

RECOMMENDATIONS

2.11 Ontario Human Rights Commission Settlement with the TDSB and the Province

To the TDSB:

1. The Toronto District School Board should report yearly to the Provincial School Safety and Equity Officer on the progress they have made in implementing their settlement with the Ontario Human Rights Commission. *(page 30)*

3.05.03 Responding to Incidents of Gender-Based Violence in Schools

To the TDSB:

2. The Toronto District School Board should develop a “Sexual Assault and Gender-Based Violence” policy. Interventions and approaches should be developed to respond to sexual assault and other forms of gender-based violence, with a view to ensuring that the equality rights of girls and young women to a safe learning environment are protected. The policy should be developed in consultation with the community and organizations that work to combat gender-based violence. The policy should detail definitions, penalties, reporting procedures, resources and an annual review of how the policy is being applied in practice. All Toronto District School Board employees who work with students should have regular training on the policy and the Board should ensure that sufficient resources are allocated to implement the policy.

In order to encourage victims of sexual assault to come forward and to protect the school community, the “Sexual Assault and Gender- Based Violence” Policy should state that, with respect to students who are age 16 or over:

- a. The decision concerning whether to report the sexual assault to the police should be made by the student.
- b. The decision concerning whether to notify the student’s parent/guardian of the sexual assault shall be made by the student.
- c. The Chief Social Worker shall mobilize appropriate supports for the student as soon as the incident is brought to the attention of school authorities. Supports may be both TDSB supports and/or community supports, and should be provided to assist the student to make their decision concerning reporting sexual assaults to the police and/or parent/guardian. The appropriate supports should be present when the student is interviewed by police and throughout the investigative/judicial process.

- d. Where the student chooses to inform their parent/guardian, the Chief Social Worker should ensure that family counselling services are made available to the victim and his or her family during and after the disclosure.

Where the victim of a sexual assault is under the age of 16:

- a. The principal and/or designate, in consultation with the Chief Social Worker (or other supports) shall report the sexual assault to police.
- b. The principal and/or designate, and Chief Social Worker, in consultation with the student and appropriate supports, shall decide whether the parent/guardian should be notified of the sexual assault. There should be a presumption that the parent/guardian will be notified, except in exceptional circumstances.
- c. The Chief Social Worker shall mobilize appropriate supports for the student as soon as the incident is brought to the attention of school authorities. Supports may be both TDSB supports and/or community supports, and should be available if the student is interviewed by police and throughout the investigative/judicial process.
- d. Where the student chooses to inform their parent/guardian, the Chief Social Worker should ensure that family counselling services are made available to the victim and his or her family during and after the disclosure.

Regardless of whether the sexual assault is reported to police, the Toronto District School Board, through the department responsible for school safety, should ensure that appropriate disciplinary action is taken and that procedures are in place to ensure the safety of the school community with respect to alleged perpetrator. *(page 391)*

- 3. The Toronto District School Board should establish programs at both the high school and junior-intermediate level for students who have engaged in repeated acts of gender-based violence, in order to support the re-integration and re-engagement of these young people into society and prevent future incidents. *(page 393)*
- 4. The Toronto District School Board should partner with community agencies providing services for women and girls experiencing violence, in order to enhance supports available for students and teachers to both prevent and respond to gender-based violence in schools. *(page 394)*
- 5. Toronto District School Board policies and resources relating to sexual assault and gender-based violence should be posted in schools and should form part of

the orientation process for all teachers and students at the commencement of each year. *(page 395)*

6. The Toronto District School Board should revise and broaden its “Online Code of Conduct” and student/parent declaration to address acts of cyber-violence and the consequences for students who engage in such conduct, on or off school property. Cyber-violence should also be included as a topic in violence prevention programming. *(page 396)*

3.05.4 Preventing Gendered-Based Violence in Schools

To the TDSB:

7. The TDSB should provide teachers, administrators, superintendents and support staff with staff development in the following area: gender-based education concerning causes of gender-based violence, prevention strategies and TDSB policies for responding to gender-based violence. The training should be mandatory for all TDSB teachers, administrators, superintendents and support staff. *(page 402)*

To the Ministry of Training, Colleges and Universities:

8. The Ontario Ministry of Training, Colleges and Universities should review current teacher education programs to evaluate its effectiveness in preparing teachers to respond to issues of sexual violence in the classroom and in the school environment. Where necessary, existing training courses should be updated. Training concerning gender-based violence in schools should be made mandatory for all pre-service teachers. *(page 402)*

To the TDSB:

9. The Toronto District School Board should implement a peer-based education program, supervised and supported by teachers, youth and social workers. The program should teach students on the topics of the dynamics of violence against girls and women, healthy relationships, and the acceptance of diverse racial and cultural groups. The program should be available to students in all grades at high schools. *(page 405)*

