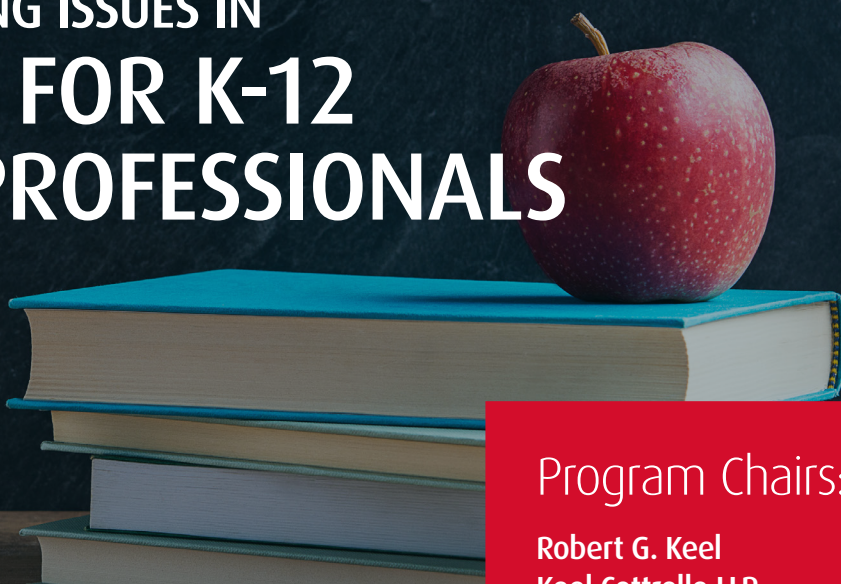


CRITICAL AND EMERGING ISSUES IN SCHOOL LAW FOR K-12 EDUCATION PROFESSIONALS



Having a clear understanding of the law that governs the education system is critical...

Over **2 comprehensive days** you will gain an **in-depth understanding** of the **top legal issues** facing education professionals today and **practical strategies** for how to handle them including:

- The *Charter* and *Ontario Human Rights Code*: How they impact your day to day decisions
- Using progressive discipline to support positive, responsible student behaviour
- The dangers of smartphones: from sexting to posting photos to sharing social media images
- What information can school administrators receive from police about students charged pursuant to the *YCJA*?
- Your role and responsibilities around cyberbullying in schools
- Hearing from experts on student discipline best practices: investigations, evidence, reports, due process and school board obligations

Register today at:

osgoodepd.ca/school-law

Program Chairs:

Robert G. Keel
Keel Cottrelle LLP

The Hon. Justice Marvin A. Zuker
Ontario Court of Justice;
Associate Professor, Leadership,
Higher & Adult Education,
University of Toronto, OISE

Program Details:

DATE AND TIME

February 1-2, 2017
8:30 a.m. – 3:30 p.m.
In Person

LOCATION

Osgoode Professional
Development
1 Dundas St. West, 26th Floor
Toronto, ON

ONLINE REPLAY

February 27-28, 2017

ENDORSED BY:



Drawing on the expertise and experience of leading educators, lawyers and law enforcement experts, including:

Program Chairs



Robert G. Keel
Keel Cottrelle LLP



The Hon. Justice Marvin A. Zuker
Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Program Faculty

Nadia Adragna

Coordinating Principal of TCDSB Expulsion Program and Safe Schools Department, Toronto Catholic District School Board

Bill Byrd

Administrator, Caring and Safe Schools, Toronto District School Board

Wendy Dowling

Superintendent of Leadership Development and School Support Services, Peel District School Board

Brock Jones

Crown Counsel (Criminal), Ministry of the Attorney General of Ontario

Robert G. Keel

Keel Cottrelle LLP

Sheila MacKinnon

Shibley Righton LLP

Sheila C. MacKinnon

Barrister & Solicitor

Marianne Mazzorato

Director of Education, Dufferin-Peel Catholic District School Board

Police Constable Megan McGarry

Divisional Policing Support Unit, Toronto Police Service

Detective Constable Scott McQuoid

Sex Crimes Unit, Child Exploitation Section, Toronto Police Service

Eric M. Roher

Borden Ladner Gervais LLP

Joe Tompkins

Superintendent of Education (Student Achievement), Kawartha Pine Ridge District School Board

The Hon. Justice Marvin A. Zuker

Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Keynote Speaker

Dr. Danial Schecter

MD, CCFP, Co-Founder and Medical Director, Cannabinoid Medical Clinic

"Marijuana and its Implications in an Educational Setting"

Critical and Emerging Issues in School Law for K-12 Education Professionals

Today's education environment is more demanding than ever. The Ontario school system and its governing legal framework is constantly evolving. As an educator, school administrator, Supervisory Officer, Board official, Trustee or lawyer, your failure to understand or keep current in this area can have serious and potentially costly ramifications.

Developed and delivered by leading education law experts, this *OsgoodePD* program will equip you with a solid and practical understanding of the most pertinent legal issues that confront educational leaders and their legal advisors. Using **case studies** and real life examples, you will acquire the **key knowledge and strategies** you can apply immediately. The program written materials will act as a valuable resource long after the course is over.

