ONTARIO SUPERIOR COURT OF JUSTICE Reference

BETWEEN:

KAREN WALMSLEY

Plaintiff (Moving Party)

and

2016169 ONTARIO INC., 2170616 ONTARIO INC. and 2429131 ONTARIO INC., alone or together o/a Blyth Academy

Defendants (Responding Parties)

MOTION RECORD (Motion to Certify Class Action)

VOLUME 8 OF 8

March 26, 2018

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Court File No. CV-17-584523

ONTARIO SUPERIOR COURT OF JUSTICE

BETWEEN:

KAREN WALMSLEY

Plaintiff

and

2016169 ONTARIO INC. and 2170616 ONTARIO INC.

Defendants

AFFIDAVIT OF SARAH BADGER

- I, Sarah Badger, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:
- 1. I am a high school English teacher with the Toronto District School Board. I was a teacher at Blyth Academy, at its Downsview campus, from March 2016 to July 2016. As such, I have knowledge of the matters contained in this affidavit.
- 2. In this affidavit, I describe my teaching experience with Blyth Academy in some detail.

A. Education and Qualifications

3. I hold a Bachelor of Education degree from the University of Western Ontario and a Bachelor of Arts in History and English from York University. I am a member of the Ontario College of Teachers and qualified to teach English, History and Law. I also hold additional qualifications in Special Education (behaviour).

4. After completing my Bachelor of Education in 2012, I worked as a teacher with the Sylvan Learning Centre and with a Toronto-area private school called Fieldstone King's College School (formerly Fieldstone Day School). In September 2015, I joined the teaching staff of Premier Elite Athletes' Collegiate, the predecessor to Blyth Academy Downsview.

B. My Work at PEAC and the Transition to Blyth Academy

- 5. My hiring by Blyth Academy came about in a somewhat unusual way, as it was the result of Blyth Academy taking over an existing private school called the Premier Elite Athletes' Collegiate ["PEAC"].
- 6. I was hired to teach full time at PEAC in July 2015. Soon after I started, it became evident that the school was experiencing serious financial difficulties. At first, my pay cheques were always late. By January 2016, PEAC had stopped paying me altogether.
- Pased on my discussions with my colleagues at the time, I understood that PEAC had not paid any of its teachers since December 2015. Some teachers resigned, but others, myself included, chose to stay on. I did so mostly out of concern for my students, who would be at risk of losing their high school credits should the school close. I tried to apply for employment insurance benefits but was told over the phone that I did not qualify because I was working (even though I was not getting paid).

- 8. On March 13, 2016, a colleague told me that an eviction notice and a lock had been placed on PEAC's front door. As this was March Break, I had the week off of work. Upon hearing this news from this colleague, I drove to the school and saw the eviction notice myself. The notice indicated that PEAC had not paid its rent in some time and was being evicted from the premises. Attached as Exhibit "1" is a photo I took of the eviction notice dated March 13, 2016.
- 9. I spent much of that day and the next communicating with my colleagues. We did not know what would happen to our jobs. On March 13, the day the eviction notice was posted, I spoke to my Principal, Adam Hurley, over the phone. The next morning, I texted Mr. Hurley and asked him if he had any updated information regarding the school. Although he did not provide much detail, Mr. Hurley told me not to worry about my job because it looked "promising". He told me that he hoped "to have someone else come in by the end of the week". Attached as Exhibit "2" is a copy of these text messages.
- 10. On March 17, and still during the March Break, I received another phone call from Mr. Hurley. He informed me that Blyth Academy, which I understood at the time operated a chain of private schools, would be taking over PEAC. He explained that he would continue to act as Principal of the new school called "Blyth Academy Downsview School for Elite Athletes". He also told me that Blyth Academy would accept all current PEAC students and so planned to retain all of PEAC's teachers as well.
- 11. Attached as Exhibit "3" is a copy of a Toronto Star article entitled "Elite PEAC private school taken over by Blyth Academy". Attached as Exhibit "4" is a copy of an

email Mr. Hurley sent to all PEAC families on March 20, 2016 in which he explains the "seamless transition" from PEAC to Blyth Academy.

- During our phone call, Mr. Hurley asked me to attend an emergency staff meeting with Sam Blyth, founder of Blyth Academy, on the PEAC campus that Sunday, March 20. I attended this meeting that weekend. Also in attendance were all of PEAC's teachers, Mr. Hurley, and three persons who were introduced as representatives from Blyth Academy's Head Office: Sam Blyth, CEO and Founder; Fran Hatcher, Vice President of Academics; and, Pat Shaw, President. Attached as Exhibit "5" is a printout from Blyth Academy's website which identifies these individuals as being part of Blyth Academy's "Leadership Team".
- 13. At this staff meeting, Mr. Blyth handed out several Blyth Academy promotional brochures and spoke about Blyth Academy's academic structure and mission statement. I also remember him speaking at length about Blyth Academy's International programs.
- 14. I asked Mr. Blyth if Blyth Academy would be paying us any of our unpaid wages. We had not been paid in over three months. Mr. Blyth responded that Blyth Academy had no obligation to pay us for past work as Blyth was taking over PEAC's lease and not the business itself. However, he assured us that we would not have any problems getting paid going forward.

15. Although Blyth Academy did not yet have contracts prepared for us, Mr. Blyth and Mr. Hurley asked all the teachers to attend and teach at school the next day, on Monday, March 21.

C. My Hiring by Blyth

- 16. My first day teaching at Blyth Academy Downsview was that Monday, March 21, 2016. I remember that this day was very hectic. Parents and students were very concerned about the future of the school and about whether their credits would transfer from PEAC to Blyth Academy. I remember there were a lot of people coming in and out of the building that day and that the building was very noisy.
- 17. At some point that morning, I was called into a meeting with a fellow teacher, Shane Cliff, and with Mr. Hurley and Mr. Shaw. I remember this meeting was very rushed, as both Mr. Cliff and I had classes to teach that morning. During this meeting, Mr. Shaw told us that Blyth Academy would soon be providing us with our new contracts and that the terms of these contracts would largely be the same as our Employment Agreements had been with PEAC. The major difference, he explained, was that we would now be classified as "independent contractors."
- 18. I asked Mr. Shaw why Blyth Academy was changing my contract to an independent contractor agreement if my job was not changing. I told him I was concerned about the tax implications and my ability to claim El. Mr. Shaw told me that Blyth Academy would only be offering independent contractor agreements to Blyth Academy Downsview teachers at this time. He further told me that the school was doing this for our

benefit because the PEAC teachers had worked for so long without pay. He explained that, by classifying us as independent contractors, Blyth Academy would be giving us "more money, and up front," or something to that effect. He also said that, when it came time to file our taxes, we would owe a little bit of money to the government but, overall, it would be a better arrangement for us. After speaking with my other colleagues, I understood from them that he had given similar statements to all staff.

- 19. I was concerned with some of the information Mr. Shaw provided to us. However, he also had told me that Blyth Academy would not begin paying me until after I signed the proposed agreement. Given that I had not already been working without pay for three months, I was under a significant amount of financial strain.
- 20. Although Mr. Shaw briefly discussed our agreements with us on March 21, we were not provided with a copy until March 23, 2016. Attached as Exhibit "6" is a copy of the email sent to me which attached the proposed agreement, along with the agreement itself. Although the agreement is dated March 21, I did not receive it until March 23, on my third day of teaching with Blyth Academy.
- 21. Attached as Exhibit "7" is a copy of the agreement given to Shane Cliff, which is identical to mine in every way, save for the personal details.
- 22. Upon reviewing the agreement, I realized that I had not been given a copy of the Blyth Academy *Code of Conduct Agreement*. As one of the terms of my contract was "The teacher acknowledges that she has read, understood and signed the Blyth Academy

Code of Conduct Agreement," I wanted to read that document before I signed my agreement.

- 23. On Wednesday, March 23, I approached Mr. Hurley and asked him for a copy of the Code of Conduct. Mr. Hurley told me that everything came from Head Office and Head Office could not send us these materials because our Blyth Academy emails were still being set up. Attached as Exhibit "8" is a copy of an email dated March 23, 2016 from Sergiu Olaru, IT & Academic System Administrator for Blyth Education's Head Office, with instructions on how to set up my Blyth Academy email account.
- 24. The next day, on Thursday, March 24, Mr. Hurley forwarded us an email from Ms. Hatcher. Mr. Hurley had emailed Ms. Hatcher and asked her to provide us with a copy of the Code of Conduct. Ms. Hatcher did not provide him a copy, but instead told him that the teachers had nothing to worry about, as Blyth Academy would not "surprise [us] with anything". Attached as Exhibit "9" is a copy of that email.
- 25. At this point, I had not been paid for several months. I was concerned that asking further questions would only delay my first paycheque, as this is what Mr. Shaw had told me. Left with little other choice for work a teacher in mid-March, I signed the contract on March 24, 2016. Attached as Exhibit "10" is a copy of an email indicating I had signed the agreement and that a copy of my signed agreement was sent to Mr. Hurley and Ms Hatcher.

D. My Work with Blyth Academy

- 26. As a teacher at Blyth Academy, I was responsible for teaching the same three classes I had taught with PEAC: Grade 11 English, Grade 7/8 History, and Grade 12 Law.
- 27. Further, when Blyth Academy took over, some PEAC teachers resigned. As a result, those of us that remained were required to teach extra classes to cover these absences. For example, I was required to teach Grade 9 Food and Nutrition every morning for the first several weeks of my contract with Blyth Academy. I was not paid anything extra to teach this course.
- 28. As with PEAC, my hours were from 8:00 am to 4:30 pm. As Blyth Academy at the Downsview campus was (and still is) a sports specialty school, the school held sports-specific training and conditioning every morning from 8:00 am to 10:00 am. For teachers, this time was referred to as "tutorial time". With PEAC, teachers were expected to generally make ourselves available to students during this time, and we were not restricted to our classrooms. I therefore often spent this time attending and observing practices to get to know my students better. However, when Blyth Academy took over, Mr. Hurley told us that all teachers must now remain in their classrooms during tutorial time.
- 29. Classes began at 10:00 am. with each class lasting sixty minutes. With PEAC, my first period was a "prep" period, a time devoted to preparing lessons, grading

assignments, and completing other preparation work as required. However, after Blyth Academy took over, my prep period was usually spent covering other classes.

- 30. For example, in March and April, I spent my prep period teaching Grade 9 Food and Nutrition. Once Blyth Academy hired a permanent replacement teacher for that course, I was assigned during my prep period to cover other teachers who were absent. Attached as Exhibits "11", "12" and "13" are copies of emails providing examples of times the school used existing teachers to cover our colleagues' absences. While there were numerous other emails of this type sent to me while I was a teacher at Blyth Academy, I no longer have access to these messages as they were sent to my Blyth Academy email address.
- 31. After first period, I taught Grade Eleven English, and then it was lunch. In the afternoon, I taught Grade 7/8 History and the Grade Twelve Law. My last class ended at approximately 3:20 pm, however, I was required to remain on campus until 4:30 pm for another hour and ten minutes of tutorial time. Again, Blyth Academy did not permit teachers to leave their classrooms during these periods. Additionally, every Friday during tutorial time, I taught a group of grade 10 students to prepare them for a literacy test.
- 32. In sum, most days I was actively teaching from 8:00 am to 4:30 pm, with only a short break for lunch from 12:40-1:15pm. This amounted to 42.5 hours of required time on Blyth Academy premises each week. As I will explain in more detail below, however, this work accounted for only a portion of my work for Blyth Academy.

E. Preparation for Ministry Inspection

- 33. On March 29, 2016, approximately one week after Blyth Academy took over PEAC, the Downsview teachers were asked to attend a meeting with Ms. Hatcher, Vice-Principal of Academics. Attached as Exhibit "14" is a copy of emails from Mr. Hurley and Ms. Hatcher requesting that all Blyth Academy Downsview teachers be available for a meeting on March 29.
- 34. At this meeting, Ms. Hatcher explained to us that Blyth Academy Downsview would soon be inspected by the Ministry of Education to ensure it met certain educational requirements. This was no surprise to me inspections are a regular occurrence in private schools, and I had already been inspected by the Ministry twice while teaching at Fieldstone King's College School.
- 35. As part of the inspection process, I understood that teachers must show the Ministry Inspector documents pertaining to the courses we are teaching in order to demonstrate that our classes met curriculum requirements. Additionally, Ministry Inspectors may observe our teaching and ask us questions about our course content. Having passed these types of inspections before, I was confident my materials were more than sufficient to meet the Ministry standards.
- 36. I recall that Ms. Hatcher told us at the March 29 meeting that Blyth Academy had successfully passed many Ministry inspections before and therefore knew what was required of the teachers in these inspections. She told us that, in order to ensure the school passes, we all must use Blyth Academy templates and teach in the same way as

other Blyth Academy teachers. She further told us that Principals from other Blyth Academy schools would be coming in to go through our materials as an "aid to help us succeed" or words to that effect, and that these Principals would sit in on our classrooms and observe our teaching to ensure it was up to Blyth Academy's standards.

- 37. At this point, I did not think that preparing for these inspections would require a significant amount of extra work: I had already prepared my course materials while working with PEAC and I was confident my materials were sufficient to meet the Ministry standards. Although I knew I would now have to use Blyth Academy templates based on Ms Hatcher's instructions, I assumed I could simply copy and paste my previous work into these new documents.
- 38. A few days later, Ms. Hatcher called another staff meeting to discuss course outlines. A course outline is a document the Ministry requires each teacher to create at the beginning of the semester. These documents contain information about the course content such as learning objectives, materials to be used, and evaluation criteria. We had all completed these documents for our courses while working at PEAC. At the beginning of the year, Mr. Hurley had reviewed them and signed off on each one. Attached as Exhibit 15 is a copy of three emails Mr. Hurley sent me in August and September 2015 in which he approved my various teaching materials for the year.
- 39. However, at this second meeting, Ms. Hatcher and Mr. Hurley went through our PEAC course outlines one by one and told us that much of what we had done was

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"wrong". Ms. Hatcher informed us that all of our documents would need significant revisions in order to meet Blyth Academy's standards and pass inspection.

- 40. For example, Ms. Hatcher informed me that my course outline would need to be redone with my sources alphabetized and done in MLA citation format, amongst other required changes. I had never used MLA formatting in my course outlines before, nor have I since. To my knowledge, it is not a Ministry guideline.
- 41. From this second meeting with Ms. Hatcher, I realized that Blyth Academy would be requiring a significant amount of additional work from us in order to prepare for these inspections. Given that she had only criticized our existing work, we asked Ms. Hatcher to provide us with an example of a course outline that would meet her standards. I recall that she gave us what is called a "course of study" (the Blyth Academy term for "course outline") for either a math or science course. As I taught English, this was not especially helpful to me.
- 42. Around this time, Ms. Hatcher also provided us with a blank template entitled "Lesson plans". She informed me and the other teachers that we needed to fill out this template every day. She told us to compile these sheets in our course binders, which are binders we kept, one per course, of key documents.
- 43. Ms. Hatcher also forwarded us complete unit plans and course outlines (which, again, Blyth Academy called "Courses of Study"). As these documents were sent to my Blyth email address, I no longer have access to them. However, I remember that these

materials were for science and math courses and so were not especially useful to me. I recall that I opened some of these documents, deleted the information that was filled in the documents, and was thus left with a blank template or templates to work with.

- I was concerned that I had not been provided with examples relevant to any my courses, so I approached Ms. Hatcher and asked if she could provide me with such an example. Ms. Hatcher invited me to attend a meeting with herself and a woman from one of the other Blyth Academy campuses. Although I no longer remember the name of this second person, I recall that she was a teacher or principal at one of the other Blyth Academy campuses.
- 45. I agreed and attended a meeting with these two individuals. Although Ms. Hatcher did not have an "official" office at Blyth Academy Downsview, she had at that time taken over one of the offices adjacent to the Principal's office, and this is where our meeting was held.
- Ouring this meeting, Ms. Hatcher and her colleague showed me a huge database of folders arranged by course code. It looked to me like there were well over a hundred courses represented in this database. Inside each course folder were further subfolders with documents such as unit plans and lesson plans. Ms. Hatcher and her colleague showed me a number of these documents relating to the classes I taught and told me that this is what my materials should look like.

- 47. From that point forward, I only used Blyth Academy templates to complete my work. As I had already done a lot of course planning for the year, this required that I redo a large portion of the work I had already completed.
- 48. For example, I needed to redo Courses of Study for each of the classes I taught with Blyth Academy. Attached as Exhibits "16" and "17" are copies of the Courses of Study I created for my high school English and Law classes. These documents were done on Blyth templates, which included headings such as "Overall Curriculum Expectations", "Teaching and Learning Strategies", and "Strategies for Assessment and Evaluation of Student Performance". These documents were very involved and took me approximately 15-20 hours to complete.
- 49. In addition to the courses of study, I also created lesson plans and unit plans on Blyth Academy templates, as I had been told to do. Attached as Exhibit "18" is a copy of a Unit Plan from my Grade Eleven English class, which I completed on the Blyth template as required.
- 50. I was required to submit all of my work to Ms. Hatcher for her review. She went through my course binders and told me what needed to be redone. Ms. Hatcher was very particular. For example, she once told me to redo a document I had created because the margins were not entirely uniform. These kinds of changes are not based on curriculum requirements.

- 51. In addition to Ms. Hatcher's detailed reviews, Principals from other Blyth Academy campuses reviewed our course binders and told us how they could be improved. On one occasion, Laurie Foley, the Principal from Blyth Academy Thornhill, met with me and conducted a detailed review of my Grade Twelve Law course binders' contents. On several pages, she placed sticky notes with instructions such as "add Unit 5 plan", "Try using the Blyth templates which tie observations/conversations to curriculum expectations", and "add examples of assessments". Attached as Exhibit "19" is a colour photo of the contents of my binder, with Ms. Foley's sticky notes visible at the top of the document. Attached as Exhibit "20" is a colour copy of the contents of my binder, with sticky notes attached. On pages where the sticky note obscured the text, there is a copy of the page with the sticky note, followed by another copy of the same page with the sticky note removed. Ms. Foley's handwriting is in black pen, while mine is in blue pen or pencil. A full copy of this binder is available for inspection at the offices of Cavalluzzo LLP, as it is hard to reproduce accurately.
- 52. After reviewing my course binder, Ms. Foley also observed me teaching my Grade Twelve Law class, and afterwards provided me with detailed comments and criticisms.
- 53. As the Ministry inspection date drew closer, the staff began having more frequent staff meetings with Ms. Hatcher, and occasionally with Principals from other schools as well. The main focus of these meetings was to discuss what our course binders should look like, how we should behave around the Ministry Inspector, and how we should prepare our students for the inspection. They frequently reminded us of things the

Ministry was looking for and said things like "Make sure your learning goal is on the Board".

- Many of the teachers were unhappy with the amount of extra work that was being required of us. On behalf of my colleagues, I brought our concerns to our Principal, Mr. Hurley. He asked me to attend a meeting with Ms. Hatcher and repeat my concerns to her. I met with Ms. Hatcher in early May and told her that many of the teachers, myself included, were struggling to complete the work she demanded of us. She thanked me for bringing the teachers' concerns to her, but nothing changed.
- Later in the term, Mr. Blyth returned to Blyth Academy Downsview to hold a "Town hall" with teachers and students. Again, I expressed my concern about the number of hours Blyth Academy was requiring us to work. He thanked me for voicing my concerns, but nothing changed. Rather than further discussing the issues at Blyth Academy Downsview, he invited us all to apply for Blyth's overseas program and said "think about what if could do for your career."

F. The Equipment Involved in My Work

56. Consistent with what the contract I signed states, most of the equipment I used to accomplish my job was supplied to me by Blyth Academy. To do my job, I used Blyth Academy's printers, stationary, projectors, a PowerPoint program, a fridge, a microwave, a staff room, and a kitchen. The only piece of equipment I recall using to complete my duties that belonged to me was my laptop.

- 57. In addition to this equipment Blyth Academy supplied, I was also expected to use, and did use, a number of pieces of software Blyth Academy supplied. With PEAC, we used a program called Edsby to communicate course content to students and parents, and Maplewood to input our mark and students' attendance. Blyth Academy continued to provide us with access to the Edsby and Maplewood platforms when it took over in March, and told us to continue using these. Blyth Academy also required that we use an additional platform called Moodle specifically when teaching Health. I, along with the other teachers at Blyth Academy Downsview, all taught a Health class each week.
- I understand from speaking with my former colleague, Shane Cliff, who continued to teach at Blyth Academy Downsview into the 2016-17 school year, and verily believe, that the following September, all teachers had to use programs called Rediker and Plus Portal to input grades and communicate with parents and students. Further, he informed me, and I verily believe, that the teachers continued to use Moodle, albeit now across a broader range of courses.

G. Weekly Hours at Blyth Academy

- 59. While I worked for Blyth Academy, I spent approximately 15 additional hours each week working from home, in addition to the 42.5 hours I spent each week at the school. In total, I estimate I worked approximately 15-20 hours a week while at Blyth Academy Downsview.
- 60. This is significantly more than I have ever worked at any of the five schools I have taught at before and since teaching at Blyth Academy. Part of the reason I had to work so

many hours outside of the school day while at Blyth Academy was that I could no longer use the prep period I had with PEAC to prepare my lessons and mark assignments and test.

- 61. However, the main reason I worked such significant hours for Blyth Academy was because Blyth Academy required me to do more paperwork than any other schools I have ever worked for. Blyth Academy also required, as detailed in section 5 of my Agreement, that I regularly email and communicate with my students' parents, that I regularly make myself available outside of classroom hours to assist students who need or would like extra help, and that I notify the parents and principal of any academic of behavioural issues. All of these activities added to my weekly hours.
- While I was teaching at Blyth, I recall Ms. Hatcher saying there would be another Ministry Inspection at Blyth Academy Downsview in the 2016-2017 year so that all Blyth Academy campuses would be on the same inspection schedule. I understand from speaking with Shane Cliff, and verily believe, that, the next year, Blyth Academy Downsview had to undergo another Ministry Inspection. Mr. Cliff informed me, and I verily believe, that Ms. Hatcher was again heavily involved in overseeing the teachers' work. He estimated that he continued to work an average of 55-60 hours a week while working for Blyth Academy Downsview.

H. The End of My Employment with Blyth Academy

63. Although the school year ended in June, Blyth Academy Downsview teachers were all expected to stay until July 15 to prepare the school for the next school year. After

the students left, my work consisted principally of completing paperwork for new courses to be offered in the Fall, and cleaning out the building. For example, Katherine De Cata, the Blyth Academy Downsview Guidance Counsellor, instructed me to empty out and organize an old book room. I did this with the help of Mr. Cliff and other teachers. As well, there was a lot old furniture stored in various parts of the school that the teachers were responsible for clearing out and carrying to the dump.

- At this time, Blyth Academy would not tell us whether or not our contracts would be renewed in the Fall. We understood that we would not be told until sometime in July. Ultimately, my contract was not renewed. Had I known that my contract would not be renewed, I would not have continued to do all the manual labour work required of me in July; however, I was not told of my employment status until the second last day of my contract.
- 65. As section 7 of my contract stated, my last pay cheque, payable to me on July 15, 2016 would be withheld until I completed the following tasks:
 - (a) Completed a report card for each student;
 - (b) Completed and submitted my markbook;
 - (c) Posted all course marks on Maplewood;
 - (d) Completed and submitted all daily lesson plans;
 - (e) Completed and submitted my Course of Study;
 - (f) Submitted examples of marked student assignments; and,
 - (g) Submitted all marked exams.

66. I completed and submitted all of the appropriate documents. Blyth Academy paid my last pay cheque shortly thereafter.

SWORN BEFORE ME at the City of , in the Toronto on March, 2018

Commissioner for Taking/Affidavits

(or as may be)

SARAN BADGER

Kaley Maria Victoria Duff, a Commissioner, etc., Province of Ontario, while a Student at Law. Expires July 5, 2020.

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KARE	Plaint

2016169 ONTARIO INC., et al. **Defendants** -and-

Court File No. CV-17-584523

SUPERIOR COURT OF JUSTICE ONTARIO

PROCEEDING COMMENCED AT TORONTO

AFFIDAVIT

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Stephen J. Moreau, LSUC# 48750Q Alex St. John, LSUC# 72406H Tel: 416-964-1115 Fax: 416-964-5895

Lawyers for the Plaintiff

KALEY DUFF



March 13, 2016 8:19 PM

Details

NOTICE TO TENANT

582326 Ontario Inc. o/a Premier Elite Athletes Collegiate 75 Carl Hall Road Units 4 and 7 Toronto, Ontario (the "Leased Premises")

In accordance with the notice of termination delivered to you on March 3, 2016, the Landlord terminated your tenancy for non-payment of basic rent. Accordingly, the Landlord has re-taken possession of the Leased Premises.

The Landlord has appointed S. WILSON & CO. BAILIFFS LIMITED as bailiffs.

The Leased Premises is now under the control of the Landlord. You are no longer permitted to enter the Leased Premises without the express permission of the Landlord or S. WILSON & CO. BAILIFFS LIMITED.

The Landlord will permit you to remove your goods and chattels at a mutually agreed time. You must contact the Landlord, or S. WILSON & CO. BAILIFFS LIMITED. within five (5) days to arrange a time to remove your goods and chattels. Failure to do so may result in the goods and chattels being deemed abandoned by you, at which time the Landlord, or bailiff, may remove your abandoned goods and chattels and place them in storage at your cost and expense, or dispose of the goods and chattels, in the Landlord's sole discretion.

Any person or persons attempting to re-enter the Leased Premises without the express permission of the Landlord, or its bailiff, may be charged with trespass, in accordance with applicable laws.

S. WILSON & CO. BAILIFFS LIMITED 1111 Finch Avenue West, Unit # 42 North York, Toronto, Ontario M3J 2E5 416-633-1416 www.bailiffsale.com

Date: March 13, 2016

Time: 8:05 (10)

Bailiff: Harvey Greber









This is Exhibit "2" referred to in the Affidavit of Sarah Badger sworn March $\$ 2018

KALEY DUFF



Adam



iMessage Mar 14, 2016, 9:36 AM

Hey Adam, do you have any updated info on the school?

Hey Sarah...working on a few things right now and have a call this afternoon...I should no more by latest Wednesday...between you and I, it looks promising to have someone else come in by the end of the week

*know

What do you mean by someone else? A new owner?

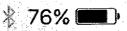














Adam



*know

What do you mean by someone else? A new owner?

It's possible but I will know more by Wednesday

I will keep you and the rest of the teachers posted if I hear anything else

Okay, sounds good. I wasn't sure if I should be calling the bailiff company to get my stuff, but I'll hold off until I hear from you.











This is Exhibit "3" referred to in the Affidavit of Sarah Badger sworn March\.1,.., 2018

Commissioner for Taking Affidavits (or as may be

KALEY DUFF

> thestar.com <

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Elite PEAC private school taken over by Blyth Academy

Private school was served with eviction notice before lease, teachers and pupils taken over by Blyth Academy



Neil Doctorow, PEAC's founder, has worked for Blyth for more than a year, and will join the new school as director of development. (NICK KOZAK FOR THE TORONTO STAR)

By **ALEX BALLINGALL** News Tues., March 22, 2016

Months of squabbling over the million-dollar sale of a Toronto private school for athletes ended on Sunday when the institution was taken over by the Blyth Academy chain.

The move spells the end of Premier Elite Athletes' Collegiate (PEAC), an expensive training school for sports stars that boasted the "best hockey program in North America" and counted the likes of NHL rookie phenom Connor McDavid among its alumni.

Court documents reviewed by the Star last year suggested the school was in financial trouble. PEAC's founder was petitioning the current owner into bankruptcy, claiming he was owed more than \$900,000 for the 2014 purchase of the school.

Four former PEAC employees told the Star they recently quit because of delayed wages and paycheques that bounced. Then last week, an eviction notice was posted on PEAC's front door, indicating that the school wasn't paying the rent.

Ontario has one of the least regulated private school sectors in Canada, according to a 2013 auditor general's report. Beyond annual inspections to make sure curricula meet provincial standards for high school diplomas, there are no rules to make sure schools like PEAC fulfil the quality of education they promise.

The province doesn't check whether such schools are on stable financial footing or that they won't shut down in the middle of the year and leave families with no way to recover often expensive tuition payments.

Sam Blyth, chair and chief executive of the 14-location Blyth Academy private school, told the Star that his company didn't buy PEAC, but instead took over the lease at its campus in northwest Toronto. He said all of PEAC's more than 70 remaining students are now Blyth pupils, and many of PEAC's teachers, sports instructors and supporting staff will be employed by the company.

The school is now called the Blyth Academy for Elite Athletes, he said.

Students won't have to pay any more tuition this year, Blyth added, and the school's existing fees—annual tuition ranges from \$15,500 to \$27,000—will be frozen for one year.

"First of all, we were concerned for the families and their kids who (could have had) their school year interrupted," said Blyth, referring to last week's eviction notice, adding that taking over the school was seen as a good investment, given the many sporting facilities in the area near Sheppard Ave. W. and Keele St.

"We think there's great long term potential for an athletics school on that site," Blyth said.

The Blyth Academy already runs hockey programs out of two former PEAC locations, in Burlington and London. Neil Doctorow, PEAC's founder, has worked for Blyth for more than a year, and will join the new school as director of development.

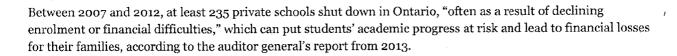
The former Toronto District School Board teacher founded PEAC in 2005. Two years ago, he agreed to sell the school to a man named Robb Nelson for more than \$1 million. Months later, Doctorow accused Nelson of falling behind on their agreed payment schedule and in June 2015, he submitted a petition for bankruptcy against Nelson, which has been moving through the courts ever since.

As part of Sunday's agreement to transfer the school's lease to the Blyth Academy, Doctorow said he will drop his bankruptcy petition against Nelson, who is not working at the new school.

Nelson did not respond to requests for comment on Monday.

"I have very mixed feelings. PEAC is no more," Doctorow told the Star. "I'm excited for the kids because Blyth has a great program ... but part of me feels sad. I look around at this place and everything I built is no longer relevant."

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This is Exhibit "4" referred to in the Affidavit of Sarah Badger sworn March $\$ 2018

KALEY DUFF

From: Sarah Badger (sbadger@hotmail.ca)

Sent: Tue 12/12/2017 08:09 PM Rcvd: Tue 12/12/2017 08:09 PM

To: Kaley Duff (KDuff@cavalluzzo.com)

Subject: Fwd: Welcome to Blyth Academy Downsview School for Elite Athletes!

Begin forwarded message:

From: Adam Hurley < Adam. Hurley@blytheducation.com >

Subject: Welcome to Blyth Academy Downsview School for Elite

Athletes!

Date: March 20, 2016 at 11:10:09 PM EDT

To: Adam Hurley < Adam. Hurley@blytheducation.com >

Good Evening Families,

First off, I would like to thank all of the families and students who joined us this evening for our announcement on such short notice and provided an overwhelming amount of support. For those of you who were not able to attend, an announcement was made that Blyth will be taking over the academics and sports programs at 7-75 Carl Hall Road and the school will be now known as Blyth Academy Downsview School for Elite Athletes.

Blyth will not require students to pay any extra fees for the academics or sports programs moving forward, but you must fill out the sheet provided in the meeting (these can be picked up at the main office if you require one) and pay \$1.00 to register your child with Blyth Downsview (this is a formality and the proceeds will be donated to charity).