10. The Toronto District School Board should implement the Newcomer Orientation Week (NOW) program in all Toronto schools with high levels of newcomers in order to reduce the vulnerabilities of newcomer students. *(page 406)*
11. The Toronto District School Board should use a safety and equity audit process that, in addition to examining physical plant and use of physical space of schools, includes the following features:
- (a) Consultation with staff, parents and community members where appropriate;
 - (b) Consultation with female students and students from groups that are vulnerable to violence;
 - (c) An assessment of violence prevention policies and procedures, including their effectiveness and practice;
 - (d) Observation of social dynamics on school property; and,
 - (e) A follow up audit should take place within a reasonable time period to assess whether recommendations have been suitably implemented. *(page 408)*
12. The Toronto District School Board should create and implement a “safe space” program in its high schools for female students and other vulnerable groups. *(page 409)*

To the Ministry of Training, Colleges and Universities:

13. The Ontario Ministry of Education should create a position of “Violence Prevention Coordinator” that is responsible for the implementation of violence prevention programs in schools that are gender-sensitive and predicated on principles of equity and diversity. Violence prevention programming and education should involve students, school administrators, teachers, parents, and community agencies. *(page 410)*

To the TDSB:

14. All Toronto District School Board violence prevention programs should be regularly evaluated to determine their effectiveness and to make recommendations for improvement. *(page 410)*

To the Ministry of Education:

15. Recognizing that there is little research on the issue of sexual assault and gender-based violence in schools, the Ontario Ministry of Education should fund a comprehensive study of safety issues affecting female students in order to ensure that school safety policies appropriately address the specific safety risks faced by female students. This research should also examine policies concerning the reporting of incidents of sexual assault to police. *(page 412)*

To the TDSB:

16. The Toronto District School Board should launch a public awareness campaign concerning issues of sexual assault and gender-based violence in schools. *(page 412)*

3.06.01 Barriers to Reporting

To the TDSB:

17. Each school should establish a “Student Hotline”. The phone number for the school hotline should be separate from the main school phone line. The Student Hotline should be staffed by students from the school who are trained on reporting, and who are aware of the appropriate supports for student victimization and bullying. In addition, the TDSB should prepare a website, separate from the TDSB website, where students can anonymously report issues of school safety. *(page 415)*
18. In view of the Panel’s findings with respect to the education culture at the TDSB, the TDSB should contract an outside management consultant to provide advice and training in respect of pro-active measures the Board can take to counteract the characteristics and dynamics identified by the Panel in its Report on the TDSB education culture. *(page 423)*

To the Ministry of Education:

19. The provincial government should establish a provincial School Safety and Equity Officer (“Provincial Officer”). The Provincial Officer will be a central repository for the reporting of serious issues of student safety. *(page 423)*

To the Ministry of Education:

20. The Panel recommends that the provincial government create mandatory reporting obligations for serious issues of student safety. Serious issues of student safety include:
- (i) possession of any prohibited or restricted weapon as set out in the Criminal Code of Canada;
 - (ii) a violent incident that has caused serious bodily harm; and
 - (iii) sexual assaults subject to Panel’s recommendations concerning reporting of sexual assault. *(page 423)*

21. The Panel further recommends that the provincial government amend the *Education Act* to create mandatory reporting obligations for all school staff. At a minimum, the reporting provisions would require all Board staff to report serious issues of student safety. The provisions would develop reporting structures that ensure that the principal and vice-principals are informed of every reportable incident. The provisions would obligate the principal of a school to advise the Board representative in charge of issues of safety and the Provincial Officer of serious issues of student safety and where applicable, advise the police of any particular issue. Where an employee has knowledge of a breach of the reporting provisions, the employee must report the breach, pursuant to reporting protection legislation, to the School Safety and Equity Officer. (page 423)
22. The provincial government should amend the *Education Act* to include reporting protection legislation that would apply to all school board employees. The legislation would enable an employee of a school board to anonymously report, in good faith, serious issues of student safety to the Provincial School Safety and Equity Officer and would allow the employee to disclose, if necessary, a student's OSR. The legislation would prohibit any form of direct or indirect reprisal, retaliation or adverse employment consequences against the individual reporting employee. The legislation would include a punitive and remedial penalty attached to the protection. (page 424)
- To the TDSB:*
23. The TDSB should implement Board policy that mirrors the above noted recommendations (20 to 22) with necessary modifications. (page 424)
24. Student and Teacher surveys should be conducted every five years. These surveys should gather information on: 1) Feelings of safety at school; 2) Safety-related problems at school; 3) Fear of victimization; 4) Individual victimization experiences; 5) Witnessing crimes and violence at school; 6) Reporting crimes and violent incidents to authorities (including reasons staff and faculty decide not to report); 7) Perceptions of school punishment practices; 8) Perceptions of racism at school; 9) Ideas and attitudes towards improving school safety; and 10) Attitudes towards the use of the police in school. (page 427)
25. Student and teacher surveys should be based on large, random samples of students and staff. The sampling strategy should ensure that the final sample is representative of the types of communities and schools that make up the Toronto District School Board. For the student survey, we recommend that the sample size should consist of at least 5,000 students (randomly selected from at least 40 schools). For the staff survey, we suggest a sample size of at least 1000 teachers (randomly selected from a sample of at least 30 schools). (page 427)
26. Having regard to section 302(9) of the *Education Act*, which mandates the canvassing of students with respect to their safety, the Panel recommends that the

