be instructed by resolution to destroy the ballots.

8. ANNUAL ORGANIZATIONAL MEETING OF THE BOARD

- i. ~~The first meeting~~ **Excluding the Inaugural Meeting** of the Board ~~in, annually, the first Tuesday of December of each year shall~~ **will** be designated as the ~~annual organizational meeting and shall be held during the first week of December~~ **Annual Organizational Meeting** unless otherwise determined by the Board.
 - ii. At such meeting, at the appointed time, the Director of Education who is the Chief Executive Officer (CEO) or in his/her absence a person designated by ~~the members~~ **a two-thirds (2/3) majority of the trustees** present **at the meeting** shall preside until the election of the Chairperson.
 - iii. ~~At the inaugural meeting following a municipal election, the Director of Education / CEO shall read the returns of the election to the Board as certified to him/her by the municipal clerks and may request a Judge to attend to take the Declaration and the Oath of Allegiance as set out in the Education Act.~~
 - iv. ~~At the inaugural meeting following a municipal election, every person elected to the Board shall make and sign the Declaration and the Oath of Allegiance before the Secretary of the Board or before any person authorized to administer an oath unless such requirement was fulfilled prior to the organizational meeting.~~
- iii. **The Agenda for the Annual Organizational Meeting of the Board will be:**

A. ROUTINE MATTERS

1. Meeting Called to Order (*Director of Education or Designate*)
2. Opening Prayer and Comments (*Bishop of St. Catharines or Designate*)
3. Roll Call
4. Approval of Agenda
5. Declaration of Conflict of Interest
6. School Choir
7. Election Procedures
8. Election of Chairperson
9. Election of Vice-Chairperson
10. Chairperson's Remarks
11. Vice-Chairperson's Remarks

B. COMMITTEE AND STAFF REPORTS

1. Board Committees

C. MOMENT OF SILENT REFLECTION FOR LIFE

D. ADJOURNMENT

iv. Election of Chairperson & Vice-Chairperson

- (a) The Director of Education/CEO shall name the scrutineers appointed for the election of the Chairperson and Vice-Chairperson.
- (b) The election of the Chairperson shall be by nomination and vote by ballot. The candidate receiving a clear majority of votes cast by all members present shall be elected but the count shall not be declared. Should no candidate receive a clear majority of votes cast, the candidate receiving the least number of votes shall be dropped and balloting shall be continued in this manner until a majority of ballots cast shall be in favour of one person or an equality of votes results in a tie, in which case one further ballot shall be held. If an equality of votes shall result again, the candidates shall draw lots (straws) to fill the position. The drawing of lots shall be done in alphabetical order and the person who draws the longest straw shall be elected.
- (c) The person elected Chairperson shall be Chairperson until the next organizational meeting and shall at once take the chair and preside over the election of Vice-Chairperson (in the manner set out with respect to the election of the Chairperson in section (v. (b) above) and the further conduct of the meeting. The Chairperson has the right to vote as any other trustee for the position of Vice-Chairperson. The person elected Vice-Chairperson shall be Vice-Chairperson until the next organizational meeting of the Board.

- v. Ballots - The scrutineers shall be instructed by resolution to destroy the ballots.

9. REGULAR MEETINGS OF THE COMMITTEE OF THE WHOLE AND BOARD

i. Schedule of Meetings

Regular meetings of the **Committee of the Whole** shall be held on the **second Tuesday of the month, except July and August when there shall be no meetings.** The **Board Meeting** shall be held on the fourth Tuesday of the month, except July and August when there shall be no meetings, unless otherwise decided by the Board or the Director of Education, in consultation with the Chairperson of the Board.

ii. Agenda Distribution

A copy of the agenda for regular meetings of the **Committee of the Whole and the Board** shall be transmitted **electronically to Trustees through My Niagara Catholic Trustee and to Senior Administrative Council** by the Secretary of the Board ~~delivered or mailed to the address of each member of the Board~~ at least two clear days, including Saturday and Sunday, before the time of the meeting. ~~of the Board.~~

To the extent possible agendas with background material will be posted on the Board's website the morning of a regular scheduled meeting. ~~of the Board.~~

Hard copies of the agenda will also be available for public in attendance at meetings ~~of the Board.~~

Portions of the agenda dealing with In-Camera items shall be distributed only to Board members and if applicable to Supervisory Officers.

