



## **P013, Out-of-Area Admissions Policy: Optional Attendance Policy Review, Phase 5**

**To:** Governance and Policy Committee

**Date:** 27 April, 2022

**Report No.:** 04-22-4283

### **Strategic Directions**

- Provide Equity of Access to Learning Opportunities for All Students

### **Recommendation**

It is recommended that the revised Optional Attendance Policy, renamed to the Out-of-Area Admissions Policy (P013), as presented in this report, be approved.

### **Context**

#### Executive Summary

The TDSB is updating its Out-of-Area Admissions Policy, previously known as the Optional Attendance Policy, to support students and their families. In June 2019, the Board of Trustees proposed that the section in the policy involving specialized programs be developed into a standalone Specialized Schools and Programs Policy in which clear definitions and policy directions for specialized programs would be established.

Within this policy, there are several key updates that will ensure that school practices are consistent across the Board, including amendments to ensure educational continuity as a means of supporting families with ongoing childcare needs. As well, new Out-of-Area Admission school statuses have been created: closed, limited (siblings), limited (siblings and feeder school), and limited. The new status descriptions (see Table 1) are intended to help families make better, more informed-decisions about Out-of-Area applications and to support principals through the Out-of-Area Admissions process.

In order to meet childcare needs, families at the elementary level may choose to attend a school other than their designated school by address. At the secondary level, families may opt for children to attend schools other than their home school for specific programs or interest needs. Please note, sibling priority at the secondary level will be phased out over the next four years.

In the second year of implementation, students will be able to apply to one school choice through Out-of-Area Admissions, as well as apply for one centralized program or school through the Student Interest Programs Policy.

The Out-of-Area Admissions Policy is not a single solution but through extensive consultation with students, staff, and parents/guardians, this is an important tool to improve access for all.

This update is part of the Board's commitment to supporting equitable access to resources, programs, supports and specialized programs. It must be emphasized that it will work in tandem with a number of other Board policies as well as the Board's Secondary Program Review, which is currently considering the TDSB's secondary school program and how schools provide a more well-rounded complement of course offerings and options where students have local choice and access to diverse, high quality classes and programs.

#### Rationale for the review of the Out-of-Area Attendance Policy

To improve access for all students, recommendations to update and revise the Optional Attendance Policy were made in 2017 in the Enhanced Equity Task Force's Report and Recommendations, where it stated:

#### ***Ensure equitable educational access, experiences and opportunities for all students in all schools.***

- Examine ways to improve access to resources and supports so schools can offer a variety of specialized programs to all students;
- Review the impact of the Optional Attendance policy regarding barriers to accessibility of programs;
- Ensure that the Optional Attendance policy maintains a fair and transparent process for applications and selection into available programs.<sup>1</sup>

Additionally, the Policy Review Work Plan presented to Governance and Policy

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<sup>1</sup> Toronto District School Board. (2017) *Enhancing Equity Task Force: Report and Recommendations* p. 6.

Committee on May 29 2019 included these additional considerations

- Consider changes to priority considerations in line with the TDSB’s commitment to equity;
- Consider limiting Optional Attendance applications to current TDSB students only;
- Consider application and scope of the current references to childcare and access to schools through Optional Attendance.

The system cannot look at the Out-of-Area Admissions Policy without considering the need to enhance and strengthen the programming that is available in local schools. Secondary schools are competing for a shrinking secondary school-aged population. Using the Optional Attendance Policy, many students have opted to go to schools that they perceive as “better,” which has “caused deepening divisions within and between schools competing for student enrolment”.<sup>2</sup>

Because of this dynamic, the impact of Optional Attendance is being felt overwhelmingly at schools in underserved communities – those with the greatest need. Schools that are ranked lower (more external challenges) on the Learning Opportunities Index (LOI) had a higher number of students leaving their schools through Optional Attendance. Additionally, there were fewer applications from students leaving schools ranked high on the LOI (less external challenges). As a result, some secondary schools are operating with fewer than 500 students, resulting in limited course choices and limited opportunities for students.

Strengthening the policy will help balance the needs of local schools while still offering Out-of-Area Attendance options as a tool to those students and families who need it.

In the two years since the policy was drafted in 2020, a deeper understanding of the equity priorities has developed and allowed for thorough examination through a critical equity and anti-oppressive lens. Additional consultation was facilitated through working groups with TDSB administrators and staff.

### **Overview of Updates to the Policy**

Changes to the policy aim to ensure equitable educational access, experiences, and opportunities for all students; balance choice with the support of local schools; and support educational continuity and the needs of families .

### **Clarifying Out-of-Area Admissions Status**

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<sup>2</sup> Toronto District School Board. (2017) *Enhancing Equity Task Force: Report and Recommendations* p. 32.

