

Manitoba School Boards Association | Annual Convention 2026

Navigating the Risk Landscape

A Strategic Overview for Manitoba K-12 Education

Diane Stone | Canadian Education Practice Leader | HUB International

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Today's Agenda

01 Risk Governance & Oversight

02 Campus Deferred Maintenance

03 Child Protection

04 Educator Mental Health and Disability Management

05 Takeaways

01

Risk Governance & Oversight

How boards can lead a risk-informed culture with limited resources

Education Risk Management Process

The Common Trap

Starting with inventory — list every activity, every possible risk across all categories

Risk register workshops — score frequency and severity for each item

Build a complex risk register — often 100+ line items

The result: a half-finished, overly detailed document that sits on a shelf

A Better Way: Top-Down & Strategic

- 1 Start with your strategic objectives
- 2 Identify your top 4–10 risks — what would a 3-5 year risk analysis cycle look like?
- 3 Assess at the board level first
- 4 Assign ownership & review annually — a living document, not a one-time exercise

The goal is not a perfect risk register — it's a risk-aware culture that informs decisions every day.

The Education Risk Management (ERM) Continuum



We don't eliminate risk — we accept, manage, and transfer it strategically.

01 | Risk Governance: The Trustee's Role

OVERSEE

- Set risk appetite and tolerance
- Ensure a risk management plan exists and is monitored
- Review top risks at the board level

INQUIRE

- When did we last test our emergency response plan?
- What is our cyber incident response protocol?
- Are we meeting duty-of-care obligations for students and staff?
- Is our insurance program aligned to our actual risk profile?

ACT

- Approve policies that transfer, mitigate, or accept risk
- Ensure sufficient budget for risk management and prevention
- Hold leaders accountable through regular reporting
- Seek independent risk expertise when needed

The MSBA Commitment: Manitoba Safe Schools



OVERVIEW

Students, staff and community are school operations stakeholders. Every school division is committed to providing a safe, caring, respectful and inclusive environment for students to learn, grow and thrive, a safe and secure work environment for staff, and a safe place for all who visit or use school facilities.

Manitoba School Boards Association provides critical guidance, support and risk management services to all school stakeholders.

STUDENT SAFETY

The obligation to provide a safe learning environment creates direct liability exposure — abuse prevention, supervision, and duty of care are non-negotiable

STAFF & WORKPLACE

A safe work environment means managing psychological safety, harassment, violence prevention, and WCB obligations alongside physical safety

COMMUNITY & VISITORS

Third-party premises liability extends to all facility users — from rental groups to community programs — requiring clear policies and adequate coverage

02

Facility Deferred Maintenance

Deferred maintenance, critical system failures, and resilience planning

04 | Deferred Maintenance

\$16B+

Estimated National Backlog

Estimated K-12 deferred maintenance backlog across Canada — Manitoba divisions face proportional underfunding of capital renewal

40+

Average Building Age (yrs)

Many Manitoba school buildings were constructed in the 1960s–1980s. Roofs, HVAC, and electrical systems are at or beyond end of life.

3x

Repair vs. Prevent Cost Ratio

Emergency repairs cost approximately 3x more than planned preventive maintenance — and often occur at the worst possible time

Capital Project Deferral

Ontario example: at current funding levels, schools below state of good repair will grow from 37.4% today to 74.6% by 2033-34 — and the backlog will nearly triple from \$6.5B to \$22.1B. BC faces a parallel trajectory.

Year 1 Small Deficiency	Year 3 Active Leak	Year 5 Mold Detected	Year 7 Structural Damage	Year 10 Coverage Implications
A roof section shows wear. Estimated repair: \$80K. Deferred to next budget cycle.	Water infiltration begins. Ceiling tiles damaged. Insulation saturated. Repair cost now \$220K.	Mold found in two classrooms. Partial school closure. Remediation cost: \$600K. Insurance investigates prior knowledge.	Structural deck compromised. Major roof replacement required. Total remediation and replacement: \$1.4M+	Repeated claims trigger underwriter review. Coverage exclusions on water damage applied. Future insurability at risk.

