

**Ministry of Education**

Minister

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Queen's Park  
Toronto ON M7A 1L2

**Ministère de l'Éducation**

Ministre

Édifice Mowat  
Queen's Park  
Toronto ON M7A 1L2



April 11, 2017

York Region District School Board  
60 Wellington Street West  
Aurora, Ontario L4G 3H2

Dear Trustees of the York Region District School Board,

As you know, the government's focus on improving student achievement, ensuring equity, promoting well-being, and enhancing public confidence in publicly funded education is paramount and critical to the success of our education system and to the province as a whole.

On January 26, 2017, I appointed Suzanne Herbert and Patrick Case to conduct an urgent review of the performance of the York Region District School Board (the "board") under the authority of the Provincial Interest in Education Regulation. They were asked to report to me with their observations and recommendations regarding governance and equity concerns at the board which have had an increasingly detrimental impact on public confidence in the board.

I have now reviewed and considered the Reviewers' Report. Their observations are profoundly troubling to me, particularly those which describe feelings of alienation, marginalization, and discrimination expressed by a large number of individuals and groups in the board's communities, including students, parents, and staff.

The Reviewers' recommendations point to serious and deep-seated performance issues at the York Region District School Board. Dedicated and persistent effort by the Board of Trustees (the "Board"), the Director of Education and senior administration will be necessary if they are to fulfill their legislated responsibilities, demonstrate ethical leadership to re-build the board's governance, and regain the public's confidence. It is my sincere hope that the trustees, individually and collectively, will do everything within their means to uphold their responsibilities as locally-elected representatives of the public.

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The Reviewers have provided a large number of recommendations to support the Board's return to accountable and transparent governance, ensuring equity for all students, and to regain public trust. Having considered the material deficiencies identified in the report, I am issuing directions to the Board, pursuant to my authority under the Provincial Interest in Education Regulation.

The first of my directions is to ensure support for students and staff who have felt the impacts of the equity issues in the board, particularly racism and other forms of discrimination, whether systemic or unique. This is my top priority.

All directions and deliverables are to be completed to my satisfaction. I may provide further directions in the coming weeks and will notify the Board as appropriate. My full list of directions, with associated timelines and deliverables, is attached. It is up to the Board to ensure that the school board complies with all directions, as applicable. If, at any time, I have concerns that an act or omission of the Board contravenes, or might result in the contravention of these directions, I may exercise my authority to direct an investigation of the board under section 230 of the Education Act.

As elected officials, you represent your constituencies and I support you in your efforts to fulfill your duties in elected office. My hope is that, through these directions, the process of rebuilding public confidence in the board will begin.

I wish to draw your attention to my directions that have immediate or short-term deliverables. Many of these directions relate to work which I understand to be well underway as per your letter of January 13, 2017. Based on these directions, the Board will:

- Immediately suspend all international travel by Board members, the Director of Education, and senior administration (direction 5);
- Within 24 hours, encourage all staff to make use of the board's Employee Assistance Program (EAP), as required, and immediately notify its EAP provider of such; by April 28, submit a report from the EAP provider reflecting the uptake of the services; by May 9, submit a plan that outlines long-term student and staff support and recovery strategies that will be put in place (direction 1);
- By April 28, submit a plan for governance and equity training for all members of the Board (direction 2) and for specified governance training for the Director of Education and senior administration (direction 3);
- By April 28, submit a plan for re-building trust and re-engaging with communities in the board (direction 4);

- By May 9, establish a policy and process for receiving and investigating complaints of racism or any other prohibited ground of discrimination at the board and schools by staff, students and parents (direction 6);
- By May 9, establish the position of a senior administrator responsible for equity (direction 7);
- By May 9, submit a progress report on retaining an independent consultant to support the establishment of the Office of Integrity Commissioner (direction 8); and
- No later than May 31, not precluding any additional actions taken by the Board as deemed appropriate, submit a completed 360 performance appraisal of the Director of Education conducted by an external human resources professional (direction 9).

