

# CLASSROOM STUDENT CAPACITY

## POLICY STATEMENT

Therefore be it resolved that Ontario Federation of Home and School Associations Inc. adopt the policy that the Ministry of Education allow flexibility within its classroom student capacity limits in order to allow District School Boards to deal with local concerns and individual school needs, such as schools with on-site daycare facilities, which may include out-of-cachement students.

## ACTION RECOMMENDATIONS

1. Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. petition the Minister and Ministry of Education to provide flexibility to District School Boards to deal with local concerns and individual school needs when implementing and maintaining student classroom capacity limits.
2. Therefore be it resolved that Ontario Federation of Home and School Associations Inc. petition the Minister and Ministry of Education to require District School Boards to accommodate out-of-cachement students at schools with on-site daycare facilities when implementing and maintaining classroom capacity limits.

## RATIONALE

The current government, through the Ministry of Education, announced that there would be 20 or fewer students in 90 per cent of kindergarten to Grade 3 classes by the 2007-08 school year. The remaining 10 per cent of classes can have a maximum of 23 students (1). While this number does not meet the Ontario Federation of Home and School Associations belief that Junior Kindergarten classes not exceed 15 students and Senior Kindergarten classes not exceed 18 students (2); it does meet the desired classroom student limit for Grades 1 to 3. The Ministry of Education has provided flexibility for District School Boards to implement a cap on JK to Grade 3 class sizes. This proposed policy might seem like asking the Ministry of Education to do what they are already doing but we must take into account the next time the Ministry of Education imposes class size limits for students. The Ontario Federation of Home and School Associations, without a policy directive from it's members, would not be able to respond to the Ministry of Education should the current or a future government implement a real cap of a set number of students in a classroom at 100% of classes. This proposed policy is required for the Ontario Federation of Home and School Associations to advocate for the needs of students.

Day care centres that operate at schools are not required to have the same cachement areas the school they operate in. They can take in students of Junior and Senior Kindergarten age students whose home school may not have a day care centre. This makes them an out-of-cachement student at the school where the day care centre is. It is possible that, in an effort to keep Kindergarten to Grade 3 classes at or below the real cap of 20 students, schools may deny admittance to out-of-cachement students until

after the start of the school year when class sizes have stabilized and there is room to accommodate these students. This decision could take until the end of September or longer. The possibility exists that Kindergarten age students may attend day care at one school but would have to travel to another school to attend Kindergarten. This could prove to be a hardship to some parents. Parents might decide to forgo sending their child to Junior and Senior Kindergarten completely and keep them in day care. This possibility is unacceptable! This proposed policy and action statements would ensure that no parent would ever be put into the position of having to make such a choice. Your consideration and support of these policy and action statements is greatly appreciated.

Cited References

(1) September 5, 2006 Ministry of Education News Release "The government is on track to implement a "real cap" of 20 or fewer students in 90 per cent of kindergarten to Grade 3 classes by the 2007-08 school year. The remaining 10 per cent of classes can have a maximum of 23 students to accommodate enrolment changes and reduce the need for combined grades."

(2) Ontario Federation of Home and School Associations Inc. Policy II.A.3.1.1

**Submitting Unit:**

Ashley Oaks Home and School Association  
121 Ashley Crescent,  
London, ON  
N6E 3P8

**Contact:**

David A. Smith,  
President,  
Ashley Oaks Home and School Association  
42 Cheswick Circle,  
London, ON  
N6E 3L7  
E-mail: [dothedavo@rogers.com](mailto:dothedavo@rogers.com)

## CHILD PORNOGRAPHY

### POLICY STATEMENT

Therefore be it resolved that Ontario Federation of Home and School Associations Inc. adopt the policy that child pornography is a heinous activity and that punishment, upon conviction, for child pornography offenses be harsh and severe.

### ACTION RECOMMENDATIONS

1. Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. petition the Canadian Home and School Federation to adopt the above policy and to recommend to its provincial affiliates the adoption of the above policy.
2. Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. request that the Canadian Home and School Federation petition the Minister and Ministry of Justice and the Attorney General of Canada to amend the Criminal Code of Canada in order to set harsher and more severe penalties for child pornography offenses.
3. Therefore be it resolved that Ontario Federation of Home and School Associations Inc. request that the Canadian Home and School Federation petition the Minister and Ministry of Justice and the Attorney General of Canada to mandate that all persons convicted of child pornography offenses register with the National Sex Offender Registry.
4. Therefore be it resolved that Ontario Federation of Home and School Associations Inc. petition the Minister and Ministry of Community Safety and Correctional Services of Ontario and the Ministry of the Attorney General of Ontario to provide ongoing and increased funding and personnel to combat the problem of child pornography.

### RATIONALE

The Criminal Code of Canada states that the production, distribution, possession or accessing of child pornography is an indictable offence. It also outlines the minimum and maximum sentences for these offences. Production, distribution and possession are self-explanatory but the meaning of accessing is a little vague. For the purposes of the Criminal Code "a person accesses child pornography who knowingly causes child pornography to be viewed by, or transmitted to, himself or herself."

Each of the four types of offences is an indictable offence, but the prosecution may decide to charge the defendant with a summary offence instead. If this is the case the recommended sentences are lesser. It should be noted that the minimum sentence is more likely to be given.

- The recommended sentence for production of child pornography is a minimum of one year, and a maximum of 10 years. A summary conviction would drop the minimum to 90 days and the maximum to 18 months.
- The recommended sentence for distribution of child pornography is a minimum of one year, and a maximum of 10 years. A summary conviction would drop the minimum to 90 days and the maximum to 18 months.
- The recommended sentence for possession of child pornography is a minimum of 45 days, and a maximum of 5 years. A summary conviction would drop the minimum to 14 days and the maximum to 18 months.
- The recommended sentence for accessing child pornography is a minimum of 45 days, and a maximum of 5 years. A summary conviction would drop the minimum to 14 days and the maximum to 18 months.

