

Policy Committee Public Meeting Agenda

Monday, April 14, 2025 – 11:00 am via Zoom

https://sd38.zoom.us/j/61808664353

Passcode: 6000

The Richmond Board of Education acknowledges and thanks the First Peoples of the hənqəminəm language group on whose traditional and unceded territories we teach, learn and live.

1. Adopt Agenda

2. Approve Minutes

Public minutes from meeting held February 10, 2025 attached.

3. Policy 102: Diversity and Inclusion

Report from Assistant Superintendent Brautigam is attached.

4. Policy 103 Bylaw: Complaints by Students, Parents and the Public

Report from Assistant Superintendent Laing is attached.

5. Status of Current and Anticipated Items

Status Update attached.

- 6. Next Meeting Date Monday, May 12, 2025 at 11:00 am
- 7. Adjournment



Policy Committee Public Meeting Minutes

Monday, February 10, 2025 – 11:00 am Via Zoom

Present:

Chairperson D. Tablotney Vice Chairperson D. Yang Trustee Member A. Wong Trustee Alternate H. Larson Superintendent C. Usih President, Richmond Teachers' Association L. Baverstock 2nd Vice President, Richmond Teachers' Association F. Marsic 3rd Vice President, Richmond Teachers' Association J. Cho President, Richmond Association of School Administrators N. Widdess A. Goulas* Vice President, Richmond Association of School Administrators President, Canadian Union of Public Employees 716 S. Robinson Chair, Richmond Management ad Administrative Professionals K. Gibson* President, Richmond District Parents Association C. Huang Vice President, Richmond District Parents Association A. Gong Representative, Richmond District Parents Association D. Billings* Executive Assistant (Recording Secretary) J. Coronel

The Chairperson called the meeting to order at 11:01 am.

The Richmond Board of Education acknowledged and thanked the First Peoples of the handaminam language group on whose traditional and unceded territories we teach, learn and live.

1. Adopt Agenda

The agenda was adopted as circulated.

2. Approve Minutes

Minutes of the meeting held January 13, 2025 were approved as circulated.

3. Policy Refresh to align with DEI checklist (standing item): Policy 105/105-R: District Code of Conduct

The Superintendent spoke to his report as included in the agenda package. He clarified that the current policy update is limited to a policy refresh. He then noted feedback from the President,

^{*}Present for a portion of the meeting

Richmond Teachers' Association and responded to a question from the President of CUPE 716 inquired regarding the district's scent-free policy.

The Committee then agreed to forward the following **RECOMMENDATION** to the board:

THAT the Chairperson of the Policy Committee bring forward a Notice of Motion to the Board of Education at the February 19, 2025, public meeting that a recommendation for the board's consideration will be presented at the March 12, 2025, public meeting to approve minor revisions to *Policy 105 and 105-R: District Code of Conduct*.

- A. Goulas and K. Gibson joined the meeting at 11:10 am.
- D. Billings left the meeting at 11:10 am.

4. Status of Current and Anticipated Items

A Status of Current and Anticipated Items was attached to the agenda package.

- 5. Next Meeting Date Monday, April 14, 2025 at 11:00 am.
- 6. Adjournment

The meeting adjourned at 11:13 am.

Respectfully Submitted,

Debbie Tablotney Chairperson, Policy Committee



Report to Policy Committee Public

Date: April 14, 2025

From: Christel Brautigam, Assistant Superintendent

Subject: Policy 102: Diversity and Inclusion

RECOMMENDATION:

THAT the Chairperson of the Policy Committee bring forward a Notice of Motion to the Board of Education at the April 23, 2025, public meeting that a recommendation for the board's consideration will be presented at the May 21, 2025, public meeting to approve revised Policy 102: Diversity and Inclusion.

BACKGROUND:

At the December 11, 2024 public meeting of the Board of Education, the Board approved Policy 102 for entry into the partner group review process. The Partner Group review process took place from December 12, 2024 to February 28, 2025. In addition to feedback from Partner Group representatives at the December 2, 2024 public meeting of the Policy Committee, feedback was received from the RTA during the review timeline and incorporated into the revised policy.

As outlined below, the policy has been in discussion at Policy Committee since November 12, 2024 and has benefitted from significant discussion and revision since then. The final version of the revised policy reflects that discussion.

TIMELINE:

Dates	Meeting	Comments	
November 12, 2024	Policy	Report submitted to Policy Committee (In-camera)	
	Committee	with draft policy revisions attached. Opportunity for	
	(In-camera)	trustee review and feedback.	
December 2, 2024 Policy		Draft revised policy incorporating trustee feedback	
	Committee	submitted to Policy Committee (Public).	
	(Public)	Recommendation to place into Partner Group	
		Review Process from December 12, 2024, to	
		February 28, 2025.	
December 11, 2024	Board of	Board approval for entry into Partner Group Review	
	Education	process from December 12, 2024, to February 28,	
	(Public)	2025.	
December 12, 2024		Partner Group review process.	
to February 28, 2025			
April 14, 2025	Policy	Updated draft policy incorporating partner group	
	Committee	input brought to Policy Committee (Public). Possible	

	(Public)	Notice of Motion for approval at April Board meeting.
April 23, 2025	Board of Education (Public)	Possible Notice of Motion for final approval of revised policy at May Board meeting.
May 21, 2025	Board of Education (Public)	Possible Board approval of revised policy.

CONCLUSION:

The process and timeline described in this report has provided the necessary opportunities for Trustee members of the committee and Partner Group representatives to fully engage in the revision process, and the result is a proposed revised policy that reflects current district practice.

Respectfully submitted,

Christel Brautigam Assistant Superintendent

Attachments:

- 1. Revised draft Policy 102 (track changes)
- 2. Revised draft Policy 102 (clean)

Revised – with changes tracked

Policy

DISTRICT PHILOSOPHY

Policy 102

Diversity, Equity, and Inclusion

The Board of Education is focused on removing systemic barriers to ensure that each person's needs are equitably recognized and addressed. In doing so, the Board of Education is committed to providing the supports and opportunities individuals require to achieve their fullest potential.

The Richmond School District is committed to the principles of diversity, equity and inclusion, and is on a path toward reconciliation, decolonization, antiracism, and anti-oppression. The Richmond Board of Education recognizes the uniqueness of Indigenous students, families, and employees and is committed to working with Indigenous rights holders to advance these principles.

The Board of Education upholds the values and objectives contained in the Canadian Charter of Rights and Freedoms, in particular Subsections 15(1) and (2), the Canadian Human Rights Act, the Truth and Reconciliation Commission Calls to Action, and all other applicable laws and legislation. See appendix below.