Through public consultations, we heard that many families did not understand the Optional Attendance status of schools.

The new status descriptions (see Table 1) are intended to help families make better, more informed decisions about Out-of-Area applications and to support principals through the Out-of-Area Admissions process.

Table 1: Out-of-Area Admissions Status Descriptions

Closed	<b>*NEW* Limited (Siblings)</b>	<b>*NEW* Limited (Siblings &amp; Feeder School)</b>	Limited
No students may apply for Out-of-Area Admissions.  <i>The school may not admit any students from Out-of-Area.</i>	Only students with a sibling currently attending and returning to the requested school may apply for Out-of-Area Admissions.	Only students with siblings attending and returning to the requested school and students attending a feeder school may apply for Out-of-Area Admissions.	All students may apply for Out-of-Area Admissions.  <i>The school <b>may</b> admit students from all of the Priorities, <b>as space is available.</b></i>

Additionally, the Board is investigating ways to share historical information of past years' of Optional Attendance details so families can make more informed decisions based on past practice and experiences.

Update to Registration Deadline – Preschool Access for JK

There continues to be a shortage of pre-school care in many areas of the city, and many families are struggling to find affordable and reliable childcare. The TDSB remains committed to ensuring educational continuity as a means of supporting families with ongoing childcare needs.

If a family with a child eligible to begin Junior Kindergarten in the fall is registered in a school-based preschool childcare before the end of February, the child is eligible to attend JK at that school location. No application through Out-of-Area Admissions is required. This timeline is an extension from the 2020 draft which stated a deadline of January 1. Families entering school-based pre-school childcare during these two additional months will not need to apply for admissions through Out-of-Area Admissions.

The updated time frame of February aligns with the end of the TDSB Kindergarten “Registration Month” and provides principals with important enrollment information prior

to conducting a lottery for Out-of-Area Admissions for families seeking to register at the school. This shift is intended to facilitate entry for more families while still providing schools with timely enrollment information needed for planning for the upcoming year.

Families moving out-of-area may complete the school year, should they wish, before registering at their new designated school by address. If the family relies on Before and After School Program care at the current school, and should the new school not be able to accommodate the Before and After School Program needs of the family, the family may opt to remain at the current school where childcare is available to them.

### New Priority for Students Leaving Before and After School Program

Students from out-of-area who leave the Before and After School Program have historically been expected to leave the school and return to their designated school by address. It is recognized that many families may opt to discontinue Before and After School care when children enter the senior grades of elementary school. Now, after Grade 3, students will not be required to leave the school.

As part of our commitment to supporting educational continuity, Out-of-Area Admissions priority is being given to students who have left the Before and After School Program before Grade 3, where the family wishes their child to remain a student of the school.

It is also clearly articulated in the policy that in all of these circumstances, students who wish to attend the school at the next level into which the school feeds will be required to apply for Out-of-Area Admission to that school.

### Special Considerations Outside of Out-of-Area Admissions

While there are many policies in place at the TDSB to help streamline and manage a large and complex system, we recognize that in some circumstances, special consideration must be given. There are two groups that are identified, and will be supported, outside of the restrictions of Out-of-Area Admissions regarding:

- Time of application / registration
- Application process directly to the school
- Schools that may be closed to Out-of-Area Admissions, whenever possible.

Special consideration is being given to Indigenous students self-identifying as First Nation, Métis or Inuit. Their requests to attend schools within the TDSB should be supported outside of the Out-of-Area Admissions Policy, at any regular intake time, in all schools, including those closed to Out-of-Area Admissions where possible.

In the original Optional Attendance Policy, students who are themselves parents with childcare needs were given priority consideration. In the revised draft policy, schools are asked to provide all consideration for students who are parents and are given flexibility to register students at any regular intake time to support their studies while meeting their childcare needs within a school’s designated area.

Further details and direction will be provided to school principals through the Operational Procedures for both of these considerations, helping to ensure that school practices are consistent, responsive, and supportive.

Number of Choices

The original revision of the Optional Attendance Policy did not include insight or central data on the patterns of students applying for admission through Optional Attendance. The first set of data was collected in the Spring of 2020 for students in the secondary panel. Currently, data for both secondary and elementary is being gathered to support the shifts in the policy and in the Student Information System.

By providing further clarity on the admissions priority that may be considered in schools with the two new Out-of-Area Admissions Statuses, one option for regular program or French Immersion/Extended French will provide students with opportunity for informed choice should they wish to attend a school other than their designated school by address. Please note, in addition to the one choice through Out-of-Area Admissions, students will have the opportunity to apply for centralized programs and schools through the Student Interest Programs Policy. The shift to one application will take place in the 2023-2024 school year, when applying for admission in September 2024.