The Day 2 **break-out sessions** will focus on the latest and most pressing issues facing Ontario schools and their students including: cyberbullying, mental health, police investigations, inappropriate student-teacher relationships and much more.

This is a unique opportunity to obtain **practical tips and insights** from top practitioners, education professionals and police who tackle these issues on a daily basis.

Who Should Attend?

- School Administrators
- Teachers
- Supervisory Officers
- School Trustees
- Special Education Consultants
- Directors of Education
- School Board Staff
- Representatives from Federations, the Ministry of Education, and Ontario College of Teachers
- Advocates for students and parents
- Legal Practitioners – education law practitioners, family and criminal lawyers, civil litigators, human rights, labour and employment counsel

Agenda

Day 1

Wednesday, February 1, 2017

8:00

Primer Registration and Continental Breakfast

8:30

Optional Primer: The Statutory Framework

Robert G. Keel, Keel Cottrelle LLP

It is critical that education professionals and their legal advisors have a thorough understanding of the legal regime that governs educational institutions in Ontario.

If you are new to the area, or just need a refresher, this review of the legislative framework will give you an up-to-date foundation for what comes later in the conference.

The intersecting legislation includes:

- The *Education Act* and *Regulations*
- *Teaching Profession Act*
- *Ontario College of Teachers Act*
- *Youth Criminal Justice Act* ("YCJA")
- *Criminal Code* ("CC")
- *Constitution of Canada*
- *Child and Family Services Act*
- *Children's Law Reform Act*
- *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA")
- *Occupational Health and Safety Act*
- *Ontario Human Rights Code* ("OHRC")
- *Labour Relations Act, 1995*
- *Employment Standards Act, 2000*
- Police Protocols,
- Ontario Schools Code of Conduct
- Common law

Conference Begins

NOTE: At the end of each session we will have a dedicated group discussion/Q&A session, allowing you to work with your colleagues on the top issues you want answered from the day's speakers. A dedicated Q&A session ensures that you walk away with all your questions answered!

9:00

Conference Registration

9:15

Welcome from the Chairs

Robert G. Keel, Keel Cottrelle LLP

The Hon. Justice Marvin A. Zuker, Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

9:20

The Impact of the *Charter of Rights* and the *Ontario Human Rights Code* on Schools

Sheila MacKinnon, Shibley Righton LLP

The *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code* require a balancing of rights, often difficult to reconcile in practice. It is vital for educators and their counsel to understand how the *Charter* and the *Code* impact decisions that are made on a day-to-day basis within the school community, including:

- Understanding *Charter* and *Code* rights in the school discipline context
- Freedom of expression under section 2(b) of the *Charter*
 - teachers and students
 - inside vs. outside the school
- Freedom of conscience and religion
 - what are the general principles?
 - religious accommodation of religious artifacts and dress code policies
 - open access provisions of the *Education Act* and exemptions from religious programs
- Disability discrimination
- Transgender issues in schools
- A review of recent decisions

10:20

Group Discussion & Q & A session

10:45

Refreshment Break

11:00

Intimidation.com: Update on Cyberbullying in Canadian Schools

Eric M. Roher, Borden Ladner Gervais LLP

- The scope of cyber bullying and the impact on Canadian students
- The roles and responsibilities of school leaders, teachers and parents
- What impact has been seen since the *Accepting Schools Act, 2012* was implemented?
- Review of relevant case law and the implications on school climate
- Cyber bullying and criminal law: an overview
- Concluding thoughts: creating a safe and inclusive school environment

12:00

Group Discussion & Q & A session

12:15

Luncheon and Keynote: "Marijuana and its Implications in an Educational Setting"

Dr. Danial Schecter, MD, CCFP, Co-Founder and Medical Director, Cannabinoid Medical Clinic

1:15

Police, Cyberspace and Criminal Behaviour

Detective Constable Scott McQuoid, Sex Crimes Unit, Child Exploitation Section, Toronto Police Service

- Understanding what constitutes cybercrime
- The dangers and the impact of cyberspace on children & youth
- Review/analysis of Bill C-13: prohibiting distribution of intimate images of a person without their consent
- The dangers of smartphones: from sexting to posting photos to sharing social media images
- Child pornography: what students, school officials and parents need to understand
- Obligations/responsibilities of school leaders

2:00

Group Discussion & Q&A session

2:15

Refreshment Break

2:30

Child Protection Issues in Schools: The Role of Educators

The Hon. Justice Marvin A. Zuker, Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Sheila C. MacKinnon, Barrister & Solicitor

- Identifying families in crisis: the role of education professionals in working with law enforcement and CAS
- Duty to report
- Everyone's role in the education of a child: from child welfare agencies to foster parents to the court
- Why and when the court may subpoena school records
- When the CAS removes a child, who does the school report to?
- Procedures, protocols and processes for reporting pursuant to s. 72 of the CFSA
- Joint investigations and information sharing
- What is the obligation of the school when it receives requests for records?
- Interviewing children at school by CAS or the Office of the Children's Lawyer
- The impact of child welfare issues in Aboriginal communities