iii. Physical Presence

~~The Chairperson or designate, the Vice-Chairperson or designate and the Director of Education / Secretary to the Board or designate must be physically present at all public (open) and in-camera (closed) sessions of the Committee of the Whole Meeting or Board Meeting in the Board Room or at a site otherwise determined by the Board.~~

~~The Chairperson or designate, the Director of Education or designate and at least one other Trustee must be physically present at all public (open) and in-camera (closed) sessions of an electronic meeting of the Committee of the Whole or Board Meeting in the Board Room or at a site otherwise determined by the Board.~~

iv. Amendment of Agenda

The agenda may be amended at the opening of the meeting with the consent of the majority of the trustees present at the meeting.

v. Trustee Absences and Attendances at Meetings

Trustees are expected to attend all Board meetings and all meetings of Board committees of which they are members, either physically or through electronic means. A member of the Board who participates in a meeting through electronic means in compliance with Ontario Regulation 463/97 is considered to be present at the meeting. (Reference Board Policy: 100.8 – Electronic Meetings Board and Committees).

A trustee who is unable to attend a scheduled Board meeting must request that the Board excuse him/her by specific motion at that Board meeting, by so requesting through the Secretary of the Board. Trustees excused from a Board meeting will be marked as excused in the official minutes of the Board.

~~A Trustee~~ Trustees, who, prior to the adjournment of a meeting, have excused themselves or depart at any time during a Board meeting for the remainder of the meeting, will have the time of departure noted in the official minutes of the Board.

Trustees who are not excused from attendance at a Committee of the Whole or a Board meeting or fail to notify the Secretary of the Board if unable to attend a Committee of the Whole or Board meeting will be marked as absent in the official minutes of the Committee of the Whole or Board meeting.

As set out in the *Education Act*, a trustee must physically attend at least three (3) Board meetings in a ~~each~~ calendar year. A trustee will lose his or her seat for being absent ~~without authorization~~ for three (3) consecutive meetings of the Board, including special meetings of the Board, ~~without being authorized by resolution entered in the minutes.~~

Trustees are required to notify the Secretary of the Board if unable to attend a Committee of the Whole or a Board meeting.

vi. Closing Hour of Meeting

The Board shall not remain in session later than 11:00 p.m. unless otherwise determined by a 2/3 majority of the trustees present at the time such determination is made.

vii. Presiding Officer

In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both the Chairperson and the Vice-Chairperson, **the Secretary of the Board shall call the meeting to order and if there is quorum the Secretary shall request that the trustees present at the meeting shall appoint a Chairperson for the meeting by a two-thirds (2/3) majority of the trustees present at the meeting.**

In the absence of the Vice-Chairperson, the last elected Vice-Chairperson will preside with the Chairperson.

10. SPECIAL MEETINGS OF THE BOARD

Special meetings of the Board shall be held by order of the Board, on the written request of three (3) trustees, to the Chairperson or the Director of Education, on the call of the Chairperson, or at the request of the Director of Education. The trustees shall be given a twenty-four (24) hour notice for special meetings except in emergency situations. Such meetings shall be called for specific reasons. Such subjects shall be stated in the notice calling the meeting. Notwithstanding any other provisions to the Board's By-Laws, no other business shall be considered at a special meeting other than the subjects stated in the notice.

11. ELECTRONIC MEETINGS OF THE BOARD

The Chairperson or designate, the Director of Education or designate and at least one other Trustee must be physically present at all public (open) and in-camera (closed) sessions of an electronic meeting of the Committee of the Whole or Board Meeting in the Board Room or at a site otherwise determined by the Board.

At the request of a trustee or student trustee, the Board shall provide the appropriate technology to ensure that two way communication is available for trustee participation in the meeting. A written request shall be made to the Director of Education a minimum of 48 hours (excluding weekends or holidays) prior to the date of the meeting.

Subject to any condition or limitations provided for under the *Education Act* or its Regulations, a member of the board who participates in the full Committee of the Whole Meeting, Board Meeting or Committee Meeting through electronic means shall be deemed to be present at the said meeting for the purposes of every *Act* and shall be recorded as being in attendance, electronically, in the minutes of the meeting. (Reference Board Policy: 100.8 – Electronic Meetings (Board and Committees).

A trustee or student trustee will be entitled to vote on any matter on which he/she is eligible to vote.