In Spring 2020, approximately 55% of Grade 8 students applied through Optional Attendance for either regular programs or specialized programs in Grade 9. Of those who applied, ***fewer than 9% of applicants included more than one choice for a regular program*** (see Table 2).

Table 2: Optional Attendance Applications for September 2020<sup>3</sup>

Percentage of Student Applications (Number of applications)	Number of Schools/Programs Applied For
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<sup>3</sup> Total Number of Grade 8 students in 2019-2020: 16,758

Total Number of students submitting Optional Attendance Applications in January 2020: 9,301

Total Number of applications submitted in January 2020: 12,599

73% (6,777)	1 school/program
4% (362)	1 regular and 1 specialized school/program
13% (1235)	2 specialized schools/programs
4% (402)	2 regular schools
4% (413)	3 schools/programs 1 regular school & 2 spec. 2 regular schools & 1 spec.
1 % (110)	4 (or more) schools/programs
<b>9% in total</b>	<b>Students submitting 2 regular school applications</b>

Phasing out the Sibling Priority in Secondary Schools

Family cohesiveness at the elementary level is a high priority due to the pick-up and drop-off requirements for families. Families at the elementary level may elect to attend a school other than their designated school by address in order to meet their childcare needs, and a mechanism is needed to support and prioritize siblings attending the same school.

At the secondary level, families may opt for a child to attend a school other than their home school for specific program or interest needs. While siblings may elect to attend a school other than their designated school by address through Out-of-Area Admissions, the imperative to prioritize their admissions is not at the same level as in the elementary panel.

The TDSB will phase-out the sibling priority at the secondary level over the next four years. Students registered and attending a secondary school as of September 6, 2022 will have the sibling rule apply for their younger siblings as long as they are returning to the requested school. Students starting secondary school after September 2022 will not be eligible for the sibling rule for their younger siblings.

In 2026, after the complete phase-out of the sibling rule, a new Out-of-Area Admission status of limited (Feeder school) will be initiated for secondary schools (Table 3).

Table 3: Out-of-Area Admissions Status levels for Elementary and Secondary (2026)

**ELEMENTARY**

<b>Closed</b>	<b>Limited (Siblings) Elementary ONLY</b>	<b>Limited (Siblings and Feeder School) Elementary (ONLY)</b>	<b>Limited</b>
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**SECONDARY**

<b>Closed</b>	<b>**NEW** Limited (Feeder School) Secondary ONLY</b>	<b>Limited</b>
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In 2020, only 651 (5%) of applications identified a sibling and would be using the sibling priority of the Optional Attendance Policy.

**Other Changes in Language in the Draft Policy**

Switching schools when there is more than one designated school by address

Some addresses in Toronto are associated with more than one designated school. Families may select which school they wish their child to attend. After the school year begins, should the family wish to change schools, the change must be done through Out-of-Area Admissions. The Secondary Program Review is working on addressing and eliminating scenarios where more than one designated school by address exists.

Returning to your designated school by address

A right-of-return to the designated school by address for students attending a school through Out-of-Area Admissions was established in the 2020 draft of the policy. A statement about this return being initiated by the student/family was added to ensure that families were aware of their integral role in making this important decision.

Feeder school priority - same program

The 2020 draft policy removed the distinction between students attending feeder schools. The clarification that the program at the feeder school needed to be the same as the program being applied for through Out-of-Area Admissions was added to ensure that the students who were being given priority access were going to be supported in staying with their middle school or elementary school cohort. This aligns with our commitment to keeping students together with their classmates through Out-of-Area

Admissions.

### French - terminology update

The reference to French “pathway school” has been updated to reflect the new language describing the designated [French program school by address](#).

### Closing Thoughts

While the Out-of-Area Admissions Policy (P013) is centrally concerned with access of opportunity for all TDSB students across the school board, it addresses only a part of a larger issue on equity of access for the breadth of learning that is made available through opportunities offered within centralized programs and schools.

Policies are tools for change, but there are other mechanisms that are required over the next four years until this policy, and the Student Interest Programs Policy, are reviewed. In order to effectively address the inequities within the system, this policy needs to work in concert with a variety of policy areas around equity of learning opportunity including; Special Education, Academic Pathways as well as working in coordination with the Urban Indigenous Education Centre, the Centre of Excellence for Black Student Achievement, the Equity Department and Equity of Access for All Students in the TDSB as articulated in the Multi-Year Strategic Plan.

## **Action Plan and Associated Timeline**

Subject to the Governance and Policy Committee’s approval, the policy will be presented to the Board of Trustees on May 25, 2022 for final approval.

Upon approval of this policy, the associated Operational Procedures will be finalized and brought to the Governance and Policy Committee in June 2022 for information and implementation in September 2022.

