



## **P013, Optional Attendance Policy Review: Phase 1**

**To:** Governance and Policy Committee

**Date:** 29 May, 2019

**Report No.:** 05-19-3662

### **Strategic Directions**

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

### **Recommendation**

It is recommended that the Work Plan for review of the Optional Attendance Policy (P013), as presented in this report, be approved.

### **Context**

The Optional Attendance Policy (P013) (the “Policy”) (see Appendix A) was adopted on October 27, 1999 and most recently revised in December 15, 2004. The Policy is being reviewed in accordance with the Policy Review Schedule and the policy review process approved by the Board of Trustees on February 6, 2019. The proposed content changes as outlined in the Policy Review Work Plan (see Appendix B) include the following:

- Consider changes to priority considerations in view of the TDSB’s commitment to equity
- Ensure alignment of the Policy with TDSB Equity Policy
- Consider centralizing and providing online process for optional attendance applications, to support equity principles and advance consistency and compliance
- Separate and clarify provisions related to optional attendance requests for regular schools/programs vs specialized schools/programs.
- Consider limiting optional attendance applications to current TDSB students only

- Clarify the optional attendance rules applicable to alternative schools and French immersion/extended programs
- Consider introducing system-wide timelines and deadlines for receiving and processing optional attendance applications to ensure consistency, fairness, equity and transparency of the process
- Consider application and scope of the current references to Child Care and access to schools through Optional Attendance.

As part of the Policy Review Work Plan, staff completed a jurisdictional scan of similar policies from other school boards (see Appendix C).

The Policy Review Work Plan is presented for the Committee's consideration and approval.

## **Action Plan and Associated Timeline**

Subject to the Governance and Policy Committee and Board directions, staff will implement the review of the Policy in accordance with the Policy Review Work Plan. Extensive public consultations with stakeholders, including all Community Advisory Committees, are contemplated as part of the review. The revised draft Policy is expected to be presented to the Governance and Policy Committee for consideration in June 2020.

## **Resource Implications**

No additional resources will be required for the review of this Policy.

## **Communications Considerations**

The Policy will be communicated in accordance with the Policy Review Work Plan.

## **Board Policy and Procedure Reference(s)**

- Optional Attendance (PR545)
- Admission to Specialized Programs (PR612)

## **Appendices**

- Appendix A: Optional Attendance Policy (P013) - current
- Appendix B: Policy Review Work Plan
- Appendix C: Scan of Selected School Boards

## **From**

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## Toronto District School Board

**Policy P.013 SCH:**

**Optional Attendance**

### Statement

Each student who is otherwise eligible to attend school will have the right to attend a designated school based on the parents'/guardians'<sup>1</sup> residential address. The Toronto District School Board values parental and student choice within the education system. Students should have the right to access programs and schools that best meet their needs, interests and aptitudes. Students will be provided with opportunities to access schools and programs when space is available, outside the designated attendance area in which they reside.<sup>2</sup>

### 1.0 Regular Schools and Programs

Students who are residents of the City of Toronto<sup>3</sup> and eligible to attend an elementary, middle, senior, junior high or secondary school are eligible to apply for enrolment in a school within the Toronto District School Board, outside their regular attendance area subject to the guidelines outlined below.

Students enrolled in school-based licensed child care centres have the option of attending the school in which the child care is located where there is no access to, or available space in licensed child cares feeding into their local school.

Students withdrawn from the child care centre may be required to return to their local school, as determined by home address, or apply to remain at the current school via the Optional Attendance process.

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<sup>1</sup> As defined in the Education Act.

<sup>2</sup> This policy does not apply to students placed through Identification, Placement and Review Committees or other administrative placements.

<sup>3</sup> Students who reside outside the City of Toronto may apply for Optional Attendance to all schools and programs should sufficient space be available when all the needs of students resident in the City of Toronto are met.

