

Review of the Peel District School Board

Reviewers Ena Chadha, Suzanne Herbert, and Shawn Richard

February 28, 2020

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The Honourable Stephen Lecce
Minister of Education
438 University Ave, 5th Floor
Toronto, Ontario
M7A 1N3

Dear Minister Lecce:

Re: A Review of the Peel District School Board

We have completed our Review of the Peel District School Board (PDSB) in accordance with the Terms of Reference you provided. At this time, we are submitting our joint report outlining our observations and recommendations with respect to systemic discrimination, specifically anti-Black racism; human resources practices; board leadership; and governance issues.

We appreciate the opportunity to conduct the Review and to hear the many voices and perspectives within the PDSB community.

The report represents our best efforts, informed by what we heard, learned and know through evidence-informed research and practice, to provide you with recommendations to address the serious matters within our mandate. It is our hope that the PDSB, with the support of the Ministry, can move forward and establish strong accountability measures and responsibilities, restore good governance, and model equity-focused leadership at all levels of the organization with specific focus on eradicating anti-Black racism and inequities throughout the PDSB.

We would like to express our particular gratitude to Assistant Deputy Minister Patrick Case, the Education Equity Secretariat and the dedicated Review support team for their guidance, leadership and support throughout this whole process.

Respectfully submitted,



Ena Chadha
PDSB Reviewer



Suzanne Herbert
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Shawn Richard
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I. Introduction

On November 7, 2019 the Minister of Education, the Honourable Stephen Lecce, announced a review of the Peel District School Board (PDSB) following a request from the former Chair and Vice-Chair of the Board of Trustees for assistance and intervention (the “Review”).¹ At the time, the PDSB was publicly dealing with issues of anti-Black racism, discord in senior leadership, and governance issues.

We were asked to provide observations and recommendations on the level of cooperation amongst the trustees, and between the Board of Trustees and the Director of Education and his office. We were also mandated to provide observations on the performance of the Board of Trustees, the Director of Education, and senior administration with respect to their duties under the *Education Act*, other legislation, policies, guidelines, directives and regulations. Finally, we were required to review the performance of the PDSB in dealing with allegations of systemic discrimination, specifically anti-Black racism; human resources practices; Board leadership; and governance issues.

Throughout this Review, we sought to understand the complex and compounding dynamics at play within the PDSB. This Report provides observations and offers recommendations that will better position the PDSB to strengthen its governance and leadership practices to ensure that the organization remains steadfastly focused on ensuring that all PDSB students can realize their full potential in classrooms and schools where they are supported, respected, valued, and welcomed. We recommend changes to practices and organizational structures to better enable the PDSB to ensure that educators, principals, and senior leadership work in diverse, inclusive, and respectful workplaces that uphold and advance principles of equity and human rights. Indeed, the recommendations we offer may be instructional to other school boards across the province.

Methodology

Public participation in the Review was strong and overwhelmingly positive, despite some criticism at the outset regarding the initial composition of the Review team. We received over 450 requests for interviews and reviewed more than 160 written submissions and telephone submissions. From December 2019 to early February 2020, we conducted 115 interviews and held four community and student engagement sessions. We heard from more than 300 individuals in various locations in Peel and Toronto during those interviews and engagement sessions. We interviewed all trustees and all members of the Board’s senior administration, as well as students, parents, teachers, principals, and staff at all levels of the PDSB. We met with many members of the broader PDSB community representing a diversity of perspectives. We are grateful for the participation of all of these individuals and acknowledge that for many, the experiences they shared were painful and difficult. We appreciate the generosity and courage it took to share those experiences with us.

Some individuals approached us in the hope that we could address their individual circumstances. However, we have been clear throughout the Review that we were listening

¹ In this Report, we use the terminology of “PDSB” and “Board” to reference the school board organizational entity, and “Board of Trustees” to reference the trustees’ governance body.

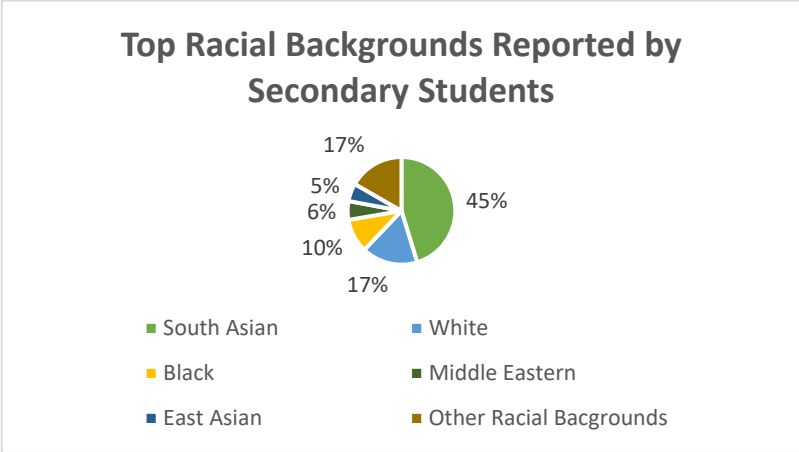
to personal experiences in order to identify themes and narratives that signaled systemic issues. In many cases, we heard strong parallels between individual accounts that have enabled us to better understand collective experiences and broader systemic issues. We believe that the issues we have been asked to examine are in fact systemic issues, and for the PDSB to move forward, policies and practices that create and perpetuate inequalities and reproduce disparities need to be exposed, challenged, and dismantled.

We received a significant amount of documentation from the PDSB and we reviewed demographic information, legislation, regulations, policies, and guidelines. Our Report is informed by research on human rights, ethical leadership, and education governance. We also relied on academic research on racism, cognitive bias, and the social determinants of health and well-being.

We offer our observations and recommendations under the themes of *Equity, Human Rights and Anti-Black Racism; Governance and Leadership; and Human Resources and Organizational Alignment*, noting that many of the issues we address intersect and overlap. We have endeavored to provide recommendations that have measurable impacts, are student-centered, equity-focused, evidenced-based, and will improve outcomes for all students. It is our hope these recommendations will provide voice, support, and a way forward for all students, staff, trustees, families, and members of the PDSB community.

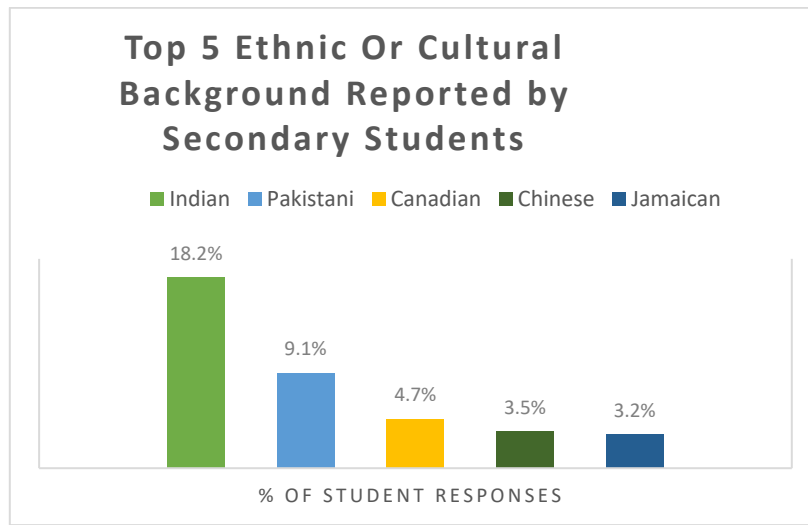
II. Equity, Human Rights and Anti-Black Racism

The diversity of the PDSB community is truly one of its greatest assets. Across 257 schools in Brampton, Mississauga, and Caledon, the PDSB’s 155,000 students represent a rich array of racial, ethnic, linguistic and religious backgrounds and sexual orientations. According to recent PDSB student census data, approximately 83% percent of PDSB secondary school students are racialized,² and more than 6.5% of secondary school students self-identify with multiple racial backgrounds. Secondary students identify with more than 160 ethnic and cultural backgrounds, and 110 languages are spoken in the homes of secondary students. Just under 10% of secondary students self-identify as 2SLGBTQ+.

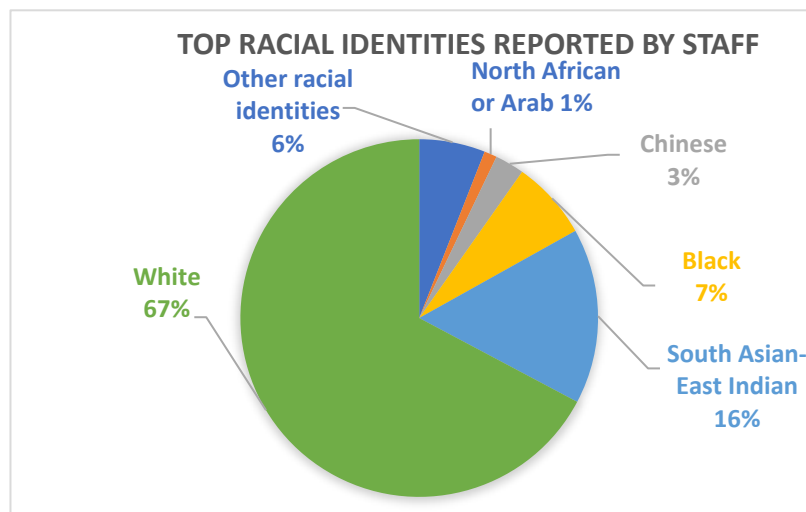


² Peel District School Board. (2019). *Student census 2018: Secondary school report (grades 9 to 12)*. Mississauga, Ontario: Peel District School Board.

Data Source: Peel District School Board. (2019). *Student census 2018: Secondary school report (grades 9 to 12)*. Mississauga, Ontario: Peel District School Board.



Data Source: Peel District School Board. (2019). *Student census 2018: Secondary school report (grades 9 to 12)*. Mississauga, Ontario: Peel District School Board.



Data source: Peel District School Board (2017). *Count Me in Peel! 2016 workforce census*. Mississauga, Ontario: Peel District School Board.

The above graphs bring into sharp focus the absence of demographic diversity amongst school staff and overrepresentation of White teachers at the PDSB, a significant problem that manifests across various school boards in the province.³ The 2016 PDSB employee census data indicates that approximately 25% of PDSB staff are racialized, which is almost the opposite of the demographics of the student body.

³ Abawi, Z. E. (2018). *Troubling the teacher diversity gap: the perpetuation of whiteness through practices of bias free hiring in Ontario school boards* (Doctoral dissertation, University of Toronto (Canada)). Retrieved from: https://tspace.library.utoronto.ca/bitstream/1807/82960/3/Abawi_Zuhra_E_201803_Edd_thesis.pdf.

International research has found that effective school boards treat diversity as a source of potential growth, rather than an inherent hindrance to student performance.⁴ A district-wide commitment to a culture of equity, student well-being and achievement is essential for realizing success. Throughout the Review, we learned of many promising and successful initiatives underway in the PDSB that leverage diversity to enrich student achievement and enhance educational experiences. We heard sincere passion, dedication and commitment to equity work from students, staff at various levels of the organization, and community leaders.

Indeed, the PDSB has a good number of staff in classrooms, schools, and at the Board office who have substantial expertise, credentials and lived experience to successfully leverage and promote diversity and drive meaningful equity initiatives forward in the Board. We particularly note the student-led advocacy groups, Science Technology Engineering and Math (STEM) pilot projects, Culturally Responsive and Relevant Pedagogy (CRRP) initiatives, restorative justice practices, suspensions alternatives, and parent and community advocacy in We Rise Together (WRT) pilot schools.

The terms of reference required us to review allegations of systemic racism and, specifically, anti-Black racism. For much of the Review, our focus was on anti-Black racism. Although we have made recommendations on equity and human rights that affect all communities in the PDSB, the only recommendations that we have made targeting the issues of a particular community are recommendations affecting the Black communities. However, we would be remiss if we failed to alert the Minister and the PDSB that we heard real concern and apprehension about the following issues that affect PDSB's other equity-identifying communities:

- We heard concerns about factional violence amongst South Asian communities and, in particular, in relation to male youths of the north Brampton Punjabi community. Students from this community reported that teachers and administrators either ignored or were indifferent to the violence, seeming to think it was characteristic of that ethnic group. We also heard concerns expressed about how this youth violence is exacerbated by the use of drugs and alcohol amongst South Asian students, who make up 45.3% of the PDSB secondary student community. We heard from members of the community, including PDSB educators and leadership, that the Board is unresponsive to the escalating problem of alcohol and drug abuse within the South Asian student community, which was described to us as an urgent issue. Punjabi parents are gravely concerned about their children's safety and want and need the PDSB to intervene to curtail youth violence and substance abuse in schools.
- We heard concerns about Islamophobia and were provided with French curriculum materials that were clearly Islamophobic, conveyed blatant hostility to the Muslim community and an ignorance of the basic tenants of Islam. Muslim students, who account for 22.4% of the PDSB secondary student community and are the largest

⁴ Organisation for Economic Co-operation and Development. (2010). *Educating Teachers for Diversity: Meeting the Challenge*. Paris, France: OECD.; and DeLuz, David. (2019). "Education Governance and the Importance of Equity-Centered Leadership". Web blog post. *CSBA blog*. California School Boards Association, 3 September 2019. Retrieved from: <http://blog.csba.org/equity-leadership/>.

religious group within the PDSB community, have been the targets of Islamophobia. Citing conflict referable to prayers in PDSB schools and the presence of White supremacists at a meeting of the Board of Trustees, we heard from students, families and educators of the real need for an Islamic Coordinator to support Muslim students.