The documents referenced and linked above, and in the appendix below, guide all interactions and decisions so that all—letter and spirit of the Canadian Charter of Rights and Freedoms shall be observed, supported, and enforced so that all—members of the school district community community may work and learn together to develop a deep appreciation of all people.

together in an atmosphere of celebration and respect for individual differences. Specifically, the Richmond School District will:

- a. Include the principles of diversity, equity, and inclusion in the District's policies, procedures, and relations with employees, students, parents, and the greater community.
- b. Advance the Truth and Reconciliation Calls to Action by working collaboratively with Indigenous rights holders, Elders, community partners, staff, and students to increase learning and understanding by implementing the First People's Principles of Learning.
- c. Increase awareness of, and appreciation for the racial, cultural, spiritual, religious, and linguistic diversity of our diverse communities.
- d. Incorporate policies, operating and hiring practices, procedures, and structures, free of all forms of discrimination, inequities, and racial bias.
- e. Incorporate policies that support an inclusive and equitable working and learning environment.
- f. Ensure every student, employee, parent/guardian/caregiver, volunteer, and community partner understands their responsibility for creating a climate where all members of the school district community feel they are welcome and that they belong.
- g. Seek to identify, remove, and prevent barriers that inhibit the ability of students to participate fully in their learning.

Definitions:

Anti-oppression Seeks to minimize and/or eliminate the harm from unjust experiences and

Adopted: 07 December 2009



discrimination and equalize power imbalances.

Antiracism The deliberate act of opposing racism and promoting a society that is

thoughtful, inclusive and just.

Decolonization A process by which non-Indigenous people recognize and accept Canada's

colonial history, including how that history impacted and continues to impact Indigenous Peoples. Decolonization must include Indigenous and non-Indigenous people working together toward a future that includes all.

Diversity Legally protected differences such as race, age, disability, sexual orientation

and gender identity and expression. Diversity also includes such 'non-visible' qualities including thought, perspectives, education, socio-economic

status and life experiences.

Equity The fair treatment of all people, so that the norms, practices, and policies ensure identity is not predictive of opportunities or outcomes. While equality

assumes that all people should be treated the same, equity takes into consideration a person's unique circumstances and adjusts and addresses

imbalances so that the end result is equal.

Inclusion The affirmation and appreciation of all identities, the intersectionality of

those identities, and the practice of creating environments where all people experience a true sense of belonging.

Intersectionality The understanding of how forms of discrimination (such as racism, sexism and

classism) can combine, overlap or intersect and further impact individuals.

Partner Group In the Richmond School District, the term partner groups include Indigenous

rights holders, and all officially recognized education partner representatives for the Canadian Union of Public Employees (CUPE) 716, the Richmond Association of School Administrators (RASA), the Richmond District Parents Association (RDPA), the Richmond Management and Professional Staff (RMAPS) and the Richmond Teachers' Association (RTA). Official representatives from partner groups participate on behalf of their members in committee meetings, engagements, and other activities to provide valuable input, feedback, and advice to the district. The Richmond School District values input from partner groups and voice from all members of the school community including students, parents/guardians/caregivers, and employees. Where appropriate, the Richmond School District will provide opportunities for public engagement to

ensure all individuals can provide input to the district.

Reconciliation Establishing and maintaining a mutually respectful relationship between

<u>Indigenous and non-Indigenous people in Canada by building awareness of the past, acknowledgement of the harm that has been inflicted, and atonement for the harm that has been inflicted, and atonement for the harm that has been inflicted.</u>

the causes and action with a commitment to change.

Systemic Barriers Policies, practices or procedures that perpetuate inequities and result in some

people being excluded or receiving unequal access.

Adopted: 07 December 2009



A policy of nondiscrimination, as defined under the Canadian Charter of Rights and Freedoms, shall prevail in all matters of employment, promotion and assignment of staff, and in provision of facilities and access for those with disabilities.

The Board of Education (Richmond) is committed to providing an inclusive environment that is safe and supportive for all students and staff.

he Board also recognizes the diverse cultural, linguistic and ethnic nature of the Richmond community. It supports inter-cultural education for staff and students, and will promote cultural elebration and respect for human rights and freedoms through its educational programs. The Board will neourage student leadership in the promotion of mutual knowledge and respect amongst members of he school community and the development of an inclusive culture in schools. The Board is committed to vorking in partnership with parents and to effective communication with parents and community nembers. Consequently, it will encourage educational staff to actively support two-way communication with parents and will seek the assistance of individuals and groups within the community who can enhance chool and district communication. When necessary, appropriate and possible, the Board will provide hterpretation or translation services.

Appendix:

Supportive Documents

Accessible British Columbia Act

British Columbia Declaration on the Rights of Indigenous Peoples Act

British Columbia Government Anti-racism Definitions

British Columbia Human Rights Code

BCs K-12 Anti-Racism Action Plan

British Columbia Tripartite Education Agreement

Canadian Charter of Rights and Freedoms, [Subsections 15(1) and (2)][Subsections 15(1) and (2)]

Canadian Human Rights Act

Declaration on the Rights of Indigenous Peoples Act (DRIPA)

Federal Federal Employment Equity Act

First Peoples Principles of Learning

Missing and the Murdered Indigenous Women and Girls National Action Plan

Truth and Reconciliation Commission Calls to Action

United Nations Declaration on the Rights of Indigenous Peoples

Canadian Charter of Rights and Freedoms

Employment Standards Act

Human Rights Code

District Position Paper: Learning Services Framework

District Discussion Paper: Inclusion: What Constitutes Support?

District Discussion Paper: Supporting Diversity - Strategies for Inventing a

New Future District Discussion Paper: Role of the Educational Assistant

Parent Handbook: Learning Matters

Adopted: 07 December 2009

Revised

Commented [CB1]: Deleted because this information is contained in Policy 400-R3

Commented [CB2]: Deleted because this information is contained in Policy 512.14.1-G

CLEAN Version – Changes not tracked

Policy

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The Board of Education upholds the values and objectives contained in the <u>Canadian Charter of Rights and Freedoms</u>, in particular <u>Subsections 15(1) and (2), the Canadian Human Rights Act</u>, the <u>Truth and Reconciliation Commission Calls to Action</u>, and all other applicable laws and legislation. See appendix below.

The documents referenced and linked above, and in the appendix below, guide all interactions and decisions so that all members of the school district community work and learn together to develop a deep appreciation of all people.

