



AGENDA - SPECIAL BOARD MEETING

Wednesday, September 29, 2021 – 5:00 PM **VIRTUAL**

Limestone Education Centre

220 Portsmouth Avenue, Kingston, ON

Link: <https://bit.ly/3u736pFLDSBSpclBdMTGSept29>

Acknowledgement of Territory: “The Limestone District School Board is situated on the traditional territories of the Anishinaabe and Haudenosaunee. We acknowledge their enduring presence on this land, as well as the presence of Métis, Inuit, and other First Nations from across Turtle Island. We honour their cultures and celebrate their commitment to this land.”

1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. NOTICE OF MOTION
Notice of Motion brought forward by Trustee Elliott: *“That the LDSB write a letter to the Ministry of Education requesting the approval of masking better than level 2, and that the Ministry fund this enhanced PPE for all staff and students.”*
4. INFORMATION ITEM
 - 4.1 Admin Report re: KFL&A PH Recommendation to Consider Mandatory Vaccines for Extra-curricular Participants (Pages 2-5)
5. CORRESPONDENCE RELEVANT TO SPECIAL MEETING OF BOARD
 - 5.1 Correspondence from KFL&A Public Health Public Health re: School Community Partners, dated September 21, 2021 (Pages 6-7)
 - 5.2 Correspondence from Virginia Perry, a parent at Ecole Rideau Public School re: vaccination disclosure among staff working within LDSB, dated September 21, 2021 (Page 8)
6. ADJOURNMENT



ADMINISTRATIVE REPORT: KFL&A PUBLIC HEALTH RECOMMENDATION TO CONSIDER MANDATORY VACCINES FOR EXTRACURRICULAR PARTICIPANTS

SPECIAL BOARD MEETING

29 September 2021

Purpose

To provide Trustees with additional information and context regarding a letter issued by public health regarding the return of extra-curricular activities, and sports in particular. On Tuesday, September 21, 2021 Hastings Prince Edward Public Health (HPEPH) and Kingston Frontenac, Lennox & Addington Public Health (KFLAPH) issued a letter (attached as Appendix A) to Hastings and Prince Edwards District School Board (HPEDSB), Algonquin & Lakeshore Catholic District School Board (ALCDSB), and Limestone District School Board (LDSB) regarding the vaccination of all eligible (age 12+ in 2021) participants (athletes, staff, volunteers, and spectators) who are part of extra-curricular activities. This would include almost all students from Grades 7-12 participating in some activities. The letter goes on to say, "We encourage school boards to consider policies of vaccine requirements for extracurriculars either as a universal or risk-based policies."

Background

Throughout the pandemic Limestone has worked closely with KFL&A Public Health. Our historical relationship has been integral as we have navigated through positive COVID-19 cases and supported public health messages in the communities we serve.

In August 2021, the Ministry of Education released updated guidance for the 2021-2022 school year. This guidance continues to evolve. As part of the updated guidance, boards were permitted to reinstate extra-curricular activities (sports, bands, clubs, et). Both the Ministry and different provincial organizations like the Ontario Federation of School Athletic Association (OFSAA) or the Ontario Music Educators' Association (OMEA) provided additional recommendations for school boards and public health units to maximize safety, and mitigate risk, during extra-curricular activities.

The Health, safety and operational guidance for schools (2021-2022) does not provide clear direction regarding which extracurricular activities are deemed high risk vs. low risk, only guidance around high

contact vs. low contact activities. As a result, LDSB has worked closely with KFLA Public Health, Hastings Prince Edward Public Health, local KFLA Doctors, KASSAA (Kingston Area Secondary School Athletic Association) leadership, and LESAA (Limestone Elementary Schools Athletics Association) leadership to create protocols related to the safe return to extracurriculars. Through this collaboration, individual safety protocols were developed in consultation with public health to ensure a safe return to extracurricular music, sport and competition.

Provincially, regulations are also in place that require all participants (students, staff, volunteers) to be fully vaccinated to be able to attend any events outside of the KFL&A region. As of September 22nd, proof of full vaccination is also required for students to attend facilities where many of our extracurricular competitions are held (for example, the gyms and fields at Queen's and St. Lawrence College).

Some extra-curricular activities like indoor athletics or band have elevated risk based on the updated guidance and public health advisories. Other activities like cross-country running or track and field have lower risks because they are conducted outside and there is limited contact between participants. Other activities like student councils, student equity groups, or book clubs typically operate only within their respective schools and risks can be mitigated with masking and/or distancing. When these types of clubs reach beyond a single school, risks increase and could fall within a category of activities requiring mandatory vaccines. Intramural athletic activities with higher contact also have inherent, increased COVID 19 risks and could also be included with mandatory vaccines for extra-curricular participation.