Staff are currently working closely with Student Information Systems and the team implementing PowerSchool on the creation of the Out-of-Area Admissions application form and the necessary steps for running the required random selection process in late January 2023. Additionally, resource materials are being created and developed to support both school-based staff and families for a smooth transition in the fall of 2022.

## **Resource Implications**

NA

## **Communications Considerations**

Following Board approval, the Policy will be posted on the Board's public website. In addition, a message will be circulated to the System Leaders' Bulletin.

A detailed communication plan and roll-out will be developed for all key interested parties, including school and central staff, parents/guardians and students to support the implementation of the Policy and the associated Operational Procedures for the fall of 2022.

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

- Optional Attendance Policy (P013)
- Student Interest Programs (PXX) - re. Specialized Schools and Programs
- Alternative Schools Policy (P062)
- Optional Attendance Procedure (PR545) - under revision
- Alternative Schools Procedure (PR584)
- Admission to Specialized Schools and Programs (PR612) - under revision

### **Appendices**

- Appendix A: Draft P013 Out of Area Attendance (April 14, 2020)
- Appendix B: Final Draft P013: Out-of-Area Admissions (April 27, 2022)
- Appendix C: P013 Work Plan Optional Attendance (May 29, 2019)

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# Toronto District School Board

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 Policy P013

Title: Out-of-Area Attendance (**formerly Optional Attendance**)

Adopted: [date of approval of the policy]

Effectuated: [date when the policy came into effect]

Revised: [date when the policy was amended]

Reviewed: [date when the policy was reviewed]

Authorization: Board of Trustees

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## 1. RATIONALE

The **Out-of-Area Attendance** Policy (P013) (the “Policy”) supports implementation of the legislative requirements as outlined in Section 171(1), par. 7 of the *Education Act*, which authorizes the Toronto District School Board to determine attendance areas for each school and assign students to particular schools based on the address of the parents/guardians.

The Board is committed to supporting strong neighbourhood schools that are easily accessible and that provide programming to meet the diverse needs of its students. However, the Board recognizes that parents and students may wish to choose a school which lies outside of the designated attendance area.

This Policy aligns with Board policies including the Equity Policy and is consistent with the *Ontario Human Rights Code*.

## 2. OBJECTIVE

To provide policy direction about access to schools outside a student’s designated attendance area.

## 3. DEFINITIONS

*Address* refers to the principal residence of record of a parent/legal guardian/adult student.

*Before- and After-School Programs* refers to licensed child care programs in schools serving junior kindergarten to grade 6 students before the school day begins, and after it ends, as defined in the Child Care and Early Years Act (2014).

*Board* is the Toronto District School Board, which is also referred to as the “TDSB”.

*Child Care* refers to licensed early learning and care programs for children from birth to 3.8 years of age.

*Designated Attendance Area* is the geographic area served by a designated school.

*Designated school* is the school identified by the principal residence of the parent/legal guardian/adult student.

*Elementary school* refers to a Grades Kindergarten to 8.

*Feeder school* is a school from which many or most students progress to a designated school at the next division (e.g., secondary school).

*Intensive French Program* refers to French-as-a-Second-Language programs in which French is not only taught as a subject but also serves as the language of instruction in other subjects.

*Intensive Support Program (ISP)* refers to programs designed to support communities of exceptional (special needs) students who have similar behavioural, communication, intellectual, or physical needs. *Out-of-Area Applicant* is a student who applies to a school located outside of their designated attendance area.

*Out-of-Area Student* is a student who attends a school located outside of their designated attendance area.

*Secondary school* refers to Grades 9 to 12.

*TDSB* is the Toronto District School Board, which is also referred to as the “Board”.

#### **4. RESPONSIBILITY**

The Director of Education holds the primary responsibility for overseeing the implementation of the Policy. Within the Director’s Office, the responsibility for the day-to-day management and coordination of the Policy is assigned to the Associate Director, School Operations and Service Excellence.

#### **5. APPLICATION AND SCOPE**

This Policy applies to students, parents/legal guardians, and staff, including principals, superintendents and school personnel involved in the application and registration processes for students seeking to register in a school that lies outside of their designated attendance area.

This Policy does not apply to placements into Special Education Intensive Support Programs (ISPs). Students access these programs through the Identification,

Placement and Review Committee (IPRC) process. In addition, this Policy does not apply to students whose placements are facilitated by the Caring and Safe Schools department.