\$80K deferred → \$1.4M+ remediation · 17.5× cost escalation

The Facility Condition Index (FCI)

$$\text{FCI} = \text{Total Cost of Deferred Maintenance} \div \text{Current Replacement Value of Facility} \times 100$$

GOOD Under 10%

Well-maintained.
Primarily routine
scheduled maintenance.
Minor wear beginning to
appear.

FAIR 10 – 25%

Some visible
deterioration. System
replacements needed.
Reactive maintenance
beginning to increase.

POOR 25 – 60%

Components breaking
down regularly.
Maintenance staff
increasingly reactive.
Significant investment
required.

CRITICAL Over 60%

Safety risks present.
Buildings may be
candidates for
replacement rather than
repair.

Industry benchmark: boards should invest 1.5–3% of current replacement value annually to prevent backlog growth.
Ontario universities averaged an FCI of 16.36% in 2024 — many K-12 boards across Canada are above this threshold.

8 Practices Every School Board Should Have in Place

1

Facility Condition Assessments

Every building assessed on a defined cycle — at minimum every 5 years — by qualified professionals

3

10-Year Rolling Capital Plan

Not a one-year repair budget — a forward-looking plan that models the full cost of asset ownership

5

Life-Cycle Cost Modelling

Total cost of ownership — not just repair cost — informs every capital decision and replacement timing

7

Documented Backlog with Cost Estimates

A quantified, costed backlog is the foundation of every funding advocacy conversation with provincial government

2

Portfolio-Wide FCI Tracking

Know your FCI for every building and your portfolio average; track the trend year over year

4

Annual Reinvestment at Benchmark

Target 1.5–3% of current replacement value annually; document the gap if you can't achieve it

6

Prioritization Framework

Risk-based scoring: health & safety first, then building condition, then operational impact, then age

8

Annual Board Reporting

The board receives an annual facilities condition report — trustees cannot govern what they cannot see

6 Questions Every Trustee Should Be Asking

1

Do we have a current Facility Condition Assessment for every building we own?

Assessments should be conducted on a defined cycle — at minimum every 5 years — by qualified independent professionals

2

Do we know our portfolio-wide FCI and how it has trended over the past 5 years?

If you don't have this number, you are governing blind — you cannot make a credible capital investment case without it

3

Do we have a rolling 10-year capital maintenance plan — not just an annual repair budget?

A one-year repair list is reactive; a 10-year capital plan is strategic and fundable

4

Have we quantified our deferred maintenance backlog and presented it to government as a documented need?

A costed, evidence-based backlog is the foundation of every funding advocacy conversation with your provincial government

5

Are we investing at or toward the 1.5–3% of replacement value benchmark annually?

If not, do we know the gap — and are we documenting it as a known and accepted risk?

6

Do our insurers know the condition of our facilities — and are we managing that relationship proactively?

A documented capital plan and current FCI are increasingly expected by underwriters at renewal

03

Child Protection

Abuse prevention, duty of care, and supervision obligations

Canada's K-12 Abuse Data

1,272+

Students abused by school personnel (1997–2017)

Canadian Centre for Child Protection

290

School personnel accused of sexual offences (2017–22)

CCCP Follow-Up Study

70%

Of cases involved grooming as the primary tactic

Journal of Child Sexual Abuse

86% of offenders were certified teachers — but EAs, custodians, bus drivers & coaches are also implicated

55% of sexual abuse occurred on school property · Victims: 75% female · 69% were high school students

Educator Sexual Misconduct: A Crisis in Need of Reform

Source: Stop Educator Child Exploitation (SECE) — sece.info



No data. No transparency.

- No national database of school offenders (quiet leaving)
- No systematic data collection in Canada re: staff fired or disciplined
- Most discipline outcomes are not public



Who is responsible?