3:15

Group Discussion & Q&A session

3:30

Day One Concludes

Day 2

Thursday, February 2, 2017

8:30

Welcome from the Chairs

8:35

Student Discipline: Best Practices On the Ground

Marianne Mazzorato, Director of Education, Dufferin-Peel Catholic District School Board

Bill Byrd, Administrator, Caring and Safe Schools, Toronto District School Board

Joe Tompkins, Superintendent of Education (Student Achievement), Kawartha Pine Ridge District School Board

Wendy Dowling, Superintendent of Leadership Development and School Support Services, Peel District School Board

- Understanding the ins and outs of student discipline procedures
- Best practices in developing reports associated with suspensions/expulsions and potential appeals
- Obligations regarding incidents occurring off school property or not during school hours
- Use of surveillance evidence and victim impact statements
- Using progressive discipline to support positive, responsible student behaviour
- Ensuring due process and attention to detail in all documentation
- Registrations from outside the board: what is the appropriate due diligence?
- New health requirements: epi pens in schools; concussion policies/procedures; Ryan's Law and potential student discipline implications

9:30

Group Discussion & Q&A session

10:00

Refreshment Break

10:15

Police Protocols and YCJA: School Board Implications

Nadia Adragna, Coordinating Principal of TCDSB Expulsion Program and Safe Schools Department, Toronto Catholic District School Board

Brock Jones, Crown Counsel (Criminal), Ministry of the Attorney General of Ontario

Police Constable Megan McGarry, Divisional Policing Support Unit, Toronto Police Service

- Privacy rights and search and seizure issues within the school
- Dealing with juvenile crime in and out of the school

- Student's right to privacy in schools: from access to records to school searches (under the YCJA and the Charter)
- Who should conduct investigations? Police? School official?
- What information can school board administrator receive from the police about students who have been charged pursuant to the YCJA?
- Working together to create a safer learning environment

11:15

Group Discussion & Q&A session

11:45

Social Media Case Study Overview

Robert G. Keel, Keel Cottrelle LLP

The Hon. Justice Marvin A. Zuker, Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

To prepare you for the afternoon break-out sessions, our Chairs will present a complex fact scenario meant to get you thinking about the issues impacting schools, including:

- Cyber-bullying: aggression; violence; community threats
- Mental health and suicide
- Social media Concerns: from parent-teacher dealings to professional misconduct and inappropriate relationships between teachers and students
- Investigations; police/CAS/OCT
- Teacher discipline issues
- School board exposure to negligence and liability

12:00

Luncheon

12:45

Break-Out Sessions: Cyber Space and Social Media in Education: Violence, Bullying, Mental Health and the Educator

Robert G. Keel, Keel Cottrelle LLP

The Hon. Justice Marvin A. Zuker, Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Marianne Mazzorato, Director of Education, Dufferin-Peel Catholic District School Board

Nadia Adragna, Coordinating Principal of TCDSB Expulsion Program and Safe Schools Department, Toronto Catholic District School Board

Bill Byrd, Administrator, Caring and Safe Schools, Toronto District School Board

In this interactive session you will break into small groups and working with facilitators, you'll discuss and analyze the factual situation. Following a short break, the entire group will re-convene and report back on the issues and strategies identified by their group.

2:00

Refreshment Break

2:15

Bringing it All Together: Group Reporting and Discussion

Robert G. Keel, Keel Cottrelle LLP

The Hon. Justice Marvin A. Zuker, Ontario Court of Justice; Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Marianne Mazzorato, Director of Education, Dufferin-Peel Catholic District School Board

Nadia Adragna, Coordinating Principal of TCDSB Expulsion Program and Safe Schools Department, Toronto Catholic District School Board

Bill Byrd, Administrator, Caring and Safe Schools, Toronto District School Board

To close out the day, the facilitators from each group will report back on the main issues and resulting strategies that emerged in their group. The concluding group discussion will reinforce your understanding of the issues and provide you with the best practices and tools needed to address these issues. There will be plenty of opportunity for questions.

3:30

Program Concludes

Here's what past attendees had to say about this program:

“*Worth the PD investment.*”

Brian Beney, Waterloo Region District School Board

“*The best conference I have ever attended. I learned so much.*”

Kristen Armstrong-Salari, Vice-Principal, Hamilton-Wentworth District School Board

“*Excellent depth and breadth of information & knowledgeable presenters. Well Done.*”

(2016 Attendee)

“*A very informative session, full of a lot of learning. I look forward to making attendance at this workshop a regular part of my calendar.*”

Jason Kinsey, Principal, Arrowsmith School

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Registration Details

Fee per Delegate – Two Days: \$825 plus HST

EARLY BIRD – \$795 Until Dec. 23, 2016

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit www.osgoodepd.ca/groupdiscounts for details. Please inquire about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less \$75 administration fee) is available if a cancellation request is received in writing 5 days prior to the program date. No other refund is available.



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Eligible CPD/MCLE hours: LSUC (ON)

With Primer: 12.75 CPD Hours (0.0 Professionalism, 12.75 Substantive)

Without Primer: 12.25 CPD Hours (0.0 Professionalism, 12.25 Substantive)

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