TDSB develop a policy for anonymously canvassing the school community on safety matters. Parental consent should not be necessary for such limited anonymous canvassing on safety as long as: 1) Students are fully informed about the purpose of the survey prior to survey administration; 2) Students are fully informed that their participation is voluntary and that they do not have to answer questions that they do not want to answer; and 3) Students are fully informed that the survey is both confidential and anonymous. *(page 427)*

27. The TDSB should create high quality evaluation designs (pre-test/post-test control group/experimental group designs) to evaluate programs aimed at reducing violence in schools. The Panel further recommends that program evaluation be conducted by highly qualified, external researchers, who do not have a vested interest in documenting program success. *(page 427)*

3.06.02 Tracking Safety

To the TDSB:

28. The Board should consolidate the Weekly Incident Reports and the Crisis Reports into a “Safety Incident Report” that would be used to document all incidents – both violent and non-violent – related to school safety. This standard form would be mandatory and would be used to document the following types of incidents within the school environment: physical threats, threats involving weapons, minor physical assault (not causing injury), major physical assault (causing injury), robbery/extortion, theft, sexual harassment, minor sexual assault (inappropriate touching or grabbing), major sexual assault (forced sexual contact), property damage and weapons at school. Safety Incident Reports should be created by a principal for each incident and submitted to the Safe and Caring Schools Department every week. The Safe and Caring Schools Department would consolidate the Safety Incident Reports by quadrant, FOS, and school, and circulate the Report to the Chair of the Board, Director, Associate Director, Executive Superintendent to Trustees, Superintendents, and all administrators. *(page 432)*
29. Each year the TDSB should produce a detailed report on school safety issues using data collected from individual schools. The information gathered for these Annual Reports could be based largely on the “Safety Incident Report”. Official school data should be further broken down by the following variables: 1) gender of offenders and victims; 2) age of offenders and victims; 3) grade of offenders and victims; and 4) racial/ethnic background of offenders and victims. *(page 432)*

3.06.03 Renewal: Creating a Positive Bond Between Students and Teachers

To the TDSB:

30. The TDSB should analyze the Board's suspension and expulsion data to determine the adverse impact it has on students who are disabled or are members of a racialized community by March 31, 2008. *(page 436)*
31. Multicultural, anti-racism staff development should be provided to teachers, administration, and school staff at every school. *(page 438)*
32. The TDSB should amend its transfer processes to permit teachers at schools in "at-risk communities" to be transferred to a different school upon request. Teachers should be permitted to have input in the location of their transfer. Such transfers should not have a negative impact on the teacher's career advancement. *(page 439)*
33. TDSB teachers working in "at-risk communities" should be given a thorough orientation on the social and economic conditions affecting students in these communities. This orientation would be delivered by a team that includes local community organizations and leaders, and students or former students. *(page 439)*
34. The Toronto District School Board should establish school-based teams made up of social workers, child/youth workers, and teachers to help family caregivers navigate and access the mental health services their children and youth require, and these teams should make use of a variety of treatment techniques, and work across disciplines. *(page 439)*

To the Ministry of Training, Colleges and Universities:

35. The Ontario Ministry of Training, Colleges and Universities should review and enhance mandatory classroom management training for all secondary school teachers, with an emphasis on the particular context of classroom management in the "at risk community" setting. The Practical year training should include an extended classroom management component. *(page 440)*

To the TDSB:

36. TDSB should provide staff development in classroom management skills, with a particular focus on schools in "at-risk communities". This staff development should be mandatory for teachers teaching in schools in "at-risk communities". The staff development program must be subject to ongoing review and continuous growth. *(page 440)*
37. Teachers who have been teaching for less than 5 years should be mentored by senior teachers. *(page 440)*

38. The Toronto District School Board should put in place mandatory staff development for principals, vice-principals, and senior administration on best practices in educational change. *(page 440)*
39. The Panel affirms the recent initiatives taken by the TDSB with respect to diversity and equity in its recruitment practices. The Panel calls on the TDSB to establish specific targets and timeframes with respect to employment equity. The Equity Foundation Statement should be implemented with respect to hiring and HR processes. This would include increasing the total number of internationally trained teachers. *(page 443)*
40. The Panel recommends that the TDSB lower class sizes in the LOI secondary schools to create more vacancies, and thereby, allow for movement of staff into these schools. This in turn will create vacancies across the system which may ultimately be filled by new hires. It is contemplated that these changes will enhance the cultural and racial diversity amongst the TDSB's teaching staff. *(page 444)*
41. Thorough curriculum reform should be implemented pursuant to the Equity Foundation Statement. There should be an action plan with specific time frames and accountabilities established. *(page 449)*
42. The TDSB should identify "at risk" students based on two categories: (1) students with high absenteeism rates and (2) students who successfully complete less than seven credits by the end of grade nine. The Panel recommends that in secondary schools, students not attending class on a regular basis need to be flagged by the classroom teachers and reported to an attendance counsellor. A set of procedures should be established with positive measures for encouraging students to attend, including an advocate/mentor program for improving poor attendance. Suspension should not be considered a positive strategy in this case. School procedures should include counselling to provide students with understanding and workable solutions for attending school. *(page 449)*
43. Guidance counsellors should meet with students identified as having successfully obtained less than seven credits so as to formulate a plan to obtain lost credits, including enrollment in a credit recovery program. *(page 449)*
44. The TDSB should provide WRAPAROUND programming in schools where there is a significant population of students who are in jeopardy of falling outside of the education system. *(page 449)*
45. Regardless of the direction that the TDSB and the communities take with respect to the issue of "Black-focused" schools, the Panel recommends that the TDSB develop an inclusive curriculum that will allow students to examine their own cultural and historical experiences, and the experiences of living in their communities. Specifically, the TDSB should explore ways to incorporate African-