## **6. POLICY**

### **6.1. Regular Schools**

- 1.1.1. Each student who is eligible to attend school will have the right to attend a designated school in accordance with this Policy, based on the principal address of the student's parents (or either parent) or of the student's legal guardian. In the case of an adult student, the address where the student resides will determine the appropriate designated school.
- 1.1.2. On an annual basis, Board staff will determine which schools may accept applications from students outside the designated attendance area based on school capacity and projected enrolment by grade. The process to apply for attendance at a school other than the student's designated school will be shared annually with students, parents and guardians.
- 1.1.3. When space is available in schools, students will be provided with opportunities to access schools outside their designated area by applying as an Out-of-Area applicant.
- 1.1.4. A parent or legal guardian (or adult student) may apply to two (2) regular programs outside of the student's designated school attendance area.
- 1.1.5. Out-of-area children who are enrolled in the school-based pre-school child care program prior to January 1st of the year they are to begin Junior Kindergarten have the option of attending the school in which the child care is located, when there is no access to, or available space in, the licensed before- and after-school program at their designated school. No out-of-area application process is required.
  - a) If these students no longer attend the licensed before- and after-school program, they may remain at the current school (and in the same educational program) until the end of the current school year (unless the next school year is a graduation year from that school).
  - b) In situations where out-of-area students "age out" or are demitted from a child care program due to operator policy changes, students may remain in the school until the end of the grade range of that school.
- 1.1.6. Children who are enrolled in the school-based pre-school child care program after January 1st of the year they are to begin Junior

Kindergarten must apply as Out-of-Area students in accordance with the timelines set out in the Operational Procedure (PR545).

- 1.1.7. If sufficient space is available at the requested school, spaces will be filled by grade according to the admission priorities below. For each of the admission priorities (in priority order), the school principal will conduct a lottery if the number of applications exceeds available spaces:

Priority 1: Students who have a sibling currently attending the requested school and the sibling will be attending at the requested school the next school year.

Priority 2: Students currently attending a feeder school (in any program) of the requested school.

Priority 3: Children enrolled after January 1 in the school-based pre-school child care program of the requested school (see 6.1.6).

Priority 4: Current TDSB students (and who remain registered as TDSB students for the duration of the school year in which the out-of-area application was made).

Priority 5: Other students whose parents'/legal guardians' principal residence is in the City of Toronto (e.g., from independent/private schools, other school boards, home schooling, etc.).

Priority 6: Students whose parents'/legal guardians' principal residence is outside the City of Toronto.

- 1.1.8. The TDSB will not be responsible for providing transportation for Out-of-Area students. Transportation is the responsibility of the applicant.
- 1.1.9. Out-of-Area students who wish to return to their designated school by address may do so at an appropriate transition point (e.g., end of term, semester change, beginning of school year).
- 1.1.10. In-area elementary school students who move out-of-area during the school year may remain at the current school (and in the same educational program) until the end of the current school year (unless the next school year is a graduation year from that school) or may register in the new designated school.
  - a) If these students are currently enrolled in the before- and after-school program and the new designated school's before- and

after-school program cannot accommodate them, they may remain in the current school (in the same educational program).

- 1.1.11. In-area secondary school students who move out-of-area during the school year will be allowed to remain at the current school (and in the same educational program) or register in the new designated school.
- 1.1.12. During their final year at a school, Out-of-Area students will be required to apply for admission to the school at the next level into which the school feeds.

## **6.2. Schools with Intensive French Programs**

1.1.13. All students whose parents/legal guardians reside within the City of Toronto and are eligible to attend a school operated by the Board will have the option to attend an Intensive French (IF) program.

- a) Entry to child care does not guarantee access to an Intensive French program in that school. See the [IF Operational Procedure \(PR597\)](#) for access to IF.

1.1.14. If a student elects to attend an Intensive French program outside the designated school/pathway, the student must apply as an Out-of-Area student to the requested school. The direction set out in Section 6.1 of this Policy for Regular Schools will apply. No transportation will be provided.

- (a) Once admitted to an Intensive French Program at a school as an Out-of-Area student, the student will be required to apply for admission to the school at the next level into which the French Pathways feeds.

## **7. SPECIFIC DIRECTIVES**

The Director of Education is authorized to issue operational procedures to implement this Policy.

## **8. EVALUATION**

This Policy will be reviewed at a minimum every four (4) years from the effective date.

## **9. APPENDICES**

N/A

## **10. REFERENCE DOCUMENTS**

Legislation

- *Child Care and Early Years Act, 2014.*

- *Education Act*, R.S.O. 1990, c. E.2, s. 171 (1), par. 7.

Policies

- Early Learning and Care Policy (P022)
- Equity Policy (P037)

Procedures

- Intensive French Programs Procedure (PR597)

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## Toronto District School Board

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Policy P013

Title: Out-of-Area Admissions (**formerly Optional Attendance**)

Adopted: [date of approval of the policy]

Effectuated: [date when the policy came into effect]

Revised: [date when the policy was amended]

Reviewed: [date when the policy was reviewed]

Authorization: Board of Trustees

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### 1. RATIONALE

The Out-of-Area Admissions Policy (P013) (the “Policy”) supports implementation of the legislative requirements as outlined in Section 171(1), para. 7 of the *Education Act*, which authorizes the Toronto District School Board to determine attendance areas for each school and assign students to particular schools based on the address of the parents/guardians.

