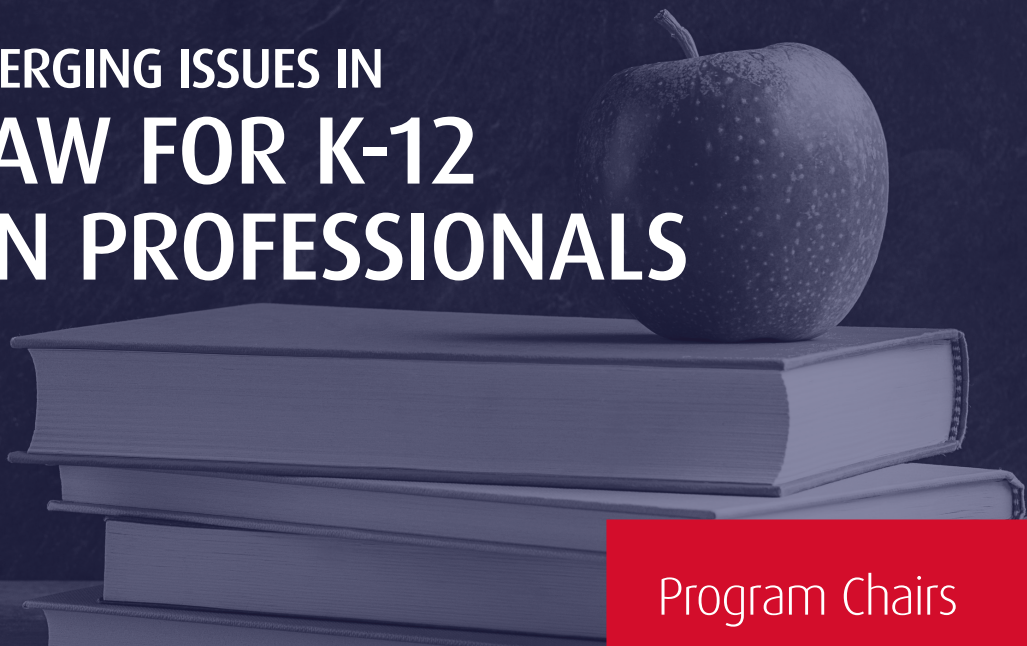


CRITICAL AND EMERGING ISSUES IN SCHOOL LAW FOR K-12 EDUCATION PROFESSIONALS



It is critical that you have a clear understanding of the law that governs today's education system.

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

- The *Charter* and *Ontario Human Rights Code*: How they impact your day to day decisions
- Identifying families in crisis; the role of education professionals in working with law enforcement and CAS
- Hearing from experts on student discipline best practices: investigations, evidence, reports, due process and school board obligations
- How can Supervised Alternative Learning (SAL) help or hinder progress?

Register today at:

osgoodepd.ca/school-law

Program Chairs

Robert G. Keel
Keel Cottrelle LLP

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

Program Details

DATE AND TIME
February 26-27, 2018
8:30 a.m. – 3:30 p.m.
In Person

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

ONLINE REPLAY
March 28-29, 2018

ENDORSED BY



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 costly ramifications.

Using **case studies** and **real life examples**, this annual 2-day OsgoodePD program will provide you with:

- Key **knowledge** and **strategies** you can immediately put to use
- Comprehensive program materials that will act as a **valuable resource** long after the course is over
- A comprehensive understanding of the issues along with **best practices and tools** to address them

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
- Office of the Ombudsman
- 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

Monday, February 26, 2018

8:00 a.m.

Primer Registration and Continental Breakfast

8:30 p.m.

**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:

- *Constitution of Canada*
- *Canadian Charter of Rights and Freedoms*
- *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 a.m.

Conference Registration

9:15 a.m.

Welcome from the Chairs

Robert G. Keel, Keel Cottrelle LLP

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

9:20 a.m.

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

Sheila M. 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 a.m.

Group Discussion & Q & A session

10:45 a.m.

Refreshment Break

11:00 a.m.

Navigating Education Law Issues When There are Mental Health Challenges

Dr. Sharon Pyke, Superintendent of Education, Greater Essex County District School Board

- Friend or foe: alternative programming for youth with anxiety
- Examining alternative programming options for students
- How can Supervised Alternative Learning (SAL) help or hinder progress?
- How to support PPM 131 home schooling requests when student is known to suffer from anxiety?
- What is the role of community partnerships when planning programming?
- Should attendance rules apply to students with anxiety?

11:45 a.m.

Group Discussion & Q & A session

12:00 p.m.

Luncheon and Keynote:

"Developments at the Human Rights Tribunal of Ontario Relating to Education Matters"

Jay Sengupta, Vice-Chair, Child and Family Services Review Board/Custody Review Board/Human Rights Tribunal of Ontario; Member, Ontario Special Education Tribunal (English); Social Justice Tribunals Ontario

1:00 p.m.