We are happy to announce that Blyth Academy Downsview School for Elite Athletes will be open tomorrow at 8:00am and all classes will be run as usual as we intend on a seamless transition. Uniform will not be necessary as Blyth schools do not require a uniform, the East shuttle will be running as usual, and the lunch program will be in full effect but will not begin charging until next week.

On behalf of myself and the entire Blyth team, I thank you for your continued support and look forward to the great things that lie ahead!

Best,

Adam Hurley

Principal
Blyth Academy Downsview
School for Elite Athletes
adam.hurley@blytheducation.com
www.blythacademy.ca

Commissioner for Taking Affidavits (or as may be

KALEY DUFF





BLYTH ACADEMY LEADERSHIP TEAM

Blyth Academy has a strong leadership community all the way from the top down.

Scroll down to learn more about our leadership staff and how they can help you and your children get the best educational experience we can offer.

Chief Executives



Sam Blyth, CEO and founder of Blyth Academy

Sam Blyth, was educated at Cambridge University (B.A. Hons. and M.A)., the University of Paris and holds an honorary fellowship at Pembroke College, Cambridge. He is Chair of The Blyth Cambridge Commonwealth Trust Scholars, the Bhutan Canada Foundation, and is the Honorary Consul for the Kingdom of Bhutan to Canada







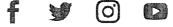




Pat Shaw, Group President

Pat Shaw is the President and Managing Director of Blyth Academy as well as President of Blyth-Templeton Academy. Previously he served as Manager of Canada's first European-based university program in Nice, France. Pat has a B.A. from the University of Toronto, a Masters degree from the London School of Economics and an M.B.A. from Western University.

Study in Canada



Management Team



George Rutherford,

Managing Principal

As Managing Principal, International George Rutherford oversees Blyth Academy Qatar and Florence. George has been the Head of School at a large Ontario co-ed independent day school located north of Toronto for 18 years followed by a post-retirement tenure at a small Canadian boarding school in Italy for 3 years. George holds a Master's Degree from the University of Toronto having completed his undergrad work at York University. He is married with three daughters.

Study in Canada



Frances Hatcher, Vice President of Academics for Blyth Academy

Frances Hatcher is Vice President Academics for Blyth Academy. Frances studied Education at the University of London and continued with post-graduate studies in mathematics and Educational Management. She taught elementary and secondary students for 13 years in the UK where she become Head of Year with responsibility for Primary-to-Secondary liaison. After immigrating to Canada with her family, Frances moved into the private system where she initially worked as a teacher before moving into administration.

Study in Canada



Dina Poulopoulou, Vice President of Operations

Dina Poulopoulou is Vice President of Operations for Blyth Academy's International travel programs. Dina has 25 years of experience with Blyth Academy, spearheading and coordinating programs for thousands of students to over 30 countries all around the world.

International Summers Home



Grant Channer, Vice President of Marketing

Grant Channer is the Vice President of Marketing across all of the local, online and international business units at Blyth Academy. Having always worked in marketing, Grant has had the pleasure of living in England, France, Australia and for the past 6 years, Canada (Montreal and Toronto). He has worked both client

and agency-side driving campaign strategy, creativity and media buying across a variety of sectors from Financial to FMCG and most recently, Education. He graduated with a BA (Hons) Business degree from Kingston University, London and hopes to bring his British attitude to his now permanent home in Canada.

Study in Canada



Barb Hayhurst, Vice President of Admissions and Student Services

Barb Hayhurst is the Vice President of Admissions and Student Services at Blyth Academy. She has 25 years of experience in business, education and educational travel in Canada and the U.S. Barb has a B.Ed from the Ontario Institute for Studies in Education (University of Toronto) and a B.A. from the University of King's College (Dalhousie University).

Study in Canada



Brenden O'Hearn, Vice President of Business Operations & IT

Brenden O'Hearn is the Vice President of Business Operations & IT at Blyth Academy. His previous work experience includes working at Blackberry and Loblaw Companies Limited. Brenden has an Honours B.A. from Queen's University in Economics and Mathematics and a Post-Graduate Certification in Project Management from Sheridan College. He is also a designated Project Manager, holding a Project Management Professional (PMP®) certification.

Study in Canada



Anukul Sharma, Vice President of Finance

Anukul Sharma is the Vice President of Finance at Blyth Academy. Anukul has earned an undergraduate degree in Commerce (B.com), and an advanced diploma in Business Administration. Anukul has had the pleasure of having an international exposure through living and studying in India and Canada. His previous work experience includes finance and plant Controllership functions in the food manufacturing industry. He is also an avid athlete who has participated in cricket, tennis and volleyball tournaments.

Study in Canada

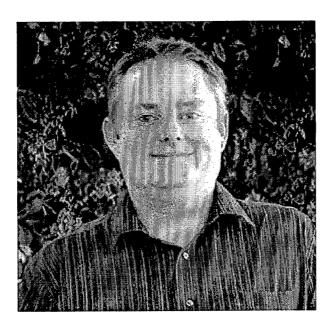
Sarah Mastroianni,

Director of Admissions and Operations Manager for Blyth Academy Florence

Sarah Mastroianni is the Director of Admissions and Operations Manager for Blyth Academy Florence. Sarah's career has focused on various aspects of international education and youth development programs. She holds a B.A. from Queen's University, an M.A. from the University of Toronto and most recently completed a Certificate in Teaching English as a Second Language from Seneca College.

Florence Home

Campus Leadership Team – Our Principals



Ian Hughes Principal of Blyth Academy Burlington

Ian Hughes is the Principal of Blyth Academy Burlington. He received his Undergraduate degree at The University of Western Ontario and obtained his Postgraduate Certificate in Education at London South bank University in England. During his time as a math teacher and Head of Year in the English system, he taught, counselled and mentored students, trained and developed new and experienced teachers and helped to develop curriculum and policy within the school.

ian.hughes@blytheducation.com

Burlington Home



Adam Hurley, Principal of Blyth Academy Downsview Park

Adam Hurley is the Founding Principal of Blyth Academy's Downsview Park School for Elite Athletes. Previously he was the Principal of one of the first sport-focused academies in Ontario. Adam has earned a B.P.H.E. and B.Ed. from the University of Toronto, and is currently completing a M.Ed.at the University of Toronto in Educational Leadership & Policy.

adam.hurley@blytheducation.com

Downsview Park Home



Luke Coles, Principal Blyth Academy Lawrence Park

Luke Coles is Principal of Blyth Academy's Lawrence Park campus. Previously he was a long time teacher, coach, and outdoor education specialist at The Sterling Hall School, where he served as Vice Principal for his final three years. Luke founded the Walk for Homeless Youth and was Schools Coordinator at The Terry Fox Foundation. Luke has a B.A. from Queen's University and a B.Ed and M. Ed from OISE, University of Toronto.

<u>lukecoles@blytheducation.com</u>

Lawrence Park Home

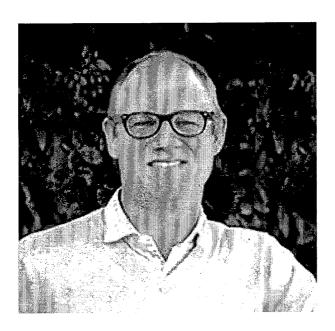


Jennifer Flynn-Clark Principal of Blyth Academy London

Jennifer Flynn-Clark is the Principal of Blyth Academy London. She has over 20 years of experience in education in a variety of areas including ESL, online curriculum design, teaching, and administration in a private school setting. Jennifer has a B.A from Laurier, completed her B.Ed at Brock University, and has her M.Ed from Western University.

iflynnclark@blytheducation.com

London Home



Michael Booth, Principal of Blyth Academy Mississauga

Michael Booth is Principal of Blyth Academy's Mississauga Campus. Previously he taught undergraduate courses at Northwestern University, Loyola University and Indiana University while pursuing a PhD in Film Studies. Michael has a B.A. from McGill University and an M.A. from New York University.

mbooth@blytheducation.com

Mississauga Home

Kristy Larose Principal of Blyth Academy Ottawa

kristy.larose@blytheducation.com

Ottawa Home



Laurie Foley, Principal of Blyth Academy Thornhill

Laurie Foley is Principal of Blyth Academy's Thornhill Campus. Previously she taught at both the elementary and secondary levels working with junior, intermediate and adult learners. She has also worked in curriculum and policy development for both traditional and online high schools. Laurie has a B.A. from Glendon College and a B. Ed. from Nipissing University.

laurie.foley@blytheducation.com

Thornhill Home



Kathy Young, Principal of Blyth Academy Waterloo

Kathy Young is the Principal of Blyth Academy Waterloo. Previously she worked for the Waterloo Region District School Board in various schools, initially as a mathematics and computer science teacher and department head and later spent twenty years in administration as Vice-Principal and Principal. Kathy has a B.Math. from the University of Waterloo and a Bachelor of Education from the University of Western Ontario.

kathy.young@blytheducation.com

Waterloo Home

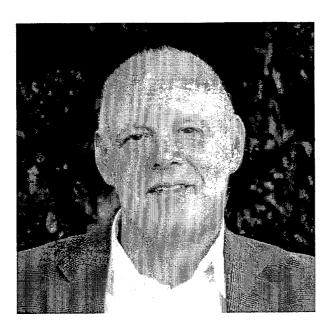


Kim Hacker, Principal of Blyth Academy Whitby

Kim Hacker is Principal of Blyth Academy's Whitby Campus. Previously she was the Guidance Counsellor at Blyth Academy Whitby; taught English at Greenwood College School in Toronto; and was English Department Head and Head of Female Boarding at Rosseau Lake College. Kim has an Honours BA from Trent University in English with minors in Native Studies and Women's Studies, a Marketing diploma from Georgian College, and a B.Ed degree from Mount Saint Vincent University in Halifax.

kim.hacker@blytheducation.com

Whitby Home



Adam de Pencier, Principal of Blyth Academy Yorkville

Adam de Pencier is Principal at Blyth Academy Yorkville. Adam has studied at Queen's, and the Universities of Chicago, Columbia, and Edinburgh, and has several years' experience as a Principal at Canadian and American schools. Adam is passionate about teacher and professional development and has presented at leading North American schools and universities. He also writes regularly on education, the environment, and sports, in newspapers including the Globe and Mail, the National Post, and Lake Superior Magazine.

Adam.DePencier@blytheducation.com

Yorkville Home



Susan Kelley, Principal of Blyth Academy @ CIHA

Susan Kelly is principal at Blyth Academy@CIHA. She has over 18 years of experience in education, and received her Bachelor of Education Honours degree in England at De Montfort University. Susan began her educational career as a teacher, but her strong leadership skills led her to administrative roles. She has been a private school principal since 2007.

susan.kelly@blytheducation.com

CIHA Home



Nathan Bishop, Principal of Blyth Academy Online

Nathan Bishop is the Academic Director of Blyth Academy Online, and is an advocate for education that reaches a wide variety of students and is delivered in the most accessible way possible. He has taught overseas, as well as in Ontario, and has a great deal of experience with technology and innovation in education. Along with his experience in teaching and technology, Nathan also holds additional qualifications in both Guidance and Special Education. nathan.bishop@blytheducation.com

Blyth Academy Online

David Brazeau, Principal of Blyth Academy Qatar

David Brazeau is a very experienced educator and leader having headed public and private schools both in Canada and internationally, most recently as Principal of the Canadian International School of Egypt. He is also an accomplished teacher, athlete and coach, and has built and led community services projects both locally and internationally.

david.brazeau@blytheducation.com

Blyth Academy Qatar Home

Plus Portals

Privacy Policy

Terms & Conditions

Attend Info Session

Contact





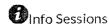


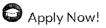


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160 Avenue Rd. Toronto, ON, Canada M5R 2H8

Phone: 416-960-3552 Toll-free: 1-866-960-3552





Leave a message



/

KALEY DUFF

From: Sarah Badger (sbadger@hotmail.ca)

Sent: Tue 12/12/2017 08:10 PM Rcvd: Tue 12/12/2017 08:10 PM

To: Kaley Duff (KDuff@cavalluzzo.com)

Subject: Fwd: Please sign Downview Park Teacher Contract Standard Template

Begin forwarded message:

From: Marlene Gold < echosign@echosign.com >

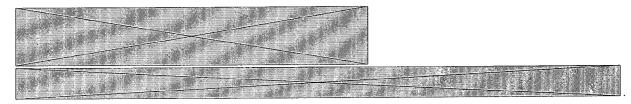
Subject: Please sign Downview Park Teacher Contract Standard

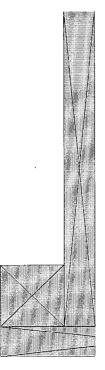
Template

Date: March 23, 2016 at 3:50:36 PM EDT

To: "sbadger@hotmail.ca" < sbadger@hotmail.ca>

Reply-To: Marlene Gold <marlene@blytheducation.com>





Marlene Gold Has Sent

You Downview Park Teacher Contract Standard Template to Sign

Marlene Gold (<u>blytheducation.com</u>) says: "Please review and sign Downview Park Teacher Contract Standard Template."

Click here to review and sign Downview Park Teacher Contract Standard Template.

After you sign Downview Park Teacher Contract Standard Template, the agreement will be sent to adam.hurley@blytheducation.com and frances.hatcher@blytheducation Then, all parties will receive a final PDF copy by email.

Do you need to forward this to a party authorized to sign it? Click here

To ensure that you continue receiving our emails, please add echosign@echosign.com to your address book or safe list.



AGREEMENT TO RENDER SERVICES

TEACHER -DOWNSVIEW CAMPUS

THIS AGREEMENT made in duplica	ite this 21st day of March2016, between Blyth and					
	31 Ontario Inc.,hereinafter called "BLYTH", of (city) hereinafter					
called the "TEACHER".						
PERSONAL INFORMATION						
Address						
City	Toronto					
Postal Code						
Date of Birth	Month December Day 14 Year 1988					
SIN#						
Ontario College of Teachers #						
Phone #						
Email address:						
Teaching Course Details						
Name of Course (s)	All currently assigned					
Semester 2	2015-2016					

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged by each of the parties hereto, the parties agree as follows:

- 1. BLYTH hereby engages the TEACHER, and the TEACHER hereby accepts such engagement to render such services as are reasonably required by BLYTH and which are more particularly described in paragraph 5 below, in connection with the TERM commencing on March 21, 2016 and ending on July 8, 2016. BLYTH agrees to utilize the TEACHER's services at BLYTH and the TEACHER agrees to provide his/her services for BLYTH's as a teacher for the amount of \$14,062.50. The TEACHER shall devote his/her best talents, efforts and abilities in connection with the services to be provided hereunder on a non-exclusive basis in accordance with the School's instructions and directions.
- 2. Nothing in this Agreement shall be construed so as to create or imply any employer-employee relationship between the parties. It is expressly understood that the TEACHER is an independent contractor and no relationship of employment, quasi-employment, or partnership of any kind is intended between the parties or created by this Agreement.

For greater clarity, this Agreement constitutes a contract for services and not an employment contract. Accordingly, the TEACHER is not entitled to vacation time or vacation pay, s tatutory holidays, emergency family leave, illness or compassionate leave or any other right or benefit provided under the *Employment Standards Act, 2000*. The TEACHER is also not entitled to benefits such as Canada Pension Plan contributions, OHIP, employment insurance, workers' compensation, health or accident insurance or any other contributions which are regularly provided in an employer-employee relationship.

The contract amount specified in paragraph 1 is gross compensation and is inclusive of any Federal or Provincial sales taxes that might apply to the services being provided. BLYTH will issue T4A slips; however, the School will not withhold income tax at source from any payments issued pursuant to this contract. The TEACHER is solely responsible for remitting his/her own incomes taxes as required pursuant to the *Income Tax Act*. By signing this contract, the TEACHER indemnifies and holds harmless BLYTH for any unpaid income or sales taxes, penalties or interest should the TEACHER fail to remit taxes as required.

- 3. This agreement is subject to the TEACHER continuing to hold the necessary qualifications in accordance with all applicable statutes and the regulations administered by the Ontario Ministry of Education (the "Ministry"). The Agreement is also subject to the TEACHER providing a clear Criminal Records Check, in accordance with the procedure described in paragraph 4 below.
- 4. The Agreement is subject to the TEACHER obtaining and providing BLYTH with a satisfactory Vulnerable Criminal Records Check by April 5, 2016. If the TEACHER has already undergone a Records Check within the past 12 months and is able to furnish a copy of the Criminal Records Check to BLYTH, then a new Records Check document is not required. In the event the Records Check is returned with a criminal offence, BLYTH reserves the right to void or renegotiate this Agreement.
- 5. During the session specified in paragraph 1, the TEACHER agrees to:
 - a) Provide students with an email address, to be created and used exclusively for his/her teaching at Blyth, at the first class.
 - b) Check his/her e-mail at least once a day for communication from students and/or parents and.
 respond immediately.
 - Notify parents of academic difficulties and/or behaviour problems and inform the Principal as well.
 - d) Participation in scheduled professional development session.
 - e) Be available to students one half hour before and one half hour after class to work individually with students who would like extra help.
 - f) Provide in class teaching and out of class academic support such that students will not need to nor expect to engage tutors.
 - g) Administer a final exam mark which should not differ dramatically from the term mark and especially from the test marks.
 - h) Give to parents/students one (1) report by email to be sent on the Friday before a scheduled Parent/Teacher night.
 - i) Attend one (1) parent-teacher night in the Term as scheduled by Blyth.
- 6. During the session specified in paragraph 1, the TEACHER agrees to perform such additional duties as BLYTH may assign under the applicable statutes and the regulations administered by the Ministry of

Education. The TEACHER agrees to be diligent and faithful in the performance of the TEACHER's services under this Agreement.

- 7. The TEACHER agrees to submit to BLYTH, upon completion of the course, a report card with final course results for each student, and the following information:
 - a. The record of your student evaluation/mark book.
 - b. Using the Student Information System (Maplewood/Rediker) to post term marks during the course and final marks at the end.
 - c. Your daily lesson plans using model given.
 - d. Your long range plan (course of study on file).
 - Your course examples of marked student assignments (for each example please include high, medium and low).
 - f. All exams; marked and bundled.
 - g. A completed report card for each student with their final mark on the Student Information System (Maplewood/Rediker.)

(These should be submitted no later than seven days after the last day of the above-mentioned session.)

- 8. The Teacher acknowledges that they have read and understood the Blyth Code of Conduct and agrees to abide it. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy. The TEACHER shall also provide a declaration to BLYTH of "Workplace Health and Safety Awareness Training" and "AODA (Accessibility for Ontarians with Disabilities Act)" training completed wit hin the past 12 months. Evidence of the training records may also be requested at any time during this contract.
- 9. The contract amount specified in paragraph 1, is payable in 9 payments as per Appendix A. The payment dates will be as follows: March 24, April 8, April 22, May 6, May 20, June 3, June 17, July 1, and July 15. The final payment on July 15 will not be issued until the TEACHER has submitted all of the information outlined in paragraph 7 above. BLYTH has the right to offset payments to the TEACHER when an overpayment or administrative error has been made resulting in monies owing to B LYTH. The offset may be applied across any and all current contracts the TEACHER has with BLYTH.

- 10. All materials required to successfully teach the course will be provided by BLYTH. Should the TEACHER expend personal funds to provide course material for the course, such expenses will be reimbursed with the prior approval of the school's Principal. Expenses must be listed with original receipts attached in order for these to be reimbursed. If the TEACHER chooses to provide his or her own tools, material and/or supplies, it is the sole responsibility of the TEACHER to ensure that such tools, material and/or supplies are safe and in good working order. Under no circumstances will BLYTH assume responsibility for damage to, or the loss of, tools, material and/or supplies provided by the TEACHER. Further, the TEACHER understands and agrees that, since s/he is not an employee of BLYTH, this paragraph constitutes an agreement pursuant to the *Copyright Act*, RSC 1985, c C-42 that all right, title and interest, including copyright, in any material created by TEACHER pursuant to this Agreement shall be solely owned by BLYTH. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he is responsible for all personal expenses associated with performing the services outlined above, including travel, phone and computer costs.
- 11. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he will be compensated only for classes for which services are rendered. If the TEACHER is unable to teach any class, s/he agrees to contact the Academic Director as soon as possible to arrange for a substitute who is competent in the relevant discipline. It is the responsibility of the TEACHER to speak with his/her substitute regarding the class outline, or alternatively, to leave a lesson plan for the substitute. The TEACHER may also be responsible for hiring, supervising and paying, the substitute teacher, if determined necessary by BLYTH.
- 12. The TEACHER is an independent contractor and, as such, neither party to this contract is obligated to renew the Agreement at the end of its term or provide any notification of any intention to renew or not to renew. Further, either party may terminate this contract during the Term, under the following guidelines:
 - a. At any time, by mutual consent in writing of the TEACHER and BLYTH.
 - b. By BLYTH at any time without advance notice to the TEACHER where, before the commencement of the course or class or teaching in the subject, BLYTH has resolved not to offer the course, class, or subject in the session in paragraph 1.
 - c. By Blyth at any time, without notice, should the TEACHER fail to perform any of the services outlined in paragraphs 5,6 and 7 above or if the TEACHER contravenes any of the School

- Discipline and Safety policies / Code of Conduct as noted in paragraph 8 above, or for providing false statements on your application form.
- d. By either BLYTH or the TEACHER, for any reason, with one week's notice. In the event that BLYTH terminates this Agreement during the Term, BLYTH shall have the option of providing the TEACHER with one week's notice of its intention to terminate the Agreement or, in the alternative, Blyth may issue a payment of no less than 5% of the amount payable on the next scheduled delivery of materials pursuant to the table attached as Schedule 'A' to this Agreement. BLYTH and TEACHER agree that notice and/or payment made under this provision shall constitute full and final settlement of any and all claims, commercial or otherwise, arising from or in connection with, the termination of this Agreement during the Term.
- 13. Should BLYTH terminate the Agreement under 12(b) above BLYTH will have no obligation to pay any of the amount in Paragraph 1. Should BLYTH terminate the Agreement under 12(c) above BLYTH will not be responsible for making any additional payments that would have been otherwise due at the time of the termination.
- 14. TEACHER consents to the collection, use, disclosure and retention of his or her personal information by BLYTH, or a third party authorized by BLYTH, for rea sons consistent with the administration of this Agreement and in accordance with BLYTH's normal business practices. Such collection, use and retention of personal information shall accord with BLYTH's privacy policy, a copy of which will be provided to TEACHER upon request.
- 15. This Agreement constitutes the entire understanding of the parties with respect to the subject matter set out herein and cannot be modified except by a written instrument signed by the TEACHER and an authorized officer of the School.
- 16. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein, and the parties hereto irrevocably attorn to the exclusive jurisdiction of Ontario.
- 17. This Agreement may be executed in counterparts with the same effect as if all the parties hereto had signed the same document. Each counterpart is as valid and binding on all parties hereto as

every other counterpart, and all counterparts shall be construed together and shall constitute one Agreement.

18. The teacher acknowledges that s/he has read, understood, and signed the Blyth Academy *Code of Conduct Agreement*. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy.

Further, execution and delivery of this Agreement by facsimile transmission or other written electronic communication shall constitute execution and delivery respectively as required by this Agreement.

Please acknowledge acceptance of this Agreement by signing in the space provided below.

In witness whereof the TEACHER has signed and BLYTH has affixed hereto its corporate seal attested by its proper officers in that behalf.

Sarah Badger

Teacher

Adam Hurley

Principal Blyth Academy Downsview

Frances Hatcher

VP Academics/ Managing Principal Blyth Academy



TEACHER -DOWNSVIEW CAMPUS

APPENDIX A

2016 Pay Dates -Downsview

Term of Contract: March 21 - July 8

Pay#	Pay Date	Amount
1	Mar. 24, 2016	\$ 1,500.00
2	Apr. 08, 2016	\$ 1,570.31
3	Apr. 22, 2016	\$ 1,570.31
4	May. 06, 2016	\$ 1,570.31
5	May. 20, 2016	\$ 1,570.31
6	Jun. 03, 2016	\$ 1,570.31
7	Jun. 17, 2016	\$ 1,570.31
8	Jul. 01, 2016	\$ 1,570.31
9	Jul. 15, 2016	\$ 1,570.31
	Total	\$ 14,062.50

 Contract Amount
 \$ 14,062.50

 PEAC Salary
 \$ 37,500.00

Signature: Sarah Elizabeth Badger
Sarah Elizabeth Badger (Mar 24, 2016)

Email: sbadger@hotmail.ca

Commissioner for Taking Affidavits (or as may be,

KALEY DUFF



AGREEMENT TO RENDER SERVICES

TEACHER -DOWNSVIEW CAMPUS

.cademy Downsview. o/a 242913	e this 21st day of March2016, between Blyth and 1 Ontario Inc., hereinafter called "BLYTH",
_{name)} Shane Cliff	of (city) Toronto hereinafter
alled the "TEACHER".	
PERSONAL INFORMATION	
Address	
City	Toronto
Postal Code	
Date of Birth	Month 03 Day 20 Year 1986
SIN#	
Ontario College of Teachers #	
Phone #	
Email address:	
Teaching Course Details	
reaching course Details	
Name of Course (s)	As currently assigned

2015-2016

Semester 2

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged by each of the parties hereto, the parties agree as follows:

- 1. <u>BLYTH hereby</u> engages the TEACHER, and the TEACHER hereby accepts such engagement to render such services as are reasonably required by BLYTH and which are more particularly described in paragraph 5 below, in connection with the TERM commencing on March 21, 2016 and ending on July 8, 2016. BLYTH agrees to utilize the TEACHER's services at BLYTH and the TEACHER agrees to provide his/her services for BLYTH's as a teacher for the amount of \$14,062.50. The TEACHER shall devote his/her best talents, efforts and abilities in connection with the services to be provided hereunder on a non-exclusive basis in accordance with the School's instructions and directions.
- 2. Nothing in this Agreement shall be construed so as to create or imply any employer-employee relationship between the parties. It is expressly understood that the TEACHER is an independent contractor and no relationship of employment, quasi-employment, or partnership of any kind is intended between the parties or created by this Agreement.

For greater clarity, this Agreement constitutes a contract for services and not an employment contract. Accordingly, the TEACHER is not entitled to vacation time or vacation pay, statutory holidays, emergency family leave, illness or compassionate leave or any other right or benefit provided under the *Employment Standards Act, 2000*. The TEACHER is also not entitled to benefits such as Canada Pension Plan contributions, OHIP, employment insurance, workers' compensation, health or accident insurance or any other contributions which are regularly provided in an employer-employee relationship.

The contract amount specified in paragraph 1 is gross compensation and is inclusive of any Federal or Provincial sales taxes that might apply to the services being provided. BLYTH will issue T4A slips; however, the School will not withhold income tax at source from any payments issued pursuant to this contract. The TEACHER is solely responsible for remitting his/her own incomes taxes as required pursuant to the *Income Tax Act*. By signing this contract, the TEACHER indemnifies and holds harmless BLYTH for any unpaid income or sales taxes, penalties or interest should the TEACHER fail to remit taxes as required.

- 3. This agreement is subject to the TEACHER continuing to hold the necessary qualifications in accordance with all applicable statutes and the regulations administered by the Ontario Ministry of Education (the "Ministry"). The Agreement is also subject to the TEACHER providing a clear Criminal Records Check, in accordance with the procedure described in paragraph 4 below.
- 4. The Agreement is subject to the TEACHER obtaining and providing BLYTH with a satisfactory Vulnerable Criminal Records Check by April 5, 2016. If the TEACHER has already undergone a Records Check within the past 12 months and is able to furnish a copy of the Criminal Records Check to BLYTH, then a new Records Check document is not required. In the event the Records Check is returned with a criminal offence, BLYTH reserves the right to void or renegotiate this Agreement.
- 5. During the session specified in paragraph 1, the TEACHER agrees to:
 - a) Provide students with an email address, to be created and used exclusively for his/her teaching at Blyth, at the first class.
 - b) Check his/her e-mail at least once a day for communication from students and/or parents and respond immediately.
 - c) Notify parents of academic difficulties and/or behaviour problems and inform the Principal as well.
 - d) Participation in scheduled professional development session.
 - e) Be available to students one half hour before and one half hour after class to work individually with students who would like extra help.
 - f) Provide in class teaching and out of class academic support such that students will not need to nor expect to engage tutors.
 - g) Administer a final exam mark which should not differ dramatically from the term mark and especially from the test marks.
 - h) Give to parents/students one (1) report by email to be sent on the Friday before a scheduled Parent/Teacher night.
 - i) Attend one (1) parent-teacher night in the Term as scheduled by Blyth.
- 6. During the session specified in paragraph 1, the TEACHER agrees to perform such additional duties as BLYTH may assign under the applicable statutes and the regulations administered by the Ministry of

Education. The TEACHER agrees to be diligent and faithful in the performance of the TEACHER's services under this Agreement.

- 7. The TEACHER agrees to submit to BLYTH, upon completion of the course, a report card with final course results for each student, and the following information:
 - a. The record of your student evaluation/mark book.
 - b. Using the Student Information System (Maplewood/Rediker) to post term marks during the course and final marks at the end.
 - c. Your daily lesson plans using model given.
 - d. Your long range plan (course of study on file).
 - e. Your course examples of marked student assignments (for each example please include high, medium and low).
 - f. All exams; marked and bundled.
 - g. A completed report card for each student with their final mark on the Student Information System (Maplewood/Rediker.)

(These should be submitted no later than seven days after the last day of the above-mentioned session.)

- 8. The Teacher acknowledges that they have read and understood the Blyth Code of Conduct and agrees to abide it. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy. The TEACHER shall also provide a declaration to BLYTH of "Workplace Health and Safety Awareness Training" and "AODA (Accessibility for Ontarians with Disabilities Act) " training completed wit hin the past 12 months. Evidence of the training records may also be requested at any time during this contract.
- 9. The contract amount specified in paragraph 1, is payable in 9 payments as per Appendix A. The payment dates will be as follows: March 24, April 8, April 22, May 6, May 20, June 3, June 17, July 1, and July 15. The final payment on July 15 will not be issued until the TEACHER has submitted all of the information outlined in paragraph 7 a bove. BLYTH has the right to offset payments to the TEACHER when an overpayment or administrative error has been made resulting in monies owing to B LYTH. The offset may be applied across any and all current contracts the TEACHER has with BLYTH.