12. QUORUM

- i. At all meetings of the Board, the presence of a majority of all trustees constituting the Board shall be necessary to form a quorum.
- ii. At meetings of all Committees of the Board the presence of a majority of all trustees constituting the committee shall be necessary to form a quorum.
- iii. Trustee attendance at Board and Committee meetings and notification of absence is ~~provided~~ **dealt with** under Trustee Absence and Attendance at Meetings within these By-Laws (Section ~~89~~ Sub ~~iv~~ **v**)
- iv. Where required, alternates to Board Committees will be determined at the time of selection to Board committees, recorded in the minutes and posted on the Board Committee Membership Form. Alternates have all rights and privileges as the appointed trustee.
- v. Only Board approved alternates may represent the Board on Board Committees and participate on Board committees.
- vi. Unless there is a quorum present within thirty (30) minutes after the time appointed for the start of the meeting, the Secretary of the Board or Chairperson of the Board Committee shall record the names of those present, the time of adjournment, and the Board and its Committees shall stand adjourned.
- vii. Board appointed ~~Ex-Officio~~ members of Committees are not to be considered in the count for a quorum but, if present, have the right to vote.

13. RIGHT OF THE CHAIRPERSON TO VOTE

The Chairperson of the Board may vote only once with the other members of the Board upon all motions, and any motion on which there is an equality of votes is lost. The Chairperson shall be recorded as voting yea, nay or abstaining on a recorded vote.

14. ACCESS TO MEETING

- i. The meetings of the Board, and meetings of committees of the Board, including a Committee of the Whole Board, shall be held on regular meeting dates, and shall be open to the public, except when the subject-matter under consideration involves:
 - (a) the security of the property of the Board;
 - (b) the disclosure of intimate, personal or financial information in respect of a member of the Board or committee, ~~and~~ **an** employee or prospective employee of the Board or a pupil or his/her parent or guardian;
 - (c) ~~(b)~~ the acquisition or disposal of a school site;
 - (d) ~~(e)~~ decisions in respect of negotiations with employees of the Board; ~~or~~
 - (e) ~~(d)~~ litigation or possible litigation affecting the Board; **or**
 - (f) **an ongoing investigation under the *Ombudsman Act* respecting the Board.**
- ii. The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting.

15. ACCESS TO RECORDS

Any person may, at all reasonable hours, at the head office of the Board (Catholic Education Centre, 427 Rice Road, Welland Ontario), inspect the minute book, the audited annual financial report and the current accounts of the Board and, upon written request of any person and upon the payment to the Board of expenses associated with the reproduction of materials, the Secretary of the Board shall furnish copies of them or extracts therefrom certified under his/her hand **in accordance with the Freedom of Information and Protection of Privacy Act and all relevant legislation and regulations.**

16. DELEGATIONS

- i.
 - (a) Any Catholic School elector or group (a **“Delegation”**) may request to address or ask questions of the Board.
 - (b) The Delegation or individual must provide the request in writing to the Director of Education or the Chairperson of the Board, at least 6 **(six)** days prior to the next regular meeting of the Board or Committee at which the Delegation may be heard.
 - (c) The request shall contain the topic to be discussed or questions to be asked and the identity of the Spokesperson(s).
 - (d) Copies of the complete presentation shall be shared with the Board or Committee at the same time that the agenda is distributed.
 - (e) In any case, the subject matter of the Delegation will not be discussed nor will a decision be made at the meeting at which the presentation is made.
 - (f) Following the presentation by the Delegation, questions of clarification only will be allowed by the Chairperson.
 - (g) A **d** Delegation’s presentation will be limited to fifteen (15) minutes with a five (5) minute question period following. Amendments as to the length of time are at the discretion of the Chairperson.
 - (h) In-Camera rules shall apply to Delegations of an In-Camera nature.
 - (i) The person or persons wishing to address the Board, Section or Committee shall be notified of the date, time and location of the meeting at which the presentation may be made.
 - (j) Delegations will upon notification have these regulations shared with them prior to their presentation.
- ii. Notwithstanding the above, the Board retains discretion to decide all matters concerning **d**Delegations. Decisions however, will not be discussed nor decided at the meeting at which the presentation is made.

17. OPEN QUESTION PERIOD

The purpose of the Open Question Period is to allow members of the Catholic school supporting public to ask about items on that night’s public agenda or any previous agendas, and the Board to answer ~~and react~~.

- i. Questions shall be submitted in writing to the Chairperson or Secretary to the Board prior to the commencement of the Open Question Period and if possible prior to the beginning of the Board meeting, along with the name, address and telephone number of the questioner.

