



Advisory

The Council of Ontario Directors of Education (CODE) is an advisory and consultative organization composed of the CEOs of each of the 72 District School Boards in Ontario; Public, Catholic and French Language.

Accommodation Review Committee and Board Process

What do I need to know about the Accommodation Review Committee and board process?

The *Pupil Accommodation Review Guideline* revised June 2009 (previously referred to as school closure guidelines) is complex and challenging for district school boards. The *Guideline* sets out a rigorous process which is open to public scrutiny and is based on legislation and Ministry direction. The process can address enrolment issues, programming and facility conditions and has a significant impact on the board, parents, schools and communities. The pupil accommodation review process can be very stressful for all participants and often generates significant media coverage and attention at both board and committee meetings. In some situations, parents and community members involved in the accommodation review process retain their own legal counsel. The Ministry also provides a structure by which individuals can request an administrative review of the board's process.

What does the Ministry of Education stipulate about the Accommodation Review Committee and board process?

■ Legislation

- *Education Act*. Subsection 8(1), paragraph 26. "The Minister may... issue guidelines respecting the closing of schools and require that boards develop policies therefrom with respect to procedures to be followed prior to the closing of a school by decision of the board."
- *Municipal Freedom of Information and Protection of Privacy Act*

■ Regulations

■ Ontario Ministry of Education Memoranda

- Memorandum 2006:B12—Pupil Accommodation Review Guideline
- Memorandum 2009:B7—Pupil Accommodation Review Guideline, revised June 26, 2009

■ Reports

- Good Places to Learn: Renewing Ontario's Schools. February 17, 2005



Administrative Review of the Board's Accommodation Review Process

The conditions under which an individual or individuals can request a review of the school board's accommodation review process are outlined in Memorandum 2009:B7. Since October 31, 2006, the Ministry has initiated a number of administrative reviews. While many of the reviews upheld the board's process, in each case recommendations and suggestions were made by the independent facilitator. Before entering into an Accommodation Review Committee process, supervisory officers should undertake a careful review of facilitators' reports completed to date.

These reports are useful as they highlight areas identified by the facilitators as mandatory for the process. For further information regarding the Administrative Review of the Accommodation Review Process please contact the Business and Finance Division, Ministry of Education.

Boards are required to:

- establish and follow their accommodation review policies;
- reflect the requirements of the Ministry's Pupil Accommodation Review Guideline(s) in their board accommodation review policies;
- post on the board's website and have available the Ministry's Pupil Accommodation Review Guideline and the Administrative Review of the Accommodation Review Process;
- approve a motion to establish the ARC and establish membership on the ARC; and
- thoroughly consider the recommendations of the ARC when deciding any future action by the corporate board.

Boards are expected to:

- undertake long-term enrolment and capital planning to provide the information, data and context for accommodation review processes and decisions;
- take into account opportunities for partnerships with other school boards and appropriate public organizations;
- institute, wherever possible, accommodation reviews that focus on a group of schools within a district's planning area rather than a single school;
- review a particular school or schools through an Accommodation Review Committee ("ARC") appointed by the board; and
- have the ARC operate in an advisory role and provide recommendations that will inform the final decision made by the corporate board.



What are the important practices for effectiveness?

1. Completing research-based data on optimal school learning environments.
2. Reviewing research-based data on various productive group decision-making strategies, processes and models to inform and assist the ARC.
3. Establishing the mandate for the ARC.
4. Clarifying membership, roles, rights and responsibilities of the ARC.
5. Determining and supporting a final decision-making process for the ARC.
6. Having a clear understanding of the role of the ARC and the corporate board.
7. Developing and establishing effective processes for communication to all parties and the media.

How do I know that the board's accommodation review policy and process is in compliance with Ministry Guidelines and can withstand a petition for Ministry of Education review?

It is critically important to involve the members of the board at the onset and engage all relevant departments of the board, including business and finance, facilities, legal, communications, public relations and school administration. A discussion with a colleague board that has undergone an administrative review of its accommodation review process by a Ministry-appointed facilitator can be very helpful. Selecting one supervisory officer to have responsibility for all the board ARCs may be onerous for the supervisory officer. However, it will minimize confusion and help to standardize the process. Before an accommodation review is undertaken, it is essential to follow these steps:

- Comply with Ministry and board requirements.
- Provide advance notice to the community and the schools of any proposed accommodation review.
- Ensure that the corporate board, following thorough discussion and direction, approves a resolution to proceed with the accommodation review.
- Certify that all information and data is consistent, accurate and relevant to the deliberations and recommendation process of the ARC.
- Ensure that the ARC is representative of board-approved membership and is not an agent of either the district administration or the members of the board.
- State clearly in a transparent manner what the board is hoping to achieve through the ARC process.
- Develop consensus within the ARC that the best interests of the students must always be first.
- Operate the ARC in a timely and expedient manner. In some cases ARCs have extended over a long period of time, which increases anxiety and possible conflict within the school or district community.

The independent facilitator has responsibility for:

- determining whether the board followed its approved pupil accommodation review process in conducting the accommodation review;
- reviewing formal documentation;
- interviewing relevant participants, including ARC members, petitioners and school district staff; and
- submitting a written report to the Ministry of Education upon completion of the review.



Links to additional information

www.edu.gov.on.ca

www.edu.gov.on.ca/eng/policyfunding/reviewGuide.html

http://faab.edu.gov.on.ca/SB_Memos_2010.htm

www.opsba.org/index.php?q=system/files/private/Partnership+Policy+Response+Oct.09.pdf [OPSBA response to pupil accommodation review guideline]

www.edu.gov.on.ca/eng/policyfunding/adminReview.html

What strategies should be considered in order to conduct the accommodation review in a positive and effective manner, supported by community involvement and board approval?

1. Ensure that the board's accommodation review policy meets all the terms of Ministry legislation, guidelines and memoranda.
2. Establish ARCs that are manageable and representative of the board and the community. (This means a healthy balance among school district staff, parents and community members.)
3. Make certain that the board provides direction and vision and entertains alternative accommodation plans.
4. Confirm the neutral role of the board members on the ARC.
5. Provide all the financial information available and when new information comes to light, offer opportunities for the ARC to review the information and understand why it has changed.
6. Establish clear expectations for the supervisory officer responsible for supporting the ARC and liaising with the corporate board. It is very important that superintendents provide an opportunity for principals and vice-principals to understand the parameters and functions of the ARC and their role and responsibilities in assisting and supporting the process.

Where can I go for assistance?

If as a supervisory officer, I have concerns and need assistance, what should I do?

- Review concerns with your senior leadership team.
- Speak with knowledgeable colleagues who have significant experience in the area of an Accommodation Review Committee and board process.
- Contact the Business Services Branch, Ministry of Education and/or the Council of Ontario Directors of Education.