- We heard concerns about anti-Semitic language and displays in the PDSB.
- We heard concerns about high suicide rates amongst 2SLGBTQ+ students, who make up approximately 9.3% of the PDSB secondary student community. We asked for Board data available on suicide rates of its 2SLGBTQ+ students, but the PDSB advised that they do not collect such data. We heard of homophobic comments, for example “Gayfield” for Mayfield, in reference to the perceived sexual orientation of students who attend this regional arts secondary school.
- We heard concerns from Indigenous members of the PDSB community. We heard concerns that the number of Indigenous students in the PDSB is underreported because of the stigma associated with self-identifying as being Indigenous. Less than 1% of PDSB secondary students self-identify as First nations, Métis, Inuit or other Indigenous identities. We heard from an Indigenous student who reported that teachers outright denied that he was Indigenous because the student “passed” for White. We heard about the need to contextualize certain art in PDSB schools to prevent stereotyping and undermining Indigenous peoples and their histories. We also heard that Indigenous materials were not part of the core curriculum at the PDSB and that the PDSB had a long way to go to meet its obligations pursuant to the Calls for Action of the Truth and Reconciliation Commission. We were disheartened to learn that, despite their small numbers, Indigenous students are overrepresented in suspensions in the PDSB. The ratio of suspensions for First Nations secondary students at the PDSB is 3.6—that is, 3.6 times their representation in the PDSB. Students in grades 9 and 10 are also overrepresented in applied and locally developed credit course pathways. The ratio of their overrepresentation is 2.1 and 2.5, respectively.
- Data released to us by the PDSB raised some disturbing trends. Latin American students are grossly underrepresented in regional choice learning programs. Latin American students in grades 9 and 10 are also overrepresented in applied and locally developed credit course pathways. The ratio of their overrepresentation is 2.0 and 1.4, respectively.

The above are issues that members of the PDSB community raised. Given the time constraints of our Review, we were unable to examine these concerns with the depth and rigor they should receive. As such, we are bringing these issues to the attention of the Board.

We were asked to review issues of anti-Black racism in the PDSB. To their credit, the Board of Trustees and the senior administration of the PDSB, nearly without exception, acknowledged the existence of anti-Black racism in the PDSB. Some of the leadership believe the Board’s current issues with anti-Black racism began with the “McCrimmon” comments, which were further exacerbated by the report of the Integrity Commissioner. We

do not understand her critical comments referable to Trustee Kathy McDonald, who did not bring the claim before the Commissioner. They were, in our view, unnecessary, unhelpful and divisive.

People, especially elected officials of the Board, should be held to high standards. The staff, students, and families of McCrimmon Middle School and the Black communities of the PDSB deserve and are expecting an apology to address the hurt and harm that this incident has caused.

The McCrimmon issue is a dramatic focal point for the long-held belief in the district's Black communities that the PDSB has failed to address their concerns about anti-Black racism. Although the McCrimmon issue engendered much turmoil, it was not the genesis of the community's upset. Concerns of anti-Black racism have caused distress within the PDSB community for a number of years.

In Canada, anti-Black racism must be placed in its historical context of slavery and discrimination, including segregation, against Canada's Black communities, which has resulted in what some have described as a 'school to prison pipeline'. Myriad of research has confirmed the ongoing challenges experienced by Black Canadians, and although, again, to their credit, the trustees and senior administrators of the PDSB now acknowledge the existence of anti-Black racism, they seemed paralyzed by inaction to effect meaningful change in the lives of Black students. There appeared to be a consistent failure to recognize that Black children are their children too. Astonishingly, there has been a historical, collective absence of a call to action to stop the harmful effects of anti-Black racism and to take responsibility for the poor outcomes of too many of our Black children.

Anti-Black Racism

The PDSB has named a school after Stephen Lewis. As Stephen Lewis noted in his *Report on Race Relations in Ontario*, "there was a weary and bitter sense that I was engaged and they were engaged in yet another reporting charade. It was truly depressing".⁵ That was nearly thirty years ago. We heard similar sentiments.

We would be hard pressed to distinguish decades-old complaints about the scarcity of racialized teachers⁶ or the absence of racialized narratives in curriculum⁷, in Lewis' report (or those in the *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System*⁸, released December 1995) from the concerns we heard reverberating in this Review.

For example, Lewis recorded that "[it] is Black students who are being inappropriately streamed in schools, it is Black kids who are disproportionately dropping-out".⁹ Specifically speaking about a Peel student's experiences, Lewis described:

⁵ Lewis, Stephen. (1992). *Report on Race Relations in Ontario*. 9 June 1992, Toronto. Page 3.

⁶ Lewis (1992), Page 22.

⁷ Lewis (1992), Page 24.

⁸ Gittens, M., & Cole, D. P. (1995). *Report of the commission on systemic racism in the Ontario criminal justice system*. Commission on Systemic Racism in the Ontario Criminal Justice System.

⁹ Lewis (1992), Pages 2-3.

I further recall an animated young woman from a high school in Peel, who described her school as overwhelmingly multicultural, and then added that she and her fellow students had White teachers, White counsellors, a White principal, and were taught black history by a White teacher who didn't like them.¹⁰

The only difference between now and thirty years ago is that we, and the PDSB, have access to data supporting the concerns and illustrating the crisis of anti-Black racism within the Board.

Anti-Black Racism—Student Discipline

We heard, nearly without exception, the belief that Black students are grossly overrepresented in suspensions. One staff member astutely observed, “you don't need data; you just need to see who is being sent to the principal's office”. We heard complaints from members of the PDSB, Black and non-Black, that teachers and principals are not implementing progressive discipline, that teachers and principals escalate trivial issues unnecessarily, that they are involving the police for minor issues leading to arrests and stigmatization of Black children at a very young age, and that Black children are leaving the PDSB because it is not safe for them.

We were extremely concerned to hear of many incidents of police intervention in schools. A number of people recounted a particular incident involving a police officer who, present in the school for other reasons and on his own accord, intervened in a situation and handcuffed a young Black elementary student. It need not be said that the result was nothing short of traumatizing for the young student and their family. Unfortunately, this incident is not isolated. Contemporaneous with this Review, the Human Rights Tribunal of Ontario rendered a decision about a grade 1 PDSB student who was handcuffed by the police after the school called 911 because the school was unable to deescalate the student's behaviour. The Tribunal found discrimination occurred and that “the [child's] race was a factor in her treatment by the [police]...when she was placed on her stomach and her wrists handcuffed behind her”.¹¹

We heard of many incidents involving police in schools (solicited and unsolicited) over the course of the Review in which Black students were arrested, and sometimes charged, and too often neither students nor parents were properly informed by the Board of their rights in relation to the suspension and return-to-school process. This signals to us that the protocols set out to guide communication and interactions with police in schools are not working and there needs to be greater accountability for school administrators to inform and consult with parents when implementing progressive discipline that may trigger police intervention. This also suggests that school administrators need greater familiarity with de-escalation and restorative techniques to reduce recourse to police involvement.

We heard from Black students, parents and members of the PDSB that some teachers use any excuse to exclude Black students from the classroom and some principals use any excuse to suspend Black students from schools: “hoodie—suspension, hoop earrings—

¹⁰ Lewis (1992), Page 21.

¹¹ *JKB v. Peel (Police Services Board)* 2020 HRTO 172 (February 24, 2020). This case was bifurcated and, as such, a hearing with respect to remedies (compensation and public interest issues) is pending scheduling.

suspension, doo rag—suspension”. We also heard that unlike suspensions and expulsions, exclusions from classrooms are not recorded and parents are not notified. One vice-principal noted that children spend days staring at a white wall not learning and parents never know about this *de facto* form of suspension. Black students described an arbitrary disciplinary system that sought them out. Repeatedly we heard about Black students being suspended from school, some as early as junior kindergarten. In response, we requested suspension data disaggregated not only by race, but also by grade. What we learned is alarming.

The data is clear: the PDSB is suspending Black secondary schools students at a ratio of 2.2.¹² That is, Black students are only 10.2% of the secondary school population, but approximately 22.5% of students receiving suspensions. The PDSB was not able to provide suspension data disaggregated by race for elementary students. PDSB suspension data, disaggregated either by race or grade, support concerns that the suspension system is arbitrary. Suspensions in the PDSB are classified by incident type (i.e., underlying reason or cause justifying the student’s suspension):

E01 – Possess Weapon	S01 – Utter Threat
E02 – Threaten Bodily Harm	S02 – Possess Alcohol/Drugs
E03 – Physical Assault	S03 – Influence of Alcohol
E04 – Sexual Assault	S04 – Swearing
E05 – Trafficking	S05 – Vandalism
E06 – Robbery	S10 – Influence of Cannabis
E07 – Alcohol to Minor	S11 – Possessing Alcohol/Drugs (excluding Cannabis)
E09 – Bullying – Previous Suspension/Risk to Others	OTH – Other
E10 – 306(1) Motivated by Prejudice/Bias/Hate	

The above E01-S11 reasons for suspensions come readily to mind when anticipating why students are suspended and appear to cover the field. As a result, we asked the PDSB to clarify why some suspensions are classified as “OTH”, meaning “other”. The PDSB advised that these are incidents that, in the judgment of the school administration, do not fit within the parameters of the Ministry of Education’s definitions for the other incident codes.

Based on our review of the data, approximately 78% of the PDSB’s secondary school suspensions did not fit the parameters of the Ministry of Education’s definitions for other incident codes between 2013 and 2019. Approximately 40% of the PDSB’s suspensions of elementary students did not fit within the parameters of the Ministry of Education’s definitions for other incident codes between 2013 and 2019. This is a worrisome trend indicating the PDSB needs to undertake an examination, and provide the community with greater elucidation, of the reasons and criteria that trigger the discretionary use of “other” suspensions.

¹² The PDSB provided us with data emanating from the 2018 secondary student census to quantify the representation of racial background groups in: Programs, Suspensions and, Pathways in relation to the expected representation based on the proportion in the PDSB secondary student population. With respect to suspensions, Black secondary school students (grades 9 to 12) received 2.2 times more suspensions compared to the overall percentage of PDSB secondary students who received a suspension in 2018-2019.

Further data confirms that PDSB is suspending children in junior and senior kindergarten - that is, children possibly as young as four-years old. Between 2013 and 2019, the PDSB recorded 52 incidents of suspensions at the junior kindergarten level. Twenty of those incidents were classified as “other”. During the same period, the PDSB recorded 103 incidents of suspensions at the senior kindergarten level. Thirty-nine of those incidents were classified as “other”.

In response to concerns about Black children’s overrepresentation in suspensions, we heard from principals and superintendents who exemplified best practices in reducing the effects of implicit bias in discipline. One superintendent tries to get teachers and principals to avoid rushing to suspensions and involving the police. This superintendent emphasized the importance of initially removing oneself from the incident and de-escalating and then unpacking the incident by asking a few basic questions: What is the type of incident? What are the assumptions being made about the student and the student’s behaviour? And after walking through the version of events from the teacher’s perspective and the student’s perspective, what makes sense? We heard of suspensions being rescinded as a result of following this basic process. Though encouraged by these individual efforts, we are disappointed to hear that these straightforward steps are not employed consistently throughout the PDSB.

During our review, Black youth told us that they feel like they are held to higher standards and different codes of conduct in comparison to White or other racialized students. While being called out for their behaviour, they watched while non-Black students did the same thing without any consequences. Many people told us they had witnessed harsher punishments for Black students and that mitigating circumstances were either not, or often not, considered for Black and racialized students. A number of Black students told us of their own experiences or those of their peers feeling that they were being interrogated by their teachers to intentionally escalate or “trigger” them. Students told us that it’s not only the behaviour and attitudes of White teachers that are problematic, but also Brown teachers. Some school administrators corroborated this impression stating that they had observed their colleagues provoking racialized students to goad negative reactions.

Research supports our view that the increased rates of suspension may be the result of implicit biases amongst PDSB faculty who, participants told us, viewed Black youths as prone to misbehaviour. Recently, researchers examined the role of preschool educators’ implicit biases in the overrepresentation of Black students in suspensions and expulsions. Participants, both Black and White, were instructed to review a video for problem behaviour amongst four children: a White girl, a White boy, a Black girl and a Black boy. While the participants watched the video, the researchers tracked the participants’ eye movements. Both White and Black participants watched the Black boy more closely than the other children. Forty-two percent of the participants also self-reported that the Black boy required the most attention.¹³ There was no problematic behaviour in the video.

¹³ Gilliam, W. S., Maupin, A. N., Reyes, C. R., Accavitti, M., & Shic, F. (2016). Do early educators’ implicit biases regarding sex and race relate to behavior expectations and recommendations of preschool expulsions and suspensions? (Research study brief.) *Yale University Child Study Center*. Retrieved from: https://medicine.yale.edu/childstudy/zigler/publications/Preschool%20Implicit%20Bias%20Policy%20Brief_final_9_26_276766_5379_v1.pdf.