If sufficient space as outlined in the procedures and a suitable program are available at the requested school, then:

- 1.1. Parents/guardians, on behalf of their children, or students who are 18 years of age or older may apply to two regular schools for optional attendance.
- 1.2. **If requests exceed the space available**, students will be admitted by a lottery subject to the following admissions priorities:

Priority 1

Students who have siblings already in the requested school and expected to be in the school for the next school year.

Priority 2

Secondary students whose child(ren) is/are enrolled in the child care centre in the catchment areas of the Secondary school.

Priority 3

Students attending licensed child care, including licensed home childcare, in the catchment area of the requested school.

Priority 4

Students receiving child care in the catchment area of the requested school.

Priority 5

Feeder school students who are currently under optional attendance.

Priority 6

Students who are in district to the feeder school, but not in district to the next panel school.

Priority 7

Other students resident in the City of Toronto.

On completion of the lottery, students' names will be placed on a waiting list according to the priorities set out above. If space is still available after all priority areas have been considered, students residing outside the City of Toronto may be accepted.

- 1.3. Students who receive approval to attend a school under the Optional Attendance Policy are expected to continue to attend that school until graduation from that school.
- 1.4. Students who change residence during the school year will be given the option to remain in the current school until the end of the school year.”
- 1.5. Upon graduation from a school, Optional Attendance students will be required to re-apply under the Optional Attendance Policy for admission to the middle, senior, junior high or secondary school into which their current school feeds.
- 1.6. No transportation will be provided.
- 1.7. Decisions relating to Optional Attendance may be appealed through the Superintendent of Education for the requested school.

## **2.0 Specialized Schools and Programs\***

Where schools or sections of schools are Board-authorized to provide specialized programs, access to such schools and/or programs will be open to any students who are residents of the City of Toronto and eligible to attend subject to the guidelines outlined below:

- 2.1. Students will be selected for admission subject to the students meeting the required admission criteria of such schools and programs.
- 2.2. Parents/guardians, on behalf of their children, or students who are 18 years of age or older may apply to a maximum of two specialized schools/programs for optional attendance.
- 2.3. If more students meet the criteria than there are spaces available, students will be admitted based on a lottery.
- 2.4. Where identical programs are offered at several locations standardized criteria will exist to select students.
- 2.5. Admission criteria for specialized programs that are school initiated will be developed by the school and approved by the Superintendent of Education. The TDSB will develop admission criteria for specialized schools or programs initiated by the TDSB.
- 2.6. Offers of admission and acceptance adhere to established timelines and deadlines as specified by the Optional Attendance Policy.
- 2.7. No transportation will be provided.

### 3.0 Alternative Schools\*

All students who are residents of the City of Toronto are eligible to attend any Board-authorized alternative school subject to the guidelines outlined:

#### 3.1. Elementary

- (a) The student and parent meet the required admission criteria for the school developed by that school. .
- (b) If more students meet the criteria than there are spaces available, students will be admitted based on a lottery.
- (c) Where possible, first consideration for attendance is to be given to students within an existing alternative school.
- (d) Offers of admission and acceptance adhere to established timelines and deadlines as specified by the Optional Attendance Policy.
- (e) Transportation will be in accordance with the Board Transportation policy.

#### 3.2. Secondary

- (a) The student meets the required admission criteria for the school developed by that school and has consulted with Board designated guidance staff.
- (b) Where possible, first consideration for attendance is to be given to students within an existing alternative schools pathway.
- (c) Transportation will be in accordance with the Board's transportation policy.

### 4.0 French Immersion/Extended French Programs\*

All Students who are residents of the City of Toronto and eligible to attend a designated elementary, middle, senior, junior or secondary school will have the right to attend a French Immersion/Extended French Program. Right of access is determined by the Protocols and Procedures for Admission to French Immersion/Extended French Programs and the Protocols and Procedures for Late Admission to French Immersion/Extended French Programs.