If you have any questions or require clarification on any of these directions, please contact Bruce Rodrigues, Deputy Minister of Education and Deputy Minister Responsible for Early Years and Child Care, at 416-325-2600 or at [Bruce.Rodrigues@ontario.ca](mailto:Bruce.Rodrigues@ontario.ca).

I look forward to receiving your timely response to my directions issued in this letter.

Sincerely,



Mitzie Hunter, MBA  
Minister

- c. Bruce Rodrigues, Deputy Minister  
J. Philip Parappally, Director of Education

## Minister's Directions to the York Region District School Board

Direction	Timing and Deliverable
<p>1. That the Board improve support and recovery strategies for students and staff who have felt the impacts of the equity issues in the board, particularly racism and other forms of discrimination, whether systemic or unique. As an immediate measure the Board will:</p> <ul style="list-style-type: none"> <li>a. encourage all staff, including those on a leave of absence, to make use of the Employee Assistance Program, as required, and immediately notify its EAP provider of such; and</li> <li>b. ensure the EAP provider makes available counsellors with expertise in counselling those who have experienced racism and other forms of discrimination.</li> </ul>	<p>In 24 hours: Submit confirmation of initial steps taken and notification of EAP provider.</p> <p>By April 28: Submit report from EAP provider that provides data reflecting the uptake of the services since the public release of the report.</p> <p>By May 9: Submit a plan that outlines long-term student and staff support and recovery strategies that will be put in place.</p>
<p>2. That the Board collectively and urgently undertake meaningful training in relation to their responsibilities as governors, including human rights and equity training. This training is to be provided by a party external to the school board.</p> <p>Further, that the Board provide a plan to implement this direction which includes the dates, specific topics and names of the external training provider(s), and that provides for learning to acquire a full understanding of the individual and collective responsibilities of the Board, and of effective practices to fulfill those responsibilities.</p> <p>That the submitted plan contain a commitment on the part of each member of the Board to complete the training as confirmed by each Board member's signature to the plan.</p>	<p>By April 28: Submit plan.</p> <p>3 months: Submit report confirming completion of training.</p>
<p>3. That the Board ensure that the Director and senior administration undertake</p>	<p>By April 28: Submit plan.</p> <p>3 months: Submit report</p>

Direction	Timing and Deliverable
governance training to better understand and fulfil their responsibility to provide elected leadership with pertinent information in accordance with relevant legislation.	confirming completion of training.
4. That the Board immediately develop a strategic and intentional plan to re-build trust with communities in the board, and that the plan include re-engagement on the part of the Board.	By April 28: Submit plan.
<p>5. That the Board immediately suspend international travel for the Board, the Director of Education and senior administration, and that the Board revise its “jurisdictional learning” policy to include the following:</p> <ul style="list-style-type: none"> <li>a. all proposals for jurisdictional travel for the Board, the Director of Education and senior administration be discussed at a public Board meeting as part of a regular, standing agenda item;</li> <li>b. the purpose for the travel be clearly linked to the school board’s priorities as articulated in the multi-year strategic plan and/or the Board Improvement Plan for Student Achievement (BIPSA);</li> <li>c. clear accountability for decision-making and approvals; and</li> <li>d. any costs associated with the travel be reimbursed only after a report on the trip is posted on the school board’s public website and presented at a public Board meeting.</li> </ul>	<p>Immediately: Submit confirmation that international travel has been suspended.</p> <p>6 months: Submit revised Board-approved policy.</p>
6. That the Board establish a robust Human Rights Office, properly staffed and resourced, that is responsible for human rights compliance, and processes and procedures to receive and respond to/investigate complaints of harassment and discrimination reported by staff, students and parents. The Human	<p>By May 9: Submit report on the process established to receive and respond to/investigate complaints.</p> <p>2 months: Submit plan for the implementation of this</p>