We would like to thank Dr. Kerry Kawakami for her information and guidance on implicit biases. Research into neuroscience and social psychology paints a picture that resonates with what we heard during this Review and observed in the data. The points bulleted below are not intended as censure, but reflect the findings of research¹⁴ that we all need to discuss more fully, honestly, and constructively. They help explain unintended behaviours that contribute to negative outcomes for Black students:

- Although people say they are colour blind and uninfluenced by race, research overwhelming demonstrates that this is untrue;
- Research suggests that White people may lack awareness of how they will actually respond to discrimination and may be apathetic to negative treatment of Black people;
- White people frequently interpret the actions of Black people more negatively and respond to racism less negatively than they believe they would;
- Implicit biases linking Black people with danger are demonstrated for Black children as young as 5-years of age;
- Black girls are also associated with danger, though not to the same degree of association as Black boys;
- Black boys starting at age 10 are seen as older and less innocent than their White peers; and
- When controlling for actual size, young Black men are perceived to be “bigger, stronger and more capable” than White boys.¹⁵

The research indicates that attempting to change beliefs has little impact on behaviour, but the research also signals that what we need to do is implement proactive measures which can be used to reduce or eliminate implicit bias in behaviour.¹⁶

Anti-Black Racism—Pathways and Programs

Streaming has been a long-standing concern in Black communities. As confirmed by one author, “Black youth continue to be disproportionately streamed into lower education tracks as a result of both individual prejudice and systemic factors. Racial stereotypes held by teachers play a significant role in the streaming of Black students.”¹⁷

¹⁴ Kawakami, K., Amodio, D. M., & Hugenberg, K. (2017). Intergroup perception and cognition: An integrative framework for understanding the causes and consequences of social categorization. In *Advances in experimental social psychology* (Vol. 55, pp. 1-80).

¹⁵ Kawakami, K., Amodio, D. M., & Hugenberg, K. (2017). Intergroup perception and cognition: An integrative framework for understanding the causes and consequences of social categorization. In *Advances in experimental social psychology* (Vol. 55, pp. 1-80).

¹⁶ Amodio, D.M. and J.K. Swencionis. (2018). Proactive Control of Implicit Bias: A Theoretical Model and Implications for Behaviour Change. *Journal of Personality and Social Psychology*, 115 (2): 255-275.

¹⁷ Maynard, R. (2017). Canadian education is steeped in anti-black racism. *The Walrus*, 29. Retrieved from <https://thewalrus.ca/canadian-education-is-steeped-in-anti-black-racism/>.

For decades Black communities have complained that their children are inappropriately streamed and, as a result, are deprived of the opportunity to realize their full potentials and to fully participate in and contribute to Ontario's economy. The level at which a child is streamed either expands or contracts a child's opportunity for post-secondary education and skilled trades. University is not an option for students in applied level courses. Certain college programs and skilled trades may not be either. We heard from one PDSB math teacher that, when considering future studies and careers, parents and students do not realize it is better to receive a 60% in academic math than a 90% in applied because the student's options for future educational pathways are greater with academic credits, while more limited with applied credits.

Many students told us about feeling undervalued and being mis-tracked by teachers because of teachers' perceptions about their ability based on their race. What we consistently heard during the course of this Review tells us that too many educators and administrators do not have high expectations for Black students. Many Black students receive inadequate advice on their academic choices and pathways, and by no means are encouraged to realize their full potential.

It is untenable that, for many years, the Board has been unaware of this terrible state of affairs. Information gleaned from the Board's own data discloses a *prima facie* case of race based, and more particularly anti-Black, discrimination and it must be remedied.

Students told us that their teachers and guidance counselors did not ask them about their interests or future goals when considering their course selection options. One Black student with an A average told us about waiting weeks for an appointment with a guidance counselor, and when the meeting happened, the student had only five minutes with the guidance counselor and was encouraged to take non-academic courses. A former student, who is Black, spoke to us about their regret in following teachers' advice to take applied courses and enroll in a vocational program, despite high marks; following that advice left the student excluded from any university options and limited choices in college programs.

Similarly, a young Black man expressed intense frustration that, despite his pleas, his guidance counsellors refused to allow him to take applied courses and directed him to locally developed courses. This resulted in the student undertaking two additional years of studies to obtain his diploma in order to be eligible to enroll in a college paralegal program. This student spoke proudly of his achievements in college and sadly about his high school experiences plagued by guidance counsellors who discounted his competencies. We met with parents of a bi-racial student who told us that when they attended a curriculum night at their child's school, they were each, upon entry, given a pamphlet on school programs: the Black parent was handed a pamphlet on applied programs, the White parent received the pamphlet on academic programs. This situation is cogently illustrative of the institutionalized racism that manifests in the PDSB guidance system.

Members of the PDSB at all levels expressed concerns that Black students are under-represented in academic level courses and overrepresented in applied level courses and locally developed credit courses. Frequently, we heard from Black parents who did not know that they ultimately have the power to determine the pathway their children will take, that the recommendations of PDSB faculty are just that, recommendations. The PDSB guidance

system must be rebuilt from the ground up to empower, as opposed to disenfranchise, Black students and parents.

Again, the data confirms that Black students are disproportionately streamed in the PDSB. The percentage of Black students in the PDSB by racial background in grades 9 and 10 in 2018-2019 is approximately 10.1%, but their participation in the following pathways based on the majority of courses taken are as follows: in academic 7.7%, in applied 21.7% and in locally developed credit course 25.4%. In addition, the pass rates by enrolment in applied and academic courses for the last three years are as follows:

OSSLT		
2018-2019	Board	Province
Academic English Pass Rate	90%	89%
Applied English Pass Rate	34%	36%
2017-2018	Board	Province
Academic English Pass Rate	89%	88%
Applied English Pass Rate	34%	34%
2016-2017	Board	Province
Academic English Pass Rate	89%	90%
Applied English Pass Rate	35%	39%

We wish to underscore the immediate and pressing need for Black guidance counselors, particularly male, across the Board and for a radically different ethos to motivate guidance services. Many students, parents, and teachers told us there is an urgent need for guidance counselors who understand the experiences of Black students.

Anti-Black Racism—Regional Choice Learning Programs

Members of the PDSB, Black parents, and Black students raised concerns that Black students are not receiving the benefit of regional choice learning programs, such as advance placement programs and international baccalaureate. We also heard from parents and students about the unfairness of the lottery system in place at the Board to access regional learning choice programs. We share the parents’ and students’ concerns that there are no dedicated spaces for Black students; having these programs in more schools would improve access to all programs, especially benefitting “vulnerable” communities.

Another barrier to accessing these coveted programs is cost. We heard that the cost of amassing a pre-application portfolio and the application costs themselves are prohibitive to many families, and these programs are often implemented in schools where the socioeconomic status of families supports them. The ability of individual schools to raise funds, in turn, limits the Board’s interest in implementing regional programs. From an equity of access perspective, socio-economic discrimination operates at the entrance to regional

programs. Schools and parents should not have to bear the responsibility to raise funds to operate these programs.

Again, the data demonstrably proved their concerns are warranted. Black students' representation in regional choice learning programs in the PDSB in 2018-2019 is as follows:

Advanced Placement	1.7%
International Baccalaureate	1.9%
International Leadership Academy	4.8%
International Business and Technology	1.4%
Science & Technology Secondary	1.9%
Regional Arts & Regional Strings	8.3%

Recalling that Black students represent about 10% of the student population, the above figures confirm that Black students are grossly underrepresented in regional choice learning programs. Their participation in these programs is abysmal.

Anti-Black Racism – Curriculum

Ensuring diversity in curriculum is an educational imperative, and the benefits to the social well-being and academic achievement of students from diverse backgrounds has been well-documented.¹⁸ Research-based approaches to inclusive curriculum and teaching practices, such as Culturally Responsive and Relevant Pedagogy (CRRP), have provided educators with tools to “rethink the work in schools in order to create more equitable experiences and outcomes for ALL students”.¹⁹

We heard from Black and non-Black students that the curriculum does not reflect the diversity of the PDSB. We heard from one PDSB educator that a global understanding of the world requires a broader curriculum speaking to the experiences of more than just Europeans. Black students expressed that Black history should be part of the basic history curriculum and that it should be more than just about slavery. The curriculum should explore and celebrate the achievement of Black Canadians, not Americans like Martin Luther King Jr. and Harriet Tubman. We heard recommendations that the PDSB develop and appropriately support course development relevant to Black students. We heard, for example, of a course in Black history that, although well liked, was poorly supported. A Black student complained that there was little incentive to take the course because it did not count for credit for admission to university. We also heard that the teachers who developed the course did not receive professional credit for their work.

¹⁸ Washington, Samantha. (2018). Diversity in Schools Must Include Curriculum. Web blog post. *Commentary K-12*. The Century Foundation, 17 September 2018. Retrieved from: <https://tcf.org/content/commentary/diversity-schools-must-include-curriculum/>; Nelson Laird, Thomas. (2014). Reconsidering the Inclusion of Diversity in the Curriculum. *Diversity and Democracy* (17: 12-14).

¹⁹ Centre for Urban Schooling. (2011). *Equity Continuum: Action for Critical Transformation in Schools and Classrooms*. Ontario Institute for Studies in Education/University of Toronto. Retrieved from: <https://cus.oise.utoronto.ca/UserFiles/File/EquityContinuumSamplePage.pdf>.

Developing Black curriculum that is responsive to the concerns expressed by PDSB's Black students will benefit more than Black students. Research demonstrates that non-Black people show less negative implicit attitudes towards Black people when education associates Black people with positive messages and images.²⁰ We visited Lincoln M. Alexander Secondary School in Malton, where there is a large population of Black students, and the only image or information of Lincoln Alexander that was evident to us was in the school foyer about 10 feet in air (well above any student's eye level).

Curriculum is more than simply *what* is taught; it is also about *how* material is taught. We heard from many students, educators and parents that teachers often lack the content knowledge, expertise, and personal experience to teach about Black history, culture, and experience. One principal we met with noted that teacher bias in assessment, pedagogy, and curriculum design results in Black students' lived experience left excluded and unacknowledged. Some educators told us that Culturally Responsive and Relevant Pedagogy (CRRP) approaches were effective and inclusive when teaching in diverse classrooms. While CRRP requires deep reflective work and challenges traditional approaches to pedagogy, we heard that the value in this pedagogical approach is sometimes diminished by undue emphasis on multiculturalism and less focus on developing critical thinking skills. We heard about successful CRRP approaches for math classrooms and STEM subjects, in both elementary and secondary schools. However, we heard that CRRP is too often perceived as an "exercise of good faith" as it is not mandatory in schools and classrooms in the PDSB.

We repeatedly heard concerns that new teacher graduates lack the knowledge, personal, and practical experience to teach in diverse classrooms. We were told that many teacher candidates and new teachers are simply not equipped with an understanding of equity and human rights and, therefore, are unable to appropriately respond to the realities in their classrooms and schools. In terms of on-going professional development, several educators indicated a need for additional qualifications (AQ) courses focusing specifically on Black learners, including an AQ on teaching and assessing Black students, and an AQ on anti-Black racism. Several educators suggested that these Aqs be developed collaboratively with teachers' federations, faculties of education, and the Ontario College of Teachers.

Many students and staff did not have positive perceptions of Black History Month in the PDSB. Rather than feeling affirmed and empowered, many students told us that they felt that Black History Month was more for White people to "feel good about celebrating Black people". Students felt that, despite positive intentions, Black History Month did little more than perpetuate negative ideas, beliefs, and histories of Black people. We heard several examples of anti-Black racism during Black History month, including a non-racialized principal who had wanted to rename February "Fro-bruary"; the principal was fortunately advised by a Black colleague not to follow through on this plan. We also heard from both staff and students who felt unsupported or pressured to not organize events in celebration of Black History Month or were questioned about the validity of Black History Month because the school did not have many Black students.

²⁰ Kawakami, K., Amodio, D. M., & Hugenberg, K. (2017).

We were impressed by the suggestions that students shared with us on how to make Black History Month relevant and meaningful, including having student-led critical conversations about race and racism that involved all students, and ensuring that Black histories not be confined to the month of February and showcasing Black Canadian history, as well as achievements in science and technology. Teachers and students suggested highlighting positive stories of Black histories, having panel conversations with students and teachers about what anti-Black racism looks like and how to stop it. A student-centered approach to organizing the PDSB's Black History Month events would certainly help to ensure that events intended to educate and celebrate are culturally appropriate and relevant to students.

Anti-Black Racism – Discriminatory Comments and Conduct

The PDSB's Policy 51 on Human Rights states that the Board is "committed to ensuring that it creates and maintains a learning and working environment that is safe, caring, inclusive, free of discrimination and harassment and in which everyone is treated with respect".

We heard from Black students, parents, and PDSB educators about the frequent use of the N-word. Many students told us about how the N-word is often used by students, and despite some students challenging this racism, they experience inaction on the part of their teachers. Students feel that there is a lack of empathy for them, a devaluation of their humanity, and that no one is willing to step up and take action. We heard of micro-aggressions in classrooms occurring on a daily basis without teachers intervening. We also heard of an instance where the N-word was painted on a wall, but rather than being directly addressed by teachers or the school administration, the racist word was simply removed. Educators' failure to immediately reject and directly reproach racism only allows racism to flourish; as one student noted, "if teachers don't do anything, students won't report it".

We heard from Black students about the harm that the N-word causes and from Black parents about how they felt unsupported by the PDSB when their children are called the N-word. They complained that the child who uttered the term was supported with progressive discipline, but they and their children were left unclear as to what steps would be taken to address the issue. We heard Black parents complain of learning about the racial slur only from their children or belatedly from the school, if hearing anything from the school at all. We also heard from a non-Black superintendent who described intervening in such an incident. The principal had made contact with the parents of the child who uttered the N-word to advise that the child had been spoken to, but the principal had not reached out to the parents of the Black child.

Many people we interviewed provided anecdotes of degrading, inappropriate and racist comments made to and about Black students and staff by teachers and principals. We heard of a teacher suggesting that a young elementary Black student "will be a drug dealer just like his dad", and another teacher telling a Black colleague that the colleague was "surprisingly well spoken". One student relayed how the principal told this student to stop hanging around with his "monkey friends" in reference to his Black peers. One teacher told us that, in response to a request to provide pizza for a meeting of Black students, the principal replied that "not one of those students was worth the price of pizza". It has often been said that most people who become teachers do so in order to change the world, one student at a time. We believe that this old adage is still true for the majority of teachers, and we call on that majority

to stand up for their students and their colleagues, and to relentlessly challenge anti-Black racism and other human rights violations.