Specifically, the Richmond School District will:

- a. Include the principles of diversity, equity, and inclusion in the District's policies, procedures, and relations with employees, students, parents, and the greater community.
- b. Advance the Truth and Reconciliation Calls to Action by working collaboratively with Indigenous rights holders, Elders, community partners, staff, and students to increase learning and understanding by implementing the First People's Principles of Learning.
- c. Increase awareness of, and appreciation for the racial, cultural, spiritual, religious, and linguistic diversity of our diverse communities.
- d. Incorporate policies, operating and hiring practices, procedures, and structures, free of all forms of discrimination, inequities, and racial bias.
- e. Incorporate policies that support an inclusive and equitable working and learning environment.
- f. Ensure every student, employee, parent/guardian/caregiver, volunteer, and community partner understands their responsibility for creating a climate where all members of the school district community feel they are welcome and that they belong.
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discrimination and equalize power imbalances.

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future that includes all.

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addresses imbalances so that the end result is equal.

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to ensure all individuals can provide input to the district.

Adopted: 07 December 2009



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Truth and Reconciliation Commission Calls to Action

United Nations Declaration on the Rights of Indigenous Peoples







Report to Policy Committee Public

Date: April 14, 2025

From: Rob Laing, Assistant Superintendent

Subject: Policy 103 Bylaw: Complaints and Appeals by Students, Parents and the Public

RECOMMENDATION:

THAT the Chairperson of the Policy Committee bring forward a Notice of Motion to the Board of Education at the April 23, 2025, public meeting that a recommendation for the board's consideration will be presented at the May 21, 2025, public meeting to approve the rewrite of Policy 103 Bylaw.

BACKGROUND:

From time to time, staff will bring forward a rewrite to an existing policy and/or regulation for Policy Committee's consideration. Ultimately, all policy development, rewrites, or revisions require the support of Policy Committee and approval at a public meeting of the Board of Education.

Staff have conducted a review of Complaints and Appeals Policies from a number of metro districts and other jurisdiction, and supporting information from the Ministry of Education and Child Care. Also, the Office of the Ombudsperson has developed a guide to assist public sector organizations with policy development in this area.

The current Policy 103 Bylaw draft is attached and incorporates partner group feedback received during the Partner Group Review process which took place from January 23, 2025, to March 23, 2025.

POLICY CONSIDERATIONS:

The draft rewrite to Policy 103 Bylaw: Complaints and Appeals by Students, Parents and the Public is guided by the need to provide greater clarity to the public, staff, and trustees regarding the distinction between district complaints procedures versus appeal procedures.

LEGISLATIVE CONSIDERATIONS:

School Act - Section 85: Power and Capacity

For the purposes of carrying out its powers, functions, and duties under the School Act, a board has the power and capacity to determine local policy.

PROPOSED TIMELINE:

Dates	Meeting	Comments
November 12, 2024	Policy	Initial discussion with Policy Committee for
	Committee	trustee guidance and input.
	(In-camera)	
December 2, 2024	Policy	Report submitted to Policy Committee (In-
	Committee	camera) with draft policy revisions attached.
	(In-camera)	Opportunity for trustee review and feedback.
January 13, 2025	Policy	Draft revised policy incorporating trustee
	Committee	feedback submitted to Policy Committee (Public).
	(Public)	Recommendation to place into Partner Group
		Review Process from January 23, 2025, to March
		23, 2025.
January 22, 2025	Board of	Possible Board approval for entry into Partner
	Education	Group Review process from January 23, 2025, to
	(Public)	March 23, 2025.
January 23, 2025, to		Partner Group Review process
March 23, 2025		
April 14, 2025	Policy	Final revisions based on Partner Group Review
	Committee	process. Possible Notice of Motion for approval
	(Public)	at the April Board of Education (Public) meeting.
April 23, 2025	Board of	Possible Notice of Motion to April Board of
	Education	Education (Public) meeting for final approval at
	(Public)	May board meeting
May 21, 2025	Board of	Recommendation for board approval of revised
	Education	policy.
	(Public)	

Respectfully submitted,

Rob Laing Assistant Superintendent

Attachments:

- 1. Draft rewrite of Policy 103 Bylaw incorporating partner group feedback (track changes)
- 2. Draft rewrite of Policy 103 Bylaw incorporating partner group feedback (clean)



DISTRICT PHILOSOPHY

Policy 103 BYLAW

BYLAW: Complaints and Appeals by Students, Parents/Guardians, and the Public

This Bylaw describes procedures to be used by students, parents/guardians, and members of the public to make a complaint, or appeal an employeestaff decision in accordance with Section 11 of the School Act. Policy and procedures designed to hear complaints or appeals of employee staff decisions will be communicated annually to staff, students, and parents/guardians at each school and published on the district website.

The Board of Education believes that employees are committed to providing safe and welcoming learning environments for all students and parents/guardians.

The Board of Education believes that employee decisions relating to individual students must be guided by a student centered approach, incorporating the principles of fairness, confidentiality, and acting in a timely manner.

Notwithstanding genuine best efforts to communicate openly and seek collaboration in all aspects of school and district life, disagreements will arise from time to time.

Definitions

Complaint

A-complaint is an expression of dissatisfaction with an aspect of the organization's programs, services, employees, decisions, and/or responsiveness.

Appeal

A review of a decision administered by a higher authority. I Decisions made by public sector employees can significantly impact an individual or group's rights or interests. Those individuals or groups who receive a decision they believe is unfair, unreasonable, or incorrect may wish to appeal the decision. The right to appeal a decision will vary depending on the organization's governing statutes and the nature of the decision, and the organization's governing statutes.

Complaints

The board believes that complaints are best dealt with <u>by engaging directly with the personat</u> the point closest to where the concern first arises and encourages all parties involved to <u>understand the interests of the other parties and</u> make good faith efforts to resolve complaints to mutual satisfaction.

Complaints resolution should be guided by Policy 103: Collaboration and Community, and Policy 105: District Code of Conduct, which reinforce the board's expectations for open, respectful, caring, courteous, and collaborative interactions at all times with a focus on

maintaining positive relationships.

Students and/or parents/guardians may be supported by an advocate, support person, or interpreter/translator throughout the resolution processes outlined in this Bylaw.

Best efforts will be made to respond to a written complaint within 5 school days.

Staff will only respond to anonymous complaints in exceptional circumstances and then only when it can establish firsthand evidence that will permit due and fair process.