- centered perspectives and other forms of cultural knowledge in the education of youth. *(page 450)*
46. The TDSB should extend Student Empowerment Programs and Leadership Opportunities for Students. *(page 451)*
 47. The Toronto District School Board, the Elementary Teachers' Federation of Ontario and the Ontario Secondary School Teachers' Federation should negotiate an increase in teacher supervision duties with an appropriate increase in remuneration to reflect the additional teacher workload. *(page 455)*
 48. Administrators should develop an enhanced hall presence program that ensures that adult supervision is visual during class breaks and during arrival and dismissal. *(page 455)*
 49. Teachers and Hall Monitors should be engaged in an active staff development program emphasizing conflict resolution, crisis intervention and self-esteem building in students within a racial, cultural, and gender sensitive framework. *(page 455)*
 50. The TDSB should provide crisis intervention training to all its teachers. *(page 455)*
 51. The TDSB should develop a code red procedure and staff team for all schools. The code red staff team would be trained to provide crisis management until paramedics, police or firefighters arrive. The procedure should be prepared with input from teachers' federations, parents, police, paramedics and firefighters. *(page 455)*
 52. The TDSB should increase the number of school safety monitors and ensure that school safety monitors have training, qualifications and remuneration in keeping with their counselling, educational and enforcement role. *(page 456)*
 53. The TDSB should allow the Toronto Fire Services and Toronto Public Health to conduct yearly inspections of all its schools, so as, to ensure that each school meets the standards proscribed by the Fire Code, the Electrical Code, and the Occupation Health and Safety Act. The TDSB should prominently display the Report by the Toronto Parent Network entitled, "A report by the Toronto Parent Network based on a review of the Toronto District School Board's Health and Safety Inspection Reports", on the TDSB's website until such time, as all schools comply with the aforementioned codes. *(page 459)*
 54. The Panel finds that selected TDSB schools in marginalized communities should be designated as community hubs. Community Hub schools will become the focus of the neighbourhoods that they serve. Local community organizations and groups will be encouraged to become part of the school community, in order to

- facilitate a closer connection between the school and the students, the parents, and the community. *(page 459)*
55. The TDSB should train administrators and school councils in community development and outreach principles and strategies. *(page 459)*
 56. The TDSB should restore the community outreach worker position. The Panel recommends that the community outreach worker gather, coordinate, and act as a clearinghouse concerning information about current programs and services provided by the existing community partners and schools. *(page 459)*
 57. In order to facilitate in the building of community hubs, the TDSB should review the level of caretaking staff at each school to determine if there is sufficient staff to maintain the schools such that school can serve as a welcoming and positive environment for the community. *(page 459)*

3.06.04 Lack of Youth Activities

To the TDSB:

58. That a wide range of club programs and recreational activities be offered at each school and that the activities be equally distributed for males and females. *(page 462)*

3.06.05 Funding Formula

To the Ministry of Education:

59. The Ministry of Education should increase the benchmark costs for all components of the funding formula (the Foundations Grant, the Special Purpose Grant, and the Pupil Accommodation Grant) so as, to close the gap between funding provided, and actual costs of operations. *(page 468)*
60. The Panel recommends that the Ministry of Education, in consultation with school boards and other members of the education community, should develop mechanisms for annually reviewing and updating benchmarks in the funding formula and for conducting a more comprehensive overall review of the funding formula every five years. *(page 468)*
61. The Ministry of Education should increase the funding of the Demographic Component of the LOG to the level stipulated by the 1997 Expert Panel that studied the creation of the Learning Opportunities Grant - \$400 million (adjusted to reflect inflation). *(page 469)*