Disparaging and racist terms are frequently used by students, staff, and the broader PDSB community to refer to schools in the Board. We heard that Meadowvale Secondary School is commonly called “Meadow Jail” and “Ghetto Jail”; and Central Peel Secondary School is referred to as “Central Africa”. So common is the use of racist terms in the PDSB, that an official elected to govern the school board referred to McCrimmon Middle School as “McCrimminal”.

Although we do not intend to challenge the Integrity Commissioner’s finding of facts or challenge her ultimate decision, we must address certain elements that appear inconsistent with accepted human rights principles, but most importantly inconsistent with the PDSB’s Human Rights Policy 51 that was in force at the time. The report is replete with references to intentions, but based on the language of the Policy, intentions and motive are not relevant to whether conduct breached Policy 51.²¹ It also appears a conversation on PDSB property between a trustee and a PDSB staff member in relation to the quality of student experience in a PDSB school is likely within the purview of the Policy.²² We understand these issues, as well as statements made at a Board of Trustees’ meeting on November 19, 2019, exacerbated the mounting distress amongst community members into anger and outrage.

We will comment further on the Integrity Commissioner and the Trustee Code of Conduct as it relates to governance issues later in the Report. However, at this juncture, we feel compelled to highlight and reiterate that regardless of the intent, the impact of using discriminatory names and/or terms matters. We believe that there are clear inconsistencies between these principles, provisions of the PDSB Human Rights Policy 51, and the Integrity Commissioner’s Report.

While the above-quoted nick-names elicit racist stereotypes, we heard from students and educators that the PDSB has consistently failed to curtail the commonplace usage of these and other pejorative school nick-names. Many expressed anger over the fact that the PDSB excuses the name-calling as simply adolescent behaviour, and has normalized such slurs and diminished the harm. We received no indication that the PDSB recognizes this Board-wide name-calling as problematic. To our knowledge, the PDSB has taken no steps to address the seriousness of the conduct, nor to deter such discriminatory labelling.

Our understanding of the harmful health effects of racism benefited greatly from the input and guidance of Dr. Kwame McKenzie. He explained that the negative impacts of racism on physical and mental health are well established. Extensive studies have reported that

²¹ Peel District School Board’s *Policy 51 on Human Rights* (Approved November 26, 2013), page 3 states: “[t]he discriminator’s intentions do not matter (perhaps he or she does not mean to discriminate); only the result of effect of the action (unfair impact on the victim) counts.”

²² Peel District School Board’s *Policy 51 on Human Rights* (Approved November 26, 2013), page 3 provides that locations and situations where behaviour will be subject to the Policy include, but are not limited to: Peel Board offices and schools; Peel Board-related social function; School buildings under the jurisdiction of the Peel Board.

perceived racism and structural racism correlate with poorer health outcomes.²³ Racism stress is considered to be more impactful because the perception of racism compounds the normal impacts of stress. People cannot pretend that there are no negative consequences on the victims of racism.

Anti-Black Racism – Community Engagement

Research from many jurisdictions has demonstrated that student learning benefits from effective school-home relationships, and that while what happens in the classroom clearly affects education equity, the relationships between schools, parents and communities also matter.²⁴ Closer to home, research in Ontario schools has similarly found that strong, effective school boards focus on relationships that matter the most: those within the central board office, and between the central office and its schools, parents, and local community groups.²⁵

Throughout this Review, we consistently heard that the PDSB has problems effectively communicating with their local communities. We understand from parents and community members that they are frustrated with the lack of communication and generally feel disrespected by senior administration and the Board of Trustees. We heard of Board inaction in the face of requests, and lack of responses to parents' questions and requests for information, particularly regarding course selection, programs, and disciplinary matters.

Parents want to be involved in their children's education, and they told us that they want to support teachers and staff in their children's school. But throughout the Review, we heard a collective dismay from parents about the lack of support they receive for their involvement in the PDSB community. Parents suggested that the Parent Involvement Committees should be better leveraged to encourage parents who are not currently engaged in their child's school. Parents also suggested that the Board needs to do a better job with outreach and find more effective and approachable ways to engage parents who are newcomers, who often are unfamiliar with the school system or are afraid of interacting with teachers and Board officials.

Students too shared with us their frustration with the lack of meaningful engagement and communication with the PDSB. We heard that too often, major decisions directly impacting students are made without students' input or advice. The Board's two student trustees are active and doing a commendable job, but at the same time they cannot be expected to represent all students across such a large and richly diverse Board. Over the course of the Review we were honoured to have many opportunities to engage with students from many different Peel communities and we were impressed with, and encouraged by, their thoughtful insights and informed suggestions.

²³ McKenzie, Kwame. (2015). "Racism, Health and What You Can Do About it". Web blog post. *Building Healthy Communities*. Wellesley Institute, 24 February 2015. Retrieved from:

<https://www.wellesleyinstitute.com/health/racism-health-what-you-can-do-about-it/>

²⁴ Organisation For Economic Co-Operation and Development. (2008). *Ten steps to equity in education* (Policy brief). Retrieved from: <https://www.oecd.org/education/school/39989494.pdf>.

²⁵ Leithwood, Kenneth. (2013). *Strong Districts & Their Leadership*. Toronto, Ontario: Council of Ontario Directors of Education and The Institute for Education Leadership.

According to research sponsored by the Metcalf Foundation, Black youth in Toronto are likely to be represented in high rates among the working poor.²⁶ We know that students' experience in the education system has long-term effects on personal and societal economic and social well-being. Data from the PDSB clearly shows that Black youth, especially males, are disproportionately represented in suspension, expulsions, exclusions and streaming. We heard from students, parents and teachers that streaming, marginalizing and removing students from learning environments have detrimental effects on their sense of self and belonging. Black children and students are our collective responsibility, as it is our duty to disrupt these patterns and address the systemic issues to improve students' outcomes. We do not wish to hear any more students say, as one did over the course of the Review: "what is the use of trying, if no matter what I do, I will not make it?"

The current organizational structure of the PDSB and its reporting and accountability measures do not signal that eradicating anti-Black racism is a priority. Indeed, all students who are adversely impacted by the current practices, policies, and culture of the Board are being denied the education to which they are entitled. Developing a systemic approach to equity requires both an understanding of the need to re-examine current systems of teaching, achievement, and discipline and directly confronting all potential inequities.²⁷ It is evident that the equity mission of the Board needs to be redefined and clearly communicated, and organizational change and accountabilities need to be established to drive meaningful change throughout the entire system. As one person we met with observed: "[i]t's one thing to say we believe in equity because we do all these things, but when you dig down there are no measurements, no accountability". The recommendations we provide in this Report we hope will benefit not only Black students in the PDSB, but all students who are impacted by the structures, practices, and policies that allow disparities. Our recommendations direct that priority attention must be paid to measurable accountability.

We heard from a small number of educators and leaders that they felt the community's chronic complaints of racism were not helpful, were an exaggeration, and not an accurate reflection of *their* PDSB world. These individuals opined that the community's reiteration of racism grievances, especially at trustee meetings, did not work to improve conditions, and instead were a broken record of wrongly blaming and criticizing the PDSB. Even at the senior trustee level, we saw evidence of real opposition to anti-Black racism training, taking personal offence to anti-Black racism training, and a refusal to accept the important significance of such training. These individuals appeared to view community concerns of racism as attacks and disparagement of the PDSB, and some individuals even expressed that they felt the community's complaints of racism were unfairly slandering their particular roles and work within the PDSB.

²⁶ Stapleton, J., James, C., and Kofi, H. (2019). *The Working Poor in the Toronto Region: A Closer Look at the Increasing Numbers*. Toronto: Metcalf Foundation. Page 38. Retrieved from: <https://metcalffoundation.com/site/uploads/2019/11/Working-Poor-2019-NEW.pdf>.

²⁷ Scheetz, M. and Senge, P. (2016). *Systemic Change and Equity. Equity Centered Capacity-Building: Essential Approaches for Excellence and Sustainable School System Transformation*. Equity-Centered Capacity Building Network (ECCBN). Retrieved from: <https://capacitybuildingnetwork.org/article3/>.

It is unfortunate that these educators, leaders and trustees could not hear, or are unable to discern, the deleterious systemic discrimination²⁸ that accentuates the ongoing community narratives of prejudice and harm. We urge the PDSB leaders and community to come together to start the hard work of telling and hearing the personal truths about the machinations and magnitude of racism within the PDSB. And only after confronting these truths, acknowledging the myths and accepting responsibility, can the Board undertake the remedial work of seeking reconciliation and setting metrics to assess progress and success in community relations. It is our hope that, with this Report as concrete documentation of anti-Black racism in the Board and affirmation of the voices of Black students, parents, staff and community members, Black communities can begin to collaborate positively with the PDSB and push forward efforts to have the recommendations we offer to uproot systemic racism and inequities are acted upon.

Anti-Black Racism—Equity at the PDSB

We heard consistently from senior administrators, principals, teachers, and the broader community that there needs to be a reorganization of the equity portfolio at the senior administration level. We heard that the delineation of portfolios and working relationships between the current Equity and Climate departments is not working, and that neither department is adequately equipped to address anti-Black racism. We heard of silos, fractured relationships, lack of coherence, redundancies of work and responsibilities, instability of coordination roles, and other barriers to moving forward with important work. Clear responsibility and accountability - in roles, duties and authority, and outcome measures - are glaringly absent in the PDSB's equity work.

Many staff spoke to us about the importance of championing the collection of data on student and staff social identities in order to provide the Board with the necessary benchmarks to address inequities with respect to both employment and education and, specifically, student support services and curriculum development. However, we also heard from several administrators that there is both a lack of data and a lack of capacity to use that data to drive equity initiatives throughout the system. We heard of decision-making paralysis often justified by the assertion that, "we don't have the data".

We are aware that the Board now has access to data through the student census that was conducted in 2018. We recommend that the Board continue to undertake both student and staff censuses at regular intervals, and to ensure that that data is regularly used and deployed to inform decision-making for all Board policies, programs, and initiatives. The collection, analysis and use of this data will support the Board's efforts to address inequities in a systemic manner.

We saw little evidence of any deliberate and effective approach to building capacity at each staff level to identify and challenge all forms of racism and discrimination. Anti-Black racism training in the PDSB has been ineffective. We heard considerable criticism of and sometimes

²⁸ The Ontario Human Rights Commission's *Policy on Racism and Racial Discrimination* (Approved June 9, 2005) points out that a prevailing stereotype about racialized people who identify concerns of discrimination is that they are hypersensitive, innately combative and antagonistic. Retrieved from: <http://www.ohrc.on.ca/en/policy-and-guidelines-racism-and-racial-discrimination>.

even strenuous resistance, including at the trustee level, to anti-Black racism training. We believe that this conflict in the Board between “hearts and minds” versus “blame and shame” should stop. We believe that the focus should be on the disproportionate outcomes for some of PDSB’s students and the proactive measures that will eliminate them.

At all levels, training must be firmly based on establishing accountability for changes in the inequitable outcomes for Black children and youth that is indisputably exposed by the Board’s own data. What this means is that the PDSB, at all levels, must come to grips with and change the attitudinal and organizational obstacles that impede student success. The goals associated with closing yawning gaps in outcomes cannot be met by engendering guilt and neither can they be met by denial; they can only be met by determination and acceptance of the objective evidence regarding lost potential.

The inability of the PDSB to design and support a sustained implementation of the *We Rise Together* initiative also reveals the absence of organizational structures and accountabilities to challenge anti-Black racism. Almost every person who met with us during the Review - students, staff, and community members - shared the view that the Board no longer prioritized *We Rise Together* and the implementation of the program was disjointed and lacked consistent support at the senior level of the Board. We heard that the turnover of staff in coordination roles at the central Board made it difficult to sustain the program and to deliver appropriate professional learning to staff. We learned that there were weak accountability metrics built into the program and little to no ability to evaluate outcomes; no one really seemed to have a clear idea about how to measure progress and how to know if it was working and making a difference for Black male students.

III. Governance and Leadership

The PDSB is governed by twelve democratically elected trustees, and the current Board of Trustees is not quite half-way through its four-year term of office. Four of the trustees are serving their first term, and the remaining eight trustees have served on the Board for two or more terms. As we began our Review, in early December 2019, the Board had just elected their Chair and Vice Chair, both of whom were new to these roles. Also serving on the Board of Trustees are two student trustees, elected by their peers for one-year terms. The PDSB Board of Trustees governs one of the most diverse boards in the province, and the municipality of Peel is one of the fastest growing regions and racialized populations in Canada.

On the staffing side of the PDSB, the most senior official - and the only direct report to the Board of Trustees - is the Director of Education. The Director oversees a staff of close to 17,000, including three Associate Directors and a senior team of more than 30 staff. The PDSB serves more than 155,000 students across 257 schools.

As part of this Review, we were asked to provide observations on the performance of both the Board of Trustees and the Director of Education in fulfilling their respective roles and meeting their responsibilities under legislation, regulations, policies, and guidelines. We were also asked to provide observations on the level of cooperation amongst trustees, and between the Board of Trustees and the Director of Education. Although the previous section of this Report documents our observations on systemic equity issues and anti-Black racism,

in keeping with our mandate, we will also provide general comment on the performance of the Board of Trustees and the Director of Education in responding to these issues.