Complaints Procedure

When no procedure is provided in legislation, collective agreement, or elsewhere in board policy, the steps outlined below should be followed to resolve a complaint:

Step 1: Employee

Concerned parties should discuss the matter with the employee directly involved. If the employee is the principal, proceed to Step 2. Employees are committed to communicating with parents/guardians about their children. Concerns are often resolved at this step. The board believes issues are most effectively dealt with in a timely manner between the individuals involved. Thus, to resolve a difference, the concerned individual(s) should first contact or meet with the employee who is most closely connected with the issue of concern.

In circumstances where a resolution has not been achieved between the parties, or where the individual(s) feel unable to safely approach the other, proceed to *Step 2: Principal or Designate*.

Employees against whom a complaint is made will be informed of the complaint when appropriate and will have the opportunity to respond and to participate in attempts to resolve the concern.

Step 2: Principal or Designate

Discuss the complaint with the school principal or designate. Principals are committed to providing a safe and welcoming learning environment for all students, parents/guardians, staff, and community members. The principal or designate will work toward a resolution by participating in the discussion to mediate and advise both parties. The principal will ensure that concerned parties are made aware of Policy 103 Bylaw.

In circumstances where a resolution has not been achieved between the parties, or where one individual feels unable to safely approach the other, proceed to Step 3: Assistant Superintendent.

Step 3: Assistant Superintendent

Provide your complaint, in writing, to the assistant superintendent responsible for your school (contact information can be found on the district website). The student and/or parent(s)/guardian(s) may meet with the assistant superintendent. The assistant superintendent will work towards a resolution and_provide a written response of their review of the matter. Best efforts will be made to respond to a written complaint within 5 school days.

In circumstances where a resolution has not been achieved between the parties, or where



one individual feels unable to safely approach the other, proceed to Step 4: Superintendent of Schools.

Step 4: Superintendent of Schools

Provide your complaint, in writing, to the superintendent (contact information can be found on the district website). The student and/or parent(s)/quardian(s) may meet with the superintendent. The superintendent will review the matter and provide a written final decision to the complaint. Best efforts will be made to respond to a written complaint within 5 school days.

Appeals

Where there is no successful complaints resolution, and in cases where a decision (or failure to make a decision) of an employee of the board may significantly affect the education, health or safety of a student, the student and/or parent(s)/guardian(s) may give written Notice of Appeal to the Board of Education as outlined in this Bylaw and in accordance with Section 11 of the School Act.

Procedures for hearing an appeal will be applied as outlined in this Bylaw. The board may, in its absolute discretion, refuse to hear an appeal where the student and/or parent(s)/guardian(s) did not first follow the Complaints Procedure.

Notice of Appeal and Time Limits

An appeal must be started within fifteen (15) business days of the completion of the Complaints Procedure, unless good reasons are shown why the time should be extended.

An appeal is started by completing a Notice of Appeal form and by delivering it by mail, email or personal delivery to the Office of the Secretary Treasurer.

The Notice of Appeal must include:

- the name, home address, and school placement of any student(s) involved (including, a) where appropriate, grade level, and homeroom teacher);
- b) the name and address of the individual(s) making the appeal - if a student under 19 years of age initiates the appeal, the parent(s)/quardian(s) will receive a copy of the appeal;
- the complaint decision that is being appealed; c)
- the date on which the student and/or parent(s)/guardian(s) were informed of the d) decision:
- the name of the employee(s) who made the decision being appealed; e)
- the grounds for the appeal and the action requested or relief sought; f)
- a statement, if applicable, of the effect the decision being appealed has on the g) student's education, health, or safety;
- h) a summary of the steps taken by the student and/or parent(s)/quardian(s) to resolve the matter:
- i) whether the individual(s) making the appeal wishes to present at an appeal hearing in
- whether the individual(s) making the appeal require any special accommodation(s) in j) order to proceed with an appeal.

An employee may assist the individual(s) making the appeal in completing the Notice of

Adopted: 03 November 2008

Revised: 05 May 2014



Appeal form if requested.

The secretary treasurer (or designate) will:

- 1) Receive and review the Notice of Appeal for timeliness and completeness.
- 2) Review the Notice of Appeal with the superintendent for a preliminary determination of the matter of significance, specifically a decision (or failure to make a decision) that significantly affects the education, health or safety of a student.
- <u>32</u>) Communicate with the individual(s) making the appeal and others on matters related to the Notice of Appeal as needed.
- 43) Provide copies of the Notice of Appeal to the employee(s) whose decision is being questioned and to other individuals involved in the Complaints Procedure as appropriate_r and invite their written responses.
- 54) Receive and distribute relevant documents.
- Ensure that other pertinent policies are considered and that complaints related to employees are dealt with in accordance with any relevant legislation, collective agreement, or elsewhere in board policy.
- <u>76</u>) Prepare a report outlining the issue(s) and the steps taken to resolve the complaint for the board's consideration and distribute the report and supporting documents to the individual(s) making the appeal, the superintendent, and employee(s) involved as appropriate.
- <u>87</u>) Schedule necessary meetings.

The board will normally consider the secretary treasurer's report at its next board meeting and determine if the concerns outlined meet the criteria necessary to be considered in the Appeal Procedure.

The board recognizes that whether a decision (or failure to make a decision) significantly affects a student's education, health, or safety is a matter for individual consideration. The following examples will typically be grounds for appeal:

- exclusion from school due to a medical condition that endangers others
- suspension from an educational program for more than five (5) school days where resolution has not been achieved by the parties
- transfer of a student from one school to another for disciplinary reasons
- suspension from an educational program where no other program is made available
- requirement to complete a program by distributed learning if there is space in the school or district as part of a disciplinary matter
- placement in an educational program (but not a specific class or course)
- grade promotion or graduation
- failure to provide or consult regarding a student's individual education plan under certain circumstances
- being the recipient of threats of violence, bullying, intimidation, harassment or acts of racism and/or hate by another student
- any other decision the board determines should be considered as an appeal

If the Board of Education in its absolute discretion, is concerned that a decision (or failure to make a decision) of an employee of the board may be significantly affecting the education, health or safety of a student, then the issue will be considered an appeal and dealt with under the terms of this Appeal Procedure.



Appeal Procedure

School Act Section 11 appeals are confidential. Appeals and decisions on appeals will be held in-camera. Information and documents about an appeal may only be disclosed in accordance with the School Act, Freedom of Information and Protection of Privacy Act, and applicable board policy.

- 1. The board will initiate the Appeal Procedure in a timely manner and decide the appeal within 45 days of first receipt of the Notice of Appeal. The individual(s) and any employee(s) whose decision is being appealed will be notified of all meetings.
- 2. The board will consider the matter at one or more meetings based on written presentations and/or it may hear <u>in person oral</u> presentations.