- ii. The Director of Education or designate will validate that the individual submitting the question is a member of the Catholic school supporting public through the Municipal Property Assessment Corporation.
- iii. The Chairperson will determine the validity of the questions.
- iv. The Open Question Period will last a maximum of ten (10) minutes, with each questioner allowed a maximum of two (2) minutes.
- v. The Chairperson will attempt to provide a response or direct the question to another trustee or to the Director of Education. If no immediate response can be given provided, a verbal response will be communicated by the Board to the questioner at the earliest possible date, through the Director of Education as Secretary to the Board. Copies of any written responses to question will be added to the minutes of the subsequent regular Board meeting.

18. ORDER OF BUSINESS

The order of business for the Committee of the Whole shall be as follows:

- A. **Routine Matters**
 - 1. Opening Prayer
 - 2. Roll Call
 - 2. Approval of Agenda
 - 4. Declaration of Conflict of Interest
 - 5. Approval of Minutes of Board Meeting
 - 6. Consent Agenda Items
- B. **Presentations**
- C. **Committee and Staff Reports**
- D. **Information**
- E. **Other Business**
- F. **Business In-Camera**
- G. **Report on the In Camera Session**
- H. **Adjournment**

The order of business for Board Meetings shall be as follows:

- A. **Routine Matters**
 - 1. Opening Prayer
 - 2. Roll Call
 - 2. Approval of Agenda
 - 4. Declaration of Conflict of Interest
 - 5. Approval of Minutes of Board Meeting
 - 6. Consent Agenda Items

- B. Delegations/Presentations**
- C. Committee and Staff Reports**
- D. Trustee Items, Open Question Period & Other Business**
- E. Notices of Motion**
- F. Business In Camera**
~~See In-Camera Agenda~~
- G. Report on the In Camera Session**
- H. Future Meetings and Events**
- I. Moment of Silent Reflection for Life**
- J. Adjournment**

19. COMMITTEE MEETINGS

- i. Only members of a committee are required to attend that committee's meeting. ~~However,~~ All members of the Board shall receive notice, agenda (~~including background materials~~), and minutes of all committee meetings. All Board members shall be permitted to attend committee meetings and may take part in discussion, but only appointed trustees of the committee shall have voting power.
- ii. In dealing with committee reports at the Board meeting, it shall be the prerogative of the Chairperson to rule on a request by a trustee to have the recommendations dealt with item by item or as a whole.
- iii. Committee reports shall be considered public documents, except the reports **and minutes** presented to the In-Camera session.
- iv. ~~Committee minutes shall be considered public documents except when the subject matter under consideration involves:~~ **In accordance with the *Education Act*, In-Camera agenda items and minutes may only involve:**
 - (a) the security of the property of the Board;
 - (b) the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, ~~and~~ **an** employee or prospective employee of the Board or a pupil or his/her parent or guardian;
 - (c) the acquisition or disposal of a school site;
 - (d) decisions in respect of negotiations with employees of the Board; ~~or~~
 - (e) litigation or potential litigation affecting the Board; ~~or~~
 - (f) **an ongoing investigation under the *Ombudsman Act* respecting the Board.**
- v. All committees shall be established by Board resolution. The Chairperson, in consultation with the Vice-Chairperson, shall, by the Board meeting following the meeting at which a committee is established, appoint members to Board Committees, excluding the Committee of the Whole, which is made up of all trustees.
 - (a) **Committee of the Whole Board**

All trustees, **the Director of Education / Secretary-Treasurer and Senior Administrative Council** are members of this committee. The Vice-Chairperson of the Board chairs the Committee of the Whole Board meeting. In the absence of the Vice-Chairperson, the Chairperson shall preside. In the absence of both the Chairperson and the Vice-Chairperson, trustees present at the meeting shall appoint a Chairperson for the meeting by a two-thirds (2/3) majority of the trustees present. **In the absence of the Vice-Chairperson, the last elected Vice-Chairperson will preside with the Chairperson.**

Regular meetings of the Committee of the Whole Board shall be held on the second (2nd) Tuesday of the month (except July and August) unless otherwise decided by the Board.

(b) **Ad-Hoc Committees**

The Board may establish Ad-Hoc committees as required. The establishing motion shall indicate the specific mandate of the committee, the membership of the committee, and the due date of the final report. All Ad-Hoc committees shall require a new Board motion at the yearly organizational meeting of the Board. The Chairperson of the Ad-Hoc committees shall be elected at the first meeting of the committee by the members of the committee held after the Annual Organizational Meeting of the Board.