62. The Ministry of Education should “sweater” the Demographic Component of the Learning Opportunities Grant so that the funds received by the Board are used solely for providing programs to mitigate socio-economic factors affecting marginalized students. The new Demographic component should include a built-in accountability process mandating that school boards report annually on the programs and services funded by the grant, and on their effectiveness. *(page 471)*
63. The Ministry of Education should reconstitute the Local Priorities Amount as 5% of the Basic Amount of school boards’ Pupil Foundation Grant (updated as per above noted recommendation), and that boards apply the Local Priorities Amount to locally established priorities, programs, and services aimed at the continuous improvement of student learning and achievement with particular focus paid to at risk schools. *(page 472)*
64. The Ministry of Education should require school boards, through their Directors of Education, to consult with principals and school councils for the purposes of developing a plan for the use of the Local Priorities Amount, and to annually review the plans and report publicly to all stakeholders and to the Ministry on the results achieved through the implementation of the plans, in individual schools and in the district as a whole. *(page 472)*

3.06.06 Trustee Governance

To the Ministry of Education and TDSB:

65. The TDSB should develop a job description for all trustees. The job description should detail the distinction between policy decisions and school operational decisions. *(page 474)*
66. The TDSB design a code of conduct for trustees. The code of conduct should include, at minimum, the following prohibitions:
- (a) Trustees are prohibited from involving themselves in matters of internal school discipline;
 - (b) Trustees are prohibited from engaging in operational decisions of any particular school;
 - (c) Trustees are prohibited from engaging in any conduct intended to embarrass or intimidate other trustees or staff of the TDSB;
 - (d) Trustees agree to respect the confidentiality of in-camera discussions in accordance with relevant statutes and Board policies; and,
 - (e) Individual Trustees are prohibited from acting in any way that usurps the authority of the Board of Trustees. *(page 475)*
67. Upon election, trustees should be obligated to complete a training course that details their job description and advises them of their obligations pursuant to the

code of conduct. During their term of office, trustees should receive refresher training every year. *(page 476)*

To the Ministry of Education:

68. The Ministry of Education should include in its funding formula adequate funding for the orientation and training of trustees. *(page 476)*

To the TDSB and the Ministry of Education:

69. The Chair of the TDSB should be paid a salary commensurate with the full-time nature of the position, the level of responsibility, and public expectations involved. *(page 477)*

To the TDSB:

70. The Director and Associate Director of the TDSB should be selected by means of a process that includes a broad range of community consultations around the qualifications, background and perspectives of potential candidates. *(page 477)*

3.06.07 Disciplinary Measures in Schools

To the TDSB:

71. TDSB should enact a formal policy advising administrators they are not to engage in the activities detailed above. The policy should explicitly state that Safe School Transfers are not to be used as an alternative to discipline and should only be used in exceptional circumstances. The policy should advise administrators that they are not to encourage police or the judiciary to impose conditions on a student that would require the student to be transferred from their home school. *(page 485)*

To the Ministry of Education:

72. The *Education Act* should be amended to provide statutory authority for a School Board to transfer a student from one school to another. The transfer provisions should only allow for a transfer in the following situation:
- a. Where the student requests the transfer;
 - b. Where the student is subject to a principal's exclusion order pursuant to section 265(1)(m); or,
 - c. When a student is subject to interim release conditions that require a transfer and the administrator is of the opinion that the student poses a direct and real threat, physically or otherwise, to other students at the school.

If an administrator is not of the opinion that a student poses a direct and real threat, physically or otherwise, to other students at the school, then the legislation should obligate an administrator to contact a court liaison worker to assist the student in revising the interim release conditions. The legislation should include an appeal procedure as well as obligating school boards to provide programming to students prior to their transfer. *(page 485)*

To Stakeholders in the Criminal Justice System:

73. A Standing Education-Justice Committee, made up of high-level representatives from all Toronto school boards, Youth Court Judges, Youth Court Justices of the Peace, the Criminal Defense Bar, Crown Attorneys, the Toronto Police Service as well as a representative of a court liaison officer should be established. The committee should meet twice a year to analyze and take action on issues relevant to the interplay between youth education and the criminal justice system, including the issue of Safe School Transfers. The committee should meet within 60 days of the date of this report. *(page 486)*

To the Toronto Police Service:

74. The Toronto Police Service should create a position of Staff Superintendent – Executive School Safety, with the responsibility for liaising and working with the Toronto Police Service with respect to policing issues that affect students. *(page 486)*

To the TDSB:

75. The TDSB should offer A2S, the Support Program for Expelled Students and Strict Discipline School programs (or the equivalent after Bill 212 comes into force) for all Safe School Transfers irrespective of whether the interim conditions requiring the transfer were a result of conduct that occurred on or off school property. *(page 487)*
76. All schools should set up a Safe School Transfer Team that would meet prior to receiving a Safe School Transfer to determine the needs of the students. The Safe School Transfer team should include the administration of the school, the head guidance counselor, school social worker, youth counselor, or Child and Youth Worker (“CYW”). Parents of the students should be invited to a safe school transfer team meeting so as to assist in developing a plan for addressing the needs of the students. The needs of the student will include determining whether the student requires alternative education programming and/or access to a social worker, psychologist, and/or psychiatrist. *(page 488)*
77. Where a safe school transfer is required, the transferred student, prior to attending classes, should be placed into an orientation program, so as, to better acclimatize the student to the new surroundings. This orientation program should include

explaining the rules of the school to the student and discussing with the student the plan developed by the safe school transfer team. (page 488)