- 10. All materials required to successfully teach the course will be provided by BLYTH. Should the TEACHER expend personal funds to provide course material for the course, such expenses will be reimbursed with the prior approval of the school's Principal. Expenses must be listed with original receipts attached in order for these to be reimbursed. If the TEACHER chooses to provide his or her own tools, material and/or supplies, it is the sole responsibility of the TEACHER to ensure that such tools, material and/or supplies are safe and in good working order. Under no circumstances will BLYTH assume responsibility for damage to, or the loss of, tools, material and/or supplies provided by the TEACHER. Further, the TEACHER understands and agrees that, since s/he is not an employee of BLYTH, this paragraph constitutes an agreement pursuant to the *Copyright Act*, RSC 1985, c C-42 that all right, title and interest, including copyright, in any material created by TEACHER pursuant to this Agreement shall be solely owned by BLYTH. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he is responsible for all personal expenses associated with performing the services outlined above, including travel, phone and computer costs.
- 11. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he will be compensated only for classes for which services are rendered. If the TEACHER is unable to teach any class, s/he agrees to contact the Academic Director as soon as possible to arrange for a substitute who is competent in the relevant discipline. It is the responsibility of the TEACHER to speak with his/her substitute regarding the class outline, or alternatively, to leave a lesson plan for the substitute. The TEACHER may also be responsible for hiring, supervising and paying, the substitute teacher, if determined necessary by BLYTH.
- 12. The TEACHER is an independent contractor and, as such, neither party to this contract is obligated to renew the Agreement at the end of its term or provide any notification of any intention to renew or not to renew. Further, either party may terminate this contract during the Term, under the following guidelines:
 - a. At any time, by mutual consent in writing of the TEACHER and BLYTH.
 - By BLYTH at any time without advance notice to the TEACHER where, before the commencement
 of the course or class or teaching in the subject, BLYTH has resolved not to offer the course, class,
 or subject in the session in paragraph 1.
 - c. By Blyth at any time, without notice, should the TEACHER fail to perform any of the services outlined in paragraphs 5, 6 and 7 above or if the TEACHER contravenes any of the School

- Discipline and Safety policies / Code of Conduct as noted in paragraph 8 above, or for providing false statements on your application form.
- d. By either BLYTH or the TEACHER, for any reason, with one week's notice. In the event that BLYTH terminates this Agreement during the Term, BLYTH shall have the option of providing the TEACHER with one week's notice of its intention to terminate the Agreement or, in the alternative, Blyth may issue a payment of no less than 5% of the amount payable on the next scheduled delivery of materials pursuant to the table attached as Schedule 'A' to this Agreement. BLYTH and TEACHER agree that notice and/or payment made under this provision shall constitute full and final settlement of any and all claims, commercial or otherwise, arising from or in connection with, the termination of this Agreement during the Term.
- 13. Should BLYTH terminate the Agreement under 12(b) above BLYTH will have no obligation to pay any of the amount in Paragraph 1. Should BLYTH terminate the Agreement under 12(c) above BLYTH will not be responsible for making any additional payments that would have been otherwise due at the time of the termination.
- 14. TEACHER consents to the collection, use, disclosure and retention of his or her personal information by BLYTH, or a third party authorized by BLYTH, for rea sons consistent with the administration of this Agreement and in accordance with BLYTH's normal business practices. Such collection, use and retention of personal information shall accord with BLYTH's privacy policy, a copy of which will be provided to TEACHER upon request.
- 15. This Agreement constitutes the entire understanding of the parties with respect to the subject matter set out herein and cannot be modified except by a written instrument signed by the TEACHER and an authorized officer of the School.
- 16. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein, and the parties hereto irrevocably attorn to the exclusive jurisdiction of Ontario.
- 17. This Agreement may be executed in counterparts with the same effect as if all the parties hereto had signed the same document. Each counterpart is as valid and binding on all parties hereto as

every other counterpart, and all counterparts shall be construed together and shall constitute one Agreement.

18. The teacher acknowledges that s/he has read, understood, and signed the Blyth Academy *Code of Conduct Agreement*. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy.

Further, execution and delivery of this Agreement by facsimile transmission or other written electronic communication shall constitute execution and delivery respectively as required by this Agreement.

Please acknowledge acceptance of this Agreement by signing in the space provided below.

In witness whereof the TEACHER has signed and BLYTH has affixed hereto its corporate seal attested by its proper officers in that behalf.

Shane Cliff

Adam Hurley

Teacher

Principal
Blyth Academy Downsview

Frances Hatcher

VP Academics/ Managing Principal Blyth Academy



TEACHER -DOWNSVIEW CAMPUS

APPENDIX A

2016 Pay Dates -Downsview

Term of Contract: March 21 - July 8

Pay#	Pay Date	Amount
1	Mar. 24, 2016	\$ 1,500.00
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7	Jun. 17, 2016	\$ 1,570.31
8	Jul. 01, 2016	\$ 1,570.31
9	Jul. 15, 2016	\$ 1,570.31
Total		\$ 14,062.50

 Contract Amount
 \$ 14,062.50

 PEAC Salary
 \$ 37,500.00

Signature: Same Cliff
Shane Cliff (Mar 24, 2016)

Email: shanediff@outlook.com

This is Exhibit "8" referred to in the Affidavit of Sarah Badger sworn March, 2018

on missioner for Taking Affidavits (or as

Sent: Tue 12/12/2017 08:10 PM Rcvd: Tue 12/12/2017 08:10 PM

To: Kaley Duff (KDuff@cavalluzzo.com)

Subject: Fwd: New email.setup [Teacher .ca Emails]

Begin forwarded message:

From: Adam Hurley < Adam. Hurley@blytheducation.com > Subject: FW: New email.setup [Teacher .ca Emails]

Date: March 23, 2016 at 12:31:29 PM EDT

To: "danieljhunt@hotmail.com" <danieljhunt@hotmail.com>,

"jenny.pasitkhammanh@outlook.com"

<jenny.pasitkhammanh@outlook.com>, "sbadger@hotmail.ca"

<sbadger@hotmail.ca>, "shanecliff@outlook.com"

<shanecliff@outlook.com>, "alyssavdoyle@gmail.com"

<alyssavdoyle@gmail.com>, "kdecata@gmail.com"

<kdecata@gmail.com>, "sthadikaran@gmail.com"

<sthadikaran@gmail.com>

Hi All, Please see below for your Blyth emails and how to get them set up.

Cheers,

Adam Hurley

Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blythacademy.ca

From: Sergiu Olaru
Sent: March 23, 2016 11:33 AM
To: Adam Hurley
Cc: Frances Hatcher

Subject: FW: New email.setup [Teacher .ca Emails]

Hello Adam,

Here are the credentials for the teachers e-mails. To access them they should go to next url https://sso.secureserver.net/?realm=pass&app=email

Regards,

Sergiu Olaru
IT & Academic System Administrator
Blyth Education - Head Office
416-960-3552 x14
sergiu.olaru@blytheducation.com
www.blytheducation.com

Kathryn DeCata k.decata@blytheducation.ca decata0987

Daniel Hunt d.hunt@blytheducation.ca daniel0987

Alyssa Doyle <u>a.doyle@blytheducation.ca</u> alyssa0987

Sarah Badger s.badger@blytheducation.ca badger0987

Jenny Pasitkhammanh j.pasitkhammanh@blytheducation.ca jenny0987

Shane Cliff s.cliff@blytheducation.ca shane0987

Sonya Thadikaran

<u>s.thadikaran@blytheducation.ca</u> sonya0987 This is Exhibit "9" referred to in the Affidavit of Sarah Badger sworn March ...(..., 2018

Commissioner for Taking Affidavits (or

Sent: Tue 12/12/2017 08:12 PM Rcvd: Tue 12/12/2017 08:12 PM

To: Kaley Duff (KDuff@cavalluzzo.com) Subject: Fwd: Staff Code of Conduct

Begin forwarded message:

From: Adam Hurley < Adam. Hurley@blytheducation.com >

Subject: Fwd: Staff Code of Conduct Date: March 24, 2016 at 12:23:26 PM EDT

To: "sbadger@hotmail.ca" <sbadger@hotmail.ca>

Adam Hurley

Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blytheducation.com

Begin forwarded message:

From: Frances Hatcher <<u>Frances.Hatcher@blytheducation.com</u>>
Date: March 24, 2016 at 12:22:00 PM EDT
To: Adam Hurley <<u>Adam.Hurley@blytheducation.com</u>>
Subject: RE: Staff Code of Conduct

There is nothing different in the code of conduct and it is related to OCT regulations....tell them not to worry...we are not going to surprise them with anything.

Frances Hatcher
Managing Principal
Vice President Academics
146 Yorkville Ave. Toronto, ON. M5R 1C2
P: 416 960 3552; F: 416 960 9506

<u>frances.hatcher@blytheducation.com</u> <u>www.blythacademy.ca</u>



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From: Adam Hurley
Sent: March-24-16 12:01 PM
To: Frances Hatcher
Subject: RE: Staff Code of Conduct

Thanks Fran. However, a few teachers wanted to read it before they signed their contracts.

Adam Hurley

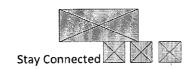
Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blytheducation.com

From: Frances Hatcher
Sent: March 24, 2016 11:29 AM
To: Adam Hurley
Subject: RE: Staff Code of Conduct

I will have it all for them on Tuesday....along with the new Sabrina's and Ryan's Law to sign.

Fran

Frances Hatcher
Managing Principal
Vice President Academics
146 Yorkville Ave. Toronto, ON. M5R 1C2
P: 416 960 3552; F: 416 960 9506
frances.hatcher@blytheducation.com
www.blythacademy.ca



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From: Adam Hurley
Sent: March-24-16 11:04 AM
To: Frances Hatcher
Subject: Staff Code of Conduct

Hi Fran,

Can you please send me the Staff Code of Conduct? They are all asking to read it.

Thanks,

Adam Hurley

Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blytheducation.com



Commissioner for Taking Affidavits (or as may l

Sent: Tue 12/12/2017 08:12 PM Rcvd: Tue 12/12/2017 08:12 PM

To: Kaley Duff (KDuff@cavalluzzo.com)

Subject: Fwd: Downview Park Teacher Contract Standard Template between

blytheducation.com, Sarah Elizabeth Badger, Adam Hurley, and 1 more is Signed and Filed!

Begin forwarded message:

From: "blytheducation.com" < echosign@echosign.com>

Subject: Downview Park Teacher Contract Standard Template between <u>blytheducation.com</u>, Sarah Elizabeth Badger, Adam Hurley, and 1 more is

Signed and Filed!

Date: March 24, 2016 at 1:15:12 PM EDT

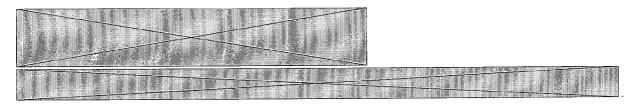
To: Frances Hatcher < frances.hatcher@blytheducation.com >, Marlene Gold

<marlene@blytheducation.com>, Adam Hurley

<adam.hurley@blytheducation.com>, Sarah Elizabeth Badger

<sbadger@hotmail.ca>

Reply-To: Marlene Gold <<u>marlene@blytheducation.com</u>>

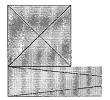


Downview Park Teacher Contract Standard Template between <u>blytheducation.com</u>, Sarah Elizabeth Badger, Adam Hurley, and 1 more is Signed and Filed!

From: Marlene Gold (<u>blytheducation.com</u>)
To: Frances Hatcher, Marlene Gold, Adam Hurley, and
Sarah Elizabeth Badger

Attached is a final copy of Downview Park Teacher Contract Standard Template.

Copies have been automatically sent to all parties to the



agreement.

You can view the document in your Adobe Document Cloud account.

Why use Adobe Document Cloud:

- Exchange, Sign, and File Any Document. In Seconds!
 Set-up Reminders. Instantly Share Copies with Others.
 See All of Your Documents, Anytime, Anywhere.

To ensure that you continue receiving our emails, please add echosign@echosign.com to your address book or safe list.

Sent: Tue 12/12/2017 08:17 PM Rcvd: Tue 12/12/2017 08:17 PM

To: Kaley Duff (KDuff@cavalluzzo.com) Subject: Fwd: Thursday Stuff Thank you

Begin forwarded message:

From: Jenny Pasitkhammanh < jenny.pasitkhammanh@outlook.com >

Subject: Thursday Stuff Thank you Date: May 19, 2016 at 7:04:23 AM EDT

To: Sarah Badger <<u>sbadger@hotmail.ca</u>>, "<u>sheacoreilly@gmail.com</u>"

<sheacoreilly@gmail.com>

Dearest Badger,

The stupid blyth email could not handle this email so I am sending another email!!! I hope you get it omggg!!!!

Print out a copy for each student of each of these pdfs except for the one titled "More Probability Review Solutions". That you only need one copy of posted at the front of the class. The students will have a test tomorrow. There will be no formula sheet. Everything has been posted to Edsby. They should start working on their Games project after the test THIS WEEKEND. Games Fair is next Friday!

Announcement posted on Edbsy! No class time to do it. Just read them this email. Thank you so much Badger. I am sorry this wasn't prepped by yesterday. I hope I haven't inconvenienced you too much! Hope instructions are clear and printer is good!!!! I posted everything on Edsby!!!!!!! I think I might even be up during class so like if kids have questions they can Edsby!!! No guarantees I don't know how pain meds work!!!

Jenny

From: Sarah Badger <sbadger@hotmail.ca>
Sent: Tuesday, April 12, 2016 10:25 PM
To: jenny.pasitkhammanh@outlook.com
Subject: poetry

This is Exhibit "12" referred to in the Affidavit of Sarah Badger sworn March, 2018

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KALEY DUFÉ

Sent: Tue 12/12/2017 08:13 PM Rcvd: Tue 12/12/2017 08:13 PM

To: Kaley Duff (KDuff@cavalluzzo.com)

Subject: Fwd: OSSLT - Day Plan

Begin forwarded message:

From: Adam Hurley <Adam.Hurley@blytheducation.com>

Subject: OSSLT - Day Plan

Date: March 25, 2016 at 1:16:29 PM EDT

To: "sbadger@hotmail.ca" <sbadger@hotmail.ca>, "alyssavdoyle@gmail.com"

- <sheacoreilly@gmail.com>, "kdecata@gmail.com" <kdecata@gmail.com>,
- "shanecliff@outlook.com" <shanecliff@outlook.com>,

Hi Gang,

As you know the OSSLT is this coming Thursday and we will be having mandatory prep on Tuesday and Wednesday afternoon. Please see the attached plan for the day and view your responsibilities in regards to coverages and and working individually with students who have an I.E.P.

If you have any questions, please don't hesitate to ask.

Thanks,

Adam Hurley

Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blytheducation.com

[&]quot;jenny.pasitkhammanh@outlook.com" < jenny.pasitkhammanh@outlook.com>

On March 29th and 30th, Ms. Badger and Mr. Cliff will be doing OSSLT Preparation with the students writing the exam. This will take place in Ms. Badger's room. Please view the list of students writing below to know who will be absent from your afternoon classes. Please take note of room assignment and teacher coverage for the afternoon. OSSLT Preparation will occur on these days from 1:15 pm – 3:20 pm.

On March 31th the designated students will be writing the Ontario Secondary Schools Literacy Test. Please read all of the information included here so you know your responsibilities. I will clarify any issues and rectify and errors during our staff meeting on Tuesday.

Teacher Coverages for the 29th and 30th:

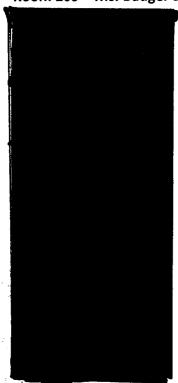
P3 - Ms. Pasitkhammanh (Cover Ms. Badger's Grade 8 History Class)

P4 - Ms. Decata (Cover Ms. Badgers Grade 12 Law Class)

P4 – Ms. Decata (Cover Mr. Cliff's American History Class)

Student Room Assignments for OSSLT Prep:

Room 209 - Ms. Badger and Mr. Cliff



This is Exhibit "13" referred to in the Affidavit of Sarah Badger sworn March ...(\Re, 2018

Commissioner for Taking Afficavits (of as may

Sent: Tue 12/12/2017 08:12 PM Rcvd: Tue 12/12/2017 08:13 PM

To: Kaley Duff (KDuff@cavalluzzo.com) Subject: Fwd: Tomorrow's Classes, etc.

Begin forwarded message:

From: Adam Hurley < Adam. Hurley@blytheducation.com >

Subject: FW: Tomorrow's Classes, etc. Date: March 24, 2016 at 1:01:48 PM EDT To: "jenny.pasitkhammanh@outlook.com"

<jenny.pasitkhammanh@outlook.com>, "sbadger@hotmail.ca"

<sbadger@hotmail.ca>, "kdecata@gmail.com" <kdecata@gmail.com>

Adam Hurley

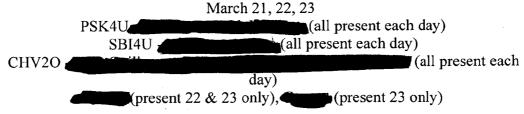
Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blytheducation.com

From: Steven Irish [steve.irish7@gmail.com]
Sent: March 23, 2016 11:44 PM
To: Adam Hurley
Subject: Tomorrow's Classes, etc.

Hi Adam, I have a few things for you!

Transition letter for whoever takes over - see attached

Attendance this week (I couldn't access Maplewood):



I spoke with her father and everything is all sorted out regarding civics. If for any reason they need actual copies of the assessment rubrics on which I graded her, they are in the black CHV2O binder in my classroom. The will contact you if so, although recently messaged me and it didn't seem like she would need them.

Tomorrow's (and then some) lessons:

PSK4U - Performance Enhancing Drugs
The attached lesson plan and related resources can be used for the next four lessons. Bigger, Faster, Stronger should be on youtube or netflix

SBI4U - Present the attached 3.1 Metabolism & Energy presentation and have the students completed the required activities and questions within using their textbook. The next lesson is also attached - present 3.1 Part II and have students complete the activities and questions within using their textbooks. The answers to all the included questions are attached as well (3.1 Textbook Solutions)

CHV2O - Review the Three Levels of Government PowerPoint and have students note the 7 steps in the electoral process and then have them fill in the Three Levels of Government handout.

Read pages 60-61 of the textbook as a class and discuss how bills are moved through parliament.

Discuss the difference between a majority and a minority government. Which do we currently have? How does the difference influence how bills and passed?

Cheers,

Steve

Commissioner for Taking Affidavits (or as may be

Sent: Tue 12/12/2017 08:13 PM Rcvd: Tue 12/12/2017 08:13 PM

To: Kaley Duff (KDuff@cavalluzzo.com)

Subject: Fwd: Meeting

Begin forwarded message:

From: Frances Hatcher < Frances. Hatcher@blytheducation.com >

Subject: Re: Meeting

Date: March 24, 2016 at 5:27:05 PM EDT

To: Adam Hurley < Adam.Hurley@blytheducation.com > Cc: "sbadger@hotmail.ca" < sbadger@hotmail.ca > , "sheacoreilly@gmail.com" < sheacoreilly@gmail.com > ,

"jenny.pasitkhammanh@outlook.com"

<jenny.pasitkhammanh@outlook.com>, "kdecata@gmail.com"

<a href="mailto:<a href="mailto:kdecata@gmail.com" decata@gmail.com" decata@gmail.com" decata@gmail.com" decata@gmail.com decata@gmail.com

<ali>alyssavdoyle@gmail.com, "danieljhunt@hotmail.com"

<danieljhunt@hotmail.com>, "shanecliff@outlook.com"

<shanecliff@outlook.com>, "sthadikaran@gmail.com"

<sthadikaran@gmail.com>

I want to add my thanks as well. I appreciate everything you have done this week. I know you are wanting to know about paperwork and policies from Blyth. I will have this ready for you on Tuesday and will be able to answer your questions then.

Wishing you all an enjoyable Easter weekend and hoping you get as much chocolate as you can eat kind regards
Feances

Frances Hatcher Managing Principal Blyth Academy 416 960 3552

On Mar 24, 2016, at 5:11 PM, Adam Hurley <Adam.Hurley@blytheducation.com> wrote:

Hi All,

Great week! Thanks for all of your continued hard work and

dedication!

Please make yourselves available Tuesday morning between 8:00-10:30 for a meeting.

Have a wonderful weekend!

Adam Hurley

Principal
Blyth Academy Downsview Park
School for Elite Athletes
adam.hurley@blytheducation.com
www.blytheducation.com

This is Exhibit "15" referred to in the Affidavit of Sarah Badger sworn March $Q_{...}$ 2018

Kaley Duff - Fwd: ENG2D Documents

From:

Sarah Badger <sbadger@peac.ca>

To:

<kduff@cavalluzzo.com>

Date:

15/03/2018 5:13 PM **Subject:** Fwd: ENG2D Documents

--Sarah

----- Forwarded message -----

From: Adam Hurley <ahurley@peac.ca>

Date: Fri, Sep 4, 2015 at 2:51 PM Subject: Re: ENG2D Documents To: Sarah Badger < sbadger @peac.ca >

All looks great, Sarah!

Adam Hurley

Principal

PEAC School For Elite Athletes

ahurlev@peac.ca

PEAC Website

PEAC Facebook

PEAC Twitter

P: 416-398-7322

F: 416-398-6801

75 Carl Hall Rd.

Suite 7

Toronto, Ontario

M3K 2B9

LinkedIn



Connor McDavid - PEAC Testimonial PEAC Girls Program - Alumni Success Stories

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are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

On Fri, Sep 4, 2015 at 2:47 PM, Sarah Badger <<u>sbadger@peac.ca</u>> wrote:

Find attached the documents for ENG2D (letter, s-a-a-g, unit plans, and first week lessons).

Thanks,

S. Badger, O.C.T.

B.A. B.Ed

S. Badger, O.C.T.

B.A. B.Ed

Kaley Duff - Fwd: CHA3U Updated Course Outline

From:

Sarah Badger <sbadger@peac.ca>

To:

kduff@cavalluzzo.com 15/03/2018 5:11 PM

Date:

Subject: Fwd: CHA3U Updated Course Outline



--Sarah

----- Forwarded message -----

From: Adam Hurley ahurley@peac.ca
Date: Wed, Sep 2, 2015 at 1:14 PM

Subject: Re: CHA3U Updated Course Outline

To: Sarah Badger < sbadger@peac.ca>

Thanks!

Adam Hurley

Principal

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ahurley@peac.ca

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F: 416-398-6801

75 Carl Hall Rd.

Suite 7

Toronto, Ontario

M3K 2B9

On Sep 2, 2015, at 1:09 PM, Sarah Badger < sbadger@peac.ca > wrote:

Please find attached the updated American History Course Outline.

Thanks,

S. Badger, O.C.T.

B.A. B.Ed

<PEAC CHA3U 2015-16.doc>

S. Badger, O.C.T. B.A. B.Ed

Kaley Duff - Fwd: Updated English Course Outlines

From:

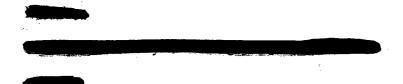
Sarah Badger <sbadger@hotmail.ca>

To:

Kaley Duff < KDuff@cavalluzzo.com>

Date:

15/03/2018 5:17 PM Subject: Fwd: Updated English Course Outlines



Begin forwarded message:

From: Adam Hurley <a hurley@peac.ca>

Subject: Re: Updated English Course Outlines

Date: August 31, 2015 at 1:28:49 PM EDT To: Sarah Badger <sbadger@hotmail.ca>

Hi Sarah,

Thanks very much! I hope you enjoyed your vacation.

Cheers,

Adam Hurley

Principal

PEAC School For Elite Athletes

ahurley@peac.ca

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Connor McDavid - PEAC Testimonial PEAC Girls Program - Alumni Success Stories

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On Mon, Aug 31, 2015 at 1:15 PM, Sarah Badger < sbadger@hotmail.ca> wrote: Hi Adam,

Sorry for such a late reply, I was on vacation and didn't return until yesterday. Please find attached the Course Outlines for the English classes. I've sent them as Word Documents, but can also provide PDFs if needed.

See you tomorrow!

Sarah

On 2015-08-24, at 9:56 AM, Adam Hurley wrote:

Good Morning Sarah,

Can you please update the following course outlines to include the new books and make sure that the units are in the same order that you will be teaching them?

ENG1D/ENG2D/ENG3U/ENG4U/EWC4U

Thanks,

Adam Hurley
Principal
PEAC School For Elite Athletes
ahurley@peac.ca
PEAC Website
PEAC Facebook
PEAC Twitter

P: 416-398-7322 F: 416-398-6801 75 Carl Hall Rd. Suite 7 Toronto, Ontario M3K 2B9

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Connor McDavid - PEAC Testimonial PEAC Girls Program - Alumni Success Stories

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<ENG1D Course Outline 2015-2016.doc><ENG2D_Course Outline 2015-2016.doc><ENG3U_Course_Outline_2015-2016.doc><ENG4U_Course_Outline_2015-2016.doc><EWC4U CourseOutline 2015-2016.doc>

Commissioner for taking Affidavits (or as may be



Blyth Academy Downsview Park

75 Carl Hall Road

Unit 7

Toronto, ON

M3R 2B9

COURSE NAME:

Canadian and International Law, Grade 12, University Preparation

COURSE CODE:

CLN4U

CREDIT VALUE:

1.0

PREREQUISITE:

Any university or university/college preparation course in

Canadian and world studies, English, or social sciences and

humanities

CURRICULUM POLICY: Growing Success: Assessment, Evaluation, and Reporting in

Ontario Schools, 2010

Canadian and World Studies: Grades 11 and 12, 2015

DEPARTMENT:

Canadian and World Studies

DEVELOPED BY:

Ms. S. Sampson

DEVELOPMENT DATE: September 2015

REVISED BY:

Ms. S. Badger

REVISION DATE:

February 2016

COURSE DESCRIPTION

This course explores a range of contemporary legal issues and how they are addressed in both Canadian and international law. Students will develop an understanding of the principles of Canadian and international law and of issues related to human rights and freedoms, conflict resolution, and criminal, environmental, and workplace law, both in Canada and internationally. Students will apply the concepts of legal thinking and the legal studies inquiry process, and will develop legal reasoning skills, when investigating these and other issues in both Canadian and international contexts.

OVERALL CURRICULUM EXPECTATIONS

The Inquiry Process and Skill Development in Legal Studies

Overall Expectations

By the end of this course, students will:

- The Inquiry Process in Legal Studies: use the legal studies inquiry process and the concepts of legal thinking when investigating legal issues in Canada and around the world, and issues relating to international law;
- Developing Transferable Skills: apply in everyday contexts skills developed through the study of law, and identify careers in which a background in law might be an asset.

Legal Foundations

Overall Expectations

By the end of this course, students will be able to:

- Principles of Law: identify foundational concepts and principles relating to law and explain their significance;
- 4. Legal Theory and Procedures: analyze how and to what extent various legal theories and procedures have influenced the Canadian and international legal systems
- Development of Law: explain various influences, including those of individuals and groups, on the development of Canadian and international law.

Rights and Freedoms

Overall Expectations

By the end of this course, students will be able to:

- 6. Legal Principles of Human Rights Law: explain the principles underpinning human rights law and the legal significance of those laws, in Canada and internationally;
- 7. Development of Human Rights Law: analyze issues associated with the development of human rights law, in Canada and internationally;
- 8. Protection of Human Rights and Freedoms: compare the roles of the legislative and judicial branches of government in protecting human rights and freedoms, with a particular emphasis on Canada;
- Contemporary Issues: analyze various contemporary issues in relation to their impact or potential impact on human rights law.

Foundations of International Law and Dispute Negotiations

Overall Expectations

By the end of this course, students will be able to:

- 10. Fundamentals of International Law: explain the legal importance of various key principles and issues in international law;
- 11. Development of International Law: analyze how various factors have influenced the development of international law;
- 12. Conflict and Cooperation: analyze how various agreements, treaties, and conventions in international law influence international conflict and cooperation.

International Legal Issues

Overall Expectations

By the end of this course, students will be able to:

- 13. Criminal Law: analyze various key concepts, legal systems, and issues in criminal law, in Canada and internationally;
- 14. Environmental Protection: analyze factors that influence the effectiveness of domestic and international environmental legislation;
- 15. Workplace Legal Issues: analyze legal principles, systems, and processes used to protect various parties' interests in the workplace, in Canada and internationally;
- 16. Emerging Legal Issues: analyze emerging global issues and their implications for international law.

UNITS

Unit	Title	Time
1	Legal Foundations	20 hrs
2	Rights and Freedoms	25 hrs
3	Foundations of International Law & Dispute Resolution	20 hrs
4	International Legal Issues	25 hrs
5	Methods of Legal Inquiry and Communication	15 hrs
	Review, ISP Presentations and Final Exam	5 hrs
	Total:	110 hrs

ACHIEVEMENT CHART

The following table provides a summary description of achievement in each percentage grade range and corresponding level of achievement:

Percentage Grade Range		Summary Description
80-100%	Level 4	A very high to outstanding level of achievement. Achievement is above the provincial standard.
70-79%	Level 3	A high level of achievement. Achievement is at the provincial standard.
60-69%	Level 2	A moderate level of achievement. Achievement is below, but approaching the provincial standard.
50-59%	Level 1	A passable level of achievement. Achievement is below the provincial standard.
Below 50%	Insufficient achiev be granted.	rement of curriculum expectations. A credit will not

TEACHING AND LEARNING STRATEGIES

Using a variety of instructional strategies, the teacher will provide numerous opportunities for students to develop—skills of inquiry, problem solving, and communication as they investigate and learn fundamental concepts. The integration—of critical thinking and critical literacy will provide a powerful—tool for reasoning—and problem solving, and is reflected in a meaningful blend of both process and content.

The Role of Critical Thinking and Inquiry Skills in the Curriculum

This course will focus on developing students' critical thinking and inquiry skills, in order to develop their appreciation of, and engagement with, the multilayered subject matter. The goal of this focus on critical thinking and inquiry skills is to support students in attempting to reach beyond superficial conclusions and move towards deeper understanding.

- The inquiry process consists of formulating questions; gathering and organizing evidence; interpreting and analyzing evidence; evaluating evidence and drawing conclusions; and communicating findings.
- Critical thinking then applies the steps of the inquiry process toward examinations of opinions, values, biases and meanings.
- Teachers will support students' development of these skills by modeling in the classroom, providing ongoing and varied opportunities to exercise.
- Assessment and evaluation will focus on students' effective use of critical thinking skills, and not solely on a traditional "product".

Along with some of the strategies noted in the assessment for, as, and of learning charts below, strategies will include:

Activity Based Strategies	Arts Based Strategies	Cooperative Strategies
Field TripGameOral PresentationRetelling	Role Playing Improvisation	Collaborative Discussion Peer Teaching Think/Pair/Share

Direct Instruction Strategies	Independent Learning Strategies	Technology and Media Based Applications
*Conferencing *Guided Reading *Lecture *Read Aloud *Review *Worksheets	 Homework Independent Reading Independent Study Note Making Reading Response Reflection Report 	Internet Technologies Media Presentation

Inquiry and Research Skills

Thinking and Inquiry Skills and Strategies		
*Brainstorming *Critical Thinking *Detecting and Analyzing Bias/Stereotype *Expressing Another Point of View *Inquiry Process *Interpretation of Information	*Media Analysis *Oral Explanation *Predicting *Questioning *Think Aloud *Visual/Graphic Organizers	

Planning Skills and Strategies	Processing Skills and Strategies
 Defining a Problem Articulating a Vision Clarifying a Task Acquiring Relevant Information Organization of Data, Research, Ideas 	 Clarifying Inferring Predicting Elaborating Connecting and Combining Information

STRATEGIES FOR ASSESSMENT AND EVALUATION OF STUDENT PERFORMANCE:

There are three forms of assessment that will be used throughout this course:

Assessment for Learning: Assessment for learning will directly influence student learning by reinforcing the connections between assessment and instruction, and provide ongoing feedback to the student. Assessment for learning occurs as part of the daily teaching process and helps teachers form a clear picture of the needs of the students because students are encouraged to be more active in their learning and associated assessment. Teachers gather this information to shape their classroom teaching.

Assessment for learning is:

- Ongoing
- Is tied to learning outcomes
- Provides information that structures the teachers planning and instruction
- Allows teachers to provide immediate and descriptive feedback that will guide student learning

The purpose of assessment for learning is to create self-regulated and lifelong learners.

Assessment as Learning: Assessment as learning is the use of a task or an activity to allow students the opportunity to use assessment to further their own learning. Self and peer assessments allow students to reflect on their own learning and identify areas of strength and need. These tasks offer students the chance to set their own personal goals and advocate for their own learning.

The purpose of assessment as learning is to enable students to monitor their own progress towards achieving their learning goals.