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<p>Rights Office will, on a permanent basis, report directly to the Director of Education. Further:</p> <ul style="list-style-type: none"> <li>a. The office staff must include a director who has demonstrated expertise in human rights law and practice, with responsibility for developing and overseeing a new human rights and workplace harassment complaints policy and procedure.</li> <li>b. The office will take the lead in developing and implementing the board's employment equity strategies.</li> <li>c. The office will review staffing in French immersion schools.</li> <li>d. The office will report their data regarding complaints made to their office and progress on the employment equity plan to support the Board's equity related advisory committees.</li> <li>e. The office will take the lead on board compliance with the provisions of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and mandatory training for staff on the AODA and for institutional responsibilities arising from the Ontario government's strategies to end sexual violence and harassment.</li> <li>f. The office will undertake an audit of the board's compliance with the AODA and provide mandatory training for all staff on AODA.</li> <li>g. The Board must immediately establish a process for receiving and investigating complaints of racism or any other prohibited ground(s) of discrimination that reassures the</li> </ul>	<p>direction.</p> <p>6 months: Submit report reflecting completion of all elements of this direction.</p>

Direction	Timing and Deliverable
Minister that it addresses the concerns identified in the Report.	
<p>7. That, separate and distinct from the Human Rights Office, the Board establish a senior administration position that includes the following responsibilities and reporting structures, and that the Board approve the equity plan described in (a) below:</p> <ul style="list-style-type: none"> <li>a. the development, coordination, implementation, and maintenance of an equity audit and equity plan that supports the board’s plan for student achievement and well-being, such plan to include strategic and ongoing professional development, including mandatory training on equity, human rights, and anti-oppression for all staff in the board;</li> <li>b. provide leadership and direction for policies and practices which support educational achievement for students who face barriers to school success;</li> <li>c. support the Board’s equity related advisory committees by ensuring that data and other resources are provided to support their deliberations;</li> <li>d. supervise a team of Teacher Liaisons who provide support for equity and inclusiveness in schools;</li> <li>e. provide support for school leaders;</li> <li>f. coordinate the Every Student Counts survey;</li> <li>g. consult with the senior administration to determine their equity learning needs and be responsible for the practice of equity as it relates to the board’s instructional priorities;</li> </ul>	<p>By May 9: Submit report confirming the senior administration position responsible for equity has been established.</p> <p>6 months: Submit equity plan.</p>

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<ul style="list-style-type: none"> <li>h. liaise, connect and engage with diverse communities of the board; and</li> <li>i. report directly to the Director of Education.</li> </ul>	
<p>8. That the Board immediately establish an office of an Integrity Commissioner and retain an independent consultant to support such establishment. The mandate of the office will be as follows:</p> <ul style="list-style-type: none"> <li>a. establish a credible Code of Conduct that includes not just a complaint process but that is anchored in good governance, ethical and equity principles;</li> <li>b. address complaints by trustees against one another, under the Code of Conduct;</li> <li>c. address complaints by the public against trustees;</li> <li>d. provide confidential advice to trustees on ethical matters whether arising with the board or with their dealings in the community;</li> <li>e. embed learning and training about ethics into trustee orientation and continuing education.</li> </ul>	<p>By May 9: Submit a progress report on retaining a consultant.</p> <p>2 months: Submit report confirming that a consultant has been retained.</p> <p>4 months: Submit report confirming that an Integrity Commissioner has been appointed.</p>
<p>9. That the Board immediately undertake a robust, transparent appraisal to assess the Director's performance that involves a 360 assessment conducted by an external human resources management professional. The 360 is to include confidential feedback, at minimum, from each member of the senior leadership team, each trustee, chairs of the board's EIAC, SEAC, and PEAC, and representatives of the employee unions,</p>	<p>No later than May 31: Submit a copy of the completed performance appraisal to the Minister.</p>