The board may invite additional written submissions from the individual(s) making the appeal and any of the other participant(s) as deemed necessary. It may establish a committee to investigate the matter further and may call any witness or follow any other line of inquiry it feels appropriate.

No <u>employeestaff member(s)</u> who was involved in making the decision being appealed or has investigated or mediated the issue will assist the board with its deliberations on the appeal.

No trustee will decide on an appeal unless they have attended all meetings called to consider or hear the appeal.

- 3.—Where the board considers it desirable to receive in person oral submissions, the board will set a mutually convenient time, date, and place for this purpose and will invite the individual(s) making the appeal, and superintendent to present their evidence.
- If either the board or individual(s) making the appeal wishes to have legal representation or have an audio record of the hearing, they must notify the other party at least 7 days prior to the hearing date.

The secretary treasurer will provide all relevant district reports and supporting documents to the individual(s) making the appeal no later than 96 hours before the meeting. All documents that the individual(s) making the appeal intends to rely on must be provided to the Office of the Secretary Treasurer no later than 48 hours before the hearing date.

The unwillingness of one party to attend or present at a hearing will not negate the right of other parties to attend or present.

In person appeal hearings will be held as outlined in this Bylaw.

- 4. Where the board decides to consider written presentations only, all parties will be informed of the meeting date and asked to submit their documents with the same timeline as for an <u>in personoral</u> hearing. The secretary treasurer will assemble documents and assist the board.
- 5. The board may make any interim decision it considers necessary pending the final decision of the appeal.



6. The board will make a decision as soon as possible after all the information is gathered and will promptly notify the individual(s) making the appeal and the employee(s) staff involved of the board'sits decision.

As soon as possible thereafter, the board will approve a written communication to the individual(s) making the appeal confirming the process followed, noting applicable policies, the evidence considered, and confirming the board's decision and the reasons for theits decision.

Included in the communication to the individual(s) making the appeal will be notification of the right to appeal to the Ministry of Education and Child Care - Superintendent of Appeals under Section 11.1 of the School Act.

- 7. A board may make any decision that it considers appropriate in respect of the matter that is appealed under Section 11 of the School Act and, subject to Section 11.1 (1), the decision of the board is final.
- 8. If, after a Section 11.1 Appeal, the Superintendent of Appeals refers the matter back to the board for reconsideration, with or without direction, the board will begin the process of reconsideration as set out in this Bylaw (Appeal Procedure).

HEARING PROCESS FOR AN APPEAL

The agenda for an appeal hearing will be conducted by the Board Chairperson at an in-camera meeting and will be organized as follows:

- Introductions
- Confirmation of the purpose of the meeting and timelines
- Confirmation that each party has all documents submitted
- Presentation by the individual(s) making the appeal
- Presentation by the superintendent
- Recess: All but trustees and the secretary treasurer leave the hearing room, and trustees formulate questions
- Reconvene: The chairperson asks questions of the parties; parties respond
- Recess and reconvene as needed to formulate additional questions
- Response and summation by the superintendent
- Response and summation by the individual(s) making the appeal
- · Participants are informed of the next steps, thanked and excused
- Trustees deliberate as a committee of the whole

All participants will be informed that each is expected to behave respectfully and that retaliation in any form will not be tolerated.

Each party invited to present evidence at the appeal hearing will be provided up to 20 minutes to do so, and up to an additional 10 minutes for summation.

At any time, the board may request further information from the individual(s) making the appeal or the superintendent and may adjourn in order that such information may be obtained.

If the board is satisfied with the information provided, a vote to uphold, deny, or alter the



<u>employeestaff</u> decision will be conducted. The secretary treasurer records the minutes of the appeal hearing.

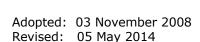
Trustees in a committee of the whole contribute to notes to be used to prepare a letter to the individual(s) making the appeal.

Recess to another date. The chairperson notifies the individual(s) making the appeal of the decision and prepares, with the secretary treasurer, a draft letter to the individual(s) making the appeal.

Reconvene, vote on resolutions to accept or amend the letter to the individual(s) making the appeal.

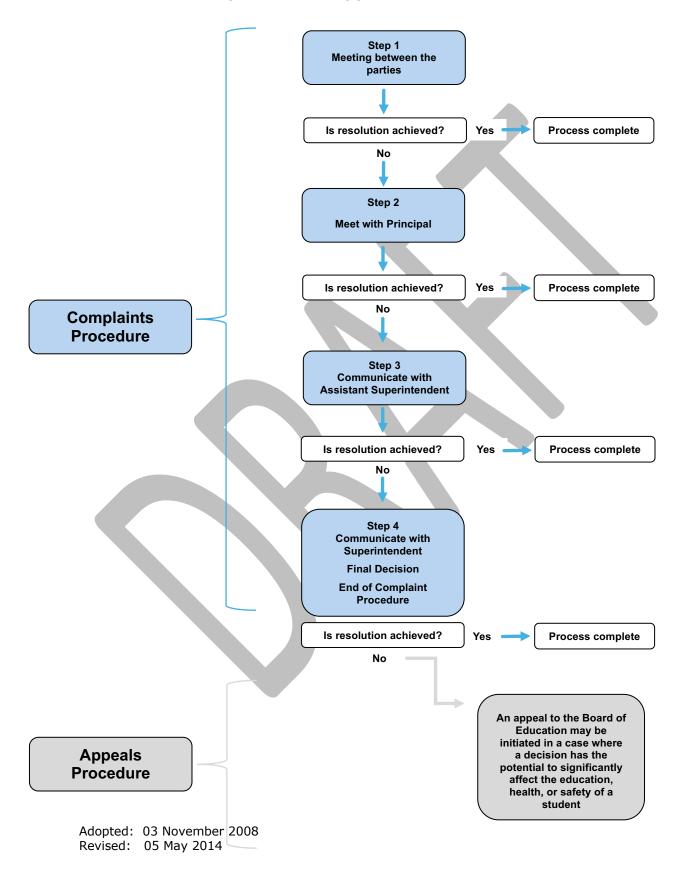
As soon as possible, the parties to the complaint will be issued written notification of the board's decision regarding the appeal.

Adjourn.





Complaints and Appeals Procedure Flowchart





DISTRICT PHILOSOPHY

Policy 103 BYLAW

BYLAW: Complaints and Appeals by Students, Parents/Guardians, and the Public

This Bylaw describes procedures to be used by students, parents/guardians, and members of the public to make a complaint, or appeal an employee decision in accordance with <u>Section 11 of the School Act</u>. Policy and procedures designed to hear complaints or appeals of employee decisions will be communicated annually to staff, students, and parents/guardians at each school and published on the district website.