(c) **Policy Committee**

Three (3) trustees (one being the Chairperson of the Board or designate) shall be members of the Policy Committee. This committee will receive reports from staff regarding policy recommendations and will forward recommendations and minutes to the Board through the Committee of the Whole.

The Chairperson of this committee will be elected by the members at the first meeting of the committee held after the **Inaugural or** Annual Organizational Meeting of the Board.

The committee may recommend to the Committee of the Whole the areas in which policy formation and/or review is desirable. (Reference Board Policy 100.5, The Establishment and Cyclical Review of Policies)

The meeting of the committee shall normally be held prior to each monthly Board ~~m~~Meeting scheduled on the fourth (4) Tuesday of each month except **December, June,** July and August, when there shall be no meetings. Additional meetings, as required, will be called by the Chairperson of the committee and the Director of Education.

- vi. Meetings of a committee shall be called by the Chairperson of the committee. If the Chairperson of a committee neglects to call meetings, it is the duty of the Committee to meet on the call of any two (2) of its members. All meetings shall be called or cancelled through the Office of the Director of Education. In the absence of the Chairperson, providing there is a quorum, the members will elect an interim Chairperson.
- vii. The Chairperson of the Board shall be an ex-officio member of all committees of the Board. Ex-Officio members of committees are not to be considered in the count for a quorum but, if present, have the right to vote (By-Laws Section 10 Sub vii). The Chairperson may delegate some of the ex-officio duties to the Vice-Chairperson of the Board.

20. RULES OF ORDER

- i. Any of these By-Laws may be temporarily suspended by a vote of three-quarters (3/4) of the members present at a duly constituted Board meeting. The By-Laws shall not be repealed, altered, or amended without a minimum of one month's previous notice in writing having been given to the Policy Committee or the Board of the intended alteration or amendment.
- ii. Temporary suspension of any of these By-Laws shall be active for a specified period not to exceed two (2) months in any one calendar year.
- iii. Whenever an adjournment takes place in consequence of there not being a quorum present, the time of adjournment and the names of the members present shall be entered in the records of the Board.
- iv. The Chairperson or other Presiding Officer shall preserve order and decorum and decide upon all questions of order.
- v. In the absence of the Chairperson and Vice-Chairperson for any cause, the Board may, from the members present, appoint a presiding officer who, during such absence, shall have the powers of the Chairperson of the Board.
- vi. The Chairperson may participate in any debate or discussion from his/her position as Chairperson. Should the Chairperson elect to vacate the chair to take part in any debate or discussion or for any other reason, he/she shall call upon the Vice-Chairperson or in his/her absence one of the members to fill his/her place until he/she resumes it. The right of the Chairperson to vote is outlined in Section 11 of these By-Laws.
- vii. Where a question is before the Board, the mover may speak first and the seconder may speak next, and the Chairperson will attempt to allow each person wishing to speak the opportunity to speak once before any member may speak for a second time. The mover also has the prerogative to be the last speaker before the question is decided and the seconder shall be the penultimate speaker.
- viii. No member shall speak for more than a total of fifteen (15) minutes or more than three (3) times (not to exceed five (5) minutes each time) on the same question without the permission of the Chairperson of the Board.

21. MOTIONS AND DEBATE

In all cases not provided for by these By-Laws, the rule and practice of the most recent edition of "Robert's Rules of Order" shall govern so far as applicable.

- i. All motions shall be recorded in the minutes of the meeting in which it is presented and discussed and shall be seconded before being stated by the Chairperson, whereupon the Chairperson shall ask if there is any future discussion on the motion, before the vote.
- ii. When a motion has been stated by the Chairperson, it shall be open to debate and shall be disposed of only by a vote, unless the mover, by permission of the seconder, withdraws it, in which case such motion shall not appear in the minutes of the meeting.
- iii. Any trustee of the Board may require the question under discussion to be read at any part of the debate, but not so as to interrupt a speaker.