Assessment of Learning: Assessment of learning will occur at or near the end of a period of learning; this summary is used to make judgments about the quality of student learning using established criteria, to assign a value to represent that quality and to communicate information about achievement to students and parents.

Evidence of student achievement for evaluation is collected over time from three different sources – *observations*, *conversations*, and *student products*. Using multiple sources of evidence will increase the reliability and validity of the evaluation of student learning.

Assessment for Learning	Assessment as Learning	Assessment of Learning	
Student Product Journals Exit cards Written Responses Brainstorming Rough drafts Reflections/Responses Assignments	Student Product Reflections/Responses Rough drafts Peer feedback Quizzes	Student Product Assignments Tests	

Observation	Observation	Observation
Whole class and small grou	up Class discussions (anecdotal)	Performance tasks
discussions	Peer-feedback	
Performance tasks	Peer-editing	[
Small Group or Pair Discussions	s	
Pair work		

Conversation	rsation Conversation Conversation			
Student teacher conferences	Student/teacher conferences	Questions and Answer		
Oral pre-tests		Session		

THE FINAL GRADE

Percentage of Final Mark	Categories of Mark Breakdown
70%	Assessment of Learning Tasks Throughout the Term
000/	Final Written Examination: 20%
30%	Final Independent Study Project: 10%

The independent study project in this course will have students investigate current legal cases from a variety of areas and types of law that are of interest to them. They will research these cases to create a legal scrapbook showcasing their analysis of the case using the skills gained in the course.

A student's final grade is reflective of their most recent and most consistent level of achievement.

The balance of the weighting of the categories of the achievement chart throughout the course is:

SUBJECT AREA	Knowledge	Inquiry/Thinking	Communicatio n	Application
Canadian and World Studies	20	30	- 20	30

LEARNING SKILLS AND WORK HABITS

The development of learning skills and work habits is an integral part of each student's learning. The key Learning Skills and Work Habits evaluated and reported on include: responsibility, organization, independent work, collaboration, initiative and self-regulation. The development of learning skills and work habits needed to succeed in school and in life begins early in a child's schooling. As students move through the grades in school, they develop and then consolidate their learning skills and work habits in preparation for postsecondary education and the world of work. At Blyth Academy, we assess, evaluate, and report on the achievement of curriculum expectations and on the demonstration of learning skills and work habits separately, which allows teachers to provide information to the parents and student that is specific to each of the two areas of achievement.

Therefore, in addition to the final grade the report card also shows student achievement of learning skills and work habits throughout the course. These are not included in the calculation of the final grade for this course. The six areas are:

1) Responsibility 2) Organization 3) Independent Work 4) Collaboration 5) Initiative 6) Self-Regulation

They are assessed as:

E (excellent); G (good); S (satisfactory); N (needs improvement)

STUDENTS' RESPONSIBILITIES WITH RESPECT TO EVIDENCE FOR EVALUATION IN CANADIAN AND WORLD STUDIES

Cheating and Plagiarism

Blyth Academy commits to having policies for assessments that minimize the risk of cheating. We also commit to begin each course with refresher learning on cheating.

In the event of cheating:

- Student will meet with the teacher, Principal and possibly parent(s)
- A course of action will be decided based on the meeting

Blyth Academy commits to begin each course with refresher learning on how to properly credit and source work from other sources; therefore, plagiarism at the Grade 11 and 12 levels is not considered accidental.

The following protocol will be followed for true plagiarism:

- Student will meet with the teacher, Principal, and possibly parent(s)
- The assignment will be re-worked to the teacher's satisfaction for a grade of up to 50%
- If the student repeats the offence, a score of zero will be given with a likely suspension and possible consequence of expulsion from school.
- . A third-time offence will result in expulsion

Improper citations or situations in which a teacher deems the student to have acted with good intentions:

- The school will work with the student to ensure plagiarism is understood and will not be repeated
- A second submission of the assignment will be permitted
- The teacher will decide how the re-submission will be evaluated (50% or full value)

Late and Missed Assignment Policy

Any assignments given by the teacher will have a due date. If a student has an issue with the due date, he/she will have an opportunity to discuss alternate arrangements with the teacher ahead of time. In every class, students have ONE FREE PASS to turn in an assignment up to 3 days late without penalty (certain assignments excluded, such as presentations and assessments). Otherwise, late work may be subject to mark deduction. Weekends count as one day unless otherwise specified by the teacher. If a student wishes to discuss a penalty/mark, they may do so with the teacher. In order to be evaluated in time for inclusion in an overall mark, all assignments must be submitted no later than the start of the course's final exam or final class. We do understand that extenuating circumstances do occur, but we also seek to prepare students for the real world, where university professors and employers are not as flexible with respect to deadlines. Despite all this, discretionary efforts are made by school staff in order to ensure that all students are assessed on their academic achievement rather than their To that end, where in the teacher's professional judgement it is learning skills. appropriate to do so, a number of strategies may be used to help prevent and/or clarify the reason for not completing the assignment, as outlined in Growing Success;

- Helping students develop better time-management skills;
- Collaborating with other staff to prepare a part- or full-year calendar of major assignment dates for every class;
- Planning for major assignments to be completed in stages, so that students are less likely to be faced with an all-or-nothing situation at the last minute;
- Maintaining ongoing communication with students and/or parents about due dates and late assignments, and scheduling conferences with parents if the problem persists:
- Taking into consideration legitimate reasons for missed deadlines;
- Requiring the student to work with the school team to complete the assignment;
- Providing alternative assignments or tests/exams where, in the teachers
 professional judgement, it is reasonable and appropriate to do so;
- Deducting marks for late assignments.

Missed Tests and Exam Policy

A student who misses a test or quiz in class, for legitimate reasons as determined by the teacher, can make up the test or quiz the next day before or after class (parent phone call may be required). A student cannot write it during class time. If a student simply skips a test or quiz, he/she cannot write a make-up without an appeal to the teacher. For a missed EXAM we require a note from a doctor.

Punctuality and Absences

Punctuality is a necessity at every stage of life – we would be doing a disservice to our students if we paid no attention to or ignored punctuality. Please understand our need for the following policies regarding lates and absences, and know that we will work with our students to find success.

All teachers will maintain a record of their students' attendance and punctuality based on provincial Ministry's "safe arrival" approach. In any given term, when a student establishes a pattern (as defined by the classroom teacher) of being late or absent, a call and/or written correspondence will be placed/sent home, and the student will be considered to be "at risk". At the discretion of the teacher or Principal, a medical note or valid written explanation can result in excused lates or absences. At a certain point excessive lates or absences will result in forfeiture of course, credit, and cost (up to the discretion of the teacher and administration). If a student has 5 unexplained absences, they may be deemed "at risk" for earning their credit. If a student has missed 5 total hours of class time (this can be any combination of lates and absents which equal 5 total hours), they will be required to meet with the Guidance Counsellor to set up a plan to support the student in their attendance. Students will also be told of the consequences of further hours of missed class, and the possibility of being deemed "at risk" for earning their credit. Parents will also be notified. If the pattern of lates/absences continues, at 8 -9 hours of missed class time, the student and parents will be asked to meet with the Principal regarding their "at risk" status.

NON-ATTENDANCE

As of December 20, 2006, all students under 18 years of age are required to be in attendance at school unless they have already graduated or are otherwise excused from attendance at school. Legal reasons for being absent from school (e.g. receiving satisfactory instruction at home or elsewhere) continue to apply.

If a student is absent for an extended period of time, the first responsibility of the school is to investigate why a student is absent, and make every effort to have the student return to school.

A student who has been absent for 15 consecutive school days without appropriate supporting documentation is to be removed from the register. A pupil of compulsory school age may remain on the register for 16 to 30 consecutive days of absence, if the Principal has approved the case in writing. This may be extended for subsequent fifteenday periods, if the Principal receives reports every 15 days that the file is still active. It is critically important to maintain contact with absent students/parents.

If a student is known to have left the school or if after a reasonable period of time the Principal is unable to locate the student, then his/her name should be removed from the register. Removing a student's name from the register for absenteeism does not mean the student need not attend school. Attendance for students—of compulsory school—age is required under the Education Act. The Principal must inform the Private Schools Branch of the Ministry of Education when pupils are removed from the register. The school should continue to attempt to reach out to them as they may eventually respond to these efforts and return to school.

PROGRAM PLANNING CONSIDERATIONS FOR CANADIAN AND WORLD STUDIES

Instructional Approaches

Teachers will use a variety of instructional strategies to help students become independent, strategic and successful learners. The key to student success is effective, accessible instruction. When planning this course of instruction, the teacher will identify the main concepts and skills of the course, consider the context in which students will apply their learning and determine the students' learning goals. The instructional program for this course will be well planned and will support students in reaching their optimal level of challenge for learning, while directly teaching the skills that are required for success.

Understanding student strengths and needs will enable the teacher to plan effective instruction and meaningful assessments. Throughout this course the teacher will continually observe and assess the students' readiness to learn, their interests, and their preferred learning styles and individual learning needs.

Teachers will use differentiated instructional approaches such as:

- · adjusting the method or pace of instruction
- using a variety of resources
- allowing a wide choice of topics
- adjusting the learning environment
- scaffolding instruction

During this course, the teacher will provide multiple opportunities for students to apply their knowledge and skills and consolidate and reflect upon their learning.

Planning the Program for Students with Special Educational Needs

The teacher in this course is the key educator of students with special education needs. The teacher has a responsibility to help all students learn, and will work collaboratively with the guidance counselor, where appropriate, to achieve this goal. In planning this course, the teacher will pay particular attention to the following guidelines:

- · All students have the ability to succeed
- · Each student has his or her own unique patterns of learning
- Successful instructional practices are founded on evidence-based research, tempered by experience
- Universal design and differentiated instruction are effective and interconnected means of meeting the learning or productivity needs of any group of students
- Classroom teachers are the key educators for a student's literacy and numeracy development
- Classroom teachers need the support of the larger school community to create a learning environment that supports students with special education needs
- Fairness is not sameness

In this course, students may demonstrate a wide range of strengths and needs. The teacher will plan the course in a way that recognizes the diversity of the class members and give students performance tasks that respect their particular abilities so that all the students in the class—can derive the greatest—possible benefit from the teaching—and learning process. The teacher will use the following strategies:

Students with Special Educational Needs

- Extra time on tests and extended deadlines for major assessments
- Variety of teaching and learning strategies
- Scaffolding
- Break down (chunk) assignments
- Computer for assessments and exams
- · Formula sheets, memory aids
- · Oral and written instructions

- Graphic organizers
- Specific strategies to enhance recall
- Non-verbal cues and reminders to remain focused
- Oral testing
- Allow for sufficient response time
- Periodic breaks
- Prompting students through lessons and assessments
- Refocusing strategies

Planning the Program for Students with English as a Second Language

In planning this course for students with linguistic backgrounds other than English, the teacher will create a safe, supportive, and welcoming environment that nurtures the students' self-confidence while they are receiving course instruction. Most English language learners who have developed oral proficiency in everyday English will nevertheless require instructional scaffolding to meet curriculum expectations. The teacher will adapt the instructional program in order to facilitate the success of these students in their classes. Appropriate adaptations and strategies for this course will include:

Students with English as Second Language

- Body language and non-verbal communication
- Model expectations
- Subject-specific dictionary
- Cooperative learning
- Concrete examples and materials
- Bilingual Dictionaries
- Buddy system
- · Peer tutors
- Allow sufficient response time
- Check for comprehension by asking students to retell in their own words
- · Graphic organizers

- Conferencing
- Pre-writing strategies
- Literature circle
- Journal
- Previewing course readings /
- Materials that reflect cultural diversity
- Free voluntary reading
- Guided Reading
- Guided Writing
- Think Aloud
- Editing checklist
- Story maps
- Scaffolding

The Role of Information and Communication Technology

Information and Communications Technology (ICT) provides a range of tools that can significantly extend and enrich the teacher's instructional strategies in this course by bringing the global community into the classroom. The integration of ICT into this course

represents a natural extension of the curriculum. The tools used in this course will enhance the students' thinking and inquiry processes as they gather, organize, analyse and communicate their findings.

ICT tools will be integrated into this course for whole-class instruction and for the design of curriculum units that contain varied approaches to learning in order to meet diverse needs and interests of the students in this class. Although the Internet is a powerful learning tool, there are potential risks attached to its use. At the beginning of this class, all students will be made aware of issues related to Internet privacy, safety, and responsible use, as well as of the potential for abuse of this technology, particularly when it is used to promote hatred. ICT used in this course will include:

rmation and Communi	
 Websites 	Cell phones
 Online libraries 	• DVDs
 Public records 	 Archives

The Role of Environmental Education

The teacher will find opportunities to integrate environmental education into this course, encouraging the students to explore a range of environmental concerns using issue-based analysis and some of the following strategies:

- Environmental Perspective
- Simulation
- Problem Solving
- Co-operative Learning
- Inquiry-based learning
- Cross-curricular connections

When appropriate, the teacher will allow the students to have opportunities to analyse the environmental impact of the concepts being studied, such as the impact of Canadian and international political policies, Canadian and international laws, cultural and social differences, human rights legislation and the protection and stewardship of the Earth.

Healthy Relationships in the Classroom

At Blyth Academy, every student is entitled to learn in a safe, respectful—and caring environment, free from—violence and harassment. The teacher will create a safe and supportive environment in the class by cultivating positive relationships between students and between the teacher and their students. The teacher will create a classroom environment which promotes respect, caring, empathy, trust, and dignity, and in which diversity is accepted and celebrated. Abusive, controlling, violent, or other inappropriate behaviours such as bulling or harassment—will not be tolerated in this class or at Blyth Academy.

The teacher will use the following strategies:

- Using inclusive language during instruction
- Developing a learning environment where all students feel safe

- Promotion of diversity and inclusivity in the classroom
- Getting students involved within their school community
- Making community connections
- Peer tutoring
- Role playing
- Group discussions
- Case study analysis

Equity and Inclusive Education in the Classroom

Blyth Academy has created an equity and inclusive education strategy based on respecting diversity, promoting inclusive education, and identifying and eliminating discriminatory biases, systemic barriers, and power dynamics that limit the ability of students to learn, grow, and contribute to society.

Blyth Academy creates an environment based on the principles of inclusive education, where all students, parents, caregivers, and other members of the school community – regardless of ancestry, culture, ethnicity, sex, physical or intellectual ability, race, religion, gender identity, sexual orientation, socio-economic status, or other similar factors – are welcomed, included, treated fairly, and respected.

During this course, the teacher will give students a variety of opportunities to learn about diversity and diverse perspectives.

Ethics in the Classroom

At Blyth Academy, teachers provide varied opportunities for students to learn about ethical issues and to explore the role of ethics in decision making. The teacher will support and encourage students to make ethical judgements when evaluating evidence and positions on various issues, and when drawing their own conclusions about issues, advancements, and global events.

During this course the teacher will provide support and oversight to students throughout the inquiry process, ensuring that students engaged in inquiry-based activities are aware of potential ethical concerns—and address them in a respectful manner. If students are conducting surveys and/or interviews, teachers will supervise student activities to ensure that they respect the dignity, privacy, and confidentiality of their participants.

The teacher will thoroughly address the issue of plagiarism with students. Students will be reminded of the ethical issues surrounding plagiarism, and the consequences of plagiarism will be clearly discussed before students engage in an inquiry.

The following strategies will be used to develop students' understanding of ethics:

- Peer tutoring
- Role playing
- Group discussions
- Case study analysis
- Simulation
- Problem solving
- Cross-curricular connections
- Media connections
- Model ethical behaviour

- Explore ethical standards
- Explore ethical concerns
- Poster positive relationships with others

Financial Literacy in the Classroom

There is a growing recognition that the education system has a vital role to play in preparing young people to take their place as informed, engaged, and knowledgeable citizens in the global economy. Financial literacy education can provide the preparation Ontario students need to make informed decisions and choices in a complex and fast-changing financial world.

Because making informed decisions about economic and financial matters has become an increasingly complex undertaking in the modern world, where appropriate, the teacher will give students the opportunity to build knowledge and skills through a variety of activities in problem solving, inquiry, decision making, critical thinking, and critical literacy related to financial issues. Students will come to understand the social, environmental, and ethical implications of their own choices as consumers. Strategies that will be used will include:

- Problem Solving
- Inquiry-based learning
- Cross-curricular connections
- Issue-based analysis
- · Critical literacy skills

Literacy, Mathematical Literacy, and Inquiry Skills

Literacy involves a range of critical-thinking skills and is essential for cross-curricular learning. At Blyth Academy it is the responsibility of all of our teachers to explicitly teach literacy and inquiry skills. Literacy, mathematical literacy, and inquiry/research skills are critical to students' success in all subjects of the curriculum and in all areas of their lives. Students will be exposed to literacy skills relating to oral, written, and visual communication. The following skills will be developed in each course delivered at Blyth Academy:

- Reading, interpreting, and analyzing various texts, including diaries, letters, government legislation and policy documents, interviews, speeches, treaties, information from non-governmental organizations, news stories, and fiction and non-fiction books
- Extract information
- Use appropriate and correct terminology, including that related to the concepts of disciplinary thinking
- Peer tutoring
- Role playing
- Group discussions
- Case study analysis
- Simulation
- Problem solving
- Cross-curricular connections
- Media connections
- Foster use of proper terminology

Inquiry and research skills

Cooperative Education and other Forms of Experiential Learning

Central to the philosophy at Blyth Academy is the focus on experiential learning. Planned learning experiences in the community, including job shadowing and job twinning, field trips, work experience, hands-on experiences and cooperative education, will provide our students with opportunities to see the relevance of their classroom learning in a work setting, make connections between school and work, and explore a career of interest as they plan their pathways through secondary school and make postsecondary plans. Planned learning experiences in this course will include:

Experiential Learning: Court

Health and Safety in the Classroom

As part of every course, students must be made aware—that health and safety—in the classroom are the responsibility of all participants—at home, at school, and in the workplace. Teachers will model safe practices at all times and communicate safety requirements to students. Health and safety issues not usually associated with a particular course may be important when the learning involves field trips and field studies. Teachers will preview and plan these activities carefully to ensure students' health and safety.

The Role of the School Library

Although Blyth Academy does not have an official school library, students are encouraged to use e-books, local libraries, and archives to develop important research and inquiry skills. During this course, students will visit the local library to meet with local librarians and have a library day, to develop important research skills that are critical for post-secondary education.

Promotion of Careers

The knowledge and skills students acquire in this course will be useful in helping students recognize the value of their education and applications to the world outside of school and identify possible careers, essential skills and work habits required to succeed. Students will learn how to connect their learning in asking questions and finding answers to employable skills.

During this course the teacher will:

- ensure that all students develop the knowledge and skills they need to make informed education and career/life choices;
- provide classroom and school-wide opportunities for this learning; and
- engage parents and the broader community in the development, implementation, and evaluation of the program, to support students in their learning
- use the four-step inquiry process linked to the four areas of learning
 - ✓ knowing yourself Who am I?
 - exploring opportunities What are my opportunities?
 - ✓ making decisions and setting goals Who do I want to become?
 - achieving goals and making transitions What is my plan for achieving my goals?

The teacher will support students in this course in education and career/life planning by providing them with learning opportunities, filtered through the lens of the four inquiry questions, that allow them to apply subject-specific knowledge and skills to work-related situations; explore subject-related education and career/life options; and become competent, self-directed planners.

This is Exhibit "17" referred to in the Affidavit of Sarah Badger sworn March, 2018

Commissioner for/Taking Affidavits (of as ma

KALEY DUFF



Blyth Academy Downsview Park

75 Carl Hall Road Unit 7 Toronto, ON M3R 2B9

COURSE NAME:

English, Grade 11, University Preparation

COURSE CODE:

ENG3U

CREDIT VALUE:

1.0

PREREQUISITE:

English, Grade 10, Academic

CURRICULUM POLICY: Growing Success: Assessment, Evaluation, and Reporting in

Ontario Schools, 2010

English: Grades 11 and 12, 2007

DEPARTMENT:

English

DEVELOPED BY:

Ms. S. Badger

DEVELOPMENT DATE: August 2015

REVISED BY:

Ms. S. Badger

REVISION DATE:

February 2016

COURSE DESCRIPTION

This course emphasizes the development of literacy, communication, and critical and creative thinking skills necessary for success in academic and daily life. Students will analyze challenging literary texts from various periods, countries, and cultures, as well as a range of informational and graphic texts, and create oral, written, and media texts in a variety of forms. An important focus will be on using language with precision and clarity and incorporating stylistic devices appropriately and effectively. The course is intended to prepare students for the compulsory Grade 12 university or college preparation course.

OVERALL CURRICULUM EXPECTATIONS

Oral Communication

Overall Expectations:

By the end of this course, students will be able to:

- Listening to Understand: listen in order to understand and respond appropriately in a variety of situations for a variety of purposes;
- Speaking to Communicate: use speaking skills and strategies appropriately to communicate with different audiences for a variety of purposes;
- 3. Reflecting on Skills and Strategies: reflect on and identify their strengths as listeners and speakers, areas for improvement, and the strategies they found most helpful in oral communication situations.

Reading and Literature Studies

Overall Expectations:

By the end of this course, students will be able to:

- 4. Reading for Meaning: read and demonstrate an understanding of a variety of literary, informational, and graphic texts, using a range of strategies to construct meaning:
- Understanding Form and Style: recognize a variety of text forms, text features, and stylistic elements and demonstrate understanding of how they help communicate meaning:
- 6. Reading With Fluency: use knowledge of words and cueing systems to read fluently:
- Reflecting on Skills and Strategies: reflect on and identify their strengths as readers, areas for improvement, and the strategies they found most helpful before, during, and after reading.

Writing

Overall Expectations:

By the end of this course, students will be able to:

- 8. Developing and Organizing Content: generate, gather, and organize ideas and information to write for an intended purpose and audience;
- Using Knowledge of Form and Style: draft and revise their writing, using a variety of literary, informational, and graphic forms and stylistic elements appropriate for the purpose
 - and audience;
- Applying Knowledge of Conventions: use editing, proofreading, and publishing skills and strategies, and knowledge of language conventions, to correct errors, refine expression, and present their work effectively;
- 11. Reflecting on Skills and Strategies: reflect on and identify their strengths as

writers, areas for improvement, and the strategies they found most helpful at different stages in the writing process.

Media Studies

Overall Expectations:

By the end of this course, students will be able to:

- 12. Understanding Media Texts: demonstrate an understanding of a variety of media texts;
- 13. Understanding Media Forms, Conventions, and Techniques: identify some media forms and explain how the conventions and techniques associated with them are used to create meaning;
- 14. Creating Media Texts: create a variety of media texts for different purposes and audiences, using appropriate forms, conventions, and techniques;
- 15. Reflecting on Skills and Strategies: reflect on and identify their strengths as media interpreters and creators, areas for improvement, and the strategies they found most helpful in understanding and creating media texts.

UNITS

Unit	Title	Time
1	Novel Study: The Great Gatsby	20 hrs
2	Essays and Academic Writing Skills	20 hrs
3	Oral Presentation Skills & Shakespeare: A Midsummer Night's Dream	20 hrs
4	Poetry	20 hrs
5	Short Stories and Media	25 hrs
	Final Exam Review, Exam and ISP Presentation	5 h
	Total:	: 110 hrs

ACHIEVEMENT CHART

The following table provides a summary description of achievement in each percentage grade range and corresponding level of achievement:

Percentage Grade Range	Achievement Level	Summary Description	
80-100%		A very high to outstanding level of achievement. Achievement is above the provincial standard.	

70-79%	Level 3	A high level of achievement. Achievement is at the provincial standard.
60-69%	Level 2	A moderate level of achievement. Achievement is below, but approaching the provincial standard.
50-59%	Level 1	A passable level of achievement. Achievement is below the provincial standard.
Below 50%	Insufficient a be granted.	achievement of curriculum expectations. A credit will not

TEACHING AND LEARNING STRATEGIES

Using a variety of instructional strategies, the teacher will provide numerous opportunities for students to develop—skills of inquiry, problem solving, and communication as they investigate and learn fundamental concepts. The integration—of critical thinking and critical literacy will provide a powerful—tool for reasoning—and problem solving,—and is reflected in a meaningful blend of both process and content.

The Role of Critical Thinking and Inquiry Skills in the Curriculum

This course will focus on developing students' critical thinking and inquiry skills, in order to develop their appreciation of, and engagement with, the multilayered subject matter. The goal of this focus on critical thinking and inquiry skills is to support students in attempting to reach beyond superficial conclusions and move towards deeper understanding.

- The inquiry process consists of formulating questions; gathering and organizing evidence; interpreting and analyzing evidence; evaluating evidence and drawing conclusions; and communicating findings.
- Critical thinking then applies the steps of the inquiry process toward examinations of opinions, values, biases and meanings.
- Teachers will support students' development of these skills by modeling in the classroom, providing ongoing and varied opportunities to exercise.
- Assessment and evaluation will focus on students' effective use of critical thinking skills, and not solely on a traditional "product".

Along with some of the strategies noted in the assessment for, as, and of learning charts below, strategies will include:

Activity Based Strategies	Arts Based Strategies	Cooperative Strategies
 Oral Presentation Discussion Rehearsal Retelling Field Trip 	 Reader's Theatre Role Playing Storyboard 	 Peer Teaching Round Table Discussion Think/Pair/Share
Direct Instruction Strategies	Independent Learning Strategies	Technology and Media Based Applications

* Conferencing * Directed Reading * Lecture * Review * Story Mapping * Work Sheets * Homework * Independent Reading * Note Making * Reading Response * Reflection * Reflection * Internet * Media Production * Media Production
--

	Inquiry and Research Skills
•	Writing Process Historical Inquiry
•	Research Process

Thinking and Inquiry Skills		
*Analyzing bias/stereotype *Brainstorming *Manipulatives	 Media analysis Mind map Think aloud Writing to learn 	

Planning Skills	Processing Skills
Organizing Outlines for essay / writing task Brainstorming ideas / webs	Response of Discussion Reflection from Text

STRATEGIES FOR ASSESSMENT AND EVALUATION OF STUDENT PERFORMANCE IN ENGLISH

There are three forms of assessment that will be used throughout this course:

Assessment for Learning: Assessment for learning will directly influence student learning by reinforcing the connections between assessment and instruction, and provide ongoing feedback to the student. Assessment for learning occurs as part of the daily teaching process and helps teachers form a clear picture of the needs of the students because students are encouraged to be more active in their learning and associated assessment. Teachers gather this information to shape their classroom teaching. Assessment for learning is:

- Ongoing
- Is tied to learning outcomes
- Provides information that structures the teachers planning and instruction

 Allows teachers to provide immediate and descriptive feedback that will guide student learning

The purpose of assessment for learning is to create self-regulated and lifelong learners.

Assessment as Learning: Assessment as learning is the use of a task or an activity to allow students the opportunity to use assessment to further their own learning. Self and peer assessments allow students to reflect on their own learning and identify areas of strength and need. These tasks offer students the chance to set their own personal goals and advocate for their own learning.

The purpose of assessment as learning is to enable students to monitor their own progress towards achieving their learning goals.

Assessment of Learning: Assessment of learning will occur at or near the end of a period of learning; this summary is used to make judgments about the quality of student learning using established criteria, to assign a value to represent that quality and to communicate information about achievement to students and parents.

Evidence of student achievement for evaluation is collected over time from three different sources – observations, conversations, and student products. Using multiple sources of evidence will increase the reliability and validity of the evaluation of student learning.

Assessment for Learning	Assessment as Learning	Assessment of Learning
Student Product	Student Product	Student Product
Exit Cards	Assignment	Assignment
Graphic Organizers	Peer Feedback	Test
Quizzes	Peer Feedback	Poster
Discussions	Self Assessment	Essay

Observation	Observation	Observation
Whole class Discussion	Class Discussions	Powerpoint Presentation
Self Proofreading	Performance Tasks	

Conversation Student teacher conferences	Conversation Student teacher conversation	Conversation Question and Answer Session
Pair Work	Small group discussion	
	Peer-feedback	

THE FINAL GRADE

Percentage of Final Mark	Categories of Mark Breakdown
70%	Assessment of Learning Tasks Throughout the Term
20%	Final Written Examination: 15%

Final Independent Study Project: 15%

Towards the end of this course, students will analyze and compare an approved novel of their choice to one of the course texts to analyse the themes from the course.. They will present their analysis through a meaningful and creative media presentation and essay.

A student's final grade is reflective of their most recent and most consistent level of achievement.

The balance of the weighting of the categories of the achievement chart throughout the course is:

SUBJECT AREA	Knowledge	Inquiry/Thinking	Communicatio n	Application
English	20	30	25	25

LEARNING SKILLS AND WORK HABITS

The development of learning skills and work habits is an integral part of each student's learning. The key Learning Skills and Work Habits evaluated and reported on include: responsibility, organization, independent work, collaboration, initiative and self-regulation. The development of learning skills and work habits needed to succeed in school and in life begins early in a child's schooling. As students move through the grades in school, they develop and then consolidate their learning skills and work habits in preparation for postsecondary education and the world of work. At Blyth Academy, we assess, evaluate, and report on the achievement of curriculum expectations and on the demonstration of learning skills and work habits separately, which allows teachers to provide information to the parents and student that is specific to each of the two areas of achievement.

Therefore, in addition to the final grade the report card also shows student achievement of learning skills and work habits throughout the course. These are not included in the calculation of the final grade for this course. The six areas are:

1) Responsibility 2) Organization 3) Independent Work 4) Collaboration 5) Initiative 6) Self-Regulation

They are assessed as:

E (excellent); G (good); S (satisfactory); N (needs improvement)

STUDENTS' RESPONSIBILITIES WITH RESPECT TO EVIDENCE FOR EVALUATION IN ENGLISH

Cheating and Plagiarism

Blyth Academy commits to having policies for assessments that minimize the risk of cheating. We also commit to begin each course with refresher learning on cheating. In the event of cheating:

- Student will meet with the teacher, Principal and possibly parent(s)
- A course of action will be decided based on the meeting

Blyth Academy commits to begin each course with refresher learning on how to properly credit and source work from other sources; therefore, plagiarism at the Grade 11 and 12 levels is not considered accidental.

The following protocol will be followed for true plagiarism:

- Student will meet with the teacher, Principal, and possibly parent(s)
- The assignment will be re-worked to the teacher's satisfaction for a grade of up to 50%
- If the student repeats the offence, a score of zero will be given with a likely suspension and possible consequence of expulsion from school.
- A third-time offence will result in expulsion

Improper citations or situations in which a teacher deems the student to have acted with good intentions:

- The school will work with the student to ensure plagiarism is understood and will not be repeated
- A second submission of the assignment will be permitted
- The teacher will decide how the re-submission will be evaluated (50% or full value)

Late and Missed Assignment Policy

Any assignments given by the teacher will have a due date. If a student has an issue with the due date, he/she will have an opportunity to discuss alternate arrangements with the teacher ahead of time. In every class, students have ONE FREE PASS to turn in an assignment up to 3 days late without penalty (certain assignments excluded, such as presentations and assessments). Otherwise, late work may be subject to mark deduction. Weekends count as one day unless otherwise specified by the teacher. If a student wishes to discuss a penalty/mark, they may do so with the teacher. In order to be evaluated in time for inclusion in an overall mark, all assignments must be submitted no later than the start of the course's final exam or final class. We do understand that extenuating circumstances do occur, but we also seek to prepare students for the real world, where university professors and employers are not as flexible with respect to deadlines. Despite all this, discretionary efforts are made by school staff in order to ensure that all students are assessed on their academic achievement rather than their learning skills. To that end, where in the teacher's professional judgement it is appropriate to do so, a number of strategies may be used to help prevent and/or clarify the reason for not completing the assignment, as outlined in Growing Success;

- · Helping students develop better time-management skills;
- Collaborating with other staff to prepare a part- or full-year calendar of major assignment dates for every class;
- Planning for major assignments to be completed in stages, so that students are less likely to be faced with an all-or-nothing situation at the last minute;
- Maintaining ongoing communication with students and/or parents about due dates and late assignments, and scheduling conferences with parents if the problem persists;
- Taking into consideration legitimate reasons for missed deadlines;
- Requiring the student to work with the school team to complete the assignment;
- Providing alternative assignments or tests/exams where, in the teachers
 professional judgement, it is reasonable and appropriate to do so;
- Deducting marks for late assignments.