- Provinces are legally responsible for student safety
- Recent cases assigned vicarious liability to school boards
- Duty to Protect and standards of care vs. collective bargaining agreements and codes of conduct
- Duty to report – training and policies
- Systems may focus on teacher rights, not child welfare



Victim Impact

- Long term mental health implications
- Victims can be re-traumatized during disclosure and investigations
- No victim support, counselling, or compensation schemes
- NDAs silence survivors
- statutes of limitation have been lifted



What SECE is calling for

- Mandatory child protection training for all school personnel — enshrined in law
- National database of offenders accessible to parents and employers
- Victim support, restorative engagement, and no forced NDAs

"While most teachers are caring people, there will always be sexual predators in our schools." — SECE

In Canada, There Is No Clock Running

In virtually every Canadian province, survivors of childhood sexual abuse can bring a civil lawsuit at any time — regardless of how long ago the abuse occurred.

Ontario

Bill 132 (2016) — no limitation period for sexual assault, domestic violence, or child abuse. Retroactive.

Alberta

Broad elimination of limitation periods — covers any 'misconduct of a sexual nature' where victim was dependent on perpetrator.

BC

Limitation Act amended 1994 — no limitation for causes of action based on misconduct of a sexual nature.

All Others*

All provinces except Quebec and P.E.I. allow survivors to bring civil claims at any time, regardless of when the abuse occurred.

What this means: A school board carries a permanent tail of potential liability for every year of operations. Time is not a defence.

When Settlements Buy Silence

When a school board settles a sexual abuse claim, confidentiality clauses routinely prevent the victim from publicly identifying the perpetrator — allowing them to continue working with children elsewhere.

Facilitated Departures

Accused employees are quietly allowed to resign — sometimes with a neutral reference — rather than triggering a formal investigation. They move to another board. No one is warned.

Why Boards Do It

Formal misconduct findings create public records, reputational damage, and union grievances. A quiet settlement avoids all of that — but at the cost of child safety everywhere the perpetrator goes next.

No Canadian Prohibition of Non-Disclosure Agreements

Unlike New York and California, Canada has no law banning NDAs in sexual abuse cases involving minors. Some provinces are beginning the conversation — but nothing is legislated yet.

Critical: Mandatory reporting obligations under provincial child welfare law exist independently of any civil settlement and cannot be extinguished by contract. Boards and their insurers must understand this distinction.

Abuse is Preventable

8 organizational operations — all must be functioning to create a safe school environment

1. Policies

Define acceptable behaviour; empower staff

2. Screening & Selection

Background checks are necessary but insufficient as few offenders have records. Thorough reference checks are essential.

3. Training

Frequent, specific, job-relevant — for ALL staff, not just teachers

4. Monitoring & Supervision

Supervise employees, youth, high-risk activities, and facility risks

5. Internal Feedback

Track incident reports and complaints; minimize barriers to reporting

6. Community Participation

Educate students and parents to recognize and report concerns

7. Responding

Swift, determined action the moment a concern or allegation surfaces

8. Board Governance

The board approves policy and must be informed of risks and gaps

8 Policies Every School Board Should Have in Place

1

Code of Conduct — Staff & Students

Defines acceptable/prohibited interactions: physical contact, private communications, social media

2

Two-Deep / Open Door Rule

No adult to be alone with a student in an unobserved setting — no exceptions

3

Electronic Communications Policy

All staff-student contact on monitored school channels only; personal texting prohibited

4

Mandatory Reporting Policy

Personal legal duty under provincial child welfare law — no supervisor may intercept a report

5

Screening & Hiring Policy

Background checks for all staff AND volunteers; references focused on boundary conduct

6

Grooming Awareness Policy

Defines grooming behaviours; establishes duty to report concerns about a colleague

7

Off-Campus & Travel Policy

Supervision ratios, room assignments, chaperone conduct for trips and field activities

8

Peer-on-Peer Sexual Misconduct

Student-to-student misconduct is an equal risk — policy must address it explicitly

Every Employee. Every Role. No Exceptions.