- iv. A member, prior to speaking to any question or motion, shall address the Chairperson. The member shall confine remarks to the question at hand.
- v. When two (2) or more members wish to speak at the same time, the Chairperson shall name the member who is to speak.
- vi. No member shall be interrupted while speaking, except in a case where the member is called to order by a member for a transgression of rules of the Board, in which case the member shall remain silent until the point of order has been decided by the Chairperson.
- vii. Where a member wishes to make a point of order or to seek clarification he or she should so indicate in addressing the Chairperson and the Chairperson will rule on such matters before the next speaker is allowed to speak.
- viii. When the question under consideration contains two (2) or more distinct propositions, any particular proposition upon the request of any member, shall be considered and voted upon separately.
- ~~ix. No question, when once decided by the Board at a regular meeting, shall be reconsidered during that meeting.~~
- ix. If it is desired to defer action on a question until a particular time, the proper motion to make is “to postpone it to that time”. This motion allows limited debate, which must be confined to the propriety of the postponement to that time; it can be amended by altering the time, and this amendment allows the same debate.
- x. Whenever a motion has been made and seconded, it is the duty of the Chairperson, if the motion is in order, to state the question, so that the members may know what question is before them.
- xi. In stating the question on an amendment, the Chairperson should read the passage to be amended; the words to be struck out, if any, the words to be inserted, if any; and the whole passage as it will stand if the amendment is adopted.
- xii. The motion to adjourn is not debatable, it cannot be amended, or have any other subsidiary motion applied to it; nor can a vote on it be reconsidered.
- xiii. If a trustee does not put new motions or amendments in writing for the Chairperson, the motion, as stated by the Chairperson and recorded by the secretary, shall be the motion.

(a) **Amendment(s) to Motion**

An amendment may be in any of the following forms:

- (i) to “add” or “insert” certain words or paragraphs;
- (ii) to “strike out” certain words or paragraphs, and if this fails it does not preclude any other amendment than the identical one that has been rejected;
- (iii) to “strike out certain words and insert others,” which motion is indivisible, and if lost does not preclude another motion to strike out the same words and insert different ones;
- (iv) to “substitute” another resolution or paragraph on the same subject for the one pending;

- (v) to “divide the question” into two (2) or more questions as the mover specifies, so as to get a separate vote on any particular point or points;
- (vi) if an amendment is defeated, vote on the motion. If an amendment is carried, vote on the amended motion.

(b) Notice of Motion

A member of the Board must give notice of motion in writing so that it appears on the agenda of the meeting at which the notice of motion is presented, if he/she wishes to:

- (i) Repeal or make permanent amendment to any of the Board’s By-Laws;
- (ii) Recommend an action which has not been considered and recommended to the Board by a Committee of the Board;
- (iii) Consider a matter by the Board without reference to a Committee.

(c) Regulations - Notice of Motion

- A Notice of Motion shall not be discussed or seconded at the meeting at which it is initially presented.
- Before any discussion shall take place at the meeting at which a Notice of Motion is presented as a proposed Board motion / resolution, a trustee must second it.
- The number of Notices of Motion which are presented as proposed Board motions / resolutions at any single meeting shall be limited in number at the discretion of the Chairperson.
- Notices of Motion which are not presented for discussion as proposed motions / resolutions at the meeting, shall be presented at the next regular meeting.
- Notices of Motion which require reports, or information, shall be presented to the Board without any written reports by the Director of Education. The Director of Education or his delegate, may be permitted to make oral statements relating to these Notices of Motion at the time of presentation.
- The Director of Education or his delegate may make written reports and/or recommendations supporting or opposing Notices of Motion, when they are presented as Motions, and which if carried will require direct action by the Board or its officials.

(d) Reconsideration of a Motion

- An adopted motion can be re-visited, provided that it (or the parts that the Board wishes to change or cancel) was not acted upon.
- Adopted Motion: An adopted motion that was not acted upon can be brought back for consideration at the same meeting, by majority vote,. The motion to reconsider must be made by a trustee who voted in favor of the motion. If the motion to reconsider is adopted, the motion to which it applies is re-opened for debate and a new vote.
- Defeated Motion: A defeated motion can be brought back for consideration at the same meeting if the trustees, by a majority vote, agree to do so. Only a member who voted against the motion may make the motion to reconsider in this case.

22. VOTING

(a) Voting by ballot for the Election of the Chair and Vice-Chair of the Board

- i. Voting by ballot will only take place for the election of the Chair and Vice-Chair of the Board.
- ii. The Director of Education should appoint two (2) or more persons to conduct the vote by distributing, collecting and counting the ballots. Following the voting by ballots, the Director of Education will announce the vote publicly. The Chairperson will move to destroy the ballots.
- iii. Trustees electronically attending the Inaugural or Annual Organizational Meeting of the Board may cast their vote by communicating their decision electronically through a private communication link with the Board solicitor (or designate) as determined by the Board solicitor. The Board solicitor or designate shall be present physically at the meeting and will cast the communicated decision of the trustee by ballot with the other ballots casted by trustees present at the Board meeting. Trustee(s) joining electronically for the Inaugural or Annual Organizational Meeting of the Board and requesting to cast their vote electronically are to provide the Director of Education, Secretary to the Board 48 hours of advanced notice to make the necessary arrangements with the Board Solicitor or designate.