This Policy aligns with Board policies, including the Equity Policy (P037), Human Rights Policy (P031) and is consistent with the *Ontario Human Rights Code*. This Policy supports the Board’s commitment to the Truth and Reconciliation Commission of Canada: Calls to Actions and the United Nations Declaration on the Rights of Indigenous Peoples as a framework for reconciliation.

### 2. OBJECTIVE

- To provide policy direction about access to schools outside a student’s designated attendance area; and,
- To affirm the Board’s commitment to providing strong programming in local schools and to ensure equitable educational access, experiences, and opportunities for all students in alignment with the recommendations made in the Enhancing Equity Task force, the equity priorities of the Multi-Year Strategic Plan and the vision of Secondary Program Review.

### 3. DEFINITIONS

*Alternative Schools* refer to smaller school environments providing unique pedagogy, forms of governance, and staff/student/parent involvement that are open to any resident of Toronto. Each alternative school has a distinct identity and

focus and provides an educational experience suited to individual learning styles/preferences and/or needs.

*Before and After-School Programs* refers to licensed child care programs, extended day programs, authorized recreation, and skill building programs in schools serving junior kindergarten to grade 6 students before the school day begins, and after it ends, as defined in the *Child Care and Early Years Act (2014)*.

*Board* refers to the Toronto District School Board, which is also referred to as the "TDSB".

*Centralized Programs* refer to educational programs offered in some Elementary and Secondary Schools. Programming has a specific focus and students apply to participate in the Centralized Program.

*Centralized School* refers to an Elementary School or Secondary School with no Designated Attendance Area. All students at the TDSB are eligible to apply to attend and are required to follow application processes.

*Child Care* refers to licensed early learning and care programs for children from birth to 3.8 years of age.

*Designated Attendance Area* refers to the geographic area served by a designated school.

*Designated school by address* refers to the school identified by the primary residence of the parent/guardian/adult student.

*Elementary school* refers to Grades Kindergarten to 8, or a part thereof. All Elementary Schools offer Regular Programming. Some may offer Centralized Programs, Intensive Support Programs or Intensive French Programs.

*Feeder school* refers to a school from which many or most students progress from an elementary school to a designated elementary or secondary school based on the attendance area or program.

*Intensive Support Program (ISP)* refers to Special Education programs designed to support communities of students with an identified exceptionality who have behavioural, communication, intellectual, or physical needs.

*Local Programs* refer to interest-based programs within a school with a specific focus (e.g., Math/Science, Specialist High Skills Major) that are available only to students registered at that school.

*Out-of-Area Applicant* refers to a student who applies to a school located outside of their designated attendance area.

*Secondary School* refers to Grades 9 to 12 where students earn Ontario Secondary School credits. All Secondary Schools offer regular programs. Some may also offer Centralized Programs, Intensive Support Programs or Intensive French Programs.

#### **4. RESPONSIBILITY**

The Director of Education holds the primary responsibility for overseeing the implementation of this Policy. Within the Director's Office, the responsibility for the day-to-day management and coordination of the Policy is assigned to the Associate Director, Student Well-Being and Innovation.

#### **5. APPLICATION AND SCOPE**

This Policy applies to students, parents/guardians, and staff, including principals, superintendents, and school personnel, involved in the application and registration processes for students seeking to register in a school that lies outside of their designated attendance area.

This Policy does not apply to:

- placements into Special Education Intensive Support Programs (ISPs). Students access these programs through the Identification, Placement and Review Committee (IPRC) process;
- students whose placements are facilitated by the Caring and Safe Schools department;
- the application processes for Centralized Schools or Centralized Programs. See the Student Interest Programs Policy PXX.
- the application processes for Local Programs. See the Student Interest Programs Policy PXX.

#### **6. POLICY**

##### **6.1. General**

- 6.1.1 The Board is committed to supporting strong, accessible, and inclusive community schools that provide educational programs for the diverse needs of its students.
- 6.1.2 Each student who is eligible to attend school will have the right to attend the regular program in a designated school in accordance with this policy, based on the primary address of the student's parents (or either parent) or of the student's legal guardian. In the

case of an adult student, the address where the student resides will determine the appropriate designated school.

6.1.3 The application process for attendance at a school other than the student's designated school will be communicated annually to students, parents, and guardians through the TDSB website.