The Board of Trustees

Boards of Trustees play a critical role in the governance of school boards in Ontario. Board of Trustees are elected to govern the school board in the best interests of *all* students in its jurisdiction and on behalf of the communities it serves. While the *Education Act* gives no individual authority to trustees, as members of the corporate board, trustees are legally accountable to the public for the collective decisions of the board and for the delivery and quality of educational services.²⁹

The *Guide to Good Governance Guide*³⁰, a key resource for school board trustees in the province, states that the key accountabilities of boards of trustees include the fiscal and operational performance of the school board, the academic achievement of students, and the well-being of students and staff. The Guide notes that boards of trustees are responsible for effectively communicating the board's performance to parents and the community and the steps that are being taken to improve outcomes. The board of trustees is also responsible for the hiring and performance appraisal of the director of education, a significant responsibility given the role of the director as both the chief executive officer and chief education officer of the board.

The PDSB Board of Trustees is seriously struggling to govern effectively, and we have grave concerns about its ability to fulfill its legal obligations under the *Education Act*. No evidence came forward during the Review demonstrating that individual trustees have an adequate understanding of, and appreciation for, the role they play as governors of the PDSB. Given the entrenched hostilities and patterns of dysfunction, we have little confidence in the ability of this Board of Trustees to navigate its way through the urgent and complex issues it is currently facing. We have not seen evidence of any collective capacity to effectively govern in the context of the deep divisions and chaos gripping the Board.

Dysfunction and Divisions

The Board of Trustees is dysfunctional, and fractured relationships are hindering the ability of the trustees to work together in a cooperative, respectful manner. We heard that disrespectful interactions between trustees, and between trustees and staff, were commonplace, and such disreputable behaviour is characteristic of public meetings. Trustees blame each other for problems at the Board of Trustees table, without taking responsibility for their own role in the strife. Some trustees told us that they are unwilling to work with other trustees and refuse to meet outside of public board meetings. Trustees' failure to ensure the confidentiality of board matters and personnel information is concerning and indicative of poor governance practices.

²⁹ Ontario Public School Boards' Association. (2018). *Guide to Good Governance 2018-2022*. Toronto: OPSBA. Retrieved from: <https://www.opsba.org/opsbas-guide-to-good-governance-2018-2022>.

³⁰ OPSBA (2018), Page 41.

There appears to be an inability - and indeed an unwillingness - to work together to resolve the issues that are dividing the Board. Indicative of this dysfunction are a number of human rights complaints filed by trustees naming other trustees. Equally disconcerting are the number of Code of Conduct complaints trustees have filed against each other; indeed, it appears that trustees have weaponized their own Code of Conduct. There is little doubt that the deteriorated relations between trustees has negatively impacted their ability to make balanced, fair, and ethical decisions in the best interests of the students of the PDSB.

That dysfunction has most certainly eroded public confidence in the PDSB community. Most people we spoke with told us they had little or no confidence in the Board of Trustees' capacity to govern. We heard that trustee meetings frequently erupt into arguments, and disrespectful behaviour between trustees and between trustees and members of the public is not uncommon. Community members are frustrated with the Board of Trustees' lack of awareness, lack of action and questionable decision-making, seeing motions being deferred or left unaddressed despite having heard numerous delegations. Boards of Trustees ought to be strategically engaging with families, community organizations and other key stakeholders in order to increase the effectiveness of collaborative efforts to support the academic and social success of all students.³¹ We saw little evidence of any such engagement.

Need for Capacity-Building and Professional Development

Effective governance requires that trustees are knowledgeable of their roles and responsibilities, and operate within relevant legislative and policy frameworks. Ethical leadership requires trustees to demonstrate integrity, professionalism, and the willingness to govern in the interests of all students. Equity-focused boards know their students and communities and “educate and engage the community to create a sense of system- and community-urgency to aggressively do ‘whatever it takes’ for every student to achieve success in school.”³²

It did not appear that individual trustees have a reasonable understanding of principles of good governance, nor are we confident that the Board of Trustees is governing effectively and in the interest of all students of the PDSB. Having reviewed trustee meeting agendas and materials and carefully listened to audio recordings of numerous trustee meetings, we saw little evidence of orderly and respectful meetings focused on student-centered matters. Rather than trustee meetings providing opportunities to be informed and engaged and foster relations, community members were, instead, left often frustrated by the seemingly arbitrary and inflexible rules for delegations. Individuals who delegate in their anger and frustration are in turn in danger of undermining their message by their behaviour.

All trustees acknowledged that they received inadequate training in bylaws, Code of Conduct and key PDSB policies and procedures, and they continue to struggle with the distinction between governance and Board operations. The ability of the Board of Trustees to effectively govern has been limited by the failure of the PDSB to provide a comprehensive orientation for newly elected trustees, as well ongoing professional development and governance advice

³¹ Leverett, Larry. (2016). Systems Change and Governance: School Boards That Lead for Equity. *Equity Centered Capacity-Building: Essential Approaches for Excellence and Sustainable School System Transformation*. Equity-Centered Capacity Building Network (ECCBN). Retrieved from: <https://capacitybuildingnetwork.org/article10/>.

³² Leverett (2016).

and support. New trustees appeared to have been parachuted into their first public meeting with minimal orientation. As governors of one of the more racially, culturally, and socioeconomically diverse boards in the province, PDSB trustees should be provided professional learning that will enable them to better understand the complexities of the issues before them, in particular their human rights obligations. School boards that lead with an equity focus - as the PDSB must - should seek to understand “how racism and other marginalizing practices affect access, opportunities and outcomes ... to better inform policy development, resource allocation practices, systems of professional development, human resource approaches and accountability policies and practices.”³³ Without immediate basic governance support, and a longer-term plan for professional development that equips trustees with the knowledge necessary to meaningfully engage in the complexities of systemic inequities, the students, parents, and communities of the PDSB will not be well served.

We feel compelled to specifically comment on the trustees’ lack of understanding of the PDSB’s *Policy 51 on Human Rights*, particularly given the context in which this Review was convened. Our interviews with trustees and some senior administrators revealed a disturbing lack of understanding of the scope and purpose of the PDSB’s *Policy 51 on Human Rights*, and human rights principles more generally. It is very troubling that individuals in the most senior leadership positions of the second largest school board in the country did not appear to appreciate the significance of understanding human rights protections and responsibilities, let alone upholding and promoting principles of equity and a culture of human rights.

Some trustees did not know how their Code of Conduct responsibilities intersect with their human rights duties and the expansive application of the PDSB’s *Policy 51 on Human Rights* (both 2013 and 2019 versions). For example, a few trustees did not know that under *Policy 51*, and according to fundamental human rights principles, intentions rarely matter in determining whether remarks made in jest contravene the *Ontario Human Rights Code*, particularly if the jokes are rooted in racial stereotypes. Further, some trustees, and some PDSB administrators, did not appreciate that a discussion between a trustee and senior PDSB staff, who come together for the purposes of Board work and who are conversing about a PDSB school, is likely “with respect to employment” and “with respect to services” within the meaning of the *Ontario Human Rights Code*. Many trustees did not seem to grasp the significance of their duty to “uphold the dignity of the office and conduct themselves in a professional manner at all times, and especially when attending Board events, or while on Board property”, as per the PDSB Code of Conduct.³⁴

Furthermore, trustees did not appear to understand the Integrity Commissioner’s role and scope of responsibility, or the implications of receiving the Integrity Commissioner’s report on the McCrimmon Middle School incident.³⁵ Most trustees told us that they did not know what it

³³ Leverett (2016).

³⁴ Code of Conduct for Members of the Peel District School Board, Provision 6.5. Retrieved from: <http://www.peelschools.org/trustees/codeofconduct/Pages/default.aspx>.

³⁵ Some of the PDSB’s leadership believe the Board’s current issues with anti-Black racism was precipitated by “McCrimmon” comments. According to the Integrity Commissioner’s Report, a trustee referred to his children as “McCrimminals” and their school, McCrimmon Middle School, as “McCrimminal” to express difficulties the children had adjusting to high school, in what the Integrity Commissioner referred to as a “private” conversation over a

meant for the Board of Trustees to receive a report or whether they had the option to not receive the Integrity Commissioner's report. In this regard, trustees also did not appear to consider, or were unaware, of the ability of a member to make "an application under the *Judicial Review Procedure Act* for judicial review of actions taken on a complaint against a member of the Board by the Integrity Commissioner".³⁶ Basic governance support and advice should have been provided to the Board of Trustees to enable them to make informed decisions, and the failure to do so - particularly in the context of serious matters such as this case - only exacerbated an already troubling issue.

Performance of Duties

The *Education Act* requires the Board of Trustees to monitor and evaluate the performance of the Director of Education in meeting their duties under the *Education Act* and meeting the goals of the PDSB's multi-year plan. This is one of the key responsibilities of the Board of Trustees, and the provincial association representing English-language school boards encourages trustees to conduct director performance appraisals on an annual basis.³⁷ Underscoring the importance of this responsibility, the Ontario Education Services Corporation, representing all trustees and directors of education in the province, dedicates an entire learning module to guide boards of trustees through the appraisal process, and highlights best practices to inform director-performance evaluation, including the use of a 360° assessment tool to allow confidential feedback from a variety of stakeholders, such as senior staff, trustees, committee chairs, students, parents and staff representatives and many others.³⁸

The PDSB Director of Education has served in this role since July 2017. He has not had a formal 360° performance appraisal since he was hired into this position.

We understand that, to date, the Board of Trustees has been unable to proceed with the Director's evaluation. Up until the appointment of the current Director of Education, the Board of Trustees had undertaken the Director's appraisal internally. Amongst trustees, it was decided in spring 2019 that they would seek an external firm to lead an independent appraisal of the Director's performance, as it is common for large organizations to retain an independent consultant to support the appraisal process. The process for securing an independent firm to undertake this has been problematic. We were told that the committee established to develop a Request for Proposals (RFP) excluded racialized trustees and, thus, did not include representation of the breadth of issues facing the Board; many trustees that we spoke with did not view that as problematic.

lunch break. We understand that a racialized trustee immediately vocalized concern that using the term "McCriminal" was inappropriate. We also understand the racialized trustee raised the issue amongst the trustees behind closed doors, but that no apology was forthcoming from the trustee who spoke the comments until the issue became public at which time an apology was communicated through the Toronto Star.

³⁶ Code of Conduct for Members of the Peel District School Board, Appendix 2: Complaints Protocol - Integrity Commissioner. Retrieved from: <http://www.peelschools.org/trustees/codeofconduct/Pages/default.aspx>.

³⁷ OPSBA (2018), Page 48.

³⁸ Ontario Education Services Corporation. (2019, June) Good Governance for School Boards: Trustee Professional Development Program. Module 5: Performance Review: Director of Education. Retrieved from: <http://modules.ontarioschooltrustees.org/Modules/05-Director-of-education.aspx>.

An RFP was finally issued in September 2019, and proposals for services have been received by the Board. To date trustees have not tabled the Director's performance appraisal as a priority. This is one of the core responsibilities of the Board of Trustees, and the inability to select a firm and proceed with the Director's appraisal further speaks to the dysfunction at the Board table. It also indicates that the Board of Trustees is incapable of fulfilling a key responsibility required under the *Education Act*, despite the ample professional development supports available to them.

Under the *Education Act*, trustees are required to entrust the day-to-day management of the Board to its staff through the Board's Director of Education. This legal requirement reflects a key characteristic of effective boards - a focus on policy governance³⁹. However, we heard that PDSB trustees are frequently enmeshed in operational issues, are routinely involved in hiring and promotions panels for principals and supervisory officers. We also heard that trustees have tried to influence hiring in other areas of the Board including early childhood educators and administrative staff. We heard concerns about trustees inappropriately weighing in on grievance processes, and that this behaviour has been the norm over many years.

Relationship Between the Board of Trustees and the Director of Education

The Board of Trustees and the Director of Education are partners together in leading a school system, and it is critical to effective governance that they have a positive, productive and mutually-supportive working relationship.⁴⁰ Strong, effective governance requires a "trusting, respectful, collaborative and cooperative relationship between the board and the director" to foster "a dynamic environment that encourages confidence and competency."⁴¹

The relationship between the PDSB Board of Trustees and the Director of Education is civil and appears, for the most part, respectful. However, we did not see evidence of the symbiotic relationship between the Board of Trustees and Director that is essential to effective school board governance. It is clear that the Board of Trustees is not being provided with the training, support, and guidance that is so evidently required, and that is ultimately a responsibility of the Director. Indeed, supportive, respectful, and collaborative relationships between a board of trustees and a director of education is what enable boards to successfully navigate difficult issues.

Director of Education and Senior Administration

The Director of Education is the most senior leader on the administrative side of the Board, and as the chief executive officer and chief education officer, the Director is responsible for supporting the development of the Board's multi-year strategic plan and the implementation

³⁹ Leithwood (2013).

⁴⁰ Ontario Education Services Corporation. (2019, September). Good Governance for School Boards: Trustee Professional Development Program. Module 4: Common Ground, Common Purpose: Key Relationships in School Boards. Retrieved from: <http://modules.ontarioschooltrustees.org/Modules/04-Relationships-in-school-boards.aspx>.

⁴¹ Council of Ontario Directors of Education. (2011, June 30). *Trustee/Director Relationship*. (Advisory no.2). Retrieved from: http://www.ontariodirectors.ca/CODE_Advisories/Downloads/CODE%20Advisory%20No%202%20WEB.pdf.

of that plan. Directors are also responsible for implementing all board policies and for managing all facets of school board operations. All staff of the Board report directly or indirectly to the Director of Education.