Missed Tests and Exam Policy

A student who misses a test or quiz in class, for legitimate reasons as determined by the teacher, can make up the test or quiz the next day before or after class (parent phone call may be required). A student cannot write it during class time. If a student simply skips a test or quiz, he/she cannot write a make-up without an appeal to the teacher. For a missed EXAM we require a note from a doctor.

Punctuality and Absences

Punctuality is a necessity at every stage of life – we would be doing a disservice to our students if we paid no attention to or ignored punctuality. Please understand our need for the following policies regarding lates and absences, and know that we will work with our students to find success.

All teachers will maintain a record of their students' attendance and punctuality based on provincial Ministry's "safe arrival" approach. In any given term, when a student establishes a pattern (as defined by the classroom teacher) of being late or absent, a call and/or written correspondence will be placed/sent home, and the student will be considered to be "at risk". At the discretion of the teacher or Principal, a medical note or valid written explanation can result in excused lates or absences. At a certain point excessive lates or absences will result in forfeiture of course, credit, and cost (up to the discretion of the teacher and administration). If a student has 5 unexplained absences, they may be deemed "at risk" for earning their credit. If a student has missed 5 total hours of class time (this can be any combination of lates and absents which equal 5 total hours), they will be required to meet with the Guidance Counsellor to set up a plan to support the student in their attendance. Students will also be told of the consequences of further hours of missed class, and the possibility of being deemed "at risk" for earning their credit. Parents will also be notified. If the pattern of lates/absences continues, at 8 -9 hours of missed class time, the student and parents will be asked to meet with the Principal regarding their "at risk" status.

NON-ATTENDANCE

As of December 20, 2006, all students under 18 years of age are required to be in attendance at school unless they have already graduated or are otherwise excused from attendance at school. Legal reasons for being absent from school (e.g. receiving satisfactory instruction at home or elsewhere) continue to apply.

If a student is absent for an extended period of time, the first responsibility of the school is to investigate why a student is absent, and make every effort to have the student return to school.

A student who has been absent for 15 consecutive school days without appropriate supporting documentation is to be removed from the register. A pupil of compulsory school age may remain on the register for 16 to 30 consecutive days of absence, if the Principal has approved the case in writing. This may be extended for subsequent fifteenday periods, if the Principal receives reports every 15 days that the file is still active. It is critically important to maintain contact with absent students/parents.

If a student is known to have left the school or if after a reasonable period of time the Principal is unable to locate the student, then his/her name should be removed from the register. Removing a student's name from the register for absenteeism does not mean the student need not attend school. Attendance for students—of compulsory school—age is required under the Education Act. The Principal must inform the Private Schools Branch of the Ministry of Education when pupils are removed from the register. The school should continue to attempt to reach out to them as they may eventually respond to these efforts

and return to school.

PROGRAM PLANNING CONSIDERATIONS FOR ENGLISH

Instructional Approaches

Teachers will use a variety of instructional strategies to help students become independent, strategic and successful learners. The key to student success is effective, accessible instruction. When planning this course of instruction, the teacher will identify the main concepts and skills of the course, consider the context in which students will apply their learning and determine the students' learning goals. The instructional program for this course will be well planned and will support students in reaching their optimal level of challenge for learning, while directly teaching the skills that are required for success.

Understanding student strengths and needs will enable the teacher to plan effective instruction and meaningful assessments. Throughout this course the teacher will continually observe and assess the students' readiness to learn, their interests, and their preferred learning styles and individual learning needs.

Teachers will use differentiated instructional approaches such as:

- · adjusting the method or pace of instruction
- using a variety of resources
- allowing a wide choice of topics
- adjusting the learning environment
- · scaffolding instruction

During this course, the teacher will provide multiple opportunities for students to apply their knowledge and skills and consolidate and reflect upon their learning.

Planning the Program for Students with Special Educational Needs

The teacher in this course is the key educator of students with special education needs. The teacher has a responsibility to help all students learn, and will work collaboratively with the guidance counselor, where appropriate, to achieve this goal. In planning this course, the teacher will pay particular attention to the following guidelines:

- · All students have the ability to succeed
- · Each student has his or her own unique patterns of learning
- Successful instructional practices are founded on evidence-based research, tempered by experience
- Universal design and differentiated instruction are effective and interconnected means of meeting the learning or productivity needs of any group of students
- Classroom teachers are the key educators for a student's literacy and numeracy development
- Classroom teachers need the support of the larger school community to create a learning environment that supports students with special education needs
- Fairness is not sameness

In this course, students may demonstrate a wide range of strengths and needs. The teacher will plan the course in a way that recognizes the diversity of the class members and give students performance tasks that respect their particular abilities so that all the students in the class—can derive the greatest—possible benefit from the teaching—and learning process. The teacher will use the following strategies:

Students with Special Educational Needs

- Extra time on tests and extended deadlines for major assessments
- Variety of teaching and learning strategies
- Scaffolding
- Break down (chunk) assignments
- Computer for assessments and exams
- Formula sheets, memory aids
- Varied teaching strategies
- Oral and written instructions

- Graphic organizers
- Non-verbal cues and reminders to remain focused
- Oral testing
- Allow for sufficient response time
- Conferencing
- Periodic breaks
- Prompting students through lessons and assessments
- Refocusing strategies

Planning the Program for Students with English as a Second Language

In planning this course for students with linguistic backgrounds other than English, the teacher will create a safe, supportive, and welcoming environment that nurtures the students' self-confidence while they are receiving course instruction. Most English language learners who have developed oral proficiency in everyday English will nevertheless require instructional scaffolding to meet curriculum expectations. The teacher will adapt the instructional program in order to facilitate the success of these students in their classes. Appropriate adaptations and strategies for this course will include:

Students	with	English	as S	econd	Lang	guage

- Body language and non-verbal communication
- Model expectations
- Subject-specific dictionary
- Cooperative learning
- Concrete examples and materials
- Avoid idioms
- Bilingual Dictionaries
- Buddy system
- Peer tutors
- Allow sufficient response time
- Check for comprehension by asking students to retell in their own words
- Graphic organizers

- Conferencing
- Pre-writing strategies
- Literature circle
- Journal
- Previewing course readings / texts
- Materials that reflect cultural diversity
- Free voluntary reading
- Guided Reading
- Guided Writing
- Think Aloud
- Whole-Class Response
- Editing checklist
- Story maps
- Scaffolding

The Role of Information and Communication Technology

Information and Communications Technology (ICT) provides a range of tools that can significantly extend and enrich the teacher's instructional strategies in this course by bringing the global community into the classroom. The integration of ICT into this course represents a natural extension of the curriculum. The tools used in this course will enhance the students' thinking and inquiry processes as they gather, organize, analyse and communicate their findings.

ICT tools will be integrated into this course for whole-class instruction and for the design of curriculum units that contain varied approaches to learning in order to meet diverse needs and interests of the students in this class. Although the Internet is a powerful learning tool, there are potential risks attached to its use. At the beginning of this class, all students will be made aware of issues related to Internet privacy, safety, and responsible use, as well as of the potential for abuse of this technology, particularly when it is used to

promote hatred. ICT used in this course will include:

Information and Communication Technology				
• Websites	Cell phones			
 Online libraries 	• DVDs			
 Archives 				
 YouTube 				

The Role of Environmental Education

The teacher will find opportunities to integrate environmental education into this course, encouraging the students to explore a range of environmental concerns using issue-based analysis and some of the following strategies:

- Problem Solving
- Co-operative Learning
- Inquiry-based learning
- Cross-curricular connections

When appropriate, the teacher will allow the students to have opportunities to analyse the environmental impact of the concepts being studied, such as the impact of Canadian and international political policies, Canadian and international laws, cultural and social differences, human rights legislation and the protection and stewardship of the Earth.

Healthy Relationships in the Classroom

At Blyth Academy, every student is entitled to learn in a safe, respectful—and caring environment, free from—violence and harassment. The teacher will create a safe and supportive environment in the class by cultivating positive relationships between students and between the teacher and their students. The teacher will create a classroom environment which promotes respect, caring, empathy, trust, and dignity, and in which diversity is accepted and celebrated. Abusive, controlling, violent, or other inappropriate behaviours such as bulling or harassment—will not be tolerated in this class or at Blyth Academy.

The teacher will use the following strategies:

- Using inclusive language during instruction
- Developing a learning environment where all students feel safe
- Promotion of diversity and inclusivity in the classroom
- Getting students involved within their school community
- Making community connections
- · Peer tutoring
- Role playing
- Group discussions
- Case study analysis

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Blyth Academy has created an equity and inclusive education strategy based on respecting diversity, promoting inclusive education, and identifying and eliminating

discriminatory biases, systemic barriers, and power dynamics that limit the ability of students to learn, grow, and contribute to society.

Blyth Academy creates an environment based on the principles of inclusive education, where all students, parents, caregivers, and other members of the school community – regardless of ancestry, culture, ethnicity, sex, physical or intellectual ability, race, religion, gender identity, sexual orientation, socio-economic status, or other similar factors – are welcomed, included, treated fairly, and respected.

During this course, the teacher will give students a variety of opportunities to learn about diversity and diverse perspectives.

Ethics in the Classroom

At Blyth Academy, teachers provide varied opportunities for students to learn about ethical issues and to explore the role of ethics in decision making. The teacher will support and encourage students to make ethical judgements when evaluating evidence and positions on various issues, and when drawing their own conclusions about issues, advancements, and global events.

During this course the teacher will provide support and oversight to students throughout the inquiry process, ensuring that students engaged in inquiry-based activities are aware of potential ethical concerns and address them in a respectful manner. If students are conducting surveys and/or interviews, teachers will supervise student activities to ensure that they respect the dignity, privacy, and confidentiality of their participants.

The teacher will thoroughly address the issue of plagiarism with students. Students will be reminded of the ethical issues surrounding plagiarism, and the consequences of plagiarism will be clearly discussed before students engage in an inquiry.

The following strategies will be used to develop students' understanding of ethics:

- Peer tutoring
- Role playing
- Group discussions
- Case study analysis
- Problem solving
- Cross-curricular connections
- Media connections
- Model ethical behaviour
- Explore ethical standards
- Explore ethical concerns
- Inclusive practices
- Foster positive relationships with others
- Assist students in developing an understanding of ethical judgements

Financial Literacy in the Classroom

There is a growing recognition that the education system has a vital role to play in preparing young people to take their place as informed, engaged, and knowledgeable citizens in the global economy. Financial literacy education can provide the preparation Ontario students need to make informed decisions and choices in a complex and fast-changing financial world.

Because making informed decisions about economic and financial matters has become an increasingly complex undertaking in the modern world, where appropriate, the teacher will give students the opportunity to build knowledge and skills through a variety of activities in problem solving, inquiry, decision making, critical thinking, and critical literacy related to financial issues. Students will come to understand the social, environmental, and ethical implications of their own choices as consumers. Strategies that will be used will include:

- Problem Solving
- Inquiry-based learning
- Cross-curricular connections
- Issue-based analysis
- Critical literacy skills
- · Developing intra-personal skills

Literacy, Mathematical Literacy, and Inquiry Skills

Literacy involves a range of critical-thinking skills and is essential for cross-curricular learning. At Blyth Academy it is the responsibility of all of our teachers to explicitly teach literacy and inquiry skills. Literacy, mathematical literacy, and inquiry/research skills are critical to students' success in all subjects of the curriculum and in all areas of their lives. Students will be exposed to literacy skills relating to oral, written, and visual communication. The following skills will be developed in each course delivered at Blyth Academy:

- Reading, interpreting, and analyzing various texts, including diaries, letters, government legislation and policy documents, interviews, speeches, treaties, information from non-governmental organizations, news stories, and fiction and non-fiction books
- · Extract information
- Peer tutoring
- Role playing
- Group discussions
- Problem solving
- Cross-curricular connections
- Media connections
- Foster use of proper terminology
- Inquiry and research skills
- Help students to develop a language for literacy, inquiry and numeracy skills
- Assist students with developing communication skills in areas of literacy, and inquiry

Cooperative Education and other Forms of Experiential Learning

Central to the philosophy at Blyth Academy is the focus on experiential learning. Planned learning experiences in the community, including job shadowing and job twinning, field trips, work experience, hands-on experiences and cooperative education, will provide our students with opportunities to see the relevance of their classroom learning in a work setting, make connections between school and work, and explore a career of interest as they plan their pathways through secondary school and make postsecondary plans. Planned learning experiences in this course will include:

- Experiential Learning: Museum, library
- Guest Speaker

Health and Safety in the Classroom

As part of every course, students must be made aware that health and safety in the classroom are the responsibility of all participants — at home, at school, and in the workplace. Teachers will model safe practices at all times and communicate safety requirements to students. Health and safety issues not usually associated with a particular course may be important when the learning involves field trips and field studies. Teachers will preview and plan these activities carefully to ensure students' health and safety.

The Role of the School Library

Although Blyth Academy does not have an official school library, students are encouraged to use e-books, local libraries, and archives to develop important research and inquiry skills. During this course, students will visit the local library to meet with local librarians and have a library day, to develop important research skills that are critical for post-secondary education.

Promotion of Careers

The knowledge and skills students acquire in this course will be useful in helping students recognize the value of their education and applications to the world outside of school and identify possible careers, essential skills and work habits required to succeed. Students will learn how to connect their learning in asking questions and finding answers to employable skills.

During this course the teacher will:

- ensure that all students develop the knowledge and skills they need to make informed education and career/life choices;
- provide classroom and school-wide opportunities for this learning; and
- engage parents and the broader community in the development, implementation, and evaluation of the program, to support students in their learning
- · use the four-step inquiry process linked to the four areas of learning
 - √ knowing yourself Who am !?
 - exploring opportunities What are my opportunities?
 - ✓ making decisions and setting goals Who do I want to become?
 - achieving goals and making transitions What is my plan for achieving my goals?

The teacher will support students in this course in education and career/life planning by providing them with learning opportunities, filtered through the lens of the four inquiry questions, that allow them to apply subject-specific knowledge and skills to work-related situations; explore subject-related education and career/life options; and become competent, self-directed planners.

RESOURCES

Primary Sources:

Atwood, Margaret. "Hairball." Wilderness Tips. New York: Doubleday, 1991. Print Atwood, Margaret. The Handmaid's Tale. New York: Seal Books, 1998. Print. Bradbury, Ray. "The Veldt." The Illustrated Man. London: Harper Perennial, 2013. Print. Fitzgerald, F. Scott. The Great Gatsby. London: Penguin Books, 1991. Print. Grimm, Jacob and Wilhelm. "Rapunzel." The Fairy Tales of the Brothers Grimm. Ed. Noel Daniel. London: TASCHEN Books, 2011. Print.

O'Flaherty, Liam. "The Sniper." The New Leader. 12 January 1923. Web.

Perkins, Charlotte. "The Yellow Wallpaper." Boston: Bedford, 1998. Print.

Poe, Edgar Allan. "The Tell-Tale Heart." The Complete Poetry of Edgar Allan Poe. New York: Signet Books, 2008. Print.

Shakespeare, William. A Midsummer Night's Dream. Toronto: Harcourt Shakespeare, 1998. Print.

Secondary Sources:

Chisholm, Tim. Shakespeare At Play. Online App. Vers. 2.7. Rick Chisholm Productions Ltd,. 2 Feb. 2015.

This is Exhibit "18" referred to in the Affidavit of Sarah Badger sworn March [2]..., 2018

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Course: English, Grade 11
Course Code: ENG3U

Unit#1

Overall Expectations:

- O.C.1 listen in order to understand and respond appropriately in a variety of situations for a variety of purposes
- O.C.2 use speaking skills and strategies appropriately to communicate with different audiences for a variety of purposes
- O.C.3 reflect on and identify their strengths and weaknesses as listeners and speakers, areas for improvement, and the strategies they found most helpful in oral communication situations
- M.2 identify some media forms and explain how the conventions and techniques associated with them are used to convey meaning
- **M.3** create a variety of media texts for different purposes and audiences, using appropriate forms, conventions, and techniques
- **W.1** generate, gather, and organize ideas and information to write for an intended audience and purpose
- **W.2** draft and revise their writing, using a variety of literary and informational, and graphic forms and stylistic elements appropriate for the purpose and audience
- **W.3** use editing, proofreading, and publishing skills and strategies, and knowledge of conventions, to correct errors, refine expression, and present their work effectively
- R.2 recognize a variety of text forms, text features, and stylistic elements and demonstrate understanding of how they help communicate meaning
- R.3 use knowledge of words and cueing systems to read fluently

What do I want students to learn?

Learning Goals (What do you want students to be able to know, understand and do at the end of this unit?)

Students will...

- de-construct difficult language and re-write it using more contemporary language
- understand the form of script writing and write a script using distinct character voices
- investigate different topics for a speech and write an oral essay
- proofread a piece of writing for spelling, grammar, sentence structure
- learn and use a variety of oral communication techniques such as diction, non-verbal cues, tone, pace, volume as related to formal public speaking



Prior Learning: (What prior learning have students already done that connects to the learning goals of this

- students should know how to effectively write an academic essay
- students should have a basic understanding of Shakespeare and his times

How will I know they have learned it?

Success Criteria: (How will we know they have learned it? How will they demonstrate their learning?)

Students

Assessment Task(s) (What is the focus of the task? Does it align with the Learning Goals? Does it reflect all or most of the Achievement Chart Categories?)

Oral Essay

- Students will research, write, and present a speech based on their reading of A
 Midsummer Night's Dream. They will use the writing process to gather
 information, write an essay, peer edit, self edit, and polish the piece while working
 on oral communication skills to convey their message to the audience.
- This oral essay will be marked on a KTCA Rubric

Performance

- Students will form groups and create a modernized version of a scene from A Midsummer Night's Dream using a media form of their choice
- The assignment will be evaluated on a KTCA Rubric

Assessment Tools:

- Rubrics
- Marking Schemes
- Entrance Tickets
- Exit Tickets

Teaching strategies I will use



Activity Based Strategies	Arts Based Strategies	Cooperative Strategies
Oral Presentation Rehearsal	*Role Playing	*Discussion *Think/Pair/Share

Direct Instruction Strategies	Independent Learning Strategies	Technology and Media Based® Applications
*Lecture *Review *Play *Worksheets *Conferencing	Homework Independent Reading Note Making Reflection	• Media Presentation • App Usage
	Inquiry Research Mode • Writing Process • Research Process	



	Thinking Skills Strategies		
*Brainstorming	*Oral Explanation *Mind Map		

Assessments I will use

Assessment for Learning	Assessment as Learning	Assessment of Learning	
Student Product • Exit Cards • Graphic Organizers	Student Product Quizzes Entrance ticket	Student Product • Script	
Observation • Whole class discussions (anecdotal) • Self Proofreading	Observation Class Discussions (anecdotal) Performance Tasks	Observation Presentation Speech	
Conversation Conferences	Conversation • Peer Feedback	Conversation	

Materials I will use

Texts:

Shakespeare, William. A Midsummer Night's Dream. Toronto: Harcourt Shakespeare, 1998. Print.

<u>Articles</u>

Hinton, Peter. "William Shakespeare: An Overview of his Life, Times, and Work." Arts Alive. Ed. Jane Moore. NAC English Theatre Company, n.d.

Haden, Jeff. "20 Public Speaking Tips of the Best TED Talks." INC.edu.

App: Chisholm, Tim. Shakespeare At Play. Online App. Vers. 2.7. Rick Chisholm Productions Ltd,. 2 Feb. 2015.



Triangulation

How will I gather evidence of achievement from:

- Conversations:

 Check for student understanding on a daily basis
 - Conference individually with students to discuss progress on their assignments and give aid when needed

Observations:

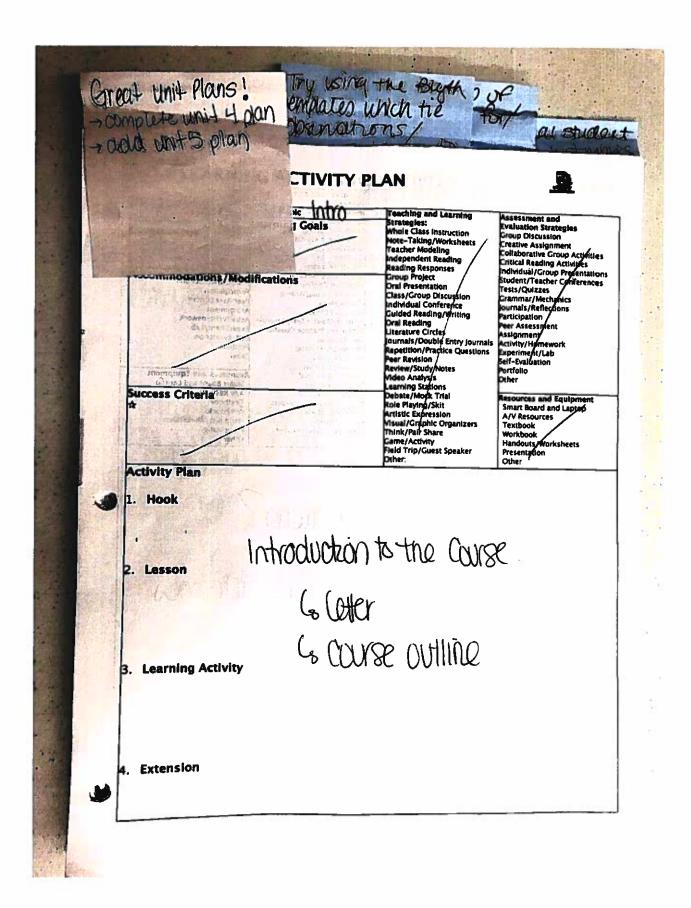
- Observe students when they are in groups or doing independent work
- Observe the students throughout the writing process, self-edit and peer edit process
- Oral Essay

Products:

- Midsummer Script
- Entrance/Exit Cards

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Great unit Plans! -- complete unit 4 plan -- add unit 5 plan

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4. Extension			



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Try using the Bly # 80 templates which tie observations/conversations to **DAILY LEARNING ACTIVI** curriculum expectations. Unit/Lesson 5 Course Topic urriculum Expectations **sctivities** ities entations Accommodations/Modifications ferences Individual Conference WUITIDDY NETICULOUS Guided Reading/Writing articipation Oral Reading eer Assessment Literature Circles Assignment ournals/Double Entry Journals Activity/Homework lepetition/Practice Questions Experiment/Lab eer Revision Seif-Evaluation Review/Study Notes ortfolio Video Analysis Other Learning Stations Debate/Mock Trial Resources and Equipment nale arswered each q. in Role Playing/Skit Artistic Expression Smart Board and Laptop A/V Resources Misual/Graphic Organizers Textbook Think/Pair Share Workbook Game/Activity Handouts/Worksheets Field Trips Gue Presentation Other: Other Why might a country agree to allow having its 2. Lesson the laws/actors of others? Lohow can ney enforce rules? G what other powers do they have 15 find a modern example Extension

Unit/Lesson & Course (MAL) Tropic (MAL) Tropic (MAL) Tropic (MAL) Tropic (MAL) Tropic (MAL) Tropic (MAL) (MA	Teaching and Learning Strategies: Whole Class Instruction Note-Taking/Worksheets Teacher Modeling Independent Reading Reading Responses Group Project Oral Presentation Class/Group Discussion Individual Conference Guided Reading/Writing Oral Reading Literature Circles Journals/Double Entry Journals Repetition/Practice Questions Peer Revision Review/Study Notes Video Analysis Learning Stations	Assessment and Evaluation Strategies Group Discussion Creative Assignment Collaborative Group Activities Critical Reading Activities Individual/Group Presentations Student/Teacher Conferences Tests/Quizzes Grammar/Mechanics journals/Reflections Participation Peer Assessment Assignment Activity/Hornework Experiment/Lab Self-Evaluation Portfolio Other
INVOLUN WORDS & COLO EXPLAIN	Debate/Mock Trial Role Playing/Skit Artistic Expression Visual/Graphic Organizers Think/Pair Share Game/Activity Field Tripl/Guest Speaker Other:	Resources and Equipment Smart Board and Laptop A/V Resources Textbook Workbook Handouts/Worksheets Presentation Other
Hook Why might a country human rights pract	agree to alla	whaving its
2. Lesson (4 DOCODYCO CON):	in the U.N. P	egulute
3. Extension Sharing J Me Clo	escuriple 10	J STULLE.

Unit/Lesson & Cours Curriculum Expectations DQ.Q. Accommodations/	Learning Goals TO LOM about historical disput	Teaching and Learning Strategies: Whole Class Instruction Note-Taking/Worksheets Teacher Modeling Independent Reading Reading Responses Group Project Oral Presentation Class/Group Discussion Individual Conference Guided Reading/Writing Oral Reading Literature Circles Journals/Double Entry Journals Repetition/Practice Questions Peer Revision Review/Study Notes Video Analysis Learning Stations	Assessment and Evaluation Strategles Group Discussion Creative Assignment Collaborative Group Activities Critical Reading Activities Individual/Group Presentations Student/Teacher Conferences Tests/Quizzes Grammar/Mechanics Journals/Reflections Participation Peer Assessment Assignment Activity/Homework Experiment/Lab Self-Evaluation Portfolio Other
* If LUE CYCO Activity Plan	ted attimeline were set of sevents.	—— ——————————————————————————————————	Resources and Equipment Smart Board and Laptop A/V Resources Textbook Workbook Handouts/Worksheets Presentation Other
-	at is a timelin	ie?	
2. Lesson	- Creating the Major historical resolutions	elines of clispules t	Meir
	Gopick 5	events (ind	- chaice)
	Aresent-1 disa Class	es choices	to the
3. Extension	JjA.		

Blyth

Lesson Plan

ACADEMY

Date(s): IDN ASAM

CLNAU & Course 19 UM

Course:

Tractor: S. Bad

Learning Boots (America to permission of permission of the control of the control

Expectations: (What expectations are being covering) 03.1 , A1.7

	Description	Outcomes	
Objectives Specify skillsfinformetton that will be learned.	inequations. Cutatration. Inspectioations. Sonctions. Entrangoes, war, comidant ict. Into was clear	Anistage-taking. Info was clear	Computer/ towart.
Information Give andor demonstrate necessary information.	Edson webaltest	vied 1001-	in Series
Assessment/Evaluation State if it is assessment of, for or as beanty.	A-conversotion f-chart (product)	Product really rein (sico other Resources) - L. C. DIMS Internet	Other Resources (e.g. Web, bodia, etc.) Internet.
Activity Describe the independent activity to reinforce this lesson.	Researching farms creating chart	make chart next	haspa
Summary How did the leason go? What changes need to be made?	Courdo -fron 1 conie		Additional Notes (CLOSCAT)

wad Edsby

Gestudents work independently to find

terms a chart on their own (below)

Peaceful Non Acaceful

term

ex
def

success Chema I KISI...

Godiscuss of peaceful and two and types of nonpeaceful resolutions and define them in my own words.

wad Edsay

Gstudents work independently to find

torms Goneale a chart on their own (below)

Peaceful Non Peaceful

term

ex

def

Godiscuss each as an oral exit cord.

Lesson Plan

Date(6): ADAI 216th - 177th ACADEMY Course:

LCC. A1.7, 03-1, 03-9 Teacher: S. Coodox Course Code:

	Description	Outcomes		
Objectives Specify shills information that will be berned.	peopolitics nen- neopolitics nen- depopolitics nen-	good Convo. reviewing laptop trulet	Materials Needed (Applicable)	
Information Give and/or demonstrate necessary information.	discussifications debate			
Assessment/Evaluation State If it is assessment of, for or as berning.	A-observodzen F-nöks/reseorch	201-and fine-102	Other Resources (e.g. Web, books, etc.) IMPING+	
Activity Describe the independent activity to reinforce this lesson.	researching form of disple resolution		class roks	
Summary How did the lesson go? What changes need to be made?	Gneat discussions- will noed-time to research to debak	JEFFI CLINO CIAY	Additional Notes Control +	2586 S_
		RETUICA	SSC	7-0

Leview peaceful vs. non peaceful resolutions
Gask fir ex. of each
Review parts of debate (look at handout from unit).
Students flip for peaceful/non-peaceful side
Gresearch time
Go asserve research stalls

D2 47 Continue research.

success chiena I KISI...
I have 3 points to support my side (peace/nonpeace)
and have 3 points to 90 against the other side written in my notes

Leview peaceful vs. non peaceful resolutions
Good fir ex. of each
Review parts of debate (100k at handaut from unit),
Students flip for peaceful/non-peaceful side
Conesearch time
Goodserve research stalls

02 continue research.

Lesson Plan

ACADEMY

ACADEMY

Both Stan Sohn chockends alcent push-to 1/pril 2/9th

Teacl

CUNT

scher:

the have a clabote on

	Description	Outcome	
Objectives Specify skillefutometion that will be learned.	ACCION TO THE PROPERTY OF THE	in the peacel stations have only delayer	delank North
Information GNe and/or demonstrate necessary information.	delate.		
Assessment/Evaluation Size if it assessment of, for or as benning.	F. checklist of debate - checklist kept stu. On track	- checklist Kapt stu. On track	Other Resources (e.g. Web, books, etc.)
Activity Describe the independent activity to reinforce this lesson.	deboate.	denotes went well-good stilute	
Summary How did the lesson go? What changes need to be made?	oth students engaged	- use debates	Additional Notes

11-8

Struction drawn out of hat G. A: Country I has violated country 25 treaty LB: Country 3 is trying to claim country 4's torder as their own

GC: Country 5 is claiming the natural resources in their ocean front + not allowing country 6 access

rock, paper, scissors to see who is first.

debate rabric review

debate

Success Cheria Ikisi. debate delaret en nove chected points (3) have cheated consto go against my opp. in my debate notes

Struction drawn out of not

5 A: Country I has violated country 25 treaty

4: Country 3 is riving to claim country

4's torder as their own

6: C: Country 5 is claiming the natural
resources in their ocean front + not

allowing country 6 access

rock, paper, scissors to see who is first.

rock, paper, scissors to see who is first.
debate ribric review
debate
debate
debate

Blyth

Lesson Plan

ACADEMY (Raul aury) May 3rd (Simiacouru)

Teacher

Course Code:

S. Booch

Learning Goals (What is the plant)	No Infrincing Control	Expectations: (What expectations are being covered)	fors are being covered)
Ling Chichol	AS Spacked and	"Sportering (1950 Al. 1, Al. 2, Al. 6	(A16
INCIP CHART CHUM	rivs view tries stoom		
	Description	Outcomes	
Objectives Speaky attladatometion that will be beared.	NESCORCH STAILS: NATO, I ROLLEW FORMS GOOTIN	neview farms applin	Materials Needed
	NAFTH, UN CONCOUTIONS	4 tenerion	TO CONTROLL
Information Give and/or demonstrate necessary information	research codas raske)		
	on website		
Assessment/Evaluation State if it is assessment of, for or as	As-chart-chactron	chart format was	Other Resources (e.g. Weh, books, etc.)
	For-depussion	clear-will count to thin Internet	internet
Activity Describe the independent	KEEDIGN		
acons to remove the restor.			
Summary How did the lesson go? What	about about the state of the st	3-premade chars maybe writen exit	Additional Notes
	Tichted well	caid next thac?	`

* discuss how country's decisions can look to afferent countries (use Pauls treaty)

Ginow do you Think Canada looks to other countries? Why?

distribute chart-discuss s.c.
4 Students research t complete

conversation - ext card

Grow do you think canada looks to

other countries?