To Stakeholders in the Criminal Justice System:

78. When considering whether to release a young person who has been charged with a criminal offence, police officers, Justices of the Peace and Judges should consider the impact that the proposed conditions, such as “no-contact with co-accused”, will have on the young person’s education. Conditions that have the effect of impairing a student’s ability to attend school should be avoided unless they are necessary in the public interest. A condition that requires a student to be removed from their home school should only be imposed in extreme circumstances, where the student poses a direct and real threat, physical or otherwise, to other students at the school. (page 489)

To the Federal Department of Justice:

79. The Federal Department of Justice should study the feasibility and advisability of creating judicial interim release provisions specific to the *Youth Criminal Justice Act*, which would require a court to consider the impact that the decision may have on a young person’s access to education. (page 489)

To Stakeholders in the Criminal Justice System:

80. There should be education provided to Crown Attorneys, Justices of the Peace, and Judges to inform them regarding the impact of the criminal justice system, including judicial interim release and sentencing dispositions, on access to education. (page 489)

To the TDSB:

81. Where a student is required to transfer schools because of conditions imposed by a police undertaking or judicial interim release, the administrator at the home school should determine whether a transfer is in the best interest of the student. The principal should start from the presumption that a transfer is not beneficial to the student. Where it is determined that a student should not be transferred, the administrator should contact the TDSB court liaison officer to assist the student in varying the police undertaking or judicial interim release conditions, as soon as possible. (page 490)
82. The TDSB should allocate at least one court liaison officer for each of the three Toronto youth courts. The role of the court liaison officers should be expanded beyond issues of judicial interim release to restorative justice. (page 490)

83. The Panel recommends that Board Policies be amended to provide that where a school has a suspension rate of 10% or higher, the Superintendent responsible for the school must report the school to the “Well-Being and Equity Department” (see recommendations 112-113). Working in concert with the Superintendent, and the Administrators, the Well-Being and Equity Department is to conduct a Needs Assessment and provide the school with an integrated multi-disciplinary support team to assist in addressing whatever health issues may present themselves in respect of the school environment. The support team will consider whether it is necessary to conduct anonymous student and teacher surveys to identify safety concerns at the school. *(page 499)*
84. Once a student has been suspended, a student’s guidance counsellor should be responsible for ensuring that the student receives his or her school work during the suspension. If the student has entered an A2S site, then the teacher at the A2S site should liaison with the guidance counsellor. *(page 500)*
85. The Panel recommends that upon a student’s second suspension, a multi-disciplinary team of administrators, social workers, teachers, CYC, and CYW should meet with the student and his or her parent(s) to determine whether the student requires alternative education measures and/or counselling. For students, who habitually misbehave, the multi-disciplinary team should consider whether the student should be placed in an A2S site for a full semester or longer depending on the needs of the student and their progress in the alternative education program. *(page 500)*
86. After February 1, 2008, the TDSB, upon a decision to expel a student, should refer the student to a Support Program for Expelled Students site for a transitional period prior to returning to a non-Support Program for Expelled Students site. *(page 504)*
87. The TDSB should enact a policy prohibiting principals and teachers from sending children home as a form of punishment. *(page 505)*

3.06.08 Detection and Deterrence

To the TDSB:

88. The Toronto District School Board should take immediate steps to ensure that adequate security measures are employed to ensure all potential storage areas for weapons (including lockers) are the subject of regular non-intrusive searches, including consideration being given to the random usage of TDSB-owned canine units that specialize in firearms detection. The manner of selection of schools must be random and must be based on express policy input from the equity experts from the TDSB. *(page 512)*

89. All Toronto District School Board school doors, apart from the front door, should be locked from the outside. Entry and exit from the school doors should be monitored by an adult, at all times, that the school is in use. *(page 513)*
90. The Toronto District School Board should amend “Policy P.042 SCH: Appropriate Dress” such that school uniforms are presumed unless School Councils opt out. School uniforms should comply with the Ontario Human Rights Code and should be affordable. The Toronto District School Board should have an easily accessible program for subsidizing the cost of school uniforms, where necessary. *(page 514)*
91. All Toronto District School Board secondary schools should implement a student identification card (“lanyards”) system. Students should be required to wear identification cards around their necks for the purposes of quickly identifying students and intruders. *(page 515)*

To the Toronto Police Service:

92. The Toronto Police Service should ensure that its data recording system can categorize incidents by school name to allow for ease of extraction and analysis of trends at individual schools. *(page 516)*

3.06.09 Support Services for Student Success

To the TDSB:

93. Schools with high suspension/expulsion rates, high drop-out rates, high absenteeism rates and a high number of grade nine students who have achieved less than 7 credits, should be staffed with a full time social worker, a full time child and youth worker (“CYW”) and a full time child and youth counsellor (“CYC”). *(page 521)*
94. The TDSB should hire 20 new full-time social workers. *(page 521)*
95. The 20 new full-time social workers should be dedicated to high priority schools determined by the Board based on criteria that includes drop-out rates, high absenteeism, suspension/expulsion data, LOI ranking and number of Safety Incident Reports. *(page 521)*
96. The Panel recommends that the 20 new full-time social workers dedicated to high priority schools should not be assigned to more than 2 schools each. *(page 521)*
97. The TDSB should hire 20 additional child and youth counsellors. *(page 521)*

98. The 20 youth counsellors should be dedicated to high priority schools determined by the Board based on criteria that includes drop-out rates, high absenteeism, suspension/expulsion data, LOI ranking, and number of Safety Incident Reports. *(page 521)*
99. The Panel recommends that the 20 additional youth counsellors dedicated to high priority schools should not be assigned to more than 2 schools each. *(page 521)*
100. The Panel recommends that the TDSB should hire 24 additional attendance counsellors to meet the needs created by the mandatory learning to 18 provisions of Bill 52. *(page 523)*

3.07.02 Aboriginal Education at the TDSB

To the TDSB:

101. The Toronto District School Board should ensure that all students and parents are informed that the Board offers Native Language instruction as an alternative to French, and that all students who wish to enroll in Native Language education have the right to transportation to the closest school that offers that course of instruction. *(page 527)*

3.07.03 First Nations School of Toronto

To the Ontario College of Teachers:

102. The Ontario College of Teachers should require faculties of education to enhance the knowledge and skills of teacher candidates and teachers in the field to better prepare them to work with Aboriginal students. *(page 530)*
103. The Ontario College of Teachers should develop a Native Counsellors Qualification Program. *(page 530)*

To the TDSB:

104. The Toronto District School Board should work with the Ontario College of Teachers towards providing full-time Native Counsellors in all elementary and secondary schools that have a five percent or greater Aboriginal student population, within two years. *(page 530)*
105. The Board should immediately recruit, from external sources, a full-time Family and Youth Counsellor, with expertise in serving the Aboriginal community, to co-ordinate and provide culturally sensitive, healing, counseling and support to the students and families of the First Nations School of Toronto. Preference should be given to Aboriginal candidates. *(page 531)*

106. The Toronto District School Board should fund a Vice-Principal position to be assigned to the First Nations School of Toronto. The new Vice-Principal position should have responsibility for curriculum and student academic success, and should have knowledge of, and sensitivity to Aboriginal issues, with a preference given to Aboriginal candidates. *(page 531)*

3.07.04 Disciplinary Measures and Aboriginal Justice at the First Nations School of Toronto

To the TDSB:

107. The Toronto District School Board should immediately hire an external consulting agency to examine the needs of the students at the First Nations School and to develop an Aboriginal-specific conflict resolution and restorative justice program for the school. The external consulting agency should be a community Aboriginal agency with expertise and experience providing culturally appropriate conflict resolution programming for young Aboriginal people. *(page 536)*
108. The Toronto District School Board should move the First Nations School of Toronto into its own building, so that it need not share space with another school. *(page 536)*

3.07.05 Oversight of Aboriginal Education in the TDSB

To the TDSB:

109. The Toronto District School Board should establish the position of “Central Principal - Aboriginal Education” as a permanent position and should provide a budget sufficient to allow the Principal to develop curriculum and programming initiatives and to liaise with community Aboriginal agencies. *(page 537)*

To the Ministry of Education:

110. The Ontario Ministry of Education should “sweater” all funding allocated for Aboriginal education initiatives. *(page 538)*

3.08.06 Reuniting Safety with Equity – The Well-Being and Equity Department

To the TDSB:

111. The Panel recommends the dismantling of the “Safe School Culture” and the removal of the “Safe Schools” moniker from all of its policies and department designations. It is imperative that the TDSB send the clear message to affected

- communities that the vestiges of the past, in the form of safe school/zero tolerance initiatives have been truly abandoned. *(page 545)*
112. The Panel recommends that the personnel who staff the current Safe and Caring Schools Department be part of a new department known as the Well-Being and Equity Department. This Well-Being and Equity Department will represent a partnership with the current equity team at the Board. The purpose of this reorganization is to ensure that equity considerations properly infuse all of the Board's decision making concerning the discipline and safety of students. The Well-Being and Equity Department would combine the expertise of both the Board's Safe Schools and Equity personnel, and would constitute an institutional recognition of the relationship between safety and equity. The Panel recommends that the organization of the Well-Being and Equity Department be in accordance with the proposed organizational chart as set out in the Final Report [see Appendix "G"]. *(page 546)*
 113. In order to fulfill the mandate envisioned by the herein recommendations, it is essential that the Well-Being and Equity Department be understood as a partnership between safety and equity. Accordingly, the Panel recommends that steps be taken by the Board to reunite the various equity specialists in the Board with a view to reinventing the Equity team in a fashion that it is capable of fulfilling the mandate contemplated for the Well-Being and Equity Department. *(page 546)*
 114. The TDSB should publish an annual report setting out its progress in implementing the Equity Foundation Statement with reference to the Action Plan, and the results of its Equity auditing procedure. *(page 546)*
 115. The Board's Equity personnel be charged with the responsibility of identifying best practices that emerge at the school and district level, and disseminating them throughout the Board. The Board should dedicate sufficient resources, including human resources, to ensure that it takes full advantage of the initiative and expertise of its staff, who implement equity at the local level. *(page 546)*
 116. The TDSB should ensure that all schools have a School Equity Committee made up of staff, students, parents/guardians, and community representatives. This committee will develop an equity focus of school improvement planning and identify the policies and practices that act as barriers to inclusion. *(page 546)*
 117. The TDSB should recognize and support the development of a professional association of African-Canadian educators. The purpose of the association would be to promote opportunities for professional development, mentoring and networking, and career counselling and support. *(page 546)*
 118. The TDSB should establish a separate office for concerns and issues about Safe Schools (and other areas of community interaction) during the transition period to