The Board's senior leadership team is composed of the Director of Education and three Associate Directors. The Associate Director of Instructional and Equity Support Services oversees many portfolios, including the equity, curriculum, and human resources support services; the Associate Director of School Support Services is responsible for several portfolios including climate, leadership development and field offices; and the Associate Director of Operational Support Services oversees portfolios related to financial controllership, infrastructure, and informational technology. The Director's office also includes a Communications and Community Relations Department, which oversees all media, public relations, and communication functions of the PDSB.

The PDSB established a Human Rights Commissioner's Office in December 2018. The Human Rights Commissioner reports directly to the Director of Education and is considered a senior member of the Director's office. The Human Rights Commissioner's role is to be a neutral party and act in service of students, staff, and broader PDSB community on human rights related issues. The Human Rights Commissioner's Office is responsible for addressing human rights complaints, providing confidential and neutral advice on human rights matters to students, staff and families, overseeing PDSB's human rights policies and procedures; implementing human rights education and activities in the Board; and addressing systemic barriers to student and staff progress.

During the course of this Review, we interviewed all members of the senior team, as well as all superintendents of education. We also interviewed many department heads, senior staff and members of the Human Rights Commissioner's Office. At the outset of this Review we were aware of tensions amongst members of the senior leadership team; some of the issues had played out in the media and were well known in the community. What is clear is that the significant dysfunction within the senior leadership of the PDSB has severely limited its ability to lead the organization. We wish to comment specifically on relationships amongst members of the senior team and workplace culture.

Relationships Amongst Members of the Board's Senior Team

Many participants commented on the dysfunction within the senior management team, and specifically in the Director's Office. A few people commented on the historical and long-standing nature of the dysfunction, and how certain aspects of this dysfunction precede the current senior administration. However, many more acknowledged that some incidents over the past year have publicly exposed the tensions amongst senior leaders, and between senior leadership and the Board of Trustees. The tension between the Director of Education and Associate Director of Instructional and Equity Support Services is particularly palpable and has permeated the office's operations. And it appears to us that this has created some of the tension in the Board of Trustees as inappropriate trustee involvement and siding with camps regarding the disagreement in the Director's office as these tensions took place.

Few reported having confidence in the senior leadership team. Many believe that professional relationships and the organizational structure of the Director's office are fractured beyond repair. Several senior management staff told us of the pressures they felt to

“pick a side” in the divide within the Director’s office. Some suggested that the source of the dysfunction is not based on one individual and recommended that the whole senior leadership team be removed, the structure dismantled and rebuilt from the ground up. It is evident to us that professional relationships are damaged, the current structure is no longer tenable, and only with major change will the PDSB be able to function and deliver on its equity mandate.

Culture of Fear

A “culture of fear” is felt at all levels of the organization, from the senior management at the central office to teachers, vice-principals, and principals in schools. Almost all staff spoke to the culture of fear within the organization. There is a fear of reprimand, mostly with respect to hiring and promotion, but also for speaking out, taking initiative, questioning decisions, and even participating in this Review. Many principals who reached out to us did so fearfully, as they had perceived that they had received direction from a local principal leader to not participate in the Review and warnings not to speak out publicly against the PDSB.

A number of Black educators, including some who had been assigned to central Board positions, told us that they had been promoted out of their positions when they spoke out against White supremacy and oppression within the organization. Many teachers, principals and resource staff told us of being “chastised”, “targeted”, “threatened”, “ostracized”, “monitored”, or “marginalized” for supporting Black students, colleagues, and initiatives that specifically supported Black students and staff. Various individuals confirmed that they were cautioned by senior staff that their race-related ‘activism’ would be detrimental for their career because such advocacy was viewed as a criticism of the PDSB’s “brand”.

This culture of fear has impacted relationships throughout the organization. Staff who have always had good relationships with their superiors and peers told us that they are now reluctant to ask for advice or support. The fractures in relationships have had negative impacts on work environment, and many staff - at all levels of the organization - told us that they can no longer do their jobs effectively. We heard, for example, that some of the reporting structures in the Director’s Office and in central departments have been rearranged to accommodate tenuous and troubled relationships, and that some staff are afraid of meeting with colleagues without a third-party witness.

Apprehensions of retribution were underscored by the notable omission of an important human rights concept, namely reprisal, from *Policy 51 on Human Rights*. A plain reading of *Policy 51 on Human Rights* reveals the document fails to include a statement or assurances about protection from reprisal. A human rights policy should explicitly reference that community members are protected from retaliation for seeking to claim or enforce human rights. This is a crucial human rights protection and must be articulated as both a *right* and a *responsibility*, particularly a duty borne by senior members. Although the HRCO Operating Procedure-1 includes a discussion of reprisal, *Policy 51 on Human Rights* does not reference or speak to human rights reprisal.

Also contributing to the culture of fear is the relationship between the Human Rights Commissioner (HRC) and the Director of Education, and specifically the impression conveyed by many that the HRC lacks independence. There is a strong perception that the HRC defends and protects the interests of the Director, rather than the mandated purpose of

that role: specifically, to handle internal human rights complaints with neutrality, confidentiality, and fairness in an arm's length manner from organizational leadership. Many told us that because the Human Rights Commissioner Office (HRCO) is located in the PDSB head office building, in physical and reporting proximity to the Director's office, there is little confidence that the HRCO acts impartially, or that the HRCO is willing to handle issues in a transparent and unbiased manner.

We were frequently told that staff did not trust the PDSB's internal complaints procedures to investigate and deal with their human rights concerns with objectivity because of issues directly related to the current structure of the HRCO and the role of the HRC. Regrettably, a number of individuals expressed sentiments indicating that the HRCO is generally viewed with suspicion, and a common perception among staff is that the HRCO protects the Director. Some attribute their negative impressions of bias to comments shared by the HRCO about the merits of their case because of delay if it were to proceed to the human rights tribunal and the HRCO's power to outright reject cases for failing to meet an opaque threshold test. To the extent that some people were familiar with the HRCO process, they believed the HRCO had an exacting threshold standard which precluded them from advancing their concerns.

We heard multiple accounts from families, teachers, staff, and administrators who did not know anything about PDSB's HRCO and/or understand what that Office does to support students and staff. Many community members were unaware that the PDSB had an office mandated to deal with complaints and offer investigation and mediation services. As described above, those who had familiarity with the HRCO expressed disappointment and skepticism. As such, we are concerned that the HRCO is not serving its intended function, and that, in some respects, the HRCO has acted outside of the principles set out in the agreement between the Ministry of Education and the PDSB.

We were troubled to hear that the HRCO has participated in settlement discussions and mediation meetings between complainants and the Board; this is not an appropriate role for an office that must, at all times, maintain a position of neutrality. We heard concerns from PDSB community members that they believe the HRCO's independence is compromised because of the HRCO's perceived allegiance to the Director. Specifically, we were told that the HRCO is providing legal advice to the Director, as well as instructing legal counsel for the Director and PDSB with respect to controversial HRTO matters. We learned that the HRCO has attended Human Rights Tribunal Ontario (HRTO) mediations and provided input on positions taken by the PDSB in HRTO settlements. Furthermore, it appears the HRCO is viewed as the individual/office to receive legal notice on behalf of the Director and the organization in HRTO matters. These activities appear to have exacerbated the perception that the HRCO is strongly aligned with the Director and is functioning outside of that office's prescribed neutral and independent role.

We fully recognize that institutionally based positions that are supposed to be arm's length, such as the HRCO, have a very difficult balancing role to play in providing their specialized services. If exercised properly, all members of the Board community would feel comfortable seeking assistance and advice from this office. At the PDSB, steps must be taken to correct what can only be referred to as a troubling state of affairs. The PDSB must work to create more understanding about internal human rights procedures, greater visibility, accountability

and transparency of the HRCO. The HRCO is only effective when it is viewed as a credible internal entity available to impartially address, triage and resolve human rights concerns.

Senior Leadership Capacity

The culture of fear has essentially resulted in paralysis in senior leadership, translating into an unwillingness to take responsibility and initiative in performing duties. Many have said that they are good at “talking the talk” but not good at “walking the walk” of equity. For example, many people we spoke to blame the Director of Education and Associate Director for the flawed implementation of *We Rise Together*. We heard ample criticism of the Director and members of senior leadership for their failure to demonstrate a fundamental understanding of, and commitment to equity, anti-oppression, human rights, and anti-Black racism. There is a lack of overall coherence in PDSB priorities, and we heard from staff and community that people do not understand what the “big picture” is and how they fit into it. We heard many times that there is very little follow-through and action on major issues and priorities, and that some major decisions are made with little or no rationale provided by senior leaders.

The PDSB is facing a crisis of confidence. The senior leadership team is not united and is wracked with dysfunction and conflict. Staff, students, families and the broader PDSB community look to the Director and his senior team to set the direction for the Board and to communicate and model its vision. Unfortunately, with the current divisions within the senior team, there is a lack of confidence in the ability of the PDSB leadership, particularly with respect to racism and equity.

Many people we spoke to expressed that they hold personal and professional respect for the senior leaders, but have little confidence in the ability to lead, inspire, and move the organization forward. Due to divisions and dysfunction, the senior leadership is unable to engage in meaningful dialogue as a team and collaboratively make decisions directly impacting students. What is clear to us is that the work and challenges presented by a number of our recommendations will require new and vigorous leadership that is steadfastly committed to the best interests of students and promoting a culture of human rights and equity.

IV. Human Resources Practices and Organizational Alignment

Human resources in a school board the size of the PDSB involves managing close to 17,000 academic and business staff serving more than 250 schools. We recognize this is a challenging portfolio with expansive responsibilities. In the PDSB, the human resources department is headed by a Superintendent of Education responsible for Human Resources Support Services; this person reports to the Associate Director of Instructional and Equity Support Services. The human resources department is responsible for employee relations and interacts with five bargaining agents representing academic and business staff, and two professional associations representing school and senior administrators.

The PDSB human resources department is responsible for health and safety, labour relations, workplace complaint procedures, grievances and investigations processes, and workplace equity. Recruitment and retention policies are also developed and supported by this department, along with accommodations, wellness, and attendance programs.

To be an effective part of the organization, human resources management requires strong ethical leadership, and the ability to coordinate and align organizational functions, roles and accountabilities. It requires a highly skilled, knowledgeable, and experienced team of human resources professionals to establish and manage the various interconnected employment functions of the organization. For some of its functions, human resources must play a watchdog role with respect to identifying and addressing inappropriate practices and changing norms. This last role should be embraced by the entire system, but often is not.

We have been asked to provide our observation on human resources practices in the PDSB. Our comments specifically concern hiring and promotion practices; workplace equity; grievances and complaint mechanisms; and organizational alignment.

Hiring and Promotion Practices

Through interviews and written submissions, we heard many concerns about inappropriate hiring and promotions practices; indeed, a common perception is that favouritism and nepotism exists at all levels of the PDSB. Some people told us that they did not bother to apply for certain jobs they were interested in and qualified for because they had been advised that those positions were being held for someone else. Others witnessed relatives, close friends, or acquaintances of senior staff members being hired over more qualified candidates - including candidates from equity-seeking groups - without any rationale or explanation provided. As such, favouritism and nepotism are perceived as a normalized practice of the PDSB culture.

We heard of trustees trying to secure positions in schools for constituents of their wards, seemingly unaware that this was both outside of their scope of responsibilities and unethical. We understand that trustees serve on hiring committees for superintendents and principals. Apart from this being problematic from a good governance perspective, we are concerned that the deep divisions in the Board of Trustees could impact hiring decisions for senior positions. We also point out that this practice can give rise to staff inappropriately currying the favour of trustees, and trustees inappropriately gaining favours from senior staff.

We also heard several accounts of staff being hired without going through proper interview processes, or in many cases without any interview processes at all. We heard several accounts of principals manipulating timetables and job posting criteria to “reverse engineer” vacancies in favour of their preferred candidates. Many interviewees told us of inconsistencies in the composition of hiring panels, meaning that interviewers would be swapped out depending on the candidate being interviewed.

We were told of racialized candidates being passed over for promotions and not being invited to interview for positions for which they were clearly qualified. Some staff requested interview feedback and never received a response to the request. We were troubled to learn that, as part of its leadership development program, the PDSB offers the Myers Briggs personality test to participants who voluntarily seek leadership coaching. It is surprising that the PDSB uses this instrument as a coaching and development tool given the well-known and credible

scholarship debunking its validity. It is especially unsettling in light of the criticisms of socio-economic, racial and cultural biases levied against the test.⁴²

Hiring in the PDSB is largely decentralized. With the exception of French immersion teachers, principals are responsible for the hiring of teachers in their schools. There are advantages to this approach: principals know their students, school communities, and staff, and arguably are best positioned to hire based on the school's needs. However, this practice can be also be problematic in that most principals do not have human resources training and are likely not well versed in effective and equitable hiring practices. In fact, we heard that hiring practices in schools are often lacking in due process, and qualified candidates are overlooked because hiring decisions often depend on who the principal knows or who is known in the school community.

The extent to which systemic, invisible discrimination operates even within procedures created to ensure due process came to light when we learned that the algorithm relied upon by the PDSB for vetting prospective candidates in the application portal may be inappropriately screening out otherwise qualified racialized candidates. We were informed that the algorithm selected candidates that mirrored previous successful hires, thereby indirectly reproducing historical preferences in hiring. This is an example of how past patterns and structures can inadvertently perpetuate discrimination. The PDSB must undertake steps to negate the negative effects of the algorithm and ensure that biases do not replicate inequalities present in previous procedures.

A recent job file competition audit revealed major inconsistencies and serious concerns in hiring and promotions processes. The audit revealed that accountability measures are sorely lacking in the human resources support services department, as evidenced by the fact there is little consistency in the application, filing and applicant tracking processes across the PDSB. The audit also revealed inconsistencies in hiring panels, interview questions and scoring practices. It is concerning that there is a lack of understanding around ownership of job competition files, the absence of due process, and the disturbing lack of oversight of hiring and promotions practices and processes.