Gey Success Criteria I KISI...

1. 2 Ive completed my chart with examples we found in my research and I can explain how I think canada looks to other countries using an example country

*discuss now country's decisions can look to different countries (use Pauls treaty)

Ghow do you Think Canada looks to other countries? Why?

-distribute chart-discuss s.c.
4 students research & complete

- conversation - ext card

Show do you think Canada looks to

Other countries?

Sex of agreement

G 2 countries of a P.O.V.

-

Lesson Plan

Course Code: ACADEMY Detect): MOU

Course:

	Description	Outcomes	
Specifyes Specify state/information that will be ONUTON Specify state/information that will be ONUTON COLOCIO	environmental projection, collective security, collective security, as nation also the	o en mar popellont	o no viderteday
Information Give andor demonstrate necessary information.	Ecity welquest		יכילומלי וכמציי
Assessment/Evaluation State if it is assessment of, for or as Aeming.	F-Connactor. The Inchit	notor. The 12-chart assigned outper Resources clark (product) & condensations.	Other Resources (e.g. Web, books, etc.)
Activity Describe the independent activity to reinforce this lesson.	CONTRAIN CHOURT	15+1000+5 010 1-1-1000 CFOOT	
Summary How did the lesson go? What changes need to be made?	Lank stangl	-Noted to reduction with	Additional Notes

41-8

Lesson Breakdowi SUCCESS Criteria IKISI
Students will be an - Ive written a company
Canada contra conventions of
Lanada Courts & countries
-1 can explain how canada is smilar/dif
45 Thuse countries
10 HUSC COUNTUS
* they will be researching dinate change laws Ghow function add is doing
Ghowlunat Canada is doing
Guhat 3 other courtings are using
then they will write a compare/controst paragraph
paragraph

* 02-done as oral ext ticket

Lesson	Brea	kdo	wn:
			vv ii.

Students will be areating a chart	+ 5
-----------------------------------	-----

Canada countrul 2 3

* they will be researching durate change laws

6 how what canada is doing

6 what 3 other countrys are doing

then they will write a compare/contrast paragraph

* 12-done as oral exit-ticket

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<u>a</u>

Lesson Plan

ACADEMY
Detects: TRAY Common 18 LOW

Code:

CNAC

Teacher

S. Bado

Expectations: (What expectations are being covered) $\mathbb{D}_{S}A$

	Description	Outcomes	
Objectives Specify stills findomation that will be learned.	doncatic lows/violations 5.66875. apartheid 6. press	domostic lows /villations year knowlately of contactif of contactif of contactif of contactif of contactifications.	Icotops/table
Information Give and/or demonstrate necessary information.	dauble sided vesecrich round room		
Assessment/Evaluation State If it assessment of, for or as Asserting.	F-case execution	STUCKINS COLL NORS Other Resources (e.g. Web, books, etc.) GOCOLO (0500)	Other Resources (e.g. Web, bods., etc.)
Activity Describe the independent activity to reinforce this lesson.	case areation	Checter adam	
Summary How did the lesson go? Whet changes need to be made?	hant well-pick thorcs from hat review colors		Additional Notes

Review he different terms used today: GLEBT

Laparhåd

SUCCESS CHEMA IKISI...

Explain round robin - may choose to create this last the students flip common and consider the contract of the

Lo students in countries may oppose this

*rotate hrough Limit with of the law

*hand in which cumplede

Review the different terms used today:
Guapartheid
Guapartheid
Guapartheid

Splain round robin - create 5.c.
Lo students flip coin for side to research.
Lo students read the background sheet
Societie a case based on the
Side They got
**rotate through each case.

**hand in when complete.

ACADEMY

ACADEMY

Lesson Plan

Course: 10 (OW) Code:

I will... Nevice to the twins

idisputes and use

Expectations: (What expectations are being covered)

CONT

Teacher:

	Summary How did the lesson go? What changes need to be made?	Activity Describe the independent activity to reinforce this lesson.	Assessment/Evaluation State If it assessment of, for or as hearing.	Information Give and/or demonstrate necessary information.	Objectives Specify stills/information that will be bearned.	
CHANTINGO L	Students made I like the fill	T. P.S-USIND COSES-1 NOTES	A-structorts discuss w) peer	asoultonail sump	dyplomatic Inimunity, Heaty Cl	Description
)	approach this	Trubas	SANO MOMORAN FOR SUNISCHAIST	- Lean Again filmoar	Company Syndrona	Outcomes
(Additional Notes		Other Resources (e.g. Web, books, stc.)	Sepanning &	mortsheet w)	

Greview key words up students

Show have we used these words

Gare they relevant to int. law today

ustudents go through a disass how each

turn is isn't imp. to tht. aisputes

costudents cothraigh cases from unity apply applicable words

Cownich is used most? why?

Cos least? why?

Cos least? why?

Cos are any antiquated? why?

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Lesson Plan

CONTRACTOR OF THE PROPERTY OF	MACCOUCHE FROM This	this unit p1,2,3	ttons are being covered)
	Description	Outcomes	
Objectives Specify side/information that will be bearned.	The contravior reported to the contract of the		Materials Needed
Information Give end/or demonstrate necessary information.	tendemberat colore -	tim gospar Jey	
Assessment/Evaluation State If it assessment of, for or as berning.	A-parcet		Other Resources (e.g. Web, books, etc.)
Activity Describe the independent activity to reinforce this lesson.	SALO SUPPORTA CONSTRUCTION OF ACTUAL ACTUAL SALOPORTA CONSTRUCTION OF ACTUAL		
Summary How did the lesson go? What changes need to be made?			Additional Notes
0	0)	0

D1-students use Edstay-1 notes to co-create review packet w) teacher (sprint packets

102-students use packets to create a game for their peer 60 play games

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= 3		

Lesson Plan

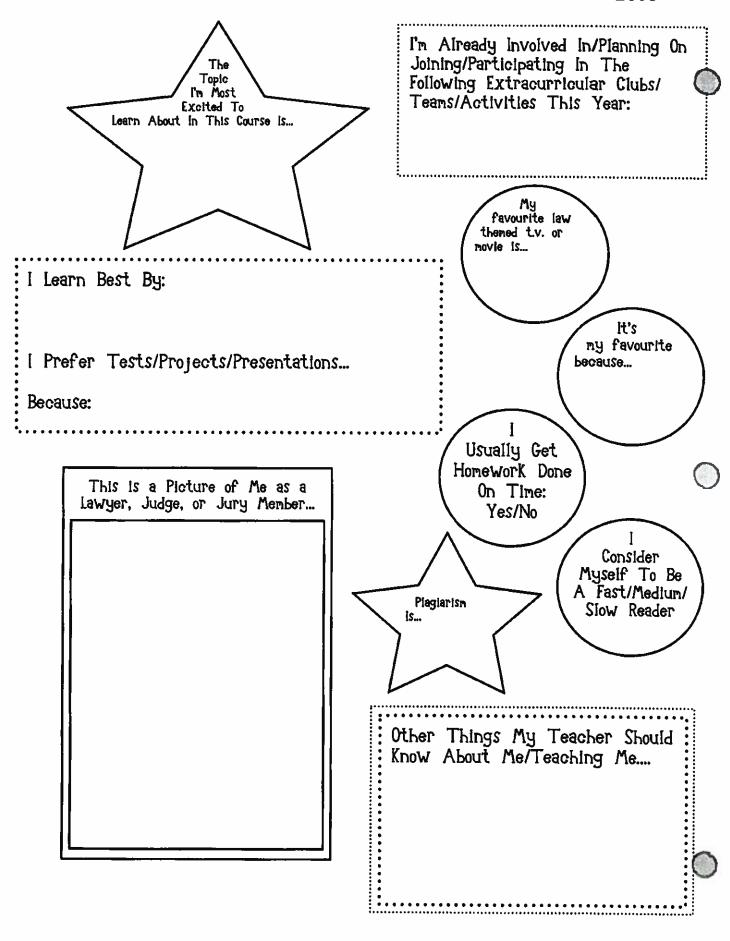
Course: MULLICE S. W. CUSPUS Expectations: (What expectations are being covered) Course Code:

0	Summary How did the lesson go? What changes need to be made?	Activity Describe the independent activity to reinforce this lesson.	Assessment/Evaluation State I'it is essessment of, for or as teaming.	Information Give and/or demonstrate necessary information.	Objectives Specify skills/fathmation that will be loaned.	
	SMUSPICO W)	1684	0-765+	1831	NIA	Description
	SUCRIPUNICAS NOTION ONDERN		SSP-EXTRAMO	TIME TIME		Outcomes
	Additional Notes	•	Other Resources (e.g. Web, books, etc.)	Juper	Materials Needed	

Students write unit test 6550-extratime/breaks.

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	Three A	djectives 7	That Describe	Me:
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P1:			I Do/Do Not Plan Changing Mu Schedu	
exc	I'm ited to this in	In Order To	Changing My Schedu This Semester rk For This Course Earn This Mark, I Need Help Working	: Is: I'II Need To
Plan On College/Uni	ligh School I Attending: versity/Other School Is:	My Favourite Subject Is:		Strongest Subject is:



	Flistorical B	eginnings of Law
Jurisprudence	Words	What Does Law Mean To You
Natural Law		
Positive Law		Why Have Laus?
	3 1	listorical Laws

CLNAU	Foundations of Canadian Law
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My School	ol Logal Code
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Foundations of Canadian Law

	Primary Sources	Secondary Sources
	Custom Svinat L	3 A
O	example	
	Convention	
8	example	
	Levels of Seco	ndary Sources

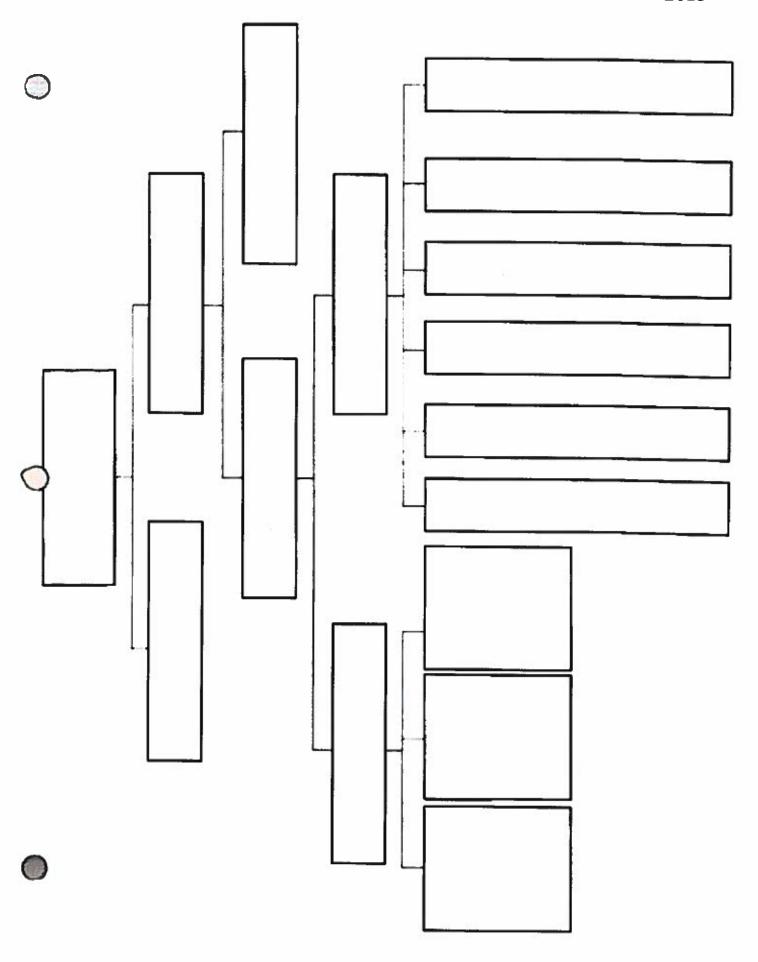
Aboriginal Logal Heritage Notes

Thinking About the Legal History from Yesterday and Today: Which Do You Think Are Primary Sources For Canadian Law & How?

Alasmainal Law Creation

After learning about The Great Binding Law, use the ideas found in Aboriginal Laws to create your own law using the same features. You should be prepared to discuss how your law is similar to the source as well as how it incorporates modern ideas. Here are the look fors in the conversation:

WAL BHIL Family Law Private Law International Law Constitutional Law Wills and Estates Domestic Law Administrative Law Property Law Substantive Law Criminal Law **Employment Law** Procedural Law Tort Law **Public Law** Contract Law



Philosophers of Law

You will research philosophers and/or theorists that has shaped law throughout history. Then, you will prepare a creative project for the class to learn about their ideals of law.

Your project should include the following information:

- a short bio of who the philosopher/theorist is/was
- their philosophy on law
 - their opinion/viewpoint on legal concepts:
 - do they believe in positive or natural law?
- in your opinion, what do you believe the strengths and weaknesses of their viewpoints
- based on your research, what do you think your theorist/philosophers viewpoint would be on one controversial issue (capital punishment, euthanasia, abortion, etc,.)
- how would your philosopher define the concept of justice (in your opinion)

Ideas:

You should create something creative and engaging for the rest of the class to watch. Some ideas include:

- a talk show where they are being interviewed
- a board game for the class to play
- a game show based on your philosophers
- an interview for a radio/tv show with your philosophers (pre-recorded)
- social media profiles/posts for your philosophers
- something else that you have thought of...



Philosophers/Theorists:

- 1. Socrates
- 2. Plato
- 3. Aristotle
- 4. St. Augustine of Hippo
- 5. St. Thomas Aquinas
- 6. Thomas Hobbes
- 7. John Locke
- 8. Jeremy Bentham

Each Person		Select	4 Philoso _l	ohers to	o Cover!
-------------	--	--------	------------------------	----------	----------

My	Philosop	hers/Th	edrists:	

Curriculum Expectations Covered:

- use the legal studies inquiry process and the concepts of legal thinking when investigating legal issues in Canada and around the world
- identify foundational concepts and principles relating to law and explain their significance
- analyse how and to what extent various legal theories and procedures have influenced the Canadian and international legal systems

KINAU

Foundations of Canadian Law

- explain various influences including those of individuals and groups, on the development of Canadian and international law

KAWA	devel 1	¿Level 2	Level \$	Javel 4
Knowledge knowledge of pbilosopbers' views	•demonstrates limited knowledge and understanding of philosopher's view 1/4 correct philosophies presented	•demonstrates some knowledge and understanding of philosopher's view 2/4 correct philosophies presented	•demonstrates considerable knowledge and understanding of philosopher's view 3/4 correct philosophies presented	•demonstrates thorough knowledge and understanding of philosopher's view 4/4 correct philosophies presented
Inquiry strengtbs/ weaknesses opinion	•uses critical thinking processes to analyse the viewpoints 1/4 analyses presented	•uses critical thinking processes to analyse the viewpoints 2/4 analyses presented	•uses critical thinking processes to analyse the viewpoints 3/4 analyses presented	•uses critical thinking processes to analyse the viewpoints 4/4 analyses presented
Communication correct usage of legal terms	•uses correct legal vocabulary and terminology 10+ errors	•uses correct legal vocabulary and terminology 7-9 errors	•uses correct legal vocabulary and terminology 4-6 errors	•uses correct legal vocabulary and terminology 0-3 errors
Application opinion/ controversial issues	•makes connections between legal thought and philosopher with a limited degree of effectiveness 1/4 opinions justified	•makes connections between legal thought and philosopher with some degree of effectiveness 2/4 opinions justified	•makes connections between legal thought and philosopher with a considerable degree of effectiveness 3/4 opinions justified	•makes connections between legal thought and philosopher with a high degree of effectiveness 4/4 opinions justified

Check over your work once complete! Good luck!

- 1. A teacher at PEAC has decided to file a claim against the school, what type of lawyer would they require?
- a. criminal
- b. employment
- c. contract

Reason for choice:

- 2. Punishment based on the crime is from...
- a. Ancient China
- b. Code of Hammurabi
- c. Medieval England
- d. Germanic
- 3. Jurisprudence is:
- a. the historical foundation of law
- b. the list of types of laws that we must follow within a given country
- c. all of the rules that must be followed when using the law
- d. all of the theories and philosophies related to law
- 4. The Rule of Law is:
- a. all rules created for legal purposes are mandatory
- b. that the Criminal Code must be adhered to at all times
- c. all laws and procedures in Canada must be applied equally and fairly
- d. that all laws must be made with the intention for the good of society
- 5. The Great Binding Law is based on:
- a. aboriginal ideals
- b. healing circles
- c. restorative justice
- d. the governments ideas

lbehaviour.	law is based on the idea that you need to govern
2morals.	law is based on the world's already existing laws and
3. A change/fight agains	is peoples who join together to st/fight for a law.
4. An example of	action is
who fought for	
	is an example of how religion is a source to
Canadian law.	

- 1. In your opinion, how have feminist groups lead to changes in the law? Discuss using a specific example.
- 2. How do substantive and procedural laws differ from each other? Provide an example which showcases how each interacts with the other in society.
- 3. What form of historical justice do you believe to be the most harsh? The least harsh? Explain your choices.
- 4. PEAC has decided to implement an "every student drives themselves to school" rule. How would PEAC go about implementing this rule? Do you foresee any problems they may face in implementing this rule?

Compare and contrast TWO philosophers studied this term. You should choose two that have differing standpoints on law. Use specific examples to explain how they are the same and different. Which view of law do you agree with most? Why? What flaws can you find in the two viewpoints? Also, include your thoughts on how they would feel regarding legalizing marijuana.

Writing Points (what I'm looking for):

- name two philosophers
- how are they the same
- how are they different
- what view do you agree with and why?
- what flaws do you see and why?
- legalizing marijuana philosopher 1
- legalizing marijuana philosopher 2

ANNAU .	Acvel 1	Level 2	Level 8	Level 4
Knowledge multiple choice Understanding fill in the blank	•demonstrates limited knowledge (2/5) and understanding of content (2/5)	•demonstrates some knowledge (3/5) and understanding of content (3/5)	•demonstrates considerable knowledge (4/5) and understanding of content (4/5)	•demonstrates thorough knowledge (5/5) and understanding of content (5/5)
Inquiry sbort answer 1 & 2	•uses critical/ creative thinking processes with limited effectiveness	•uses critical/ creative thinking processes with some effectiveness	•uses critical/ creative thinking processes with considerable effectiveness	•uses critical/ creative thinking processes with a high degree of effectiveness

Foundations of Canadian Law

KHAAN	Acvel 1	¿Level 2	alevel 8	devel 4
Communication sbort answer 3 & 4	•communicates for different audiences with limited effectiveness	•communicates for different audiences with some effectiveness	•communicates for different audiences with considerable effectiveness	•communicates for different audiences with a bigh degree of effectiveness
Application long answer question	•makes connections between contexts with limited effectiveness (4/7)	•makes connections between contexts with moderate effectiveness (5/7)	•makes connections between contexts with considerable effectiveness (6/7)	•makes connections between contexts with a high degree of effectiveness (7/7 questions answered)

Comments

Charter Scavenger Hunt:

Use your Charter of Rights and Freedoms to fill in the blanks: Under section 6, mobility rights, everyone has the right to in, and Canada. Under section 7, everyone has the right to ______, and ______ of the person. According to section 8, everyone has the right to be secure against an _____ search or ______. According to section 9, everyone has the right not to be arbitrarily ______ or ______. Section 10 provides the following rights on arrest or a. to be informed promptly of the _____ b. and therefore to ______ without delay, c. and to be informed of that right to have the validity of the detention determined by way of _____ and to be released if the detention is _____ Section 11 includes some of the following rights, which apply when a person is ______ with an offence: a. to be informed without reasonable ______ of the specific offence. b. to be tried within a c. not to be compelled to be a _____ in proceedings against that person in respect of the offence d. to be presumed _____ until _____ according to law in a fair and public hearing by an ______ and _____ tribunal

e. not to be denied reasonable
Section 12 states that everyone has the right not to be subjected to and punishment.
It is important to remember that your rights are not absolute. Section 1 guarantees the rights and freedoms set out in it subject to such prescribed by law as can be demonstrably in a free and democratic society.
Section 24(2) states that where a court concludes that evidence was obtained in a manner that infringed or denied the rights and freedoms guaranteed by the Charter. The evidence shall be, if it is established that, having regard to all the circumstances, the administration of it in the proceedings would bring the of justice into Now! Pass it to a partner to take up!
My Thoughts:
What I'm most excited to learn about in this unit
Because:

reported to the chief not settled, it will be NO SETTLEMENT If your complaint is commissioner. giving the complainant respondent to pay for Reported to the chief mental anguish/ losses suffered back their job ordering the commissioner If evidence supports If your complaint is settled, your file will your complaint, SETTLEMENT settlement is investigation is sent attempted. be closed. A report of the to you and the MERIT respondent respondent to issue a ordering the person/ organization to stop REPORT letter of apology compelling the the practice Right to appeal to the chief commissioner reasonable settlement If the evidence does offer, your file will be DISCONTINUANCE complaint, it will be not support your Where conciliation is If you reject a your complaint may DISMISSAL INVESTIGATION Investigation into not possible, an dismissed. closed. take place. to your complaint is respondent's reply A copy of the sent to you REPLY Attempt is made to settle the complaint place if you want to investigation takes work with you and if conciliation is not the respondent to CONCILIATION If conciliation is successful, your complaint file is panel, appointed by hear your complaint. successful, an PANEL HEARING commissioner may A human rights If accepted, a copy of respondent with a your complaint is proceed. closed request to reply. the chief RESPONSE sent to the The Complaint Process Right to appeal to the programs designed to discriminatory training organization to adopt EARLY DISMISSAL The commission is with your complaint chief commissioner unable to proceed relieve hardship/ The Commission provide anti ordering an COMPLAINT reviews your complaint

Stefanyshyn v. Four Seasons Management Ltd. (4 Seasons Racquet Club) (1987) 8 C.H.R.R. D/3934 (B.C.H.R.C.)

Case:

Carol Stefanyshyn was dismissed from her job as a cocktail waitress at the Four Seasons Racquet Club because she was pregnant. Her pregnancy did not affect her ability to perform her job.

Stefanyshyn charged that she was being discriminated against, and her employer stated that Stefanyshyn's pregnancy created a bad image. The employer argued that "not being pregnant" was a bona fide occupational requirement.

The employer had to establish under law that "not being pregnant" was "reasonably necessary to assure the efficient and economical performance of the job without endangering the employee, his fellow employees, and the general public."

The employer argued that work in a lounge could be especially dangerous for expectant mothers. Smoking in the lounges made it an unhealthy situation for an expectant mother. (It is important to note that at the time of this case, it was allowed and legal to smoke in restaurants and other bars/lounges).

Questions:

Would it make a difference if the employer had had complaints from customers about being served by a pregnant waitress?

Would it make a difference if the employer had received complaints from co-workers about working alongside a pregnant woman?

Does the law about not smoking in public restaurants/lounges/bars make a difference in this case? How and why/why not?

British Columbia (P.S.E.R.C.) v. B.C.G.S.E.U., [1999] 2 S.C.R. 3 Case:

The British Columbia government established minimum physical fitness standards for its forest firefighters, which were measured by a series of four standardized tests. One of the tests was an aerobic standard that required the firefighter to run 2.5 km in 11 minutes. Tawney Meiorin, a female firefighter who had in the past performed her work satisfactorily, failed to meet the aerobic standard. After four attempts, her best time was 49.4 seconds over the minimum allowed. She was laid off as a result of failing to meet the physical fitness standard. An arbitrator found that Meiorin had established that she was a victim of constructive discrimination. This ruling was based on the fact that because of physiological differences, in general, most women have a lower aerobic capacity than men. Also, unlike most men, most women cannot sufficiently increase their aerobic capacity through training to meet the aerobic standard. Furthermore, the government had failed to demonstrate that achieving this standard was necessary to perform the work of a forest firefighter safely and efficiently. In other words, the government had not demonstrated that passing this test was a bona fide occupational requirement.

Decision:

The arbitrator ordered that Meiorin be reinstated for lost wages and benefits. This decision was appealed to the Court of Appeal for British Columbia. The Court overturned the arbitrator's decision because it held that provided the standard was necessary to ensure safe and efficient performance, and as long as it was applied throughout all individual testing, no discrimination existed. This ruling was appealed to the Supreme Court of Canada.

The Supreme Court of Canada allowed the appeal and restored the arbitrator's ruling. The Court found, as the arbitrator had, that passing the physical fitness test was not a bona fide occupational requirement.

Questions:

Explain how constructive discrimination works within this case.

Why wasn't the fitness test considered to be a BFOR?

Do you agree with the ruling and the remedy that was decided upon? Why or why not?

CASE STUDY: Movie Theatre Madness

John and David are two friends who attend Cityville High School and are currently in Grade 11. The two friends notice a job advertisement in the London Free Press, for two usher positions at the local "GoldCity" movie theatre. Both teenagers decide to apply for the positions in order to make some pocket money on the weekends.

John and David's resumes are practically identical. Both applicants have no prior work experience, however, volunteer once a week together at the daily food bank. Both students have been on the honour role at school since Grade 9. John is Caucasian and David is Asian. The only other noticeable difference between the two applicants is that John, who is 19 years old, is 3 months older than David who is currently 18 years old.

After submitting their applications and attending two interview sessions, both John and David are thrilled to learn that they have both been offered a contract with GoldCity in the capacity of an usher.

Both John and David sign their contracts individually and return them to their employer. After their second week of employment, both John and David are presented with their first pay cheque. Upon opening their pay cheques, David notices that his two week sum is considerably less than John's pay, and upon further inspection realizes that he is being paid \$7.50/hr while John is making \$9/hr.

Through the grapevine it comes to David's attention that GoldCity had recently fired an Asian employee because he was late for his shift because he was writing a final exam.

18David decides to approach his manager at GoldCity to inquire about the discrepancy between his and John's pay cheques. The reasoning given by David's manager is that since John is older, GoldCity felt it was appropriate to pay him more.

David:

- o Can David claim discrimination under the application of the Ontario Human Rights Code?
- o If so, upon which ground(s) would David claim he was discriminated against? o In terms of compensation what is David seeking at the Mediation Meeting? o Make a list prioritizing David's goals at the meeting. o What is David willing to settle for at the meeting?
- o What counter arguments can David prepare in response to GoldCity's arguments? o What does David think GoldCity might be willing to offer in terms of compensation?

GoldCity Management:

- o How can GoldCity justify the alleged discrimination claimed by David? o Can David claim discrimination under the application of the Ontario Human Rights Code?
- o If so, upon which ground(s) would David claim he was discriminated against?
- o Make a list prioritizing GoldCity's goals at the meeting.
- o What is GoldCity willing to settle for at the meeting?
- o What arguments will David present at the meeting?
- What counter arguments can GoldCity prepare in response to David's arguments?
- o What does GoldCity think David might be willing to offer in terms of compensation?

Bhinder, a Sikh, was fired from his job as a maintenance electrician with the CNR when he refused to comply with a work rule that all employees wear hard hats. The rule conflicted with Bhinder's religion, which required him to wear a turban at all times.

Who is the complainant in this case?

What would the employer put forward as a BFOR in this case?

Does this BFOR follow the outlines for a bono fide occupational requirement? Why or why not?

The Canadian Human Rights Tribunal interpreted sections 7 and 10 of the Canadian Human Rights Act to include both differential treatment and systemic discrimination. It held that the BFOR must be applied on a case by case basis according to the particular demands of the job. It further held that a policy which discriminated against an individual on religious grounds is not a BFOR unless the risks and costs incurred by the employer in accommodating the religious requirements of the individual outweigh that person's freedom from discrimination. In other words, employers have a duty to accommodate the individual unless it would cause them undue hardship.

What is undue hardship?

What is systemic discrimination?

The Tribunal found that exempting Bhinder from the requirement to wear a hard hat would not cause CNR undue hardship and would not seriously affect the safety of Bhinder or his fellow employees. The Tribunal ordered CNR to reinstate Mr. Bhinder and compensate him for loss of salary. CNR appealed. The Federal Court of Appeal set aside the decision, holding that sections 7 and 10 of the Act deal with intentional or differential treatment discrimination only, not systemic discrimination. The hard hat requirement was a BFOR. The employer was not obligated to accommodate Bhinder. There was an appeal to the Supreme Court of Canada. The Court was divided on the issue. The majority opinion stated that the hard hat was a BFOR, honestly imposed in the interest of safe work performance and not for discriminatory purposes. Whether or not something is a genuine requirement of the job does not vary according to the special characteristics of each employee, and thus should not be determined on a case by case basis. Systemic discrimination which results from a BFOR is not to be viewed as discriminatory. There can be no duty to accommodate under such circumstances. The Supreme Court dismissed Bhinder's appeal.

Why do you think the Bhinder case is important in Canadian Human Rights history? What effect would it have in future cases? Do you agree with the decision? Why or why not?

Central Alberta Dairy Pool v. Alberta Human Rights Commission, [1990] 2 S.C.R. 489

Case:

Jim Christie was employed by the Central Alberta Dairy Pool. After he joined the World Wide Church of God, Christie worked the early shift on Friday to avoid a conflict with his observance of the Saturday Sabbath of his new faith. He also requested permission to take two unpaid leaves for religious reasons. Christie received approval to take the first day off, but was denied permission for Easter Monday. Mondays were extremely busy because all the milk that arrived on the weekend had to be canned to prevent spoilage. He was told that his employment would be terminated if he failed to report to work on Monday. Christie did not report for work on that day, and his employment was terminated.

The Board of Inquiry found that Christie had been discriminated against, but the Alberta Court of Queen's Bench overturned the decision. After the Alberta Court of Appeal upheld this ruling, the decision was appealed to the Supreme Court of Canada.

Decision:

The Supreme Court of Canada ruled against Central Alberta Dairy Pool. The Court found that the employer had not made a reasonable attempt to accommodate the employee. In the written ruling, the Court noted: "If the employer fails to provide an explanation as to why individual accommodation cannot be accomplished without undue hardship, the duty to accommodate has not beed discharged..." Central Alberta Dairy Pool had not shown that it had encountered undue hardship because of Christie's request and, in fact, provided no suitable explanation for the refusal.

Questions:

How might the Central Alberta Dairy Pool have dealt adequately with Christie's request for the day off?

What circumstances might have resulted in the employer suffering "undue hardship"?

Do you agree with the decision in this case? Why or why not?

CLN4U

R. v. Keegstra

After reading and researching the R. v. Keegstra case, think about the following:

- how has Canada protected human rights and freedoms in this case?
 - whose rights and freedoms were protected?
- is it morally acceptable to infringe on another's rights in order to protect the rights of others? - was this the case in R. v. Keegstra?
- in what other scenario might it be acceptable for the government to infringe on your rights? - was it acceptable in this case?

Next, formulate your own questions (2) on the case, its importance, or its ramifications. You should also have an answer for your own questions.