- 4.1. If a student elects to attend a French Immersion/Extended French Program in other than the school/pathway designated through the Protocols for Admission to French Immersion/Extended French Programs, the Optional Attendance Policy set out for regular schools and programs will apply. No transportation will be provided.

- 4.2. Once admitted to a school, the student will have the right to complete the French Immersion/Extended French Program in the schools through the pathway designated to deliver Optional French Programs in that area for that school. Any change in pathway will be subject to the procedures of the Optional Attendance Policy. This does not change for students who change residence.
  - 4.3. Students leaving the French Immersion/Extended French Program **may** be required to return to their local school for the English Program as determined by home address or apply for optional attendance in any English Program school.
- \* To maintain program viability students who attend specialized schools and programs, alternative schools and French Immersion/Extended French programs will have priority over Optional Attendance students attending under regular schools and programs.

## POLICY REVIEW WORK PLAN

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Date: [May 29, 2019](#)

All policies will be reviewed to ensure consistency with the TDSB's Mission, Values and Goals Policy (P002), the Equity Policy (P037) and the Board's Multi-Year Strategic Plan.

### POLICY INFORMATION

Policy Title and Policy Number: **Optional Attendance (P013)**

Review during fiscal year: [2019/2020](#)

Last reviewed: [December 15, 2004](#)

Director's Council member responsible for this Policy review: [Associate Director, School Operations and Service Excellence](#)

### Phase I. PLANNING AND OBTAINING TRUSTEES' DIRECTIONS

This Policy Review Plan has been discussed with the Policy Coordinator:

- Yes  
 No

This Policy Review Plan will be discussed at the Governance and Policy Committee meeting held on: [May 29, 2019](#)

### Phase II. REVISIONS

#### Formatting Changes

The Policy will be reformatted to ensure alignment with the current Policy Template (Operational Procedure PR501, Policy Development and Management):

- Yes  
 No

#### Content Changes

The Policy requires content revisions:

- Yes  
 No

The content changes are due to the following reason(s):



- Legislation
- Government directives/policies
- Board decisions
- Multi-Year Strategic Plan requirements
- Operational requirements
- Simplify and/or update using plain language
- Alignment with Equity Policy

Detailed information on the proposed content changes, including findings of the policy equity assessment:

- Consider changes to priority considerations in view of the TDSB’s commitment to equity
- Ensure alignment of the Policy with TDSB Equity Policy
- Consider centralizing and providing online process for optional attendance applications, to support equity principles and advance consistency and compliance
- Separate and clarify provisions related to optional attendance requests for regular schools/programs vs specialized schools/programs.
- Consider limiting optional attendance applications to current TDSB students only
- Clarify the optional attendance rules applicable to alternative schools and French immersion/extended programs
- Consider introducing system-wide timelines and deadlines for receiving and processing optional attendance applications to ensure consistency, fairness, equity and transparency of the process
- Consider application and scope of the current references to Child Care and access to schools through Optional Attendance

A review of leading practices for similar policies across jurisdictions has been completed and is included with this Work Plan.

### **Phase III. INTERNAL REVIEWS AND SIGN-OFFS**

The Policy review will include TDSB divisions affected by the Policy:

- Leadership, Learning and School Improvement
- School Operations and Service Excellence
- Business Operations and Service Excellence

In addition, the following departments will be required to sign-off on the proposed Draft Policy:

- Legal Services
- Governance and Board Services
- Government, Public and Community Relations

A sign-off from the Director of Education will be obtained before proceeding with external consultations and/or Committee/Board approval.

- Director of Education

#### Phase IV. EXTERNAL CONSULTATIONS

Are external consultations applicable to this Policy?