⁴² See *The Personality Brokers*, wherein author Merve Emre states the Myers Briggs test “promotes many disingenuous and dangerous ideas about race, gender, class, and social perfectibility, ideas that have motivated and continue to motivate terrible forms of bias and discrimination.” One example cited was that the test was used to prove that Black students had a “very undesirable pattern reflecting the shirking of responsibility.” (Introduction, Page XX) Emre, Merve. (2018). *The Personality Brokers: The Strange History of Myers-Briggs and the Birth of Personality Testing*. Toronto, Ontario: Random House.

Key Findings: PDSB Job Competition File Audit (2018)	
Interview Irregularities	<ul style="list-style-type: none"> • 50% of files indicated Process irregularities (Missing, incomplete, or misused Scoring Rubric; Inconsistent interview questions; No clear rationale for selection of successful candidate) • 20% of files indicated Inconsistent interviewers (interview panels were inconsistent) • 26% of files indicated Interviewers as references (interviewers were listed as references for the candidate and the Conflict of Interest form was not signed)
File Contents	<ul style="list-style-type: none"> • 20% of files could not be audited if only the successful candidate's documents were submitted since the items for the other candidates were missing from the file. • 39% of the files audited were missing items (the scoring rubric was the item that was most frequently missing). • 20% of files audited were missing resumes and No Conflict/Conflict Declaration forms.
Files Not Audited	<ul style="list-style-type: none"> • 44% - cannot locate file • 5% - files discarded or shredded before 18 months • 14% - files past 18 months • 9% - no interview process (e.g. candidate already on supply list; candidate was a placement; short term LTO position) • 20% - successful candidate's documents only • 8% - miscellaneous reasons (e.g. files received were for wrong job competition; all documents for successful candidate missing)

Data Source: Bennett, K., Wu, M., Sivayoganathan, S., Nanda, K. (2018). *Job Competition File Audit: The Journey Ahead Review*. Mississauga, Ontario: Peel District School Board.

A view that we heard consistently throughout the course of this Review is that the PDSB's human resources, employment systems, and support structures are deficient and seriously compromised. There is clearly a need for the PDSB to change structures, processes, and procedures in the purview of its human resources department to ensure clarity, fairness, transparency, and consistency in employment processes, and clear delineation of roles and responsibilities and accountabilities.

Workplace Equity

We met with many staff who told us that *The Journey Ahead* - the PDSB's action plan for equitable hiring and promotion - has been little more than a "talking point", and that minimal intentional and meaningful action has been taken to implement the plan. *The Journey Ahead* was developed in response to an external review of hiring and promotion practices in the PDSB, and the plan identifies two priorities: ensuring bias-free hiring processes; and ensuring a bias-free academic promotion process.

We were told that *The Journey Ahead* was developed without the PDSB having conducted an Employment Systems Review (ESR). Indeed, the *Journey Ahead* is based on a research

report, into employment systems, that was conducted in 2013. In the research report, the authors make it abundantly clear that a full *ESR* was not conducted and that such crucial factors such as workplace culture and training and development were not examined. A detailed *ESR* is an irreplaceable best practice used to ferret out barriers to equity in workplace cultures, policies, procedures, and practices. Indeed, without a thorough *ESR*, it is difficult to understand how the Board can properly establish the accountabilities, goals, and timetables necessary to conduct fair and transparent equity hiring. As a consequence, despite *The Journey Ahead* having been in place for seven years, the Board is struggling to meet equity hiring priorities.

We understand that during the nine-month absence of the Associate Director responsible for human resources support services from late 2018 to mid-2019, three superintendents were dispatched from other areas of the PDSB to assume the role of Acting Associate Director, each for approximately three months. The lack of stability at this senior level impacted the continuity of work under this portfolio. A number of staff - both inside and outside the human resources department - said that this situation stalled various workplace equity initiatives, and there was no clear direction on responsibilities or priorities. In addition to the Associate Director's leave of absence, we also note that the human resources department has undergone extensive staff turnover over the past year, impacting its capacity to address issues and champion key workplace equity initiatives.

Accountability is one of the PDSB's greatest obstacles to fairness and equity in the workplace. The PDSB has made some progress in implementing recommendations stemming from the external review conducted seven years ago, in 2013. Since that time, the PDSB has updated resources and procedures for recruitment and hiring, developed targeted hiring initiatives, and has improved communications on procedural human resources changes. However, the impact of these changes remains unclear. Without having conducted an *ESR* and without having developed a plan based on both the *ESR* and available employee data it is not possible to establish proper mechanisms to assess and evaluate progress and outcomes, and it is not possible for the PDSB to report on progress and make any informed determination as to whether the plan is achieving its intended results.

The PDSB must continue to collect workplace census data, and use that data to inform all its human resources policies, practices, and structures. That data must also inform measurable goals and accountabilities for meeting those goals. In the absence of that data, it will be impossible for the PDSB to meet the priorities set out in its own action plan for equitable hiring and promotion.

Many participants stressed the necessity and importance of all levels of the organization reflecting the diversity of the student body and the PDSB community. After listening to numerous experiences shared by racialized employees at different levels of the organization, it appears the PDSB has real problems with tokenism and is either unable, or unwilling, to do the necessary work to ensure meaningful representation, particularly with respect to staffing in key roles such as program and curriculum coordination at the Board level.

A number of Black staff told us that they feel disrespected in their roles and that they are often - or only - called upon for "window dressing" or "to fix problems" and diffuse tensions with racialized parents. Several staff told us that they felt as though they were not seen for who they were and what they brought to the job, but rather used as props. In addition to

struggles with tokenism, many racialized staff told us that they experienced differential treatment, that they were held to higher standards than White staff, that they had to work harder and have more credentials and experience just to be seen as equal to White staff. Almost uniformly every racialized participant in the Review told us that they face barriers to equal opportunities to move forward and advance their careers in the PDSB.

At the central board level, there have been a number of Black educators in key equity roles. However, tenure in these roles has not been permanent but instead often short or interrupted. We heard of staff being promoted from central roles into school-based administrator and other roles in the Board without their central position being filled. As a result, the initiatives they were leading were either stalled or did not move forward at all. For example, over the course of a few years, there have been three *We Rise Together* coordinators, each of whom had been reassigned mid-tenure to other roles in the Board. This, predictably, disrupted the implementation of *We Rise Together*.

Many Black educators in school-based roles told us that they feel isolated and are sometimes the only - or one of a few - Black teachers or administrators in their school. This is the case even in schools where there are high proportions of Black students. Students similarly remarked on the absence of racialized teachers and administrators, noting that they do not see themselves in the staff of their schools, even when the student population was predominantly racialized. Students told us that during their time in PDSB schools, they did not have many teachers who looked like them; one high school student who is racialized told us that “just for one year I had a Black teacher, the rest were White”.

Students expressed a real need for more Black teachers in English, History, Social Sciences, and STEM courses, as well as in guidance departments, particularly male guidance counsellors. Students told us that it is important for them to be able to relate to their teachers through shared lived experience, and important for teachers to appreciate when there are differences between them. As one Black student told us, ‘there are many cultural and ethnic norms that [White] teachers do not understand’, and it is challenging when teachers’ behaviour tells students that don’t want to engage with them and don’t understand Black students.

Students told us that their teachers are not prepared to deal with racism, nor do they have the tools to step up and do what is necessary to improve the culture in schools. Students shared their desire to have “open communication” with teachers and students about differences. Muslim students who observe Ramadan, for example, told us that teachers do not understand their experience or respect their need for religious accommodation, noting that although some Muslim students wish to pray five times a day, they do not have the means to do that at school. Despite racialized students being the majority of the population, teachers are predominantly non-racialized. Having a teaching staff that is representative of the students in school would allow students to focus on learning, rather than having to focus so much of their time and emotional energy navigating an education system where they are made to feel like outsiders.

The PDSB has not demonstrated leadership to establish and communicate a student-centered vision and goals for workplace fairness and equity, transparent roles and lines of responsibility, and clear measures for monitoring and evaluating progress.

Grievances and Complaints Mechanisms

There is widespread confusion related to the PDSB complaints mechanisms, including addressing parent complaints, workplace grievances, and human rights issues. We heard that there is little clarity with respect to what to do, what process to follow, where in the Board to go, and thresholds and timelines that need to be considered. We appreciate that some of that confusion relates to the relatively new Human Rights Commissioner's Office, but the newness of that office does not explain the long-standing and significant uncertainty amongst employees about what policies, pathways, and accountabilities are available to them to address workplace complaints.

Individuals may not agree with the outcome of a grievance or dispute, but it is essential that process be transparent, and the outcomes principled and defensible. We heard serious concerns about the legitimacy of workplace investigations, primarily due to the investigators used by the PDSB. There was a commonly held perception of bias due largely to the fact that the PDSB often contracts former employees as investigators. Several respondents expressed concerns regarding the ethics and fairness of contracting retired supervisory officers to conduct internal investigations on issues that they were not experienced with or qualified for. As one respondent put it, "often when left to the Board to resolve issues, it's like the police investigating themselves". Almost every individual who described their experiences with an external investigator retained by the PDSB told us of their dissatisfaction with the lack of information about the process, and spoke to misunderstandings that arose due to lack of information on disclosure, witnesses, and sanctions.

Parents and community members told us that grievance, complaints and discipline processes and procedures are not accessible or clear, and often seem to be ad hoc at best. We heard many times that parents did not know where to go - or felt that they had nowhere to go - with complaints about their children's teachers, principals, or another staff. And when they did learn where to seek recourse, many felt they were not being listened to or their issues were not being dealt with in a fair, respectful, transparent, timely, and equitable manner. Many participants shared stories of repeated frustration of not being notified of progress or the outcome of a complaint they had made about a teacher or principal at their children's school.

We heard from a parent who made a complaint about a teacher's use of discriminatory language in school; the parent was not provided with any clear updates on the progress or outcome of their complaint despite repeated emails and phone calls to the principal and senior administrators. It is true that, in some circumstances, due to collective agreement provisions, policies, or legislation, the PDSB may not be in a position to provide complainants with information, particularly on disciplinary measures. However, clear communication and transparency about procedures, who can participate and to what extent, as well as what can be disclosed and when, will not only assist those involved in the complaint, but will bolster the legitimacy of the process.

We frequently heard that internal grievances and complaints are not being dealt with in a principled manner. A number of interviewees used the phrase "delay, deny and defend" to describe how they were treated by senior administration during investigations procedures. There are also significant human rights complaints filed by staff in the PDSB, and we were told that people feel that engaging with an external body - the Human Rights Tribunal of

Ontario - is their only recourse because the Board does not have the internal capacity to adequately and fairly address complaints.

With respect to internal human rights complaints, several participants contend that thresholds of proof and time are used to quash concerns and complaints. A repeated sentiment heard was that staff and families do not trust the PDSB's internal procedures to handle their human rights concerns because of heightened suspicion of the Board's Human Rights Commissioner's Office, which is perceived as not independent, too close with the Director's office, and trying to protect the PDSB's interests.

The PDSB needs to ensure that there is accessible, user-friendly information and resources on discipline, complaints and grievances policies and processes available to staff and community. The PDSB must undertake all necessary measures to ensure that its processes and procedures for addressing community and staff complaints are clear, transparent, and fair and that all parties understand what due process entails.

Organizational Alignment

The structure resulting from an organizational review of the PDSB conducted approximately two years ago is not working. Accountability structures and measures remain unclear, even to senior staff leading major portfolios. The current structure is not tenable and there is a blurring of distinction between responsibilities and accountability measures.

The distribution and reporting structure of the portfolios in the Director's Office is dysfunctional. Reporting structures have been rearranged due to personal and professional conflicts, and not necessarily with the best interests of students in mind. There is much duplication in duties and work, and even more confusion over responsibilities and accountabilities. There is especially duplication in duties and work between climate and equity, and even senior staff were unsure who is responsible and accountable for what. The current distribution and reporting structure of portfolios related to equity, climate, human resources, and curriculum is simply not working.

We heard consistently from senior administrators, principals, teachers, and the broader community that there needs to be a reorganization of the equity portfolio at the senior administration level. The delineation of portfolios and work between the teams responsible for equity and climate is neither effective nor sustainable if the PDSB is to make any meaningful progress on the equity and human rights front. The current structure has resulted in numerous silos, fractured relationships, lack of coherence, redundancies of work and responsibilities, and an instability in central coordination roles. Clear accountability in roles, responsibilities, measurable outcomes seems to be the biggest factor absent from the Board's equity work.

We recommend that a critical review of the structure of senior leadership and management be undertaken, and that any resulting structure be based on clear system goals and needs, and not based on workload. Specifically, we recommend that the equity portfolio stand alone, and include both student equity and workplace equity, within a new, robust Equity Office. This Office should amalgamate the current equity and climate portfolios and, together with the Human Rights Commissioner's Office, be responsible for establishing and implementing

a comprehensive, strategic, annual Equity Action Plan to address systemic inequities experienced by both students and staff.

The Equity Office should be accountable for an annual Equity Action Plan as well as an anti-racism policy. Community Outreach should also reside in this office to ensure community members are meaningfully consulted in the development of major PDSB initiatives. We recommend that the responsibility for the Equity Office be overseen by an associate director of equity, and that this associate director focus solely on overseeing this portfolio given the concerted and focused efforts that are required to address the significant equity and human rights issues facing the PDSB.