(b) Recorded Vote

Each member’s vote shall not be recorded upon any motion unless requested by a member before the Chairperson calls upon the members to vote upon the question. Provided a request is made in the manner hereinbefore mentioned, the names of those who vote in favour of the question, those who vote in opposition and those who abstain, shall be entered upon the minutes. Any member may request that his/her individual vote be recorded either before or after the Chairperson calls the question.

23. CONFLICT OF INTEREST

Any Conflict of Interest shall be declared and dealt with in accordance with the *Municipal Conflict of Interest Act*, these By-Laws and the Code of Conduct Policy.

24. CODE OF CONDUCT

All trustees are required to be in full compliance with the Code of Conduct Policy as approved by the Board. The Board approved Code of Conduct Policy for trustees is in compliance with the *Education Act*.

Code of Conduct is addressed in the Niagara Catholic District School Board Trustee Code of Conduct Policy (100.12).

DEFINITIONS SCHEDULE

For this By-Law and all other By-Laws of the Board unless the context otherwise requires:

Words importing gender shall include all genders;

A reference to a statute, refers to that statute, and any regulations or rules issued thereunder, as amended, supplemented or replaced from time to time;

“**Board**” for the By-Laws means the Board of Trustees of the Niagara Catholic District School Board and, where the context requires, means the NCDSB;

“**committee**” includes any committee or subcommittee of the Board established under this By-law;

“**Committee of the Whole Board**” for the purposes of this By-Law references in the Act to a Committee of the Whole or of the whole board are to situations when the trustees meet as a body but not as the Board. All trustees are members of the Committee of the Whole as described in more detail in section 17(v)

“**Director of Education**” means the Director of Education, who is also the Chief Executive Officer of the Niagara Catholic District School Board as well as the Secretary-Treasurer;

“**Education Act**” and “**Act**” means the Education Act, R.S.O. 1990, c.E.2, and includes, where the context requires, the Regulations enacted thereunder;

“**Inaugural Meeting**” means the meeting at which the Chairperson of the Board and the Vice-Chairperson of the Board are elected and members of Committees are appointed in the year after a municipal election;

“**Meeting**” includes a meeting of the Board and a meeting of a Committee;

“**Multi-Year Plan**” means the plan developed by the Board in accordance with Article 2.1.6;

“**Municipal Elections Act**” means the *Municipal Elections Act*, 1996, S.O. 1996, c.32 and includes, where the context requires, the Regulations enacted thereunder;

“**Annual Organizational Meeting**” means the meeting at which the Chairperson of the Board and the Vice-Chairperson of the Board are elected and members of committees are appointed in each year other than a year in which an inaugural meeting is held.

“**Policies**” means the policies put in place by the Board from time to time;

“**Roll Call**” means taking attendance by the Chair of the meeting by way of calling out the names of the Trustees;

“**Statutory Committee**” means any committee that, by law, the Niagara Catholic District School Board is required to establish;

“Student Trustee” means a Roman Catholic secondary school student, elected by a student body, to represent the interest of students in the last two years of the intermediate division and students in the senior division of the Niagara Catholic District School Board;

“NCDSB” means the Niagara Catholic District School Board;

“Trustee” means a person elected, acclaimed, or appointed to the office of trustee of the Board of Trustees according to the provisions of the *Education Act* or the *Municipal Elections Act*;

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
FEBRUARY 23, 2016**

TITLE: POLICY AND GUIDELINE REVIEW 2015-2016 SCHEDULE

The Policy and Guideline Review 2015-2016
Schedule is presented for information.