Child pornography is not a victimless crime and society should not be willing to ignore the problem. Public education of the issue is critical to affecting change. Increased resources must be allocated and once again public education of the need for and support of these additional resources is critical. A sexual offender registry must be maintained and published. Harsher penalties must be included in legislation.

The introduction of the Internet may have been a wonderful advance for information sharing and communicating, but it created a nightmare for law enforcement officers who are attempting to stop child pornography on the net. According to a 2005 article in *Computing Canada*, "Canadian police estimate there are more than 100,000 Web sites with child abuse images, and Toronto Police have seized more than two million pictures and videos... The images range from little girls lifting up their dresses to movies of unspeakable horror, such as a newborn being raped by two men" (Frank, 2005). The average age of victims has dropped from 11 years of age in 2001, to less than six years of age in 2005. Many of these victims are infants, "some even with the umbilical cord still attached" (Frank, 2005).

#### Cited References:

Burgess, Ann W. (1984) *Child Pornography and Sex Rings*. New York: Lexington Books.

Canadian Charter of Rights and Freedoms, <http://lois.justice.gc.ca/en/charter/#garantie>

Cothran, Helen. (Ed). (2002). *Opposing Viewpoints: Pornography*. San Diego, California: Greenhaven Press Inc.

Criminal Code of Canada, <http://laws.justice.gc.ca/en/C-46/267262.html#rid-267265>

Frank, Steven. (July 25, 2005) Toronto's Child Porn Sleuths: A Canadian team leads the way in tracking down global perpetrators of grisly Internet child pornography. (Canada). In *Time Canada*, 166, p30. Retrieved May 19, 2006, from *CPI.Q (Canadian Periodicals)* via Thomson Gale: <http://find.galegroup.com/ips/infomark.do?&contentSet=IAC-dOcuments&type=retrieve&tabID=T003&prodId=IPS&docId=A135938704&source=gale&userGroup=lon97840&version=1.0>

Gahtan, Alan M., Kratz, Martin P.J., & Mann, J. Fraser. (1998). *Internet Law: A Practical Guide for Legal and Business Professionals*. Scarborough, Ontario: Carswell Thomson Professional Publishing.

# SCHOOLS USED AS POLLING STATIONS

## POLICY STATEMENT

Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. adopt the policy that schools operated by District School Boards within Ontario should not be used as polling stations for municipal, provincial or federal elections.

## ACTION RECOMMENDATION

Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. petition the Minister and Ministry of Education to instruct District School Boards to discontinue the practice of allowing schools to be used as polling stations and to inform Elections Ontario and Elections Canada that these sites will not be available for use as polling stations.

## RATIONALE

The ways in which schools and boards keep students safe is an almost constant topic of discussion. Recent events, which have seen students attacked within a school, have brought the issue to the forefront once again. Many schools provide identity tags for staff and require visitors to report to the office and wear badges that distinguish them as such. Others have instituted 'lock-down' procedures that are put in place once classes are in session. The Ministry of Education is making funds available for district school boards to install technology with the purpose of ensuring the safety of students and staff. And Home and School Associations are being asked to raise funds for security systems. Yet once every four years, in the case of municipal elections, and whenever a provincial or federal election is called the doors of the schools are thrown wide open to each and every member of the public. There are no restrictions on who can enter, no need to check in at the office and no distinguishing badges.

It would seem that the easiest way to protect students on election days is to keep the voters away from them. Closing schools on election days is difficult as provincial and federal elections are not on set days. Thus the next best thing is to discontinue the practice of using schools as polling stations.

### Submitting Unit:

Hamilton-Wentworth Council of Home and School Associations  
Sharon Glenney, President  
hwccouncil@quickclic.net

## TRUSTEES SERVING FULL TERMS

### POLICY STATEMENT

Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. adopt the policy that duly elected school board trustees who resign to become a candidate for some other office be assessed a monetary penalty.

### ACTION RECOMMENDATION

Therefore be it resolved that the Ontario Federation of Home and School Associations Inc. petition the Minister and Ministry of Education to add a clause to the Education Act imposing a monetary penalty on trustees who resign to become a candidate for some other office and that the penalty be at least the amount required as a deposit to file a nomination for that other office.

### RATIONALE

Home and School members believe “that locally elected district school boards remain a necessary part of the education structure”. (OFHSA Policy II.A.2.1.1). In order for these Boards to function to the best of their ability they need to be made up of committed persons, who put the best interests of the students first.

Sadly, some people use the office of trustee to gain name recognition with the voting public and the process of a municipal election as a practice for their true ambition: gaining a provincial or federal seat.

The Education Act (Part VII: Board Members – Qualifications, Resignations and Vacancies) states that ‘The members of a board shall remain in office until their successors are elected and the new board is organized’. The Act does not impose consequences on those who do not remain in office. Scenarios for filling a vacated seat, by appointment or by-election are outlined under subsection 220.(4) Resignation to become candidate for some other office. It does not speak to the negative impact on a board or to the time and effort that will be diverted from the business of the board by such a resignation.

This policy is not meant to be punitive, but to encourage only those truly interested in serving the needs of the students over the entire term of office to pursue office as a trustee of a district school board.

### Submitting Unit:

Hamilton-Wentworth Council of Home and School Associations  
Sharon Glenney, President  
hwcouncil@quickclic.net