6.1.4 In the 2022-2023 school year, parents/guardians, on behalf of their children, or students who are 18 years or older (as well as those over 16 years old who have withdrawn from parental control) may apply to up to two (2) regular program/ French Immersion/ Extended French schools outside of their designated attendance area for admission in September 2023.

In the 2023-2024 school year and subsequent years, parents/guardians, on behalf of their children, or students who are 18 years or older (as well as those over 16 years old who have withdrawn from parental control) may apply for one (1) regular program/ French Immersion/ Extended French school outside of their designated attendance area.

## **6.2. Regular Schools (Elementary)**

6.2.1 Children from out-of-area who are enrolled in the school-based pre-school child care program prior to the end of February of the year they are to begin Junior Kindergarten, and who will be enrolled in the Before- and After-School Program ("BASP") at that school, have the option of attending the school in which the child care is located. No Out-of-Area Admissions process is required.

a) If these students no longer attend the BASP prior to the start of Grade 3, they may remain at the current school (and in the same educational program) until the end of the current school year. They are then required to attend their designated elementary school by address. BASP Supervisors are responsible for sharing information around departing families with school administrators.

Students withdrawn from the BASP prior to the start of Grade 3 may apply to remain at the current school via the Out-of-Area Admissions process.

b) In situations where students from out-of-area exceed the age limit or are demitted from a child care program due to operator policy changes, may remain in the school until the end of the grade range of that school.

c) Students who wish to attend the school at the next level into which the school feeds will be required to apply for Out-of-Area Admission to the school they wish to attend.

- d) Should a student from Out-of-Area register in school-based pre-school child care after the end of February in the year they are to begin Junior Kindergarten, the family will be notified by the child care operator that they will not have access to attend the school in September for junior kindergarten.

6.2.2 In-area elementary school students who move out-of-area during the school year may remain at the current school (and in the same educational program) until the end of the current school year (unless the next school year is a graduation year from that school), or may register in the new designated school.

- a) If these students are currently enrolled in the BASP and the new designated school's BASP cannot accommodate them, they may remain in their current school (in the same educational program).
- b) Students who wish to attend the school at the next level into which the school feeds will be required to apply for Out-of-Area Admission to the school should they wish to attend.

### **6.3 Regular Schools (Secondary)**

6.3.1 In-area secondary school students who move out-of-area during the school year will be allowed to remain at the current school (and in the same educational program), or register in the new designated school.

### **6.4 Schools with French Immersion/Extended French Programs**

6.4.1 All students whose parents/guardians reside within the City of Toronto and are eligible to attend a school operated by the Board will have the option to attend a French Immersion/ Extended French program.

- a) Entry to child care does not guarantee access to a French Immersion/Extended French program in that school.

6.4.2 If a student wishes to attend a French Immersion/ Extended French program at a school other than their designated [French Program school by address](#), the student must apply for Out-of-Area Admission at the requested school. The directions set out in Section 6.2 and 6.3 of this Policy for Regular Schools will apply. No transportation will be provided.

- a) Once admitted to a French Immersion/ Extended French program at a school through Out-of-Area Admission, students may complete the grade range of that school.
- b) Students who wish to attend a school at the next level into which the [French Pathway](#) feeds will be required to apply for Out-of-Area Admission to that school.

## 6.5 Out-of-Area Admissions Status & Random Selection Priorities: All Schools

- 6.5.1 Board staff will determine the Out-of-Area Admissions status of schools annually, determining which schools may accept applications from students outside the designated attendance area based on school capacity and projected enrollment by grade.
- **Closed** - the school may not admit any students from Out-of-Area. No students may apply for Out-of-Area Admissions.
  - **Limited (Siblings)** - Only students with a sibling currently attending and returning to the requested school may apply for Out-of-Area Admissions.
  - **Limited (Siblings and Feeder School)** - Only students with siblings attending and returning to the requested school and students attending a feeder school may apply for Out-of-Area Admissions.
  - **Limited** - the school may admit students from all of the priorities listed, as space is available. All students may apply for Out-of-Area Admissions.

6.5.2 Based on the Out-of-Area Admissions status of schools, students will be provided with opportunities to access schools outside their designated area by applying as an Out-of-Area applicant.

6.5.3 Based on current school enrolment and projected enrolment numbers, the school Principal (in consultation with Central Staff) will determine if space is available at the requested school in each grade. Spaces will be filled by grade according to the admission priorities. For each of the admission priorities, a random selection process will be undertaken if the number of applications exceeds available spaces.

Priorities for out-of-area admission will support family cohesiveness (K-8), educational continuity, feeder school group/program continuity, and current TDSB students.

Priorities (Appendix A) may change to meet the needs of the system and will remain aligned with the equity priorities outlined in

the TDSB's Multi-Year Strategic Plan and recommendations from the Enhanced Equity Task Force Report.