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

1:45 p.m.

Group Discussion & Q&A session

2:00 p.m.

Refreshment Break

2:15 p.m.

The Family: Rights of the Child & Parent, Issues of Custody and Access, Child Protection, Foster Care and Foster Children, Homelessness

The Hon. Marvin A. Zuker, 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

3:00 p.m.

Group Discussion & Q&A session

3:30 p.m.

Day One Concludes

Day 2

Tuesday, February 27, 2018

8:30 a.m.

Welcome from the Chairs

Robert G. Keel, Keel Cottrelle LLP

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

8:35 a.m.

Student Discipline: Best Practices On the Ground

Tilia Cruz, Superintendent, Special Education & Learning Services, Dufferin-Peel Catholic District School Board

Courtney Lewis, Safe Schools Administrator, Toronto District School Board

Mark Haarmann, Superintendent, Leadership Development & 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

9:30 a.m.

Group Discussion & Q&A session

10:00 a.m.

Refreshment Break

10:15 a.m.

Police Protocols and YCJA: School Board Implications

Nadia Adragna, Principal, Monsignor Fraser College, St. Martin Campus; Principal, 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 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 a.m.

Group Discussion & Q&A session

11:45 a.m.

Case Study Overview: Current Challenges Facing Schools - An Educator's Response

Robert G. Keel, Keel Cottrelle LLP

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

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

- Cyber bullying: aggression; violence; community threats
- Video surveillance
- Transgender issues in schools
- Investigations: police/CAS/ OCT
- Parent interactions with the schools – when is it too much and what can the school do?
- Accommodations challenges – staff and student
- Police in the schools
- School board exposure to negligence and liability in various situations

12:00 p.m.
Luncheon

12:45 p.m.

BREAK-OUT SESSIONS: Current Challenges Facing Schools - An Educator's Response

Robert G. Keel, Keel Cottrelle LLP

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

Nadia Adragna, Principal, Monsignor Fraser College, St. Martin Campus; Principal, Safe Schools Department, Toronto Catholic District School Board

Tilia Cruz, Superintendent, Special Education & Learning Services, Dufferin-Peel Catholic District School Board

Mark Haarmann, Superintendent, Leadership Development & School Support Services, Peel District School Board

In this interactive session you will break into small groups and work through a factual scenario with a facilitator. Following a short break, the entire group will re-convene and report back on the issues and strategies identified by their group.

This new format will expose everyone to a series of scenarios giving you valuable guidance, strategies and tactics in addressing a wide range of challenges in your school/board.

2:00 p.m.

Refreshment Break

2:15 p.m.

Bringing it All Together: Group Reporting and Discussion

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 a wide range of 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 p.m.

Program Concludes

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. Marvin A. Zuker
Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Register today at:

[osgoodepd.ca/
school-law](https://osgoodepd.ca/school-law)

Program Faculty

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Principal, Monsignor Fraser College, St. Martin Campus; Principal, Safe Schools Department, Toronto Catholic District School Board

Tilia Cruz

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Police Constable Megan McGarry

Divisional Policing Support Unit, Toronto Police Service

Detective Constable Scott McQuoid

Sex Crimes Unit, Child Exploitation Section, Toronto Police Service

Dr. Sharon Pyke

Superintendent of Education, Greater Essex County District School Board

The Hon. Marvin A. Zuker

Associate Professor, Leadership, Higher & Adult Education, University of Toronto, OISE

Keynote Speaker

Jay Sengupta

Vice-Chair, Child and Family Services Review Board/Custody Review Board/Human Rights Tribunal of Ontario; Member, Ontario Special Education Tribunal (English); Social Justice Tribunals Ontario

"Developments at the Human Rights Tribunal of Ontario Relating to Education Matters"

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

“Current materials presented by experts in the know. Perfect.”

Brian Lennox, Principal, Hamilton Wentworth District School Board (2017)

“Very informative and lots learned.”

Vice-Principal, YCDSB (2017)

“The program covered a wide range of interesting topics.”

Perry Gelakis, Vice Principal, Thames Valley District School Board (2017)

“Many layers of legislation - well paced and comprehensive resources provided.”

Rose Bastien, Vice-Principal, Hudson College (2017)

Registration Details

Fee per Delegate

Full Two Day Course: \$825 plus HST; Online Replay Only: \$625 plus HST

Take advantage of Early Bird Pricing until December 22nd!

Full Two Day Course: \$795 plus HST; Online Replay Only: \$595 plus HST

NOTE: The Online Replay does not include day 2 break-out sessions.

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit www.osgoodepd.ca/group-discounts 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 is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days' notice, a \$75 administration fee will apply. No other refund is available.



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSUC.



Eligible CPD/MCLE hours: LSUC (ON): **With Primer:** 12h 45m Substantive CPD Hours; **Without Primer:** 12h 15m Substantive CPD Hours

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca



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

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