

Written Notice of Motion for Consideration (Trustees Chernos Lin and MacLean)

From: Denise Joseph-Dowers, Manager, Board Services, Governance and Board Services

In accordance with Board Bylaw 5.15.2, notice of the following motion was provided at the regular meeting of the Program and School Services Committee on October 7, 2020 and is therefore submitted for consideration at this time.

5.15.2 A notice of motion will be introduced by a member who is present as an advance notification of a matter to be considered at a subsequent Board or Committee meeting. A notice of motion will not be debated at the meeting at which it is introduced...

5.15.2 (c) A notice of motion submitted prior to, or at a committee meeting, will be considered at a subsequent committee meeting...

Dismantling Systemic Barriers to Inclusion in Discipline Procedures

Whereas, the Ontario Government recently amended Ontario Regulation 440/20 of the *Education Act* to remove the discretion of the principal to suspend students in junior kindergarten to Grade 3 for activities listed in [subsection 306\(1\)](#) of the *Education Act*, beginning in the 2020-2021 school year; and

Whereas, positive school experiences in the early years are critical in building a strong foundation for future success; and

Whereas, suspension records that remain on a student’s Ontario Student Record (OSR) have the potential to create bias towards children and inhibit their future success; and

Whereas, the 2018-19 Safe and Caring Schools Report outlines the work of this department as being guided by the Board’s Multi-Year Strategic Plan and being focused on the following key actions:

- Identifying trends, patterns and opportunities in past suspension and expulsion data for improvement especially with respect to Black, Indigenous and other student groups overrepresented in student discipline data including those students with Special Education needs;
- Supporting the Caring and Safe Schools team to examine bias, power and privilege as they relate to student discipline process;
- Supporting school administrators in the application of human rights, anti-racism, anti-Black racism, anti-Indigenous racism and anti-oppression principles to student discipline;
- Reviewing Caring and Safe Schools practices to ensure consistency with principles of human rights, anti-racism, anti-Black racism anti-Indigenous racism and anti-oppression; and,

- Providing learning opportunities for more staff to be trained in restorative practices;

And,

Whereas, the work on these goals is yielding significant, positive results. For example, in the last two years, the number of suspensions and expulsions has dropped to the lowest level ever in the TDSB (suspensions have dropped by 24%; expulsions have dropped by 53%); for the first time ever, the rate at which Black students are suspended relative to other students in the Board has decreased. However, there still remains much work to be done to create the safest, fairest and most equitable student discipline process possible;

Therefore, be it resolved:

- a) That all suspensions on student records that would now be in violation of the newly-amended Ontario Regulation 440/20 regarding suspension of children up to and including when children were in grade 3 be expunged from their OSR and the Caring and Safe Schools database;
- b) That staff identify systemic work that can be done to continue the Board's commitment to addressing and interrupting bias and discrimination which may place certain groups of students at a disadvantage based on student discipline records in student Ontario Student Records, including, but not limited to:
 - i. creating a retention schedule for the expiration of suspensions/expulsions on Ontario Student Records,
 - ii. generating a reminder email to principals and to the TDSB Registrar for Student Discipline Hearings for all approaching appeal hearing recommendations by trustees regarding removal of suspensions from OSRs pending positive behaviour, as well as a data-entry column on outcome of recommendations, thereby encouraging follow-through, transparency and data collection of appeal hearing recommendation outcomes;
- c) That staff work in collaboration with the newly-established Centre of Excellence for Black Student Achievement on this systemic work;
- d) That staff report back through the annual Caring and Safe Schools annual report.