Prepared by: John Crocco, Director of Education/Secretary-Treasurer
Presented by: John Crocco, Director of Education/Secretary-Treasurer
Date: February 23, 2016



POLICY AND GUIDELINE REVIEW SCHEDULE

SEPTEMBER 2015 - JUNE 2016

Updated: January 26, 2016

SORTED BY POLICY COMMITTEE MEETING DATE				
Policy Issued	Reviewed Revised	Policy #	POLICY NAME	Prior to Vetting After Vetting
2012	2014	201.16	Attendance Support Program	Sept. 2015
NEW		NEW	Asthma	Sept. 2015
2010	2010	800.6	Facility Partnerships	Oct. 2015
1998	2010	701.2	Pupil Accommodation Review	Oct. 2015
2001	2012	302.6.6	Dress Code - Secondary Uniform - <i>Safe Schools</i>	Nov. 2015
2012	2012	302.6.10	Elementary Standardized Dress Code - <i>Safe Schools</i>	Nov. 2015
NEW		NEW	French Immersion	Nov. 2015
2012	2014	201.16	Attendance Support Program	Nov. 2015
NEW		NEW	Asthma	Nov. 2015
2001	2013	302.6.3	Access to Board Premises - <i>Safe Schools</i>	Jan. 2016
1998	2014	201.4	Reimbursement of Travel Expenses	Jan. 2016
2010	2010	800.6	Facility Partnerships	Jan. 2016
1998	2010	701.2	Pupil Accommodation Review	Jan. 2016
2001	2012	302.6.6	Dress Code - Secondary Uniform - <i>Safe Schools</i>	Jan. 2016
2012	2012	302.6.10	Elementary Standardized Dress Code - <i>Safe Schools</i>	Jan. 2016
NEW		NEW	French Immersion	Jan. 2016
1997	2010	100.1	Board By-Laws	Feb. 2016
1998	2010	100.5	Establishment and Cyclical Review of Policies	Feb. 2016
2002	2015	201.7	Employee Workplace Harassment *	Feb. 2016
2002	2015	201.11	Employee Workplace Violence *	Feb. 2016
2002	2015	201.6	Occupational Health & Safety *	Feb. 2016
NEW		NEW	Naming of a Board Facility	Feb. 2016
2010	2010	100.10.1	Religious Accommodation	Feb. 2016
1999	2010	302.3	Safe Arrival	March 2016
2011	2013	800.7	Niagara Catholic Parent Involvement Committee & By-Laws	March 2016
2001	2013	302.6.3	Access to Board Premises - <i>Safe Schools</i>	April 2016
1998	2014	201.4	Reimbursement of Travel Expenses	April 2016
1997	2010	100.1	Board By-Laws	April 2016
1998	2010	100.5	Establishment and Cyclical Review of Policies	April 2016
2002	2015	201.7	Employee Workplace Harassment *	April 2016
2002	2015	201.11	Employee Workplace Violence *	April 2016
2002	2015	201.6	Occupational Health & Safety *	April 2016
NEW		NEW	Naming of a Board Facility	April 2016
2010	2010	100.10.1	Religious Accommodation	April 2016
1999	2010	302.3	Safe Arrival	May 2016
2011	2013	800.7	Niagara Catholic Parent Involvement Committee & By-Laws	May 2016
NEW		NEW	Anti-Spam	

SORTED BY CW/BOARD MEETING DATE				
Policy Issued	Reviewed Revised	Policy #	POLICY NAME	CW/BD
2012	2014	201.16	Attendance Support Program	Dec. 2015
NEW		NEW	Asthma	Dec. 2015
2010	2010	800.6	Facility Partnerships	Feb. 2016
1998	2010	701.2	Pupil Accommodation Review	Feb. 2016
2001	2012	302.6.6	Dress Code - Secondary Uniform - <i>Safe Schools</i>	Feb. 2016
2012	2012	302.6.10	Elementary Standardized Dress Code - <i>Safe Schools</i>	Feb. 2016
NEW		NEW	French Immersion	Feb. 2016
2001	2013	302.6.3	Access to Board Premises - <i>Safe Schools</i>	May 2016
1998	2014	201.4	Reimbursement of Travel Expenses	May 2016
1997	2010	100.1	Board By-Laws	May 2016
1998	2010	100.5	Establishment and Cyclical Review of Policies	May 2016
2002	2015	201.7	Employee Workplace Harassment *	May 2016
2002	2015	201.11	Employee Workplace Violence *	May 2016
2002	2015	201.6	Occupational Health & Safety *	May 2016
NEW		NEW	Naming of a Board Facility	May 2016
2010	2010	100.10.1	Religious Accommodation	May 2016
1999	2010	302.3	Safe Arrival	June 2016
2011	2013	800.7	Niagara Catholic Parent Involvement Committee & By-Laws	June 2016
NEW		NEW	Anti-Spam	