One of the challenges in managing extra-curricular activities is the mixing of cohorts within schools, and across cohorts in different schools with inter-school competitions. This mixing of students complicates and expands contact tracing and outbreak management in the event of positive COVID-19 cases. Public Health has indicated, "[t]he best approach to reduce the risk of educational and extracurricular disruptions is to consider a vaccination policy for participation in these activities. **As vaccinations are the most effective way to reduce the spread of COVID-19, they are strongly recommended for all those who are eligible**" [emphasis from original letter].

The Ontario Education Act requires all children/youth from the age of 6 to 18 to attend full-time schooling. The only exception to this is if the family provides notice to the local school board and provides homeschooling. Extra-curricular activities (sports, music, drama, etc...) are not mandatory components of a student's educational experience. While all of these activities are of potential value for young people, they are not required to move from grade to grade, or to graduate with an Ontario Secondary School Diploma.

Current Status

With the updated guidance from the province, extra-curricular activities resumed in schools during the first couple of weeks of September. Schools resumed extra-curricular activities with a 'return to train' phase at their specific sites. Working with Public Health, inter-school competitions, or 'return to play' have been given approval to proceed in the coming weeks. HPEPH and KFLAPH have endorsed the use of the guidance provided by OFSAA and enhanced the precautions for some indoor activities. Public Health has also been clear that further modifications to the 'return to play' approval may occur based on local COVID-19 cases, and circumstances.

Several local youth groups and clubs have mandated vaccines for all participants who are eligible for vaccines (age 12+ in 2021). For example, the Kingston Rock (volleyball club), Kingston Impact (basketball club), and the Ontario Minor Hockey Association have mandated vaccines for all participants who are 12+ in 2021. Consequently, some groups with Limestone students seeking to use Limestone facilities in the evening and/or on weekends, currently have more enhanced health and safety measures than school-based extra-curricular activities.

On September 14, 2021, the Ontario government announced an exemption to its Vaccine Passport for children under 12 and children aged 12 to 17, who enter an indoor facility to participate in youth recreational sport and those with valid medical exemptions. These exemptions are included in the Reopening Ontario Act (ROA) and impact the Vaccine Certification requirement instituted on September 22, 2021. The Ontario Ministry of Health considers its regulations to be a baseline and allows organizations and businesses to supplement with further measures to ensure the health and safety of their participants. It should be noted that the ROA does provide exceptions for youth under the age of 12 due to ineligibility for vaccines, and for athletic participants between 12 to 17 for most activities.

On September 22, 2021, The Ontario Human Rights Commission issued guidance regarding mandatory vaccines and vaccine certificates:

"While receiving a COVID-19 vaccine remains voluntary, the OHRC takes the position that mandating and requiring proof of vaccination to protect people at work or when receiving services is generally permissible under the *Human Rights Code* (*Code*) as long as protections are put in place to make sure people who are unable to be vaccinated for *Code*-related reasons are reasonably accommodated. This applies to all organizations. Upholding individual human rights while trying to collectively protect the general public has been a challenge throughout the pandemic. Organizations must attempt to balance the rights of people who have not been vaccinated due to a *Code*-protected ground, such as disability, while ensuring individual and collective rights to health and safety."

School boards in the London and Waterloo areas have instituted mandatory vaccines for extra-curricular participation unless there is a documented medical exemption.

Next Steps

For Limestone to institute mandatory vaccinations for extra-curricular activities, a number of operational considerations would have to be considered. Adequate notice would need to be provided to all participants. A deadline of Wednesday, November 10 would provide 6 weeks to allow for full vaccination (2 doses plus 14 days). An earlier deadline could be provided for first doses. This would be applicable for extra-curricular participants who are currently unvaccinated and who do not have a medical exemption. Aligning vaccination deadlines with the anticipated provincial vaccine e-certificate on October 22, 2021, might be advisable to avoid the collection of personal health information, or to provide options for proof of vaccination. If this is not possible, the board would need to have participants complete an attestation as is currently required of staff. Frequent rapid tests could potentially be utilized for those who are currently unvaccinated, or who have a medical exemption throughout their participation. This option would have to be investigated further. Testing could occur through available health centres, at pharmacies at a cost to participants, or Limestone could try to acquire additional tests to support these participants.

To address concerns or questions from participants or families, an online form will be provided to collect questions and/or considerations regarding the implementation of this measure. Based on the recommendation of Public Health, we will begin the work required to implement mandatory vaccinations for extra-curricular participation to help maximize safety and minimize risk, thereby doing our utmost to reduce the likelihood of disruption to educational programming and extra-curricular activities in the region.

Recommendation

That this report be received for information purposes.

Prepared by: Talya McKenna, Human Resources Lead; Jessica Silver, Superintendent of Education; and Krishna Burra, Director of Education

Reviewed by: Krishna Burra, Director of Education

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September 21, 2021

School Community Partners

Dear School Community Partners:

As we continue to work together to respond to the COVID-19 pandemic, Hastings Prince Edward Public Health (HPEPH) and KFLA Public Health (KFL&A PH) remain incredibly grateful for the support and dedication of local school communities to ensure students have been able to return to class as safely as possible.