We will be holding a round table discussion whereby everyone is able to put forth their ideas regarding the Keegstra case. You should be knowledgeable on the case as well as on its implications on our society. Please see the attached rubric/checklist that we created together for how you will be assessed.

Brainstorming Area:







CLN4U	Level I	Level 2	Level 3	Level 4
Knowledge knowledge of case specifics	•demonstrates limited knowledge and understanding of content: uses no case specifics during discussion	•demonstrates some knowledge and understanding of content: uses 1-2 case specifics during discussions	•demonstrates considerable knowledge and understanding of content: uses 3-4 case specifics during discussion	*demonstrates thorough knowledge and understanding of content: uses 5+ case specifics during discussion
Inquiry question creation	•uses critical/ creative thinking processes with limited effectiveness: one question presented, is simple in nature	•uses critical/ creative thinking processes with some effectiveness: both questions are simple, not thought-provoking	•uses critical/ creative thinking processes with considerable effectiveness: one question exhibits high level thinking	•uses critical/ creative thinking processes with a high degree of effectiveness: both questions exhibit high level thinking
Communication uses legal terms correctly, and when appropriate	•uses conventions, vocabulary, terminology 3+ terms missed during discussion	•uses conventions, vocabulary, terminology may miss 2 legal terms	•uses conventions, vocabulary, terminology may miss legal term	•uses conventions, vocabulary, terminology correctly all throughout discussion
Application creating another scenario	•makes connections between contexts with limited effectiveness: scenario could neither exist in society nor uses the morals from the case	•makes connections between contexts with moderate effectiveness: scenario does not use morals in similar way, could exist in society	•makes connections between contexts with considerable effectiveness: scenario uses morals in similar way, would not exist in society	•makes connections between contexts with a high degree of effectiveness: scenario uses morals in similar way, could exist in society







Add samples of 2633 Ossessments for/ as-

CLN4U

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Shrek I

Case Information:

It is alleged that Lord Farquaad has viola

e creatures. These rights and freedoms count of process.

and Freedoms, the Ontario Human Rights Code, and other International

Declarations (Universal Declaration of Human Rights, The Geneva Conventions,

U.N. Convention on the Rights of Persons with Disabilities, etc.,)

Your Task:

- 1. View Shrek and complete the chart
- 2. Use organizers to connect the alleged violations.
- 3. Complete the R.A.F.T. component. Hand in ALL worksheets and rough copies for evaluation.

Some Assumptions Must Be Made:

- 1. That all the fairy tale creatures are citizens of Duloc
- 2. Duloc has adopted the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code. Therefore, all Canadian laws and statutes apply to the situation in Duloc.

What is a R.A.F.T.?

R = Role - indicates the perspective from which you are writing

A = Audience - indicates to whom you will be writing

F = Format - indicates what type of writing you will be doing

T = Topic - is the issue you are addressing











Shrek R.A.F.T.

Case Information:

It is alleged that Lord Farquaad has violated the rights and freedoms of fairy tale creatures. These rights and freedoms could be protected by the *Charter of Rights and Freedoms*, the *Ontario Human Rights Code*, and other International Declarations (Universal Declaration of Human Rights, The Geneva Conventions, U.N. Convention on the Rights of Persons with Disabilities, etc.,)

Your Task:

- 1. View Shrek and complete the chart
- 2. Use organizers to connect the alleged violations.
- 3. Complete the R.A.F.T. component. Hand in ALL worksheets and rough copies for evaluation.

Some Assumptions Must Be Made:

- 1. That all the fairy tale creatures are citizens of Duloc
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What is a R.A.F.T.?

R = Role - indicates the perspective from which you are writing

A = Audience - indicates to whom you will be writing

F = Format - indicates what type of writing you will be doing

T = Topic - is the issue you are addressing











Human Rights

Role	Audience	Format	Topic
Shrek	Parliament Hill	Legal Brief	
Donkey	MP	Letter	1
Lord Farquaad	Editor of Newspaper	Newspaper Editorial	1
Duloc Citizen	News Channel	Song	
Fairy Tale Creature: - three bears - magic mirror - little pigs - gingy - three blind mice - witches - fairies - etc.,	Court	Poem	The rights and freedoms of fairy tale creatures were/were not violated
Lawyer		Speech]
Civil Liberties Advocates	Human Rights	Podcast	
Investigative Reporter	Organization	Essay	Ж
Judge	1		

Due Date: Tuesday April 12th, 2016

Movie Shown: April 1st - 5th 2015

If you require viewing the film after these dates, it is your own responsibility. It is available on Canadian Netflix.

Human Rights

CLN4U	Level I	Level 2	Level 3	Level 4
Knowledge use of Charter and Codes (ex)	•demonstrates limited knowledge and understanding of human rights codes and charters 1-2 examples	•demonstrates some knowledge and understanding of human rights codes and charters 3-4 examples	•demonstrates considerable knowledge and understanding of human rights codes and charters 5-7 examples	•demonstrates thorough knowledge and understanding of human rights codes and charters \$\textstyle{18}\$-10 examples
Inquiry completion and accuracy of charts	•uses critical thinking processes with limited effectiveness in finding multiple and varied examples from the media 1 page of notes with example, violation, and explanation	•uses critical thinking processes with some effectiveness in finding multiple and varied examples from the media 2 pages of notes with example, violation, and explanation	•uses critical thinking processes with considerable effectiveness in finding multiple and varied examples from the media 3 pages of notes with example, violation, and explanation	*uses critical thinking processes with a high degree of effectiveness in finding multiple and varied examples from the media 4 pages of notes with example, violation, and explanation
Communication use of proper legal terms in writing	•uses conventions, vocabulary, terminology 9+ missing/ inappropriate terms used	•uses conventions, vocabulary, terminology [6-8 missing/inappropriate terms used]	•uses conventions, vocabulary, terminology 3-5 missing/inappropriate terms used	•uses conventions, vocabulary, terminology 00-2 missing/ inappropriate terms used
Application use of selected format	•makes connections between contexts with limited effectiveness format does not follow chosen "F"	•makes connections between contexts with moderate effectiveness format is sometimes accurate to chosen "F" (many errors)	•makes connections between contexts with considerable effectiveness format is mostly accurate to chosen "F" (few errors: 1-2)	•makes connections between contexts with a high degree of effectiveness format is accurate to chosen "F"

Comments:

Need actual students, not just mbnis.

CLU4

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IVACITYANEELA! EC IVIM

Use your computer to research the violation a mini debate against another student on O' either side. On the back of this page you will to present during your Mini Debate.

Somput A sile ple

Violations:

Situation A:

Country 1 has violated the treaty of Country 2

Situation B:

Country 3 is trying to claim a part of Country 4's border as their own

Situation C:

Country 5 is claiming the natural resources in their ocean front and not allowing Country 6 access to them

RESEARCH NOTES:

INTERNATIONAL VIOLATIONS MINI DEBATE

Use your computer to research the violations listed below. You will be participating in a mini debate against another student on ONE of these topics. Be prepared to argue either side. On the back of this page you will find the look-fors that you should be able to present during your Mini Debate.

Violations:

Situation A:

Country 1 has violated the treaty of Country 2

Situation B:

Country 3 is trying to claim a part of Country 4's border as their own

Situation C:

Country 5 is claiming the natural resources in their ocean front and not allowing Country 6 access to them

RESEARCH NOTES:

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Debate Checklist		
Knowledge: valid argument point 1 point 2 point 3	S	
Application: explanations the point 1 point 2 point 3	nat include relevant/current events	
Communication: clear voice volume enthusiasm		
Thinking: rebuttal links ba point 1 point 2 point 3	ack to own argument	
Comments:		

TREATY CREATION/DEBATE

After learning about the different types of treatles and how they are made. Think about our world. What type of treaty do you think our world needs? Draft your own treaty to solve this problem.

Once you have a rough outline for your treaty, share it with the others in the class. Your new job is to present your treaty in the form of a debate and to convince the other members of its sustainability. You will need to be able to defend your treaty during the debate.

Afterwards, read the other groups treaty and think of the opposition to it: why should the other treaty not pass? You will play the opposition role in your peer's debate. You should try to think of three different rebuttals to go against their treaty. You will not be evaluated on this part of the assignment.

Look at the checklist we created in class (see the back of this page) for how you will be evaluated.

BRAINSTORMING AREA:

	2011	
CLUHU	CANADIAN AND INTERNATIONAL LAU	
Debate Checklist		(
Knowledge: valid argument point 1 point 2 point 3	ts	
Application: explanations the point 1 point 2 point 3	nat include relevant/current events	
Communication: clear voice volume enthusiasm		
Thinking: rebuttal links b point 1 point 2 point 3	ack to own argument	
Comments:	S 200	

UN POSITION PAPER

After learning about the United Nations; create a position paper on a topic of your choice from a country that is outside of North America. It will require you to research the following:

Questions to research about your country...

- •What sort of government does your country have?
- •What types of ideologies (political, religious or other) influence your country's government?
- •Which domestic issues might influence your country's foreign policy?
- •What are some major events in your country's history? Why are they important?
- •Which ethnicities, religions and languages can be found in your country?
- •Where is your country located and how does its geography affect its political relationships?
- •Which countries share a border with your country?
- •Which countries are considered allies of your country?
- Which countries are considered enemies of your country?
- •What are the characteristics of your country's economy?
- What is your country's gross domestic product (GDP)?

- •How does this compare to other countries in the world? When did your country become a member of the UN?
- •Does your country belong to any intergovernmental organizations outside the UN system such as the North Atlantic Treaty Organization (NATO) or the Organization of the Petroleum Exporting Countries (OPEC)?
- •Does your country belong to any regional organizations such as the European Union (EU), the African Union (AU) or the Organization of American States (OAS)?
- Does your country belong to any trade organizations or agreements such as the North American Free Trade Agreement (NAFTA) or the Organisation for Economic Cooperation and Development (OECD)?

After you have researched this information, create a case portfolio that showcases your country's position on three different world issues that we have looked at during this unit. You will want to include information from your research in your case.

UN POSITION PAPER CHECKLIST

knowledge of country/position on different topics
☐ three topics covered
two topics covered
one topic covered
no topics presented
inquiring into different questions/research questions
all research questions are answered during discussion
1-2 questions are incomplete
3-4 questions are incomplete
5+ questions are incomplete
discussion of case specifics/logically presenting case to class
case is presented logically and all points flow into the next
case is presented logically and all points flow into the next
case is presented logically and all points flow into the next some pieces are missing/are out of order
case is presented logically and all points flow into the next some pieces are missing/are out of order many missing ideas/out of order ideas
case is presented logically and all points flow into the next some pieces are missing/are out of order many missing ideas/out of order ideas
case is presented logically and all points flow into the next some pieces are missing/are out of order many missing ideas/out of order ideas case doesn't make sense/is not a case profile
case is presented logically and all points flow into the next some pieces are missing/are out of order many missing ideas/out of order ideas case doesn't make sense/is not a case profile >===================================
□ case is presented logically and all points flow into the next □ some pieces are missing/are out of order □ many missing ideas/out of order ideas □ case doesn't make sense/is not a case profile △──□□△▼□○◇ connecting research to countries view on upcoming world issues □ country's view on other world issues is clear with 3+ points to back it up
□ case is presented logically and all points flow into the next □ some pieces are missing/are out of order □ many missing ideas/out of order ideas □ case doesn't make sense/is not a case profile ○□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□
□ case is presented logically and all points flow into the next □ some pieces are missing/are out of order □ many missing ideas/out of order ideas □ case doesn't make sense/is not a case profile △──□□△▼□○◇ connecting research to countries view on upcoming world issues □ country's view on other world issues is clear with 3+ points to back it up

International Law & Dispute Resolution Unit 3 Test

Answer the questions on the paper provided. You may not use any electronics during the duration of the test. Please look at the rubric to see the breakdown of marks before you begin. Good luck!

MULTIPLE CHOICE

- 1. Which of the following showcases divergent interests:
- a. Miss Badger and Mr. Cliff work together until one of them decides not to anymore.
- b. Miss Badger and Ms. Doyle agree to work together until they realize their morals are different.
- c. Miss Badger and Ms. P work together to create lesson plans that they both use.
- d. Miss Badger and Mr. Hunt never work together because they have different teaching methods.
- 2. Which of the following showcases the fundamental ideals of NATO?
- a. one teacher helps another teacher come to terms on a new contract
- b. all of the teachers at a school decide to strike because none of them were paid
- c. one teacher at a school is not paid on time, so all of the teachers decide to go on strike
- d. a teacher decides to work with other teachers to create a union
- 3. This form of dispute resolution is characterized by an outside party determining the overall fate of a dispute.
- a. negotlation
- b. mediation
- c. arbitration
- d. embargoes
- 4. Which treaty has Canada signed that works towards climate change?
- a. the U.N.
- b. the Kyoto Protocols
- c. the NAFTA
- d. Climate Change in North America Agreement
- 5. This form of dispute resolution is characterized by forcibly entering a country without permission with weaponry.
- a. mass attack
- b. armed conflict

c. host d. wea		_	rfare
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TILL IN THE BLANK	
1. A historical example of genocide is:	
2. The League of Nations are most known for:	
3. Other countries shape their view of another countries:	
4. Ratification is:	,,, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>
5. A country who has a different view than Cana	da on
le	

SHORT ANSWER

- 1. Explain the pros and cons of using peaceful versus non-peaceful resolutions. Provide three pros and three cons for each. Which do you prefer and why? (lookfors: 3 pros, 3 cons, opinion, explanation)
- 2. Which historical treaty do you think has shaped our modern world most? How does it affect us in Canada today? Why? (look-fors: treaty named, described, affect, importance)
- 3. How can differing roles of government effect the treaty making process? How can they effect the enforcement of said treaties? Provide a hypothetical in your answer. (look-fors: government system named, effect named, hypothetical explained)
- 4. Explain how the U.N. works to regulate treaties internationally. What problems do they face? Do you believe the U.N. is the best option for treaty regulation? Why or why not? What may be a better way to regulate international laws? (look-fors: U.N. explanation, problem named, opinion listed and explained, better option named)

CASE STUDY

Country A is an already developed country in Western Europe. Country A has decided that too many children around the world are not educated. Country A has decided to create a present a treaty that would force all children to attend school from 9:00a.m. to 3:00p.m. until they are 18 years of age to correct this problem.

- 1. Explain the process that Country A must go through to create this treaty. Who must it be presented to and how must it be created? (3)
- 2. From what you know of world issues, what countries (name at least two) in the world may have an issue with Country A's treaty? Why? (2)
- 3. If one of the countries from question 2 has a problem and decides to violate Country A's treaty, what would the best form of action against Country A be? Why did you select this form of dispute resolution? (2)

<u> </u>	LZVEL 1			
multiple choice fill in the blank	•demonstrates limited knowledge (2/5)and understanding of content (2/5)	•demonstrates some knowledge (3/5) and understanding of content (3/5)	•demonstrates considerable knowledge (4/5) and understanding of content (4/5)	•demonstrates thorough knowledge (5/5) and understanding of content (5/5)
ıNのUIRY short answer 1 & 2	•uses critical/ creative thinking processes with limited effectiveness	•uses critical/ creative thinking processes with some effectiveness	•uses critical/ creative thinking processes with considerable effectiveness	•uses critical/ creative thinking processes with a high degree of effectiveness
short answer 3 & 4	•communicates for different audiences with limited effectiveness	•communicates for different audiences with some effectiveness	•communicates for different audiences with considerable effectiveness	•communicates for different audiences with a high degree of effectiveness
case study	•makes connections between contexts with limited effectiveness (4/7)	•makes connections between contexts with moderate effectiveness (5/7)	•makes connections between contexts with considerable effectiveness (6/7)	•makes connections between contexts with a high degree of effectiveness (7/7 questions answered)

כבחשט באאסואא אום ואדפאאדוסאאב באש

COMMENTS:





Final Examination

Date: Thursday June 23rd, 2016

Time: 9:00a.m. - 11:00a.m. Duration of Exam: 2 Hours

Course: Canadian and International Law, University Preparation

Course Code: CLN4Ua Teacher: Miss Badger

Section:	Type of Question:	Categories Evaluated:	Estimated Time:
A	Multiple Choice Fill-in-the-Blank	K	20 Minutes*
В	Short Answer	T, A, C	50 Minutes*
С	Case Studies	T, A	50 Minutes*
	Total		120 minutes

^{**}This time allows for planning, writing, and editing**

No books, notes, or electronic devices are allowed.

Good Luck!

BLANK

Part A: Multiple Choice & Fill-in-the-Blank
Respond to each of the following on this paper. Please look to the rubric for how you will be assessed.
 Which of the following is a reasonable BFOR for an assistant position? be female be strong have fast typing skills know how to answer a phone
2 followed natural law whereas followed positive law.
followed positive law.
3. Which of the following may be a condition of bail for a case involving child abuse? a. house arrest b. avoiding children c. avoiding public spaces d. staying away from schools
4 is currently a hot topic in international law.
5. In Medieval England they use as a form of justice.
6. Name two sources of law for Canada: and
7. One way a law can be changed in Canada is
An example of a changed law is
8. The uses healing circles to come to resolutions
9. If Miss Badger were to go through everyone's purses and bags before class each day,
she would be violating section the Charter of
that goes against

Name:_____

10. Which of the folla. hairb. shoeprintc. fingerprintd. tape recording	owing is not an example of physical evidence?
11	is a defence that is used when
12. Name something	that a judge must take into account before sentencing a person
13. What is the men	s rea for theft?
because	; but the actus reus is
	*

Part B: Short Answer

Answer all of the following on lined paper. Anything written on this paper (for this section) will not be evaluated.

- Explain how the UN functions. What purpose does the UN have within our society?
 What power does the UN have within society? What type of law does the UN practice
 and why do they choose to follow this type of law? Discuss one current UN topic and
 what the UN is trying to remedy.
- 2. What steps do police officers need to follow upon arriving at a crime scene? Explain five steps.
- 3. A Blyth student has a complaint about a teacher's teaching practices. They decide to file a complaint against the teacher. The school does not investigate and kicks the student out of school. What type of law is this case using? What types of remedy may be used in this case? Explain a historical case similar to this one in Canadian history and how they are similar.
- 4. Choose one philosopher studied this term that you believe offers the best view of law. Why did you select them? What ideals do you prefer of theirs and why?
- 5. Describe the steps (at least three) that occur during a trial. What different people (at least four) are seen within the courtroom and what are their roles?

Part C: Case Studies

Answer all of the following on lined paper. Anything written on this paper (for this section) will not be evaluated.

1. Read the following case and answer the question at the end:

R. v. Brown (2003)

On November 1, 1999, Constable Olson of the Metro Toronto Police stopped Decovan (Dee) Brown, a man of African-American descent and a professional basketball player, while he was driving on the Don Valley Parkway in Toronto. Police Officers have discretionary powers to stop motorists on roadways. This discretionary power is authorized by s.216 (1) of the Highway Traffic Act.

Highway Traffic Act 216. (1) A police officer, in the lawful execution of his or her duties and responsibilities, may require the driver of a motor vehicle to stop and the driver of a motor vehicle, when signaled or requested to stop by a police officer who is readily identifiable as such, shall immediately come to a safe stop.

Mr. Brown testified that the Officer pulled up alongside him on the road to look into the car before slowing down and moving behind Mr. Brown, in order to follow him. After a couple of kilometres, the Officer pulled Mr. Brown over. Officer Olson stated that he stopped Mr. Brown because he was driving over the 90 km speed limit, and twice, his car had crossed in and out of the lane in which he was driving.

The Officer said that he had smelled alcohol while talking to Mr. Brown. Mr. Brown was given a roadside screening device test, which he failed. As a result, he was taken to the police station and given a breath test. The legal limit for blood alcohol content is 80 mg of alcohol in 100 ml of blood. Mr. Brown's blood-alcohol concentration showed 140 mg per 100 ml of blood. He was charged under s. 253 (b) of the Criminal Code of Canada with driving over the legal limit.

Mr. Brown argued that his s.9 Charter right had been infringed. He argued that Officer Olson had arbitrarily (without proper cause) detained Mr. Brown because he was a black man driving an expensive car. As a result of this infringement, his counsel applied under s.24 (2) of the Charter to have the evidence of the breath tests excluded.

Canadian Charter of Rights and Freedoms 9. Everyone has the right not to be arbitrarily detained or imprisoned. 24. (2) Where, in proceedings under subsection (1), a court concludes that evidence was obtained in a manner that infringed or denied any rights or freedoms guaranteed by this Charter, the evidence shall be excluded if it is established that, having regard to all the circumstances, the admission of it in the proceedings would bring the administration of justice into disrepute.

Ontario Court of Justice:

A charge under section 253 (b) of the Criminal Code is a summary conviction offence. A judge, without a jury, conducted Mr. Brown's trial.

The major issue at trial was why Officer Olson had initially stopped Mr. Brown. Mr. Brown's counsel argued that the only reason Officer Olson stopped Mr. Brown was because he was a black man driving an expensive car. The defence counsel suggested that the officer had racially profiled Mr. Brown, infringing his s. 9 Charter right. As a result of this infringement, counsel wanted the evidence collected after the improper detention to be excluded under s. 24 (2) of the Charter. Without this evidence, Mr. Brown could not be convicted.

Mr. Brown's counsel had to prove that the initial detention was arbitrary and that Officer Olson did not have articulable cause for stopping Mr. Brown. Articulable cause means that an Officer has reasonable grounds, and can clearly explain why the motorist was stopped. The defence put forward several pieces of evidence to show that Officer Olson had been motivated by subconscious racial stereotypes in his decision to initially stop Mr. Brown.

The trial judge did not accept the evidence presented by Mr. Brown's counsel that racial profiling was the reason Mr. Brown was stopped. In refusing to accept this evidence, the trial judge commented that the suggestion of racial profiling was "...really quite nasty, malicious...accusations based on, it seems to me, nothing..."

The trial judge convicted Mr. Brown of "driving over 80" and fined him \$2000. During the sentencing, the judge suggested that Mr. Brown apologize to Officer Olson for the allegation of racial profiling.

Superior Court of Justice:

Mr. Brown appealed the conviction on the ground that the trial judge's conduct gave rise to a reasonable apprehension of bias on the issue of racial profiling. The issue with reasonable apprehension of bias is two-fold: whether there was actual presence of bias, or whether there is a perception that bias was present. The fairness of the trial, as well as confidence in the justice system, will be jeopardized if either type of bias is shown to be present. The appeal judge had to determine whether there was evidence that the trial judge had been biased – not impartial – or, just as important, had appeared to biased, in his handling of the trial.

Four aspects of the trial judge's conduct were considered:

- 1. Remarks made by the trial judge during the sentencing of Mr. Brown.
- 2. Remarks made by the trial judge during Mr. Brown's counsel's arguments after the evidence had been given.



- 3. Remarks made by the trial judge during Officer Olson's cross-examination (when Mr. Brown's counsel was questioning the Officer).
- 4. Remarks made by the trial judge reprimanding the defence counsel for his tone of voice during cross-examination of the Officer and references to the amount of time being taken for counsel to present his case.

The appeal judge found that these four issues in the context of the trial as a whole gave rise to a reasonable apprehension of bias.

The legal test to determine whether there is a reasonable apprehension of bias is as follows: Whether a reasonable person, fully informed of the facts of the case, would conclude that the decision-maker, whether consciously or subconsciously, was biased during the decision making process.

On this issue, the judge reasoned that the reasonable person in this case would be aware of the presence of racism in our society.

The appeal judge did not conclude that the trial judge was biased. Rather, he found that this is a case where reasonable people, aware of the problem of racism in our society and the role of the judge as an impartial trier of facts, would reasonably detect a bias on the part of the trial judge. The appeal judge made no conclusion about the trial judge's actual opinions about racial profiling. He only decided that someone might interpret those comments to suggest bias.

As a result, Mr. Brown's conviction was set aside and a new trial was ordered.

Ontario Court of Appeal:

The Crown appealed to the Court of Appeal for Ontario. The Court found that the evidence, taken as a whole, did support a conclusion that racial profiling had influenced Officer Olson in his decision to stop Mr. Brown.

The Court agreed that a finding of a reasonable apprehension of bias should be supported by proper evidence. In this case, the evidence of the trial judge's conduct throughout the trial, taken as whole, did support a finding of a reasonable apprehension of bias. The Crown's appeal was dismissed.

Reasonable Apprehension of Bias:

To protect trial fairness and confidence in the justice system, the Supreme Court of Canada established a test for reasonable apprehension of bias. The test for reasonable apprehension of bias was set out in the case, Committee for Justice and Liberty v. Canada (National Energy Board) [1978] 1 S.C.R. 369. The test asks whether an informed, practical person would be more likely than not to think that the decision-maker, whether consciously or unconsciously, decided the issue fairly. The presence of actual bias, or the perception that bias exists, must be avoided. In cases such as this, the

reasonable person is assumed to be aware of the history of discrimination faced by disadvantaged groups and the s. 15 equality guarantees in the Charter of Rights and Freedoms. Reasonable apprehension of bias protects against procedural unfairness by allowing a court to review the words and conduct of the decision-maker. The role of the judge or decision-maker as the impartial, objective party is an important value of the Canadian justice system. Trials must be fair and must also appear to be fair.

Ouestion:

Do you personally believe that there were reasonable grounds to justify the initial stop of Mr. Brown? Why? In terms of accessibility, does it matter that Mr. Brown was a fairly affluent (rich) man? Why? How would this affect the outcome of the case? How does this impact other racial profiling cases? In the apprehension of bias, one is to use the testing ground of a "reasonable" person. What characteristics might that person have? Lastly, why is this case important? Why would it be considered a landmark case in Canadian Legal history?

- 2. Create a scenario in which human rights have been violated. Use at least 5 terms from the human rights unit in your writing. Be sure to take the process from problem through mediation.
- 3. Tom's friend Billy asked him to keep his school bag in his locker because his was full. During lunch, Tom accidentally dropped Billy's bag and marijuana fell out and Tom stuffed it back in the bag. A teacher witnessed this and took Tom to the office. What is the actus reus and mens rea in this case? What steps should Billy, the school, and Tom take after going to the office?
- 4. Jack and Jill went up the hill to fetch a pail of water. Jack fell down and hit Jill with his bucket and killed her. Jack has been charged with murder. You are Jack's lawyer. Describe the steps you would take to prove your clients innocence in a murder charge. What may their defence be? What will your opening or closing statement look like (choose one)? What should Jack actually be charged with? Use proper legal terminology in your explanations.

CLN4U	Level 1	Level 2	Level 3	Level 4
Knowledge Part A	•demonstrates limited knowledge and understanding of content (9-11/20)	•demonstrates some knowledge and understanding of content (12-14/20)	•demonstrates considerable knowledge and understanding of content (15-17/20)	•demonstrates thorough knowledge and understanding of content (18-20/20)

CLN4U	Level 1	Level 2	Level 3	Level 4
Inquiry Part B - 3 Part C - 2 Part C - 1	•uses critical thinking processes with limited effectiveness •B-3 (1/4) •uses critical thinking processes with limited effectiveness •C-2 (2/5) •uses critical thinking processes with limited effectiveness •C-1 (2/5)	•uses critical thinking processes with some effectiveness •B-3 (2/4) •uses critical thinking processes with some effectiveness •C-2 (3/5) •uses critical thinking processes with some effectiveness •C-1 (3/5)	•uses critical thinking processes with considerable effectiveness •B-3 (3/4) •uses critical thinking processes with considerable effectiveness •C-2 (4/5) •uses critical thinking processes with considerable effectiveness •C-1 (4/5)	•uses critical thinking processes with a high degree of effectiveness •B-3 (4/4) •uses critical thinking processes with a high degree of effectiveness •C-2 (5/5) •uses critical thinking processes with a high degree of effectiveness •C-1 (5/5)
Communication Part B - 2 Part B - 5 Part B - 4	•expresses and organizes ideas and information •B-2 (2/5) •uses conventions, vocabulary, terminology •B-5 (1-2/9) •communicates for different audiences with limited effectiveness •B-4 (1/4)	•expresses and organizes ideas and information •B-2 (3/5) •uses conventions, vocabulary, terminology •B-5 (3-4/9) •communicates for different audiences with some effectiveness •B-4 (2/4)	•expresses and organizes ideas and information •B-2 (4/5) •uses conventions, vocabulary, terminology •B-5 (5-6/9) •communicates for different audiences with considerable effectiveness •B-4 (3/4)	•expresses and organizes ideas and information •B-2 (5/5) •uses conventions, vocabulary, terminology •B-5 (7-9/9) •communicates for different audiences with a high degree of effectiveness •B-4 (4/4)

CLN4U	Level 1	Level 2	Level 3	Level 4
Application Part B - 1 Part C - 4 Part C - 3	•makes connections between contexts with limited effectiveness •B-1 (2/5) •applies concepts with limited effectiveness •C-4 (2/5) •applies concepts with limited effectiveness •C-3 (2/5)	•makes connections between contexts with moderate effectiveness •B-1 (3/5) •applies concepts with some effectiveness •C-4 (3/5) •applies concepts with some effectiveness •C-3 (3/5)	•makes connections between contexts with considerable effectiveness •B-1 (4/5) •applies concepts with considerable effectiveness •C-4 (4/5) •applies concepts with considerable effectiveness •C-3 (4/5)	•makes connections between contexts with a high degree of effectiveness •B-1 (5/5) •applies concepts with a high degree of effectiveness •C-4 (5/5) •applies concepts with a high degree of effectiveness •C-3 (5/5)

Court File No. CV-17-584523

ONTARIO SUPERIOR COURT OF JUSTICE

BETWEEN:

KAREN WALMSLEY

Plaintiff

and

2016169 ONTARIO INC., 2170616 ONTARIO INC. and 2429131 ONTARIO INC., alone or together o/a Blyth Academy

Defendants

AFFIDAVIT OF ROBERT (ROB) KOVANCHAK

- I, Robert (Rob) Kovanchak, of the City of Kitchener, in the Region of Waterloo, in the Province of Ontario, MAKE OATH AND SAY:
- 1. I am a former teacher with Blyth Academy and, as such, have knowledge of the matters contained in this affidavit.

My Background

- 2. I obtained a Bachelor of Science from the University of Waterloo which I received in 2013.
- 3. In 2014, I received my Bachelor of Education from Western University. My specialization was Intermediate/Senior and my teachable subjects were Biology and General Science.
- 4. After receiving my B.Ed., I worked for one year in teaching jobs overseas before returning to Ontario in the summer of 2015.

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Blyth Academy Mississauga

5. While with Blyth Academy, I worked at its Mississauga Campus. There are two campuses for Blyth Academy Mississauga: (1) the Blyth Academy Mississauga, Adamson Campus; and, (2) the Blyth Academy Mississauga, Cawthra Campus [together, the "Mississauga Campuses"]. Michael Booth is the Head of School for the Mississauga Campuses and Tania Freire is the Head of the Blyth Academy Mississauga, Cawthra Campus. I worked primarily out of the Cawthra Campus, but I also taught courses at the Adamson Campus.

My hiring and my work with Blyth Academy

- 6. As best as I can recall, in the summer of 2015, Blyth Academy was advertising a teaching position for its Mississauga Campuses on a website known as the "Apply to Education" website. I was interested in the position and submitted my application materials through the website. I was invited to an interview and participated in an interviewed in July 2015.
- 7. In the July 2015 interview, the interviewer, Ms. Freire, never once used the term "independent contractor". There was no explanation given to me about the contractual arrangement I would have if I came to work for Blyth Academy. Ms. Freire may have said I had to sign contracts every 10 weeks. I also recall that Ms. Freire asked me if I would commit to working a full year. She explained that there was enough teaching work available that such a commitment was desired. I gave her that commitment.
- 8. I did not know what an independent contractor was at the time, nor did I know that I would be getting my pay without any source deductions if I were to accept a position as

a teacher with Blyth Academy. I recall that, at a later time, I had to figure out how to process my income tax return for the 2015 year because it was complicated by the fact that Blyth Academy treated me as an independent contractor.