more preventative measures, in the form of an ‘Ombudsperson Office’. The Ombudsperson Office should have staff funded by the TDSB, but who report directly to the Chair’s Committee of the Board of Trustees. It will be the mandate of this office to vet complaints and advocate on behalf of students and their families. There should be an assessment of this office after two years. (page 547)

3.09 Provincial Advocate for Children and Youth

To the Provincial Advocate for Children and Youth:

119. The Provincial Advocate for Children and Youth should conduct a “systemic review” (as defined in the *Provincial Advocate for Children and Youth Act, 2007*) of the First Nations School of Toronto, to provide an independent voice for its students, to elevate their voice and to provide a vehicle for concerns to be brought forward to the Legislature of Ontario. This systemic review should be done in collaboration with Aboriginal community-based agencies providing programs for Aboriginal students and youth. (page 548)
120. The Provincial Advocate for Children and Youth should conduct a “systemic review” (as defined in the *Provincial Advocate for Children and Youth Act, 2007*) of Westview Centennial Secondary School, to provide an independent voice for Westview students, to elevate their voice and to provide a vehicle for concerns to be brought forward to the Legislature of Ontario. This systemic review should be done in collaboration with community-based agencies providing programs to students and youth in the neighbourhood surrounding the school. (page 549)
121. The Provincial Advocate for Children and Youth and the Implementation Task Force should work together to propose regulatory changes to the *Provincial Advocate for Children and Youth Act, 2007* that would extend advocacy services to the education sector, for children and youth who already have a right of access to advocacy services pursuant to paragraphs for 15 (a) – (e) of the *Provincial Advocate for Children and Youth Act, 2007*. (page 549)

To the Education System:

122. Schools boards, legislators and, educators need to develop mechanisms to enhance and encourage meaningful participation of children and youth in the creation and maintenance of a safe school environment and to elevate the voice of children and youth in the school in accordance with Article 12 of the U.N. Convention on the Rights of the Child. (page 549)

To the Minister of Education:

123. The Ontario Minister of Education should strike an independent Implementation Task Force to respond to the recommendations of this report, to oversee their implementation and to, where appropriate, apply the principles and

recommendations Province-wide. The implementation group will report quarterly to the Minister of Education. The independent Task Force shall be comprised of the following membership:

- (a) Chair: Professor Judith Finlay;
- (b) Member: Current Provincial Advocate for Children and Youth, Agnes Samler;
- (c) The remaining membership to reflect a broad section of respected community members and youth academics. (page 550)

3.10 The Need for a Coordinating Body

To the Provincial Minister of Education, the Honourable Mayor for the City of Toronto and the Chair and members of the Interdivisional Committee on Integrated Responses to Priority Neighbourhoods, :

124. The Panel recommends that an effective inter-agency body, including representatives from the TDSB and other school boards, the City of Toronto, the Toronto Police Service, the United Way of Greater Toronto, Toronto Community Housing Corporation and the Province of Ontario, be instituted to coordinate the institutional response to marginalized youth and communities. The representatives to the inter-agency body should be the institutional heads or their designates, to ensure that it is invested with full decision-making authority for member agencies. The inter-agency body would have line authority to make decisions binding on its member agencies. The Panel recognizes that the Interdivisional Committee on Integrated Responses to Priority Neighbourhoods was intended to satisfy a coordination function. The Panel recommends that this Committee be re-invented, such that the membership is streamlined and its powers to allocate resources enhanced. (page 553)
125. The Panel recommends that the inter-agency body develop a Strategic Plan, along with measurable goals, accountabilities and timetables. The Panel is of the view that this Plan can be developed through a review of existing reports, studies and past consultation processes, as opposed to a fresh round of community consultations. If additional public consultations are considered advisable, the Panel urges that any such consultation not delay immediate and necessary action. (page 553)

To the TDSB:

126. The Panel recommends that principals who accept positions at schools in priority communities (municipally defined) do so on the basis that the position involves, at minimum, a five year commitment to remain in the position. Such commitment is subject to the ongoing discretion of the Board on the appropriateness of the administrator's assignment. (page 557)