Extracurricular activities are an important part of school programming and contribute to the growth and development of children and youth. It is HPEPH and KFL&A PHs position that we support every effort to ensure students can participate in these activities during the 2021/2022 school year. As such, we want to work with school boards to ensure local students can resume participation in many extracurricular activities, in a manner that reduces the potential of exposure to COVID-19.

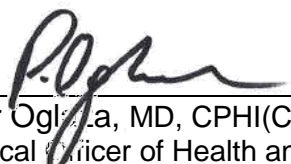
While risk of COVID-19 transmission can be mitigated to some extent in extracurricular settings, there is risk associated for educational school disruptions with these activities for both participating students and others due to exposures and outbreaks. The best approach to reduce the risk of educational and extracurricular disruptions is to consider a vaccination policy for participation in these activities. **As vaccinations are the most effective way to reduce the spread of COVID-19, they are strongly recommended for all those who are eligible.** This includes student athletes, staff, volunteers, and spectators.

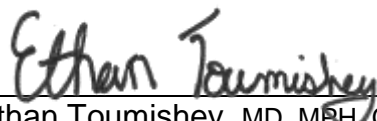
We encourage school boards to consider policies of vaccine requirements for extracurriculars either as universal or risk-based policies. A risk-based approach may be considered for high contact activities or where there is travel outside of the region.


As well, specifically related to school-based sports, in order to support a return to intra- and inter-school sporting activities including practices for both elementary and secondary schools, HPEPH and KFL&A PH supports use of the guidance provided by the Ontario Federation of Secondary Athletics Associations (OFSAA), [COVID-19 Protocols for Fall 2021 OFSAA Championships and Festivals](#). This document provides clear guidelines for COVID-19 precautions and following such guidance will reduce risk at inter-school athletic championships and festivals. This guidance can also be used for practices and intramurals.

HPEPH and KFL&A PH will continue to monitor COVID-19 cases in the region and will adjust recommendations if needed based on local case rates and transmission. Additional measures can include masking indoors, and/or pausing sports competitions. HPEPH and KFL&A PH will work together with school communities to implement any additional precautions if they are required in the future.

Sincerely,



Piotr Ogłaza, MD, CPHI(C), CCFP, MPH, FRCPC
Medical Officer of Health and CEO
Hastings Prince Edward Public Health

Ethan Toumishey, MD, MPH, CCFP, FRCPC
Director of Clinical Services and
Acting Medical Officer of Health
Hastings Prince Edward Public Health

Hugh Guan, MD, MSc, FRCPC
Acting Medical Officer of Health
KFL&A Public Health

September 21, 2021

Ms. Suzanne Ruttan
Chair of the Board of Trustees
Limestone District School Board

Dear Ms. Ruttan,

I am writing to you on the recommendation of Mr. Krishna Burra, whom I contacted recently regarding my concern over COVID-19 vaccination disclosure among staff working within the Limestone District School Board and, particularly, staff at École Rideau Public School. By way of background, I have two children ages 9 and 6 who attend Rideau Public School. Prior to contacting Mr. Burra, I had exchanged emails with Rideau's Acting Principal, Valerie Arsenault, regarding requests for sharing vaccination data for Rideau staff. Mme Arsenault indicated that she could not share this information with me and that it would be made available by the Limestone District School Board at an aggregate level for the Board. I have reviewed the COVID-19 staff vaccination data reported on the Limestone Board website (<https://www.limestone.on.ca/cms/one.aspx?portalId=352782&pageId=33042879>) and I do not find it compelling or comforting. According to the data visible as of today's date, only 81.7% of staff are fully vaccinated, 423 people or 13.1% have yet to submit an attestation and 152 individuals must have submitted attestations to indicate that they are not fully vaccinated. I feel that this is unacceptable and of little comfort to parents who are looking out for the wellbeing of their children who are attending individual schools in the Limestone District School Board.

In addition, I am concerned with the approach that the LDSB is taking with respect to not yet having implemented a vaccine mandate for its staff. There is an opportunity to be proactive about the health and safety of our schools, namely the health and safety of children under the age of 12 who are not yet eligible for a COVID-19 vaccine. I'm sure that you are aware that the Toronto District School Board has taken the proactive step to implement a vaccine mandate for all staff and trustees, as have other private schools in Kingston. In addition, this is something that the Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) is also considering. Of course, many post-secondary education institutions in Ontario and government employers have also implemented this policy. This is a fundamental step that LDSB should be taking to safeguard its schools. I am dismayed that such a policy has yet to be implemented.

The quality and safety of our public schools is integral to our community and society as a whole. Please move forward with expedience to implement a mandatory COVID-19 vaccine policy for all staff in the LDSB so that schools can remain open and safe.

Sincerely,



Virginia Perry