WHO MUST BE TRAINED

- Teachers
- Educational Assistants
- Custodians & Maintenance
- School Bus Drivers
- Coaches & Volunteers
- Admin & Office Staff
- Noon-Hour Supervisors
- Student Teachers

TRAINING TOPICS

- How offenders operate — the grooming cycle
- Red-flag behaviours and boundary violations
- High-risk situations: one-on-one, off-campus, digital contact
- Recognizing signs of abuse in students
- Mandatory reporting obligations under provincial law
- How to respond when a student discloses
- Peer-on-peer sexual misconduct

Your Prevention Program IS Your Insurance Strategy

Insurers are no longer simply writing coverage — they require documented evidence of risk management. 71% of carriers project underwriting requirements will continue to increase.

Written Abuse Prevention Plan

A documented, board-approved SAM prevention plan is now a baseline underwriting expectation — not a bonus

Screening Procedures

Evidence that all staff and volunteers interacting with students have been appropriately screened

Staff Training Records

Documented completion rates for child protection training — increasingly requested at renewal

Incident Reporting Systems

Functioning, documented systems for reporting and tracking concerns, near-misses, and incidents

Policy Compliance Documentation

Boards must show policies exist AND that staff have acknowledged and been trained on them

Third-Party Accreditation

Accreditation is beginning to factor into carrier decision-making and insurance market positioning

The Protocol Every Staff Member Must Know

The adult response to a disclosure directly affects the victim's recovery. Supportive responses improve outcomes.

✓ DO

Listen calmly — let them speak in their own words

Believe them and say so: "I'm glad you told me"

Reassure them: "This is not your fault"

Tell them you must share this with someone who helps keep children safe

Document in your own words immediately after

Report to your child protection lead and/or authorities

✗ DON'T

Don't promise confidentiality or secrecy

Don't investigate or ask probing questions

Don't ask the child to repeat the story to others

Don't contact or alert the alleged perpetrator

Don't wait for supervisor approval before reporting

Don't make promises you cannot keep

Financial Risks

\$121M

California jury award against a school district (2023) for abuse that occurred in the 1990s

50%+

Increase in sexual abuse offence reports between 2020 and 2024

65%

Of insurance carriers expect SAM coverage limits will decrease going forward

Coverage is Shrinking

71% of carriers offer \$5M or less in SML limits. Only 12% offer \$10M+. Package policy sublimits can be as low as \$25,000.

Defense Costs Consume Limits

50% of carriers include defense costs inside policy limits — a long defense burns through your protection before any judgment is paid.

Historical Claims Never Expire

Cases from decades ago are generating claims today. A \$1M sublimit is dangerously inadequate.

5 Questions Every Trustee Should Be Asking

1

Do we have a child protection policy covering all eight operational areas?

Policies, Screening, Training, Monitoring, Feedback, Student Participation, Response, Governance

2

Is every employee and volunteer receiving child protection training — not just teachers?

EAs, custodians, bus drivers, coaches, noon-hour supervisors, and volunteers must all be included

3

What are our SAM/SML insurance limits, and are they adequate for today's verdict environment?

Is coverage standalone or a sublimit? Are defense costs inside or outside the limit?

4

Is there a safe, independent reporting channel for students and parents?

Reporting must not route through the accused's supervisor or union — conflicts of interest are a known failure point

5

When did we last have a third-party assessment of our child protection systems?

Internal reviews miss what external eyes find — and accreditation improves your insurance market positioning

04

Educator Mental Health & Disability Management

Canada's Teaching Profession Is Reaching a Breaking Point

76.9%

of Canadian teachers report
emotional exhaustion

U of Alberta / Dalhousie Study, 2024

1 in 7

BC teachers report their
mental health as poor or very
poor

BCTF Membership Survey, 2024-25

~80%

of Canadian teachers report
difficulty managing workload

CTF Parachute Survey, 2024

55% of Canadian educators report having experienced violence or aggression in the past year — CTF Parachute Survey, 2024

Elementary teacher sick days in Ontario have climbed by 60% over the past decade · Teachers afraid to take leave because colleagues cover their class

Only 39% of BC teachers say their workload is manageable · 39% have considered taking a sick leave · 38% a personal leave

The Pressure Points Behind Educator Burnout

Increasing Complexity of Student Needs

Post-pandemic, students present with significantly more complex social-emotional, mental health, and learning needs. Teachers are absorbing this without proportional support staff or resources. 95% of educators say staff shortages are negatively affecting students' access to specialized supports.