Direction	Timing and Deliverable
<p>federations, and associations.</p> <p>Consistent with good governance practice, the results of this performance appraisal should inform the Board’s decision-making on whether the Director has met his legislated and contractual duties, and what further steps, if any, should follow including with respect to the Director’s contract of employment.</p> <p>This direction does not preclude the Board of Trustees taking other actions as considered appropriate.</p>	
<p>10. That the Board re-establish a work plan for the Every Student Counts survey, consulting with the Ministry.</p>	<p>2 months: Submit work plan. By end of 2017-18 school year: Submit report confirming that the survey has been completed.</p>
<p>11. That the Board, the Director, and senior administration undertake comprehensive training on data collection in the context of upholding and furthering human rights, and that such training be provided by an appropriately qualified external organization, and that periodically, over the course of three years, the Ontario Human Rights Commission be asked to monitor the progress of data collection and its use to further equity within the board.</p>	<p>2 months: Submit plan. 6 months: Submit report confirming that training has been completed.</p>
<p>12. That the Board ensure that human rights compliance training be provided for the Director, senior administration, all principals, and all staff that have the responsibility for overseeing complaint processes and those who, in the course of their work, engage with such processes.</p>	<p>2 months: Submit plan. 10 months: Submit report confirming that training has been completed.</p>
<p>13. That the Board develop a policy and practice which supports the development of inclusive and respectful relationships between the Board and advisory committees to</p>	<p>3 months: Submit progress report. 6 months: Submit Board-approved policy, and</p>

Direction	Timing and Deliverable
facilitate meaningful input into board matters.	supporting practice.
14. That the Board allocate appropriate resources and ensure that the Director develops a coherent and strategic leadership plan that supports transparent and equitable processes for staff development, promotion, and placements.	3 months: Submit plan.
15. That the Board actively promote positive and inclusive space for all staff and students regardless of race, nationality or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor.	3 months: Submit plan. 6 months: Submit report on the actions taken by the board to implement this direction and on the outcomes to date.
16. That the Board create a policy for the recruitment and appraisal of the Director of Education position using an advisory committee composed of Board and non-Board members, including staff, members of board advisory committees and members of the broader community.	6 months: Submit Board-approved policy.
17. That the Board review the role of its Board and Trustee Services department and ensure that it is staffed with a staff member who has the necessary experience and be given the needed independence to ensure the office functions effectively.	6 months: Complete staffing of the department. Submit organizational chart.
18. That the Board and Director create a tool to monitor the performance of the board that reflects the progress in implementing the strategic plan and meeting the Board of Trustees' legislated responsibilities.	6 months: Submit copy of reporting mechanism.
19. That the Board undertake regular self-assessments through a process that includes Board members and the community, and is in keeping with effective governance practices.	6 months: Submit Board-approved plan.
20. That the Board ensure the resumption of	6 months: Submit report

Direction	Timing and Deliverable
<p>performance appraisals for its supervisory officers, and ensure that equity is a mandatory part of the performance appraisal, both for performance and professional learning goals.</p>	<p>providing the professional learning goals, performance goals, and performance measures for all supervisory officer positions.</p>
<p>21. That the Board re-examine and revise its BIPSA so that it aligns with the Ministry focus on the well-being of every student, especially those who are most vulnerable, including Indigenous students, racialized students, children and youth in care, and students with special education needs.</p> <p>That data from the Every Student Counts survey and other sources of demographic data be used to inform the board’s understanding and its strategies in relation to student well-being.</p> <p>That the board undertake a review of EQAO data in the context of the survey results and other data and establish clear and measurable equity goals in the BIPSA to identify, remove, and prevent systemic barriers.</p>	<p>10 months: Submit revised BIPSA.</p>
<p>22. That the board develop a comprehensive employment equity plan and, in close collaboration with its employee groups, conduct an employment equity survey and an employment systems review including, but not limited to, an examination of hiring, promotion and retention of equity seeking groups in all employment categories and programs. This review will include the identification and a plan to prevent and remove barriers to inclusion for racialized people, women, persons with disabilities, people who identify as LGBTQ, and Indigenous people.</p>	<p>12 months: Submit report on the implementation of this direction.</p>