- Yes
- No (*Ministry of Education mandated policy or corporate policy without external stakeholders*)

Mandatory external consultations will include, at a minimum:

1. Posting of the working draft Policy on TDSB website for public feedback (45 days minimum): 90 days
2. Extending invitations for consultation to:

- Student Senate

and

all Community Advisory Committees of the Board and conducting consultations with the Community Advisory Committees that expressed interest (either individually with each interested committee or collectively with representatives of all interested committees). [Projected to begin in late 2019 / early 2020.](#)

- Aboriginal Community Advisory Committee
- Alternative Schools Community Advisory Committee
- Black Student Achievement Community Advisory Committee
- Community Use of Schools Community Advisory Committee
- Early Years Community Advisory Committee

- Environmental Sustainability Community Advisory Committee
- Equity Policy Community Advisory Committee
- French-as-a-Second-Language Community Advisory Committee
- Inner City Community Advisory Committee
- Parent Involvement Advisory Committee (PIAC)
- Special Education Advisory Committee (SEAC)

In addition to mandatory consultations, other external participants and projected dates of consultation(s) include:

- School Councils
- Professional Associations and Unions
- Other:

The following methods will be applied in the external consultations:

- Public meeting
- Facilitated focus group
- Call for public delegations
- Expert panel discussion
- Survey
- Posting on the TDSB website
- Other: [Webinar – an opportunity for the Director of Education to provide context and answer questions around the policy and procedure, which can then be archived and revisited in future.](#)

#### **Phase V. COMMITTEE/BOARD APPROVALS**

Following external consultations and revisions, the working draft Policy will be presented to the Governance and Policy Committee on the following date: [June 2020](#)

Following recommendation by the Governance and Policy Committee, the revised Policy will be presented to the Board on the following date: [June 2020](#)

Once approved, the revised Policy will replace the existing policy on the TDSB website.

#### **Phase VI. IMPLEMENTATION**

Following Board approval, the final revised Policy will be communicated through:

- Posting of the revised Policy on the TDSB website through the Policy Coordinator

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- Sharing with staff through the System Leaders' Bulletin
  - Informing departments at staff meetings and channeling information to the school principals through respective superintendents
  - Implementation of a broad communication plan for internal and external audiences, include summary of policy revisions and expected outcomes

Policy implementation will include:

- Conducting information/training sessions to TDSB staff affected by the Policy as required

The projected time period for conducting information/training sessions to staff will be: [Fall 2020](#)

- Review of associated procedures or initiate development of new procedures
  - [Optional Attendance Procedure \(PR545\)](#)
  - [Admission to Specialized Programs \(PR612\)](#)

## Scan of Selected School Boards: Optional Attendance Policy (P013)

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### Policy Summary:

The TDSB's [Optional Attendance Policy](#) (P013) was adopted on October 27, 1999 and last revised on December 15, 2004. Its accompanying [Optional Attendance Operational Procedure](#) (PR545) was recently updated in September 2018. Recently, the TDSB Equity Task Force released a report which looked at a number of areas to improve equity, including optional attendance.

While students who reside within the City of Toronto have the right to attend a school which is designated to serve their residential address, students may also access schools outside of the school that is designated to serve their residential address through means such as attendance. Acceptance at these schools is subject to space availability and program suitability.

Through a scan and subsequent review of nine (9) school boards, the policies and procedures reviewed were generally consistent with the TDSB's current policy on optional attendance. All school boards reviewed offer some form of optional attendance. However, some differences existed in policies and procedures where legislation did not stipulate requirements.

### Key Differences of Other Jurisdictional Policies:

#### Prioritization of Applicants for Optional Attendance

While all school boards have their own unique criteria for general stream applicants (i.e., not specialized or alternative programs), highest priority seems to be given to students with siblings and those students who have childcare arrangements at a given school (e.g., Peel DSB, Toronto DSB, York Region DSB). Nearly all school boards also explicitly mention that students with health conditions or special needs are given the opportunity to attend another school if that school is said to best accommodate or positively impact the student's needs, diagnosis or well-being (Halton DSB). Under certain schools and programs, one school board (Chicago Public Schools) has minimum enrolment targets and reserves a certain amount of space for students with special needs.