Workload Intensification

Teachers are asked to do more with less: larger classes, fewer EAs, less prep time, more documentation and accountability demands. When colleagues are absent and no substitute is available, teachers absorb extra duties on top of their own. The work is genuinely expanding.

Post-Pandemic Residue

The pandemic drove many experienced teachers into early retirement and left those who remained deeply depleted. Recovery has been slow. The CTF describes the profession as operating from a weakened baseline — 'years of underfunding and understaffing already stretched the elastic.'

Violence & Aggression in the Classroom

55% of Canadian teachers report having experienced violence or aggression in the past year. For those who reported incidents, only 25% say appropriate action was taken. Repeated exposure to workplace violence is a significant driver of trauma and PTSD among educators.

Shortage Compounds the Problem

Canada's teacher shortage creates a vicious cycle: burnout drives teachers out → the shortage worsens → remaining teachers absorb more → more burnout. BC saw a 76% increase in uncertified teachers in classrooms. Quebec had over 9,000 non-qualified teachers on contract in 2024.

Moral Injury

Many teachers experience 'moral injury' — the distress of knowing what good teaching looks like but being structurally unable to deliver it. Teaching without adequate resources, support, or time to do the job well is itself a significant psychological stressor.

Getting People Back to Work — Safely and Sustainably

Early, supportive contact is the single most evidence-based intervention in disability management. The longer an employee is absent, the harder return to work becomes — yet many boards have no formal early contact protocol.

RETURN TO WORK BEST PRACTICES

Early Contact Supervisor reaches out within the first few days of absence — not to pressure, but to express care and maintain connection. Research shows this alone significantly shortens absence duration.

Disability Case Management Assign a dedicated disability case manager (internal or via insurer/broker). Coordinate between the employee, medical team, and employer. Monitor milestones and barriers proactively.

Graduated Return to Work RTW plans should be gradual: reduced hours, modified duties, or non-classroom roles initially. Returning full-time to a demanding classroom immediately after mental health leave is a recipe for relapse.

Workplace Accommodation Under provincial human rights codes, boards have a duty to accommodate to the point of undue hardship. This may include: modified schedule, reduced class size, administrative role, relief from supervision duties.

Treating the Cause, Not Just the Symptom If the employee returns to the same conditions that caused the leave, relapse is predictable. RTW planning must address the workplace factors — not only the individual's clinical recovery.

BOARD RESPONSIBILITIES

Duty to accommodate under provincial human rights codes — this is a legal obligation, not a courtesy

Documented RTW plans for every disability leave exceeding 5 days

Trained disability case managers — not HR generalists managing complex cases ad hoc

Proactive EAP awareness so employees know help exists before crisis hits

Absence tracking to identify trends — school, role, and season patterns reveal systemic issues

Policy that distinguishes mental health leave from misconduct — stigma is a barrier to disclosure and early treatment

Homework!

- 1 Do we have a current risk register, and does the full board review it at least annually?
- 2 Is our insurance program designed for our actual risk profile — or is it last year's program renewed on autopilot?
- 3 When did we last conduct a risk assessment, and do we have a tested incident response plan?
- 4 What is the total estimated deferred maintenance backlog across our division, and have we prioritized life-safety items?
- 5 Are our student protection policies current, and do all staff understand their mandatory reporting obligations under Manitoba law?
- 6 Are we adequately resourced in risk management, or are we relying entirely on administration to absorb this responsibility?

Thank You

Questions & Discussion

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