The Board of Education believes that employees are committed to providing safe and welcoming learning environments for all students and parents/guardians.

The Board of Education believes that employee decisions relating to individual students must be guided by a student centered approach, incorporating the principles of fairness, confidentiality, and acting in a timely manner.

Notwithstanding genuine best efforts to communicate openly and seek collaboration in all aspects of school and district life, disagreements will arise from time to time.

Definitions

Complaint

An expression of dissatisfaction with an aspect of the organization's programs, services, employees, decisions, and/or responsiveness.

Appeal

A review of a decision administered by a higher authority. Individuals or groups who receive a decision they believe is unfair, unreasonable, or incorrect may wish to appeal the decision. The right to appeal a decision will vary depending on the organization's governing statutes and the nature of the decision.

Complaints

The board believes that complaints are best dealt with by engaging directly with the person where the concern first arises and encourages all parties involved to make good faith efforts to resolve complaints to mutual satisfaction.

Complaints resolution should be guided by Policy 103: Collaboration and Community, and Policy 105: District Code of Conduct, which reinforce the board's expectations for open, respectful, caring, courteous, and collaborative interactions at all times with a focus on maintaining positive relationships.

Students and/or parents/guardians may be supported by an advocate, support person, or interpreter/translator throughout the resolution processes outlined in this Bylaw.

Staff will only respond to anonymous complaints in exceptional circumstances and then only



when it can establish firsthand evidence that will permit due and fair process.

Complaints Procedure

When no procedure is provided in legislation, collective agreement, or elsewhere in board policy, the steps outlined below should be followed to resolve a complaint:

Step 1: Employee

Concerned parties should discuss the matter with the employee directly involved. If the employee is the principal, proceed to Step 2. Employees are committed to communicating with parents/guardians about their children. Concerns are often resolved at this step. The board believes issues are most effectively dealt with in a timely manner between the individuals involved. Thus, to resolve a difference, the concerned individual(s) should first contact the employee who is most closely connected with the issue of concern.

In circumstances where a resolution has not been achieved between the parties, or where the individual(s) feel unable to safely approach the other, proceed to *Step 2: Principal or Designate*.

Employees against whom a complaint is made will be informed of the complaint when appropriate and will have the opportunity to respond and to participate in attempts to resolve the concern.

Step 2: Principal or Designate

Discuss the complaint with the school principal or designate. Principals are committed to providing a safe and welcoming learning environment for all students, parents/guardians, staff, and community members. The principal or designate will work toward a resolution by participating in the discussion to mediate and advise both parties. The principal will ensure that concerned parties are made aware of Policy 103 Bylaw.

In circumstances where a resolution has not been achieved between the parties, or where one individual feels unable to safely approach the other, proceed to Step 3: Assistant Superintendent.

Step 3: Assistant Superintendent

Provide your complaint, in writing, to the assistant superintendent responsible for your school (contact information can be found on the district website). The student and/or parent(s)/guardian(s) may meet with the assistant superintendent. The assistant superintendent will work towards a resolution and provide a written response of their review of the matter. Best efforts will be made to respond to a written complaint within 5 school days.

In circumstances where a resolution has not been achieved between the parties, or where one individual feels unable to safely approach the other, proceed to Step 4: Superintendent of Schools.

Step 4: Superintendent of Schools

Provide your complaint, in writing, to the superintendent (contact information can be found on the district website). The student and/or parent(s)/guardian(s) may meet with the superintendent. The superintendent will review the matter and provide a written final decision



to the complaint. Best efforts will be made to respond to a written complaint within 5 school days.

Appeals

Where there is no successful complaints resolution, and in cases where a decision (or failure to make a decision) of an employee of the board may significantly affect the education, health or safety of a student, the student and/or parent(s)/guardian(s) may give written Notice of Appeal to the Board of Education as outlined in this Bylaw and in accordance with Section 11 of the School Act.

Procedures for hearing an appeal will be applied as outlined in this Bylaw. The board may, in its absolute discretion, refuse to hear an appeal where the student and/or parent(s)/guardian(s) did not first follow the Complaints Procedure.

Notice of Appeal and Time Limits

An appeal must be started within fifteen (15) business days of the completion of the Complaints Procedure, unless good reasons are shown why the time should be extended.

An appeal is started by completing a Notice of Appeal form and by delivering it by mail, email or personal delivery to the Office of the Secretary Treasurer.

The Notice of Appeal must include:

- a) the name, home address, and school placement of any student(s) involved (including, where appropriate, grade level, and homeroom teacher);
- b) the name and address of the individual(s) making the appeal if a student under 19 years of age initiates the appeal, the parent(s)/guardian(s) will receive a copy of the appeal:
- c) the complaint decision that is being appealed;
- d) the date on which the student and/or parent(s)/guardian(s) were informed of the decision;
- e) the name of the employee(s) who made the decision being appealed;
- f) the grounds for the appeal and the action requested or relief sought;
- g) a statement, if applicable, of the effect the decision being appealed has on the student's education, health, or safety;
- h) a summary of the steps taken by the student and/or parent(s)/guardian(s) to resolve the matter;
- i) whether the individual(s) making the appeal wishes to present at an appeal hearing in person; and
- j) whether the individual(s) making the appeal require any special accommodation(s) in order to proceed with an appeal.

An employee may assist the individual(s) making the appeal in completing the Notice of Appeal form if requested.

The secretary treasurer (or designate) will:

- 1) Receive and review the Notice of Appeal for timeliness and completeness.
- 2) Review the Notice of Appeal with the superintendent for a preliminary determination





- of the matter of significance, specifically a decision (or failure to make a decision) that significantly affects the education, health or safety of a student.
- 3) Communicate with the individual(s) making the appeal and others on matters related to the Notice of Appeal as needed.
- 4) Provide copies of the Notice of Appeal to the employee(s) whose decision is being questioned and to other individuals involved in the Complaints Procedure as appropriate and invite their written responses.
- 5) Receive and distribute relevant documents.
- 6) Ensure that other pertinent policies are considered and that complaints related to employees are dealt with in accordance with any relevant legislation, collective agreement, or elsewhere in board policy.
- Prepare a report outlining the issue(s) and the steps taken to resolve the complaint for the board's consideration and distribute the report and supporting documents to the individual(s) making the appeal, the superintendent, and employee(s) involved as appropriate.
- 8) Schedule necessary meetings.