As we have stated earlier in this Report, workforce census data and student identity data will be essential to the work that the PDSB must undertake. To that end, we recommend that the Research and Accountability Department ensure that a researcher or research analyst with specific expertise in analysis from an equity perspective be part of its permanent staff. This is currently lacking in the department and the Board requires in-house expertise to be able to undertake student and staff census to be able to inform equity initiatives and ensure equity accountability.

We also recommend that the human resources support services department be assigned to an associate director responsible for operations of the Board, to ensure that there is no conflict of interest in the reporting structure and to ensure independence of the human resources support services department. This recommended structure should enable and condition collaboration with the Equity Office on matters relating to workplace equity, but overlap of the day-to-day operations between human resources and workplace equity should be eliminated.

We further recommend that the Board reconsider its legal services supports. Currently, over \$1.7 million dollars has been paid by PDSB for legal fees and this represents a 99% increase in legal expenditures from four years ago (2014-15 to 2018-19):

2018-19	1,683,887
2017-18	1,723,678
2016-17	1,502,545
2015-16	1,239,006
2014-15	848,196

We were surprised to learn that a very significant portion of the Board's legal budget is being used on human resources matters. This signals to us that the current human resources policies, procedures, and practices are not working. We understand that the PDSB does not currently have in-house counsel, and instead contracts legal services through a roster of legal firms. Given the budget that has been allocated to legal matters over the past five years and understanding that a large proportion is committed to employment matters, we recommend that the PDSB conduct a cost/benefit analysis of instituting in-house legal services, particularly to support human resources.

Moving Forward

In 1992, the *Report on Race Relations in Ontario* summarized the disquieting questions posed by racialized students and families about their education:

“Where are the courses in Black history? Where are the visible minority teachers? Why are there so few role models? Why do our White guidance counsellors know so little of different cultural backgrounds? Why are racist incidents and epithets tolerated? Why are there double standards of discipline? Why are minority students streamed? Why do they discourage us from University?... How long does it take to change the curriculum so that we’re a part of it?”⁴³

We can no longer be complacent in leaving these questions unanswered. This Review’s recommendations will resonate not only for communities within the PDSB but also for school boards and trustees in some other parts of Ontario. Clearly what the recommendations call for is educators and leaders - including elected leaders - who are aware of their own place in the world and who will bring a higher consciousness and personal commitment to the work of ensuring that every effort has been made to achieve success for all of the children for whom they are responsible. Our recommendations call not only on the PDSB but on the principal organizations within the education sector and within the Ministry of Education to step forward and to redouble their efforts toward ensuring equality in outcomes in education.

In making our recommendations, we call for a new style of leadership in the PDSB and other boards facing similar circumstances; leadership that has, through rigorous assessment of its own strengths and weaknesses, demonstrated the capacity to face the evidence of systemic inequity and to grasp the complexity of the issues facing those less able to advocate for themselves. The task for those leaders is to bend best efforts of our education systems into effective service for all.

⁴³ Lewis (1992), Pages 20-21.

Recommendations

Governance and Leadership

1. Peel District School Board (PDSB) immediately retain the services of a mediator/mediators to assist the Board of Trustees to identify, address and resolve the dysfunction amongst the Trustees and between the Board of Trustees and the Director and Associate Directors. All Trustees are to participate in this mandatory mediation.

Within one month, the mediator(s) provide an interim report to the Minister documenting the extent to which progress is made in the collective capacity of the Board of Trustees to govern effectively.

Further, within one month of providing the interim report, the mediator(s) provide a report to the Minister stating whether in the mediator(s)' opinion, the Board of Trustees is able to govern in the interests of all students in the PDSB, in a manner that reflects professionalism and fosters public confidence.

2. Effective immediately, Trustees cease to participate in any hiring or promotion panels, with the exception of the position of Director of Education.
3. Effective immediately, all informal and formal Trustee Code of Conduct complaints, including open investigations, and investigations and reports that are yet to be considered by the Board of Trustees, be suspended pending the outcome of the mandatory mediation set out in Recommendation 1.
4. PDSB immediately retain the services of, and assign future code of conduct complaints which involve human rights issues to, an Integrity Commissioner who has demonstrated experience in, and knowledge of, human rights principles and the application of the Ontario Human Rights Code.
5. PDSB immediately retain the services of a parliamentarian/governance expert pro-tem to establish procedures and practices to ensure that effective, respectful, and transparent governance is in place. At the end of their tenure, the expert pro-tem should be replaced by a permanent employee to serve as the PDSB's parliamentarian/governance expert.
6. PDSB establish and implement a mandatory annual learning plan for all current and newly-elected Trustees that adequately addresses:
 - i. obligations and responsibilities under the *Education Act* and all other relevant legislation, including the *Municipal Freedom of Information and Protection of Privacy Act*, the *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code*;
 - ii. the By-laws of the PDSB;
 - iii. appropriate use of the PDSB Trustee Code of Conduct; and

iv. PDSB governance and other key policies, including but not limited to policies concerning Trustee conduct; conflict of interest, equity and inclusive education, and human rights.

7. PDSB review its standing and ad hoc committees to ensure that the racial diversity of the Board of Trustees is adequately represented in committee composition.
8. PDSB immediately retain the services of an external expert to assist the Board of Trustees to conduct a robust, transparent appraisal of the Director of Education's performance particularly, but not exclusively, with respect to addressing anti-Black racism, Islamophobia, other pressing areas of equity, and board governance and human resources practices. The performance appraisal should involve a 360-degree assessment that includes confidential feedback from Trustees, senior administration, principals, teachers, students, and representatives of the PDSB community.

Equity and Human Rights

9. Within one year, PDSB develop and implement a comprehensive Annual Equity Accountability Report Card that is included as part of the Director of Education's annual report under s. 283(3) of the Education Act. The Report Card should:
 - i. report on clearly defined student-centered outcomes including eliminating disparities in achievement of students from the PDSB's various communities;
 - ii. establish accountability measures and responsibilities for school and senior board leadership that should include suspension, expulsion and graduation rates, representation in academic, applied and locally developed credit courses, representation in special education, representation in regional choice learning programs, credit accumulation and student absenteeism disaggregated by school, grade, race, language, disability, sex, gender, Indigeneity, and socio-economic status; and
 - iii. assess, evaluate and report on progress towards improving outcomes for all students.

Further, disaggregated race-based data on suspensions (in and out of school), expulsions and exclusions be tracked centrally and reported on publicly through the Annual Equity Accountability Report Card.

10. PDSB hire a Superintendent of Equity who is accountable for the Equity Office and the implementation of the Equity Action Plan described within this recommendation, and reports to the Associate Director responsible for equity.

PDSB establish a new, robust Equity Office within six months. This Office must amalgamate the current Equity and Climate portfolios and – in collaboration with the PDSB Human Rights Commissioner – be responsible for establishing and implementing a comprehensive, strategic, annual Equity Action Plan to address systemic inequities experienced by both students and staff. The annual Equity Action Plan should:

- i. set specific objectives to reduce and eliminate inequities within the PDSB and those objectives be tied to actions and measurable outcomes;
- ii. include the use of student and workplace census data to inform decisions related to policies, protocols, programming and other student-centered initiatives; and
- iii. be made publicly available to the PDSB community by November of each year.

Further, the Equity Office include an Outreach Officer who is responsible for developing a comprehensive outreach plan to rebuild and maintain trust and credibility with the PDSB community, particularly with Black communities. The Outreach Officer should be responsible for leading implementation, assessment and reporting on the outreach plan, which should set specific objectives that are tied to actions and measurable outcomes.

- 11. The Equity Office establish a student advisory committee, representative of the demographics and intersectionalities of the student body, with whom the Director of Education and senior administration may consult on student-related policies, programs and initiatives.
- 12. Where increases in executive compensation are permitted under provincial legislation, such increases amongst other things, be tied to progress of the implementation of the annual Equity Action Plan.
- 13. PDSB take all necessary steps to ensure the independence of the Human Rights Commissioner's Office within the organizational structure of the PDSB and safeguard the neutrality of that Office. The PDSB should also clearly articulate the arms-length and impartial role of the HRCO in Policy 51, Operating Procedure 1 and their successor instruments.

Anti-Black Racism

- 14. With specific reference to the harm to Black communities, the Board of Trustees immediately issue a responsive and respectful public apology for the mishandling of the McCrimmon Middle School incident.
- 15. PDSB establish a comprehensive four-year strategy and action plan to address and eliminate statistically significant disproportionalities in enrolment, achievement and outcomes of Black students, other racialized students and Indigenous students in applied, academic, locally developed, Special Education, and Regional Choice pathways and programs. The strategy and action plan should:

- i. include specific objectives tied to actions, measurable outcomes and timelines for meeting those objectives;
- ii. include actions and measurable outcomes to reduce the effects of implicit bias on the disproportionate outcomes of PDSB's Black students, to encourage Black students to establish goals and achieve academically;
- iii. identify an individual or individuals responsible for meeting the objectives;
- iv. include provisions for engaging with parents; and
- v. include provisions for public reporting on progress towards achieving outcomes in the strategy;

Accountability for the action plan should be explicitly addressed in the Board's Multi-Year Strategic Plan, the Board Improvement Plan for Student Achievement (BIPSA), the Equity Action Plan, and in the performance appraisals of principals, supervisory officers, the Director of Education and Associate Directors. This strategy and action plan should be a key component of the Annual Equity Accountability Report Card.

16. Within one year, PDSB develop a robust, comprehensive and strategic professional learning plan for senior staff on equity, human rights, anti-bias, and anti-Black racism. The plan should:
- i. be strongly informed by disaggregated, race-based data with respect to PDSB students, staff and broader community;
 - ii. set specific objectives and be tied to actions and measurable outcomes; and
 - iii. include provisions for public reporting on progress towards achieving outcomes in the plan.

Further that PDSB identify an individual or individuals responsible for implementing the plan.

17. PDSB ensure that its Anti-Racism Policy is developed with input from the PDSB community, applies to both staff and students, and includes clearly defined outcomes, operating procedures, roles, responsibilities and accountability measures.
18. PDSB immediately undertake a robust, comprehensive reform of its guidance system to address the needs and expectations of all students and their families. The reform should specifically remedy the inadequacies and gaps in supports and guidance for historically and currently underserved demographic groups, with emphasis on Black students.
19. PDSB undertake a comprehensive diversity audit of schools – including naming, mascots, libraries and classrooms. This should include evaluating books, media and other resources currently being used in schools for teaching and learning English, History and Social Sciences to ensure that they are inclusive and culturally responsive, relevant and reflective of the student bodies and voices, and broader school communities.

20. In order to proactively remedy disparities in placement and academic outcomes, PDSB design and implement a substantive secondary school de-streaming pilot project for Grades 9 and 10 for the 2021-22 school year. The pilot should include those schools in which the highest proportions of Black students are currently streamed into applied and locally developed courses. Results of the pilot should be shared with the PDSB community and be used to inform the work of the Ministry of Education.
21. PDSB immediately develop and implement a communications plan to better inform the diverse PDSB community, including all parents and students, that secondary school program placement and course selection decisions are ultimately to be made by students and parents.
22. Subject to the provisions in section 310(1) of the *Education Act* and where otherwise provided for by law for reasons unrelated to student discipline (such as non-immunization), the PDSB cease all suspensions and expulsions of students in Junior Kindergarten and Senior Kindergarten as of September 2021, and of students in Grades 1 to 3 as of September 2022.

Subject to the provisions in section 310 (1) of the *Education Act*, PDSB review and revise its student discipline policy to reflect and prioritize restorative justice approaches as alternatives to suspensions (in and out of school), expulsions and exclusions. The updated policy should:

- i. include clear information on the rights, roles and responsibilities of parents in the school's application of discipline procedures; and
- ii. require supervisory officers be notified and consulted with respect to all suspensions, expulsions and exclusions and calls to the police for student behaviour, except in cases of emergency.

Further, that PDSB audit the implementation of its updated student discipline policy and publicly report the audit findings.

And further that PDSB immediately develop and implement a communications protocol for promptly informing parents of students who are suspended (in and out of school), expelled or excluded.

23. PDSB eliminate statistically significant racial disparities in all in-school and out-of-school suspensions, exclusions, and expulsions by September 2021.
24. Within one year, PDSB establish and begin the implementation of a plan, with reasonable goals and timelines, to ensure the composition of the pool of para-professionals within and contracted to the Board reflects the diversity within the PDSB community.

Human Resources and Organizational Alignment

25. Within six months, PDSB retain the services of an external expert/experts to undertake a comprehensive review of the Director's Office and central board functions. The review should establish clear roles, responsibilities, and accountabilities for all major portfolios including legal services and human resources, and thereafter rigorous performance appraisals of the Associate Directors and Director of Communications be undertaken.
26. Within six months, PDSB retain the services of an external expert/experts, to undertake a comprehensive employment systems review (ESR) that would concurrently review the implementation of the recommendations of the 2013 Turner Report on The Journey Ahead. The ESR should be underway by September 2020.
27. Within one year, PDSB establish a centralized applicant tracking and file management system including hiring, promotions and pro-tem appointments to ensure that fair and transparent procedures are in place and adhered to. Immediately preserve all documentation referring to hiring, promotions and pro-tem appointments.
28. PDSB develop and implement a new, robust and comprehensive Fairness and Equity in Employment Strategy, informed by the results of the ESR audit and data from an updated workplace census. The strategy should include clearly defined goals, outcomes, roles, responsibilities and accountability measures.
29. Within six months, PDSB review the Board's employment application processes to determine whether or not otherwise qualified racialized candidates are being screened out and report the results of the review at a public meeting of the Board of Trustees. If it is determined that the application processes are inappropriately screening qualified candidates, then it should take prompt action to correct the problem within one year.