- 9. During the interview in July 2015, I was asked whether I was interested in teaching summer school courses. Blyth Academy, either during the interview or shortly thereafter, offered me \$1,500 to teach a four week summer school course with course code "MPM2D" (a Grade 10 academic math course). This was untenable for me because of the costs of commuting from my home in Hamilton to the school location. I declined the summer school position but Blyth Academy continued to consider me for a position teaching courses commencing in September 2015.
- 10. Sometime later that summer, Blyth Academy contacted me again to attempt to retain me to teach the MPM2D summer school course. They raised their offer to \$2,300 for me to finish the last two and a half weeks of the course. My understanding from this offer was that I was being asked to take over the teaching part of the way. Given the increase in pay and the shortened length of the contract. I signed a contract to teach the MPM2D course. A copy of the contract I signed is attached hereto and marked as Exhibit "1". The date is wrong on the first page of the contract but is accurate on the second page.
- 11. Sometime in August 2015, I was told by Blyth Academy that I had been successful in securing a teaching position for the Fall of 2015. The payment details were not provided until approximately the end of August 2015. I was required by Blyth Academy to attend at the school for Professional Activity days on both September 8 and September 9,

- 2015. I did not receive a copy of the contracts under which the work was completed until September 10, 2015. At that time, three separate contracts were sent to me, each for a different 10 week course, with the three courses to be taught at the same time. I was asked to and agreed to teach a grade 9 science course and a Grade 8 science and math course. I signed a single contract to teach the grade 8 science and math course. I also agreed to teach a "foundations" class. The three courses, when combined, meant that I taught a full-time schedule of classes, from 8:40 AM to 4:00 PM.
- 12. Attached hereto and marked as Exhibit "2" is a copy of one of the contracts I signed in September 2015. Although I had an opportunity to review the contract before signing, I first saw it after I had already been required to attend at the school for two Professional Activity days.
- 13. The three courses I taught for Blyth Academy starting in September 2015 ended in November 2015, at which time I signed three new almost identical contracts to teach three science courses from approximately November 2015 to February 2016. Then, in February of 2016, I signed almost identical contracts for three new courses which ended in April 2016. In April, I signed three almost identical new contracts for three more courses which ended in June 2016. There were only minor differences between the contracts, which included the courses taught, and a small raise in term 3 of the school year.
- 14. I then signed a contract for and taught a summer course in 2016 as well.

15. All told, I felt that I worked a single full-time job for Blyth Academy from September 2015 until June 2016, pieced together from twelve (12) nearly identical course contracts, contracts which described me as an independent contractor.

My Employee Contract at Blyth Academy

- 16. During my first year at Blyth Academy, I was privy to numerous conversations with many staff members about teaching terms and contracts at the Mississauga Campuses. It was common knowledge among teachers at the Blyth Academy Mississauga Campuses that, if there were employee contracts available, the teachers with the most seniority at the Mississauga Campuses were awarded the contracts. I say that it was "common knowledge" because all of the teachers I spoke to had this understanding.
- 17. As I was preparing to consider continuing to work for Blyth Academy for the 2016-2017 school year, I had that understanding. I understood that I might be hired as an "employee" or as a contractor, but I did not know if I should expect that my situation would warrant an "employee" or a "contractor" contract. I simply was on the lookout as of the end of the 2015-2016 school year for whatever arrangement Blyth Academy may choose to discuss with me or offer me.
- 18. Further, during the 2015-2016 school year, I had numerous conversations with Ms. Freire, about employment contracts generally. As a result of those discussions and the discussions with staff, my understanding was that there were a set number of employee contracts available for the Mississauga Campuses. From my recollection, the number that was used by administrator and staff were to the effect that seven teachers would have employee contracts for the 2016-2017 school year between the two Mississauga

Campuses, with Blyth Academy Mississauga, Adamson having five (5) employee contracts and Blyth Academy Mississauga, Cawthra, having two (2) such employment contracts.

- 19. I recall discussion among teachers and administrators about which teachers would receive an employee contract for the 2016-2017 school year. In the spring of 2016, as I was talking with Ms. Freire about returning for the 2016-2017 school year, I was told by Ms. Freire that there was at least one contract available to be given to a teacher who had not formerly been recognized as an employee by Blyth Academy.
- 20. In June 2016, I started asking Ms. Freire about whether I was going to be offered an employee contract by Blyth Academy. I wanted to plan for the future and determine how secure my job was. I was told by Ms. Freire that whether I would get an employment agreement or not would depend on the number of contracts available but that it was "looking good" for me, or words to that effect.
- 21. In July 2016, Mr Booth told me that I was going to be offered an employee contract and the amount I was going to be paid if I agreed to that contract.
- 22. I subsequently signed a contract that said that I was being hired, for the 2016-2017 school year, as an "employee", and the contract paid a total amount of \$38,000.00. I can no longer find a copy of this contract. This contract was the only contract I signed for the 2016-2017 school year.
- 23. I recall that the reasons I wanted such a contract were that: (a) I would be placed in a benefits program as an employee; (b) such a contract would, I felt, offer me a guarantee

of a year's full employment instead of a series of shorter-term contracts which may or may not provide similar full employment; and (c) it offered me a small increase in pay. I do not recall thinking of any other benefits in signing the employment agreements at the time.

- 24. When I signed my employment agreement, Blyth Academy employed at the Mississauga Campuses another employee named Sarah Logozzo. I understood from speaking with Sarah Logozzo in 2016, and verily believed as of that time (and still do), that she had been hired by Blyth Academy to teach at the Mississauga Campuses at the same time as I had been (that is, for the 2015-2016 school year). I understand from speaking with Ms Logozzo that she attended at the school each weekday school during the 2015-2016 school year, performing many of the same tasks I performed.
- 25. By the summer of 2016, Ms Logozzo had the same amount of teaching experience at Blyth Academy as me, although I understood that she had less teaching experience overall given that I had taught for one school year before joining Blyth Academy. As the 2015-2016 school year wound down, Ms Logozzo told me at that time that she was hoping to be offered an employment agreement too for the 2016-2017 school year.
- 26. By then, as I related earlier, my understanding was that there were a limited number of such employee agreements available and I was glad, for the reasons that I listed earlier, that I was offered one of them.
- 27. In the late spring or early summer of 2016, Ms Freire told me, and I verily believe, that Blyth Academy was more satisfied with my work than with Ms Logozzo's work, which is why I was likely to be given an employment contract and why Ms Logozzo was not. To be honest, I did not know what to believe entirely. I knew that there were a limited number

of employee agreements, that I had been given one while Ms Logozzo had not, that I suppose Ms Logozzo's profile and mine, though very similar, might have been different enough to play a role in Blyth Academy's selection of me for an employee agreement and in Blyth Academy selecting her for a contractor agreement, but that the only express justification given to me by administration for this state of affairs was that Blyth Academy was more satisfied with my work.

- 28. When I returned to teach for the 2016-2017 school year, Ms Logozzo told me at the start of the school year, and I verily believed that to be true then (and still do), that she had not been offered an employment agreement but had accepted another contractor arrangement instead.
- 29. In the 2015-2016 school year, my duties, hours of work, and Blyth Academy's expectations regarding my work product and performance were, to my knowledge identical to those of Ms Logozzo, as they were identical for all persons teaching courses at the Mississauga Campuses to my knowledge. I say this because I worked there every day and saw that all of the full-time teachers, like me, would arrive at the school at around the same time, teach classes all day, and then leave the school at around the same time.
- 30. As in 2015-2016, during the 2016-2017 school year, I observed no discernible difference generally between what I was doing and what the other teachers on campus, including Ms Logozzo, were doing.
- 31. In November of 2016, another full-time teacher, Derek Panchyshyn, quit. I knew from speaking with Ms. Freire and Mr. Panchyshyn that Mr. Panchyshyn had an

employment contract for the 2015-2016 school year and was also given one for the 2016-2017 school year.

- 32. Ms Logozzo then told me at some point shortly after Mr. Panchyshyn resigned, and I verily believed same to be true then and still do, that she was offered and accepted an employee contract. I remember these things distinctly because, apart from talking about the actual job of teaching itself, one of the main issues teachers talked about while at work were the contracts that they had with Blyth Academy.
- 33. During the course of my work at Blyth Academy, I learned that, with employment agreements, various compensation levels were provided. My understanding was that the annual compensation I could expect would follow the following progression: \$36,500, \$38,000, 40,000, 43,000. My first agreement provided me with \$38,000 in compensation.
- 34. In my conversations with the teachers at Blyth Academy, based on what they were earning and what I was earning, I learned that Mr. Panchyshyn was earning \$43,000 per year when he resigned, a figure that seemed to me to confirm that Mr. Panchyshyn had some experience at the Mississauga Campuses.
- 35. After Mr. Panchyshyn quit, Ms Logozzo told me, and I verily believe, that she was offered an employee contract which used a base rate of \$36,500 per year. This struck me as plausible given Ms Logozzo's lesser experience relative to Mr. Panchyshyn and slightly lesser overall experience relative to me. In other words, I could understand why my salary was just slightly higher than Ms Logozzo's salary.
- 36. I make this affidavit bona fide.

SWORN BEFORE ME at the City of

Commissioner for Taking Affidavits
(or as may be)

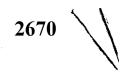
ALEXANDER N. ST.JUHN
LSUC #72406H

RCP-E 4D (July 1, 2007)

This is Exhibit "1" referred to in the Affidavit of Robert Kovanchak sworn March 10, 2018

Commissioner for Taking Affidavits (or as may be)

ALEXANDER ST. JOHN





AGREEMENT TO RENDER SERVICES

TEACHER - mississauga CAMPUS

Academy, hereinafter called "BLYTH	
city)Hamilton	, hereinafter called the "TEACHER".
PERSONAL INFORMATION	
Address	48 Broughton Ave
City	Hamilton
Postal Code	L8W 3S5
Date of Birth	Month 06 Day 25 Year 1991
SIN#	550 854 723
Ontario College of Teachers #	656378
Phone #	519-870-9094
Email address:	robert.kovanchak@hotmail.com
Private/Semi-Private Course Det	ails.
Name of Course	MDM2D Grade 10 Math
Student Name (s)	Summer August

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged by each of the parties hereto, the parties agree as follows:

- 2. Nothing in this Agreement shall be construed so as to create or imply any employer-employee relationship between the parties. It is expressly understood that the TEACHER is an independent contractor and no relationship of employment, quasi-employment, or partnership of any kind is intended between the parties or created by this Agreement.

For greater clarity, this Agreement constitutes a contract for services and not an employment contract. Accordingly, the TEACHER is not entitled to vacation time or vacation pay, statutory holidays, emergency family leave, illness or compassionate leave or any other right or benefit provided under the *Employment Standards Act, 2000*. The TEACHER is also not entitled to benefits such as Canada Pension Plan contributions, OHIP, employment insurance, workers' compensation, health or accident insurance or any other contributions which are regularly provided in an employer-employee relationship.

The contract amount specified in paragraph 1 is gross compensation and is inclusive of any Federal or Provincial sales taxes that might apply to the services being provided. BLYTH will issue T4A slips; however, the School will not withhold income tax at source from any payments issued pursuant to this contract. The TEACHER is solely responsible for remitting his/her own incomes taxes as required pursuant to the *Income Tax Act*. By signing this contract, the TEACHER indemnifies and holds harmless BLYTH for any unpaid income or sales taxes, penalties or interest should the TEACHER fail to remit taxes as required.

3. This agreement is subject to the TEACHER continuing to hold the necessary qualifications in accordance with all applicable statutes and the regulations administered by the Ontario Minister of

Education (the "Minister"). The Agreement is also subject to the TEACHER providing a clear Criminal Records Check, in accordance with the procedure described in paragraph 4 below.

- 4. By signing this Agreement, the TEACHER consents to BLYTH requesting a Canadian Criminal Records Check (the "Records Check") on behalf of him or her, and agrees to cooperate with BLYTH by promptly providing any information required for the completion of the Records Check. The TEACHER acknowledges and agrees that the Records Check is to be completed before the commencement noted in P.1. If the TEACHER has been engaged by BLYTH during a previous period, and already has undergone a Records Check, BLYTH may, in its sole discretion, waive this requirement. BLYTH will handle the administration of the Records Check; however, the associated fee (approximately \$60) will be deducted from the TEACHER's first payment. In the event the Records Check is returned with a criminal offence, BLYTH reserves the right to void or renegotiate this Agreement.
- 5. During the session specified in paragraph 1, the TEACHER agrees to:
 - a) Provide students and parents with his/her e-mail and phone number at the first class.
 - b) Check his/her e-mail and voice mail at least once a day for communication from students and/or parents and respond immediately.
 - c) Notify parents of academic difficulties and/or behaviour problems and inform the Principal as well.
 - d) Participation in scheduled professional development session.
 - e) Be available to students one half hour before and one half hour after class to work individually with students who would like extra help.
 - f) Provide in class teaching and out of class academic support such that students will not need to nor expect to engage tutors.
 - g) Administer a final exam mark which should not differ dramatically from the term mark and especially from the test marks.
 - h) Give to parents/students one (1) report by email to be sent on the Friday before a scheduled Parent/Teacher night.
 - i) Attend one (1) parent-teacher night in the Term as scheduled by Blyth.
- 6. During the session specified in paragraph 1, the TEACHER agrees to perform such additional duties as BLYTH may assign under the applicable statutes and the regulations administered by the Minister.

The TEACHER agrees to be diligent and faithful in the performance of the TEACHER's services under this Agreement.

- 7. The TEACHER agrees to submit to BLYTH, upon completion of the course, a report card with final course results for each student, and the following information:
 - a. The record of your student evaluation/mark book.
 - b. Using the Student Information System (Maplewood/Rediker) to post term marks during the course and final marks at the end.
 - c. Your daily lesson plans using model given.
 - d. Your long range plan (course of study on file).
 - e. Your course examples of marked student assignments (for each example please include high, medium and low).
 - f. All exams; marked and bundled.
 - g. A completed report card for each student with their final mark on the Student Information System (Maplewood/Rediker.)

(These should be submitted no later than seven days after the last day of the above-mentioned session.)

- 8. The Teacher acknowledges that they have read and understood the Blyth School Discipline and Safety Policy and agrees to abide it. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy. The TEACHER shall also provide proof to BLYTH of Workplace Health and Safety Awareness Training completed within the past 12 months.
- 9. The contract amount specified in paragraph 1, is payable in _____3 ___ payments. The payment dates are as follows: _____August 28 (\$1100) & Sept 11 (\$1200) _____. The final payment however will not be issued until the TEACHER has submitted all of the information outlined in paragraph 7 above. BLYTH has the right to offset payments to the TEACHER when an overpayment or administrative error has been made resulting in monies owing to BLYTH. The offset may be applied across any and all current contracts the TEACHER has with BLYTH.

- 10. All materials required to successfully teach the course will be provided by BLYTH. Should the TEACHER expend personal funds to provide course material for the course, such expenses will be reimbursed with the prior approval of the school's Principal. Expenses must be listed with original receipts attached in order for these to be reimbursed. If the TEACHER chooses to provide his or her own tools, material and/or supplies, it is the sole responsibility of the TEACHER to ensure that such tools, material and/or supplies are safe and in good working order. Under no circumstances will BLYTH assume responsibility for damage to, or the loss of, tools, material and/or supplies provided by the TEACHER. Further, the TEACHER understands and agrees that, since s/he is not an employee of BLYTH, this paragraph constitutes an agreement pursuant to the *Copyright Act*, RSC 1985, c C-42 that all right, title and interest, including copyright, in any material created by TEACHER pursuant to this Agreement shall be solely owned by BLYTH. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he is responsible for all personal expenses associated with performing the services outlined above, including travel, phone and computer costs.
- 11. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he will be compensated only for classes for which services are rendered. If the TEACHER is unable to teach any class, s/he agrees to contact the Academic Director as soon as possible to arrange for a substitute who is competent in the relevant discipline. It is the responsibility of the TEACHER to speak with his/her substitute regarding the class outline, or alternatively, to leave a lesson plan for the substitute. The TEACHER may also be responsible for hiring, supervising and paying, the substitute teacher, if determined necessary by BLYTH.
- 12. The TEACHER is an independent contractor and, as such, neither party to this contract is obligated to renew the Agreement at the end of its term or provide any notification of any intention to renew or not to renew. Further, either party may terminate this contract during the Term, under the following guidelines:
 - a. At any time, by mutual consent in writing of the TEACHER and BLYTH.
 - b. By BLYTH at any time without advance notice to the TEACHER where, before the commencement of the course or class or teaching in the subject, BLYTH has resolved not to offer the course, class, or subject in the session in paragraph 1.
 - c. By Blyth at any time, without notice, should the TEACHER fail to perform any of the services outlined in paragraphs 5, 6 and 7 above or if the TEACHER contravenes any of the School Discipline and Safety policies as noted in paragraph 8 above.



- d. By either BLYTH or the TEACHER, for any reason, with one week's notice. In the event that BLYTH terminates this Agreement during the Term, BLYTH shall have the option of providing the TEACHER with one week's notice of its intention to terminate the Agreement or, in the alternative, Blyth may issue a payment of no less than 5% of the amount payable on the next scheduled delivery of materials pursuant to the table attached as Schedule 'A' to this Agreement. BLYTH and TEACHER agree that notice and/or payment made under this provision shall constitute full and final settlement of any and all claims, commercial or otherwise, arising from or in connection with, the termination of this Agreement during the Term.
- 13. Should BLYTH terminate the Agreement under 12(b) above BLYTH will have no obligation to pay any of the amount in Paragraph 1. Should BLYTH terminate the Agreement under 12(c) above BLYTH will not be responsible for making any additional payments that would have been otherwise due at the time of the termination.
- 14. TEACHER consents to the collection, use, disclosure and retention of his or her personal information by BLYTH, or a third party authorized by BLYTH, for reasons consistent with the administration of this Agreement and in accordance with BLYTH's normal business practices. Such collection, use and retention of personal information shall accord with BLYTH's privacy policy, a copy of which will be provided to TEACHER upon request.
- 15. This Agreement constitutes the entire understanding of the parties with respect to the subject matter set out herein and cannot be modified except by a written instrument signed by the TEACHER and an authorized officer of the School.
- 16. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein, and the parties hereto irrevocably attorn to the exclusive jurisdiction of Ontario.
- 17. This Agreement may be executed in counterparts with the same effect as if all the parties hereto had signed the same document. Each counterpart is as valid and binding on all parties hereto as every other counterpart, and all counterparts shall be construed together and shall constitute one Agreement.

18. The teacher acknowledges that s/he has read, understood, and signed the Blyth Academy *School Discipline and Safety Policy*. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy.

Further, execution and delivery of this Agreement by facsimile transmission or other written electronic communication shall constitute execution and delivery respectively as required by this Agreement.

Please acknowledge acceptance of this Agreement by signing in the space provided below.

In witness whereof the TEACHER has signed and BLYTH has affixed hereto its corporate seal attested by its proper officers in that behalf.

Robert Kovanchak Robert Kovanchak (Aug 18, 2015)

Michael Booth (Aug 20, 2015)

Head of School Blyth Academy

Frances Hatcher (Aug 21, 2015)

VP Academics/ Principal Blyth Academy

This is Exhibit "2" referred to in the Affidavit of Robert Kovanchak sworn March 10, 2018

Commissioner for Taking Affidavits (or as may be)

ALEXANDER ST. JOHN



AGREEMENT TO RENDER SERVICES

TEACHER - Mississauga CAMPUS

HIS AGREEMENT made in duplicate	this (day) 12th day of, (month) sept (year) 2015
etween Blyth Academy, hereinafter name) Robert Kovanchak	called "BLYTH", and Hamilton, hereinafter
alled the "TEACHER".	
PERSONAL INFORMATION	
Address	48 Broughton Ave
City	Hamilton
Postal Code	L8W 3S5
Date of Birth	Month 06 Day 25 Year 1991
SIN#	550 854 723
Ontario College of Teachers #	656378
Phone #	519-870-9094
Email address:	robert.kovancha@hotmail.com
Full Time Course Details	
Name of Course (s)	SNC1P
Term	Term 1
ierm	Term I

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged by each of the parties hereto, the parties agree as follows:

- 1. BLYTH hereby engages the TEACHER, and the TEACHER hereby accepts such engagement to render such services as are reasonably required by BLYTH and which are more particularly described in paragraph 5 below, in connection with the TERM commencing on 11/09/2015 and ending on 18/11/2015. BLYTH agrees to utilize the TEACHER's services at BLYTH and the TEACHER agrees to provide his/her services for BLYTH's as a teacher for the amount of 2650 per course X 1 110 hour course(s). The TEACHER shall devote his/her best talents, efforts and abilities in connection with the services to be provided hereunder on a non-exclusive basis in accordance with the School's instructions and directions.
- 2. Nothing in this Agreement shall be construed so as to create or imply any employer-employee relationship between the parties. It is expressly understood that the TEACHER is an independent contractor and no relationship of employment, quasi-employment, or partnership of any kind is intended between the parties or created by this Agreement.

For greater clarity, this Agreement constitutes a contract for services and not an employment contract. Accordingly, the TEACHER is not entitled to vacation time or vacation pay, statutory holidays, emergency family leave, illness or compassionate leave or any other right or benefit provided under the *Employment Standards Act, 2000*. The TEACHER is also not entitled to benefits such as Canada Pension Plan contributions, OHIP, employment insurance, workers' compensation, health or accident insurance or any other contributions which are regularly provided in an employer-employee relationship.

The contract amount specified in paragraph 1 is gross compensation and is inclusive of any Federal or Provincial sales taxes that might apply to the services being provided. BLYTH will issue T4A slips; however, the School will not withhold income tax at source from any payments issued pursuant to this contract. The TEACHER is solely responsible for remitting his/her own incomes taxes as required pursuant to the *Income Tax Act*. By signing this contract, the TEACHER indemnifies and holds harmless BLYTH for any unpaid income or sales taxes, penalties or interest should the TEACHER fail to remit taxes as required.

- 3. This agreement is subject to the TEACHER continuing to hold the necessary qualifications in accordance with all applicable statutes and the regulations administered by the Ontario Ministry of Education (the "Ministry"). The Agreement is also subject to the TEACHER providing a clear Criminal Records Check, in accordance with the procedure described in paragraph 4 below.
- 4. The Agreement is subject to the TEACHER obtaining and providing BLYTH with a satisfactory Vulnerable Sector Criminal Records Check by 11/09/2015 . If the TEACHER has been engaged by BLYTH within the current calendar year and already has undergone a Records Check, TEACHER may complete the "Blyth Academy Criminal Offence Declaration Form" in lieu of a new Criminal Records Check. In the event the Records Check is returned with a criminal offence, BLYTH reserves the right to void or renegotiate this Agreement.
- 5. During the session specified in paragraph 1, the TEACHER agrees to:
 - a) Provide students with an email address, to be created and used exclusively for his/her teaching at Blyth, at the first class.
 - b) Check his/her e-mail at least once a day for communication from students and/or parents and respond immediately.
 - Notify parents of academic difficulties and/or behaviour problems and inform the Principal as well.
 - d) Participation in scheduled professional development session.
 - e) Be available to students one half hour before and one half hour after class to work individually with students who would like extra help.
 - f) Provide in class teaching and out of class academic support such that students will not need to nor expect to engage tutors.
 - g) Administer a final exam mark which should not differ dramatically from the term mark and especially from the test marks.
 - h) Give to parents/students one (1) report by email to be sent on the Friday before a scheduled Parent/Teacher night.
 - i) Attend one (1) parent-teacher night in the Term as scheduled by Blyth.
- 6. During the session specified in paragraph 1, the TEACHER agrees to perform such additional duties as BLYTH may assign under the applicable statutes and the regulations administered by the Ministry of

Education. The TEACHER agrees to be diligent and faithful in the performance of the TEACHER's services under this Agreement.

- 7. The TEACHER agrees to submit to BLYTH, upon completion of the course, a report card with final course results for each student, and the following information:
 - a. The record of your student evaluation/mark book.
 - b. Using the Student Information System (Maplewood/Rediker) to post term marks during the course and final marks at the end.
 - c. Your daily lesson plans using model given.
 - d. Your long range plan (course of study on file).
 - e. Your course examples of marked student assignments (for each example please include high, medium and low).
 - f. All exams; marked and bundled.
 - g. A completed report card for each student with their final mark on the Student Information System (Maplewood/Rediker.)

(These should be submitted no later than seven days after the last day of the above-mentioned session.)

- 8. The Teacher acknowledges that they have read and understood the Blyth Code of Conduct and agrees to abide it. The teacher further acknowledges that s/he will faithfully follow the precepts of the policy. The TEACHER shall also provide proof to BLYTH of Workplace Health and Safety Awareness Training completed within the past 12 months.
- 9. The contract amount specified in paragraph 1, is payable in 6 payments. The payment dates will be as follows: Sept 25, Oct 9, 23, Nov 6, 20 & Dec 4 of 2015. The final payment however will not be issued until the TEACHER has submitted all of the information outlined in paragraph 7 above. BLYTH has the right to offset payments to the TEACHER when an overpayment or administrative error has been made resulting in monies owing to BLYTH. The offset may be applied across any and all current contracts the TEACHER has with BLYTH.

- 10. All materials required to successfully teach the course will be provided by BLYTH. Should the TEACHER expend personal funds to provide course material for the course, such expenses will be reimbursed with the prior approval of the school's Principal. Expenses must be listed with original receipts attached in order for these to be reimbursed. If the TEACHER chooses to provide his or her own tools, material and/or supplies, it is the sole responsibility of the TEACHER to ensure that such tools, material and/or supplies are safe and in good working order. Under no circumstances will BLYTH assume responsibility for damage to, or the loss of, tools, material and/or supplies provided by the TEACHER. Further, the TEACHER understands and agrees that, since s/he is not an employee of BLYTH, this paragraph constitutes an agreement pursuant to the *Copyright Act*, RSC 1985, c C-42 that all right, title and interest, including copyright, in any material created by TEACHER pursuant to this Agreement shall be solely owned by BLYTH. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he is responsible for all personal expenses associated with performing the services outlined above, including travel, phone and computer costs.
- 11. The TEACHER understands and agrees that s/he is an independent contractor and, as such, s/he will be compensated only for classes for which services are rendered. If the TEACHER is unable to teach any class, s/he agrees to contact the Academic Director as soon as possible to arrange for a substitute who is competent in the relevant discipline. It is the responsibility of the TEACHER to speak with his/her substitute regarding the class outline, or alternatively, to leave a lesson plan for the substitute. The TEACHER may also be responsible for hiring, supervising and paying, the substitute teacher, if determined necessary by BLYTH.
- 12. The TEACHER is an independent contractor and, as such, neither party to this contract is obligated to renew the Agreement at the end of its term or provide any notification of any intention to renew or not to renew. Further, either party may terminate this contract during the Term, under the following guidelines:
 - a. At any time, by mutual consent in writing of the TEACHER and BLYTH.
 - b. By BLYTH at any time without advance notice to the TEACHER where, before the commencement of the course or class or teaching in the subject, BLYTH has resolved not to offer the course, class, or subject in the session in paragraph 1.
 - c. By Blyth at any time, without notice, should the TEACHER fail to perform any of the services outlined in paragraphs 5, 6 and 7 above or if the TEACHER contravenes any of the School

- Discipline and Safety policies / Code of Conduct as noted in paragraph 8 above, or for providing false statements on your application form.
- d. By either BLYTH or the TEACHER, for any reason, with one week's notice. In the event that BLYTH terminates this Agreement during the Term, BLYTH shall have the option of providing the TEACHER with one week's notice of its intention to terminate the Agreement or, in the alternative, Blyth may issue a payment of no less than 5% of the amount payable on the next scheduled delivery of materials pursuant to the table attached as Schedule 'A' to this Agreement. BLYTH and TEACHER agree that notice and/or payment made under this provision shall constitute full and final settlement of any and all claims, commercial or otherwise, arising from or in connection with, the termination of this Agreement during the Term.
- 13. Should BLYTH terminate the Agreement under 12(b) above BLYTH will have no obligation to pay any of the amount in Paragraph 1. Should BLYTH terminate the Agreement under 12(c) above BLYTH will not be responsible for making any additional payments that would have been otherwise due at the time of the termination.
- 14. TEACHER consents to the collection, use, disclosure and retention of his or her personal information by BLYTH, or a third party authorized by BLYTH, for reasons consistent with the administration of this Agreement and in accordance with BLYTH's normal business practices. Such collection, use and retention of personal information shall accord with BLYTH's privacy policy, a copy of which will be provided to TEACHER upon request.
- 15. This Agreement constitutes the entire understanding of the parties with respect to the subject matter set out herein and cannot be modified except by a written instrument signed by the TEACHER and an authorized officer of the School.
- 16. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein, and the parties hereto irrevocably attorn to the exclusive jurisdiction of Ontario.
- 17. This Agreement may be executed in counterparts with the same effect as if all the parties hereto had signed the same document. Each counterpart is as valid and binding on all parties hereto as

every other counterpart, and all counterparts shall be construed together and shall constitute one

Agreement.

18. The teacher acknowledges that s/he has read, understood, and signed the Blyth Academy Code of

Conduct Agreement. The teacher further acknowledges that s/he will faithfully follow the precepts

of the policy.

Further, execution and delivery of this Agreement by facsimile transmission or other written electronic

communication shall constitute execution and delivery respectively as required by this Agreement.

Please acknowledge acceptance of this Agreement by signing in the space provided below.

In witness whereof the TEACHER has signed and BLYTH has affixed hereto its corporate seal attested by

its proper officers in that behalf.

Robert Kaarchak Robert Kovanchak (Sep 12, 2015)

Teacher

Principal Blyth Academy

VP Academics/ Managing Principal Blyth Academy

V2 082015

Plaintiff (Moving Party) KAREN WALMSLEY

2016169 ONTARIO INC., et al. -and-

Defendants (Responding Parties)

Court File No. CV-17-584523

SUPERIOR COURT OF JUSTICE ONTARIO

PROCEEDING COMMENCED AT TORONTO

AFFIDAVIT OF ROBERT KOVANCHAK (MOTION FOR CERTIFICATION)

CAVALLUZZO LLP

474 Bathurst Street, Suite 300 Toronto ON M5T 2S6 **Stephen J. Moreau, LSUC# 48750Q Alex St. John, LSUC# 72406H**Tel: 416-964-1115
Fax: 416-964-5895

Lawyers for the Plaintiff (Moving Party)

{C2146852.1}

2016169 ONTARIO INC., et al. -and-

Defendants (Responding Parties)

Court File No. CV-17-584523

SUPERIOR COURT OF JUSTICE ONTARIO

PROCEEDING COMMENCED AT TORONTO

(MOTION TO CERTIFY CLASS ACTION) **MOTION RECORD VOLUME 8 OF 8**

CAVALLUZZO LLP

474 Bathurst Street, Suite 300 Toronto ON M5T 2S6

Stephen J. Moreau, LSUC# 48750Q Alex St. John, LSUC# 72406HTel: 416-964-1115 Fax: 416-964-5895

Lawyers for the Plaintiff (Moving Party)