The board will normally consider the secretary treasurer's report at its next board meeting and determine if the concerns outlined meet the criteria necessary to be considered in the Appeal Procedure.

The board recognizes that whether a decision (or failure to make a decision) significantly affects a student's education, health, or safety is a matter for individual consideration. The following examples will typically be grounds for appeal:

- exclusion from school due to a medical condition that endangers others
- suspension from an educational program for more than five (5) school days where resolution has not been achieved by the parties
- transfer of a student from one school to another for disciplinary reasons
- suspension from an educational program where no other program is made available
- requirement to complete a program by distributed learning if there is space in the school or district as part of a disciplinary matter
- placement in an educational program (but not a specific class or course)
- grade promotion or graduation
- failure to provide or consult regarding a student's individual education plan under certain circumstances
- being the recipient of threats of violence, bullying, intimidation, harassment or acts of racism and/or hate by another student
- any other decision the board determines should be considered as an appeal

If the Board of Education in its absolute discretion, is concerned that a decision (or failure to make a decision) of an employee of the board may be significantly affecting the education, health or safety of a student, then the issue will be considered an appeal and dealt with under the terms of this Appeal Procedure.

Appeal Procedure

School Act Section 11 appeals are confidential. Appeals and decisions on appeals will be held in-camera. Information and documents about an appeal may only be disclosed in accordance



with the School Act, Freedom of Information and Protection of Privacy Act, and applicable board policy.

- 1. The board will initiate the Appeal Procedure in a timely manner and decide the appeal within 45 days of first receipt of the Notice of Appeal. The individual(s) and any employee(s) whose decision is being appealed will be notified of all meetings.
- 2. The board will consider the matter at one or more meetings based on written presentations and/or it may hear in person presentations.

The board may invite additional written submissions from the individual(s) making the appeal and any of the other participant(s) as deemed necessary. It may establish a committee to investigate the matter further and may call any witness or follow any other line of inquiry it feels appropriate.

No employee who was involved in making the decision being appealed or has investigated or mediated the issue will assist the board with its deliberations on the appeal.

No trustee will decide on an appeal unless they have attended all meetings called to consider or hear the appeal.

3. Where the board considers it desirable to receive in person submissions, the board will set a mutually convenient time, date, and place for this purpose and will invite the individual(s) making the appeal, and superintendent to present their evidence. If either the board or individual(s) making the appeal wishes to have legal representation or have an audio record of the hearing, they must notify the other party at least 7 days prior to the hearing date.

The secretary treasurer will provide all relevant district reports and supporting documents to the individual(s) making the appeal no later than 96 hours before the meeting. All documents that the individual(s) making the appeal intends to rely on must be provided to the Office of the Secretary Treasurer no later than 48 hours before the hearing date.

The unwillingness of one party to attend or present at a hearing will not negate the right of other parties to attend or present.

In person appeal hearings will be held as outlined in this Bylaw.

- 4. Where the board decides to consider written presentations only, all parties will be informed of the meeting date and asked to submit their documents with the same timeline as for an in person hearing. The secretary treasurer will assemble documents and assist the board.
- 5. The board may make any interim decision it considers necessary pending the final decision of the appeal.
- 6. The board will make a decision as soon as possible after all the information is gathered and will promptly notify the individual(s) making the appeal and the employee(s) involved of the board's decision.

As soon as possible thereafter, the board will approve a written communication to the



individual(s) making the appeal confirming the process followed, noting applicable policies, the evidence considered, and confirming the board's decision and the reasons for the decision.

Included in the communication to the individual(s) making the appeal will be notification of the right to appeal to the Ministry of Education and Child Care - Superintendent of Appeals under $\underline{\text{Section } 11.1 \text{ of the School Act}}$.

- 7. A board may make any decision that it considers appropriate in respect of the matter that is appealed under Section 11 of the School Act and, subject to Section 11.1 (1), the decision of the board is final.
- 8. If, after a Section 11.1 Appeal, the Superintendent of Appeals refers the matter back to the board for reconsideration, with or without direction, the board will begin the process of reconsideration as set out in this Bylaw (Appeal Procedure).

HEARING PROCESS FOR AN APPEAL

The agenda for an appeal hearing will be conducted by the Board Chairperson at an in-camera meeting and will be organized as follows:

- Introductions
- Confirmation of the purpose of the meeting and timelines
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- Response and summation by the superintendent
- Response and summation by the individual(s) making the appeal
- Participants are informed of the next steps, thanked and excused
- Trustees deliberate as a committee of the whole

All participants will be informed that each is expected to behave respectfully and that retaliation in any form will not be tolerated.

Each party invited to present evidence at the appeal hearing will be provided up to 20 minutes to do so, and up to an additional 10 minutes for summation.

At any time, the board may request further information from the individual(s) making the appeal or the superintendent and may adjourn in order that such information may be obtained.

If the board is satisfied with the information provided, a vote to uphold, deny, or alter the employee decision will be conducted. The secretary treasurer records the minutes of the appeal hearing.

Trustees in a committee of the whole contribute to notes to be used to prepare a letter to the individual(s) making the appeal.



Recess to another date. The chairperson notifies the individual(s) making the appeal of the decision and prepares, with the secretary treasurer, a draft letter to the individual(s) making the appeal.

Reconvene, vote on resolutions to accept or amend the letter to the individual(s) making the appeal.

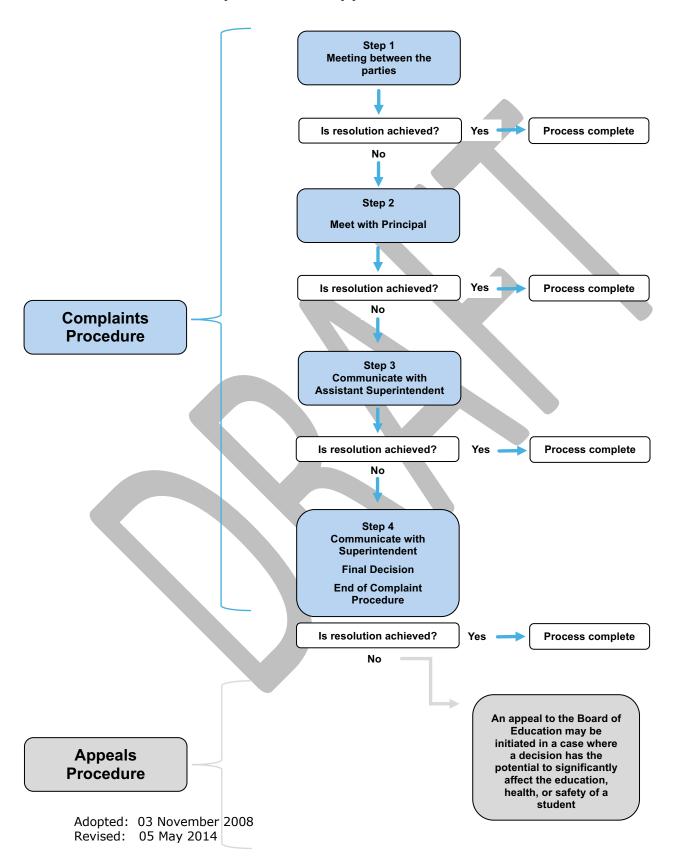
As soon as possible, the parties to the complaint will be issued written notification of the board's decision regarding the appeal.