#### Elementary versus Secondary School Levels

Most school boards have a different optional attendance process for elementary and secondary schools (e.g., Thames Valley DSB, York Region DSB). At the elementary level, priority seems to be given to students with medical needs, students with siblings or subsidized childcare in the school, students involved in an accommodation review process, or compassionate grounds. At the secondary level, if there is space in a receiving school to accommodate the student, nearly all school boards reviewed base their decision mainly on the programming needs of a student (e.g., French immersion, gifted, special needs or specialized programs such as technology, etc.). It is important to note that the majority of school boards reviewed emphasize that decisions are handled on a case-by-case basis with each request judged on its own merits (e.g. Halton Catholic DSB, York Region DSB).

### Alternative and Specialized Schools or Programs, including French Immersion

Given that certain alternative and specialized schools or programs, including French immersion, may not necessarily be in close proximity of the student's residential address, admission to these schools or programs is often based on evaluation of a student's academic performance, including auditions for certain arts and music schools or programs (e.g., Chicago Public Schools, Halton Catholic DSB, Peel DSB, Thames Valley DSB, Toronto DSB). One school board (Chicago Public Schools) stipulates that students without entry level requirements may still be granted access if approved by the Director of Education. When demand exceeds supply, a lottery process is often conducted across school boards for entrance to programs such as specialized high schools, special education placements, International Baccalaureate (IB) and French immersion. Of particular mention, one school board has its own procedure dedicated to optional French programming under its Cross Boundary and Non-Resident Student School Attendance Policy (Halton Catholic DSB). Although siblings are often granted priority entrance to optional attendance schools or programs across most school boards for general programs, the same does not apply for certain specialized or "gifted" programs such as IB at many school boards (e.g., Chicago Public Schools).

### Lottery Process

When demand exceeds the supply of available space, most school boards include a general lottery process to determine which students gain access to certain schools or programs, including for order of a waitlist if applicable (e.g., Halton Catholic DSB, Toronto DSB). Other school boards, however, do not offer a lottery process as part of their optional attendance or flexible school boundaries policy (e.g., Ottawa Catholic DSB, Peel DSB). In one example (Chicago Public Schools), the lottery process is quite sophisticated and based on a computerized lottery process involving a phased approach. Sibling applicants are given priority and are offered seats to the extent space is available. After the placement of siblings, a proximity lottery is conducted which is conducted through a geocoding-based proximity analysis based on the applicant's address. Remaining spaces are filled by a city-wide lottery involving all applicants regardless of residential address. The school board also has specific criteria to ensure diverse representation in "magnet schools and programs," which is a curriculum focused on specific themes. For example, in its proximity lottery process, if more than 50% of the entire student body consists of students within the proximity and if more than 50% of the student body is of any one racial or ethnic group, no proximity lottery will be held for the school.

### Transportation

Most school boards do not provide transportation for students opting for an optional attendance program (e.g., Toronto DSB, Ottawa Catholic DSB, Peel DSB, York Region DSB). Some school boards (e.g., Halton Catholic DSB, Toronto DSB) provide transportation for students in French programs. Meanwhile, some school boards offer an alternative process for out-of-area students (e.g., Thames Valley DSB, York Region DSB) in exceptional circumstances based on executive and/or Board of Trustees approval.

### Appeal Process

When applicants are denied their optional attendance school or program choices, nearly all school boards offer the opportunity to appeal the decision to the Superintendent (e.g., Ottawa Catholic DSB, York Region DSB, Toronto DSB). However, those details on how an appeal is carried out and the resulting outcome do not appear in policies or procedures.

**School Boards Reviewed (9):** Chicago Public Schools, Halton DSB, Halton Catholic DSB, Ottawa Catholic DSB, Peel DSB, Thames Valley DSB, Toronto DSB, Upper Canada DSB, and York Region DSB

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