- 6.5.4 The TDSB will not be responsible for providing transportation for students admitted through Out-of-Area Admissions. Transportation is the responsibility of the applicant.
- 6.5.5 Students admitted through Out-of-Area Admissions who wish to return to their designated school by address may do so at an appropriate transition point (e.g., end of term, semester change, beginning of school year) at the request of the student/ family. If the requested school's Out-of-Area Admissions status is "Closed", a switch may not be possible until the following semester or transition point.
- 6.5.6 Students with more than one designated school by primary address of residence can only switch from one school to the other through the Out-of-Area Admissions process. If the requested school's Out-of-Area Admissions status is "Closed", a switch will not be possible.
- 6.5.7 In keeping with Truth and Reconciliation, First Nations, Métis, and Inuit students will be supported outside of the Out-of-Area Admissions Policy, and given priority access. Admission will be supported at any regular intake time, even in schools closed to Out-of-Area Admissions, where possible.
- 6.5.8 Secondary students whose child(ren) is/are enrolled in a child care centre in the catchment area will be supported outside of the Out-of-Area Admissions policy, and given priority access. Admission will be supported and accommodated at any regular intake time, even in schools closed to Out-of-Area Admissions, where possible.
- 6.5.9 Decisions relating to Out-of-Area Admissions may be appealed through the Superintendent of Education for the requested school.

## **7. SPECIFIC DIRECTIVES**

The Director of Education is authorized to issue operational procedures to implement this Policy.

## **8. EVALUATION**

This Policy will be reviewed at a minimum every four (4) years from the effective date.

## **9. APPENDICES**

Appendix A: Random Selection Process Priorities

Appendix B: Alternative Schools

**10. REFERENCE DOCUMENTS**

Legislation

- *Child Care and Early Years Act, 2014.*
- *Education Act, R.S.O. 1990, c. E.2*
- *Ontario Human Rights Code.*

Policies

- Transportation of Students (P020)
- Early Learning and Care (P022)
- Human Rights (P031)
- Equity (P037)
- Student Interest Programs (PXX)
- Alternative Schools (P062)
- French-as-a-Second Language (P080)

Procedures

- Transportation of Students (PR504)
- Admission Eligibility Requirements (PR518)
- Alternative Schools (PR584)
- French Immersion/Extended French (PR597)

Other Documents

- Enhancing Equity Task Force: Report and Recommendations, 2017.
- Director's Response to the Enhancing Equity Task Force Report, 2018.
- Multi-Year Strategic Plan
- Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements, Ministry of Education, 2016
- Truth and Reconciliation Commission of Canada: Calls to Actions, 2015.
- United Nations Declaration on the Rights of Indigenous Peoples, 2007.

## **Appendix A: Random Selection Process Priorities**

Spaces will be filled by grade according to admission priorities. For each of the admission priorities listed below, in order, a random selection process will be undertaken if the number of applications exceeds available spaces.

Priority 1: (Elementary schools only\*\*) Students who have a sibling currently attending the requested school and that sibling will still be attending the requested school the next school year.

Priority 2: Students currently attending a *feeder school* in the same program as the application to the requested school (i.e. in Regular program if applying to Regular program).

Priority 3: (Elementary Schools only) Current students no longer attending the *Before- and After-School Program* of the requested school wishing to remain at the school (see section 6.2.2).

Priority 4: Current TDSB students (and who remain registered as TDSB students for the duration of the school year in which the Out-of-Area application was made).

Priority 5: Other students whose parents'/ guardians' primary residence is in the City of Toronto (e.g. from independent/ private schools, other school boards, home schooling, etc.).

Priority 6: Students whose parents'/guardians' primary residence is outside the City of Toronto.

\*\* students attending a secondary school as of September 2022 may have the sibling rule apply to their younger siblings.

- Applications for September 2023 - Grades 9 - 11 and returning grade 12 students
- Applications for September 2024 - Grades 10 -11 and returning grade 12 students
- Applications for September 2025 - Grade 11 and returning grade 12 students
- Applications for September 2026 - only applies to returning grade 12 students

Effective 2025 - 2026 school year: a new Out-of-Area Admission status of Limited (Feeder School) will be created for Secondary Schools only

## **Appendix B: Alternative Schools**

### **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:

#### **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 Out-of-Area Admissions Policy.
- (e) Transportation will be in accordance with the Board Transportation policy.

#### **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.

Admissions for Alternative Schools (elementary and secondary) will be overseen by the Alternative Schools Procedure (PR584)

In the 2022-2023 school year, a student may apply to two (2) Alternative schools for admission in September 2023.

In the 2023-2024 school year and every year afterwards, a student may apply for one (1) Alternative school.

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**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 NoThis 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

- 
- ☒ 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 \(PR612\)](#)

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