Adjourn.





Complaints and Appeals Procedure Flowchart



	COMPLETED		
	Policy	Dates & Actions	
1	Policy 101: Goals and Objectives	Revised policy approved in May 2023	
2	Policy 201: Board Operations	Revised policy approved in June 2023	
3	Policy 311/311-R: Freedom of Information and Protection of Privacy	New policy approved in June 2023	
4	Policy 621/621-R: Financial Planning and Reporting and Policy 631-R: Accumulated Operating Surplus and Capital Reserves	Revised policy approved in June 2023	
5	Policy 402/402-R: Public Interest Disclosure Policy	New policy approved in December 2023	
6	Policy 701.2-R: Capital Project Design Review Process	Revised policy approved in March 2024	
7	Policy 200: Trustee Role, Responsibilities and Code of Ethics	Revised policy approved in May 2024	
8	Policy 204-R: Creation and Revision of Policy and Regulations	Revised policy approved in May 2024	
9	Policy 105: District Code of Conduct	Revised policy approved in June 2024	
10	Policy 203-R/203-G: Trustee Stipend and Expenses	Revised policy approved in October 2024	
11	Policy 400-R5: Smoking and Alcohol Consumption Policy 804.1-R: Community Use of District Facilities	Revised policies approved in October 2024	
12	Policy Refresh: Policy 101/101-R: Strategic Planning	Revised policies approved in December 2024	
13	Policy Refresh: Policy 103: Collaboration and Community Policy 103-R (A): Foundations for Learning Policy 103-R (B): Complaints and Appeals by Staff	Revised policies approved in February 2025	
14	Policy Refresh: Policy 105/105-R: District Code of Conduct	Revised policy approved in March 2025	

	IN PROGRESS		
	Policy	Dates & Actions	
1	Policy 102: Diversity and Inclusion Senior Staff Responsible: Christel Brautigam	 DEI Advisory Committee Policy Update (Dec 2022) Public report on revised policy checklist from DEI Advisory Committee; Revised policy checklist approved by Policy Committee (Jan 2023) Policy revision placed on hold to align with an anticipated Ministry DEI framework Public report on draft revised policy, with Recommendation to place into partner group review process from Dec 12, 2024 to Feb 28, 2025 (Dec 2024) Referred to Partner Group Review process from Dec 12, 2024 to Feb 28, 2025 Public report on draft revised policy incorporating partner group feedback, with Recommendation for Notice of Motion for approval at April board meeting (Apr 2025) 	
2	Policy 103 Bylaw: Complaints by Students, Parents & the Public Senior Staff Responsible: Rob Laing	 Verbal update from the Superintendent of Schools (Feb 2022) Initiate review of other school district complaints policies (Fall 2023) Consult with legal for guidance Anticipate initial IC Policy Committee discussion (Fall 2024) Public verbal update on policy revisions (Nov 2024) Public report on draft revised policy incorporating trustee feedback, with Recommendation to place into Partner Group review process from Jan 23, 2025 to Mar 23, 2025 (Jan 2025) Referred to Partner Group Review process from Jan 23, 2025 to Mar 23, 2025 Public report on draft revised policy incorporating partner group feedback, with Recommendation for Notice of Motion for approval at April board meeting (Apr 2025) 	

	ANTICIPATED		
	Policy	Dates & Actions	
1	Policy 105-R: District Code of Conduct: How we Learn and Work Together Personal Use of District Supplies, Equipment and Facilities Senior Staff Responsible: Cindy Wang	 Public report on draft revised policy (Feb 2021) Committee agreed that there would be more discussion and review around process for the revision to be brought back at a later date Policy revision placed on hold (Feb 2025) – for future consideration 	
2	Policy 502: Student Behaviour and Discipline Policy 502.1: Maintenance of Orderly Conduct Policy 502.2/502.2-R: Student Suspension or Exclusion from School Policy 502.3/502.3-R: Student Possession of Weapons Senior Staff Responsible:	 Update provided by Deputy Superintendent. Policies and regulations will be updated in with District Code of Conduct and brought back to the Committee for further review and feedback (Jan 2021) Anticipate submission of revised policy to public meeting in 2025 	
3	Braunwyn Thompson Policy 522/522-R: Transportation Senior Staff Responsible:	Anticipate submission of revised policy to public meeting in 2025	
4	Cindy Wang/Christel Brautigam Policy 701.11/701.11-R: Naming and Renaming of Board Owned Facilities or Parts of Board Owned Facilities Policy 701.12/701.12-G: Official School Openings Senior Staff Responsible: Christopher Usih	 Update for information from the Deputy Superintendent (Mar 2022) Policy revision and development placed on hold to allow for the Anti-Racism Working Group Report to the Board Policy 102 will be reviewed/refreshed to inform and ensure alignment with a redrafted Policy 701.11/701.11-R 	

	ANTICIPATED		
	Policy		Dates & Actions
5	PHASE 3 - Policy Section 700: Facilities Policy 703.1 - Accident Prevention and Safety Procedure	•	Policy revision <u>placed on hold</u> (Feb 2025) – for future consideration
	Policy 703.2 - First Aid and Accident Reports		
	Policy 703.5 and Regulation 703.5-R - Health and Safety		
	Policy 703.6 and Regulation 703.6-R - Protection of Employees from Violence in the Workplace		
	Policy 705 and Regulation 705-R - Telephones		
	Policy 706 - Smoke Free Environments		
	Policy 703.7 and Regulation 703.7-R - Closure of Schools Due to Emergent Conditions		
	Policy 707 and Regulation 707-R - Post Disaster Procedures		
	Policy 708 and Regulation 708-R - Video Surveillance		
	Senior Staff Responsible: Cindy Wang		