



Gillian Tuck Kutarna

Partner | Guelph

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RELATED SERVICES

Anti-Spam (CASL)
Charities & Not-for-Profit
Corporate Governance
Human Rights
Labour & Employment

RELATED INDUSTRIES

Agribusiness & Food Production
Education
Social Impact

Biography

Gillian Tuck Kutarna focuses on education law and social impact, advocating for her clients at various levels of court, at the Human Rights and other Social Justice Tribunals, and in arbitration and mediation settings. Her knowledge of school board issues, governance, employment and labour law, not-for-profit and charities law, and the public policy process inform her pragmatic approach to legal issues and her commitment to developing cost-effective resolutions while protecting her clients' interests.

Clients rely on Gillian's expertise in drafting by-laws, policies, and contractual agreements in a manner that anticipates and addresses liability and avoidable conflict.

Gillian's commitment to community involvement has included membership on numerous boards of directors. Leadership positions as past Chair of the Halton District School Board and Vice Chair of William Osler Health Services, and her current position as Director of Guelph General Hospital, provide her with valuable first-hand experience working with multiple decision-makers, stakeholders, and funders.

Gillian is a frequent contributor to Miller Thomson's *Education Law* and *Social Impact* newsletters, Morning Recess webinars, and client seminars. She is a regular presenter at various provincial and national conferences.

Gillian is particularly experienced in helping school boards and social organizations:

School boards rely on Gillian for advice relating to issues relating to students, staff, trustees, and stakeholders.

Charities and not-for-profit organizations consult Gillian for assistance with incorporation, policies and by-laws, contracts, statutory compliance, and employment issues.

Before joining Miller Thomson, Gillian was a staff lawyer with Halton Community Legal Services, and was in general practice for a number of years with a focus on family law.

Before attending law school, Gillian worked for several years as a youth counsellor and community worker.

Professional achievements & leadership

- Canadian Legal Lexpert Directory, Charities/ Not-For-Profit, 2018
- Certificate in Effective Health Care Governance, Ontario Hospitals Association
- Principles and Practices of Effective School Board Governance, Schulich School of Business

Thought leadership

Presentations

- Co-presenter, Canadian Associate of School System Administrators Annual Conference, July 7, 2018

- Co-presenter, “Accommodation Obligations: Expansion and Exposure for Employers”, Miller Thomson’s 2017 Labour Relations & Employment Law Conference, April 6, 2017

Publications

- Co-author, *An Educator’s Guide to Internet and Social Media Law in the Classroom*, 2018
- “Mandatory Requirements for Receiving Charitable Donation Tax Credit,” *Education Law Newsletter*, February 25, 2016
- “TDSB Advisory Panel Report Highlights Structural Governance Issues for School Boards,” *Education Law Newsletter*, January 2016
- “Mandatory Requirements for Receiving Charitable Donation Tax Credit,” *Charities and Not-for-Profit Newsletter*, October 19, 2015
- “The Volunteer Relationship,” *Charities and Not-for-Profit Newsletter*, July 2015
- “Canada’s Anti-Spam Legislation (“CASL”) Enforcement Update,” *Education Law Newsletter*, May 8, 2015
- “School Board Found Liable for Student’s Harassment of a Teacher,” *Education Law Newsletter*, February 4, 2015
- “Welcome Newly Elected School Councils,” *Education Law Newsletter*, October 2014
- “Keeping Abreast of the Standard of Care: Automated External Defibrillators in Schools,” *Education Law Newsletter*, September 2014
- “The Accountability & Transparency Act – How It Might Impact School Boards,” *Education Law Newsletter*, July 2014
- “School Boards Collective Bargaining Act Enshrines Two-Tiered Bargaining,” *Education Law Newsletter*, April 11, 2014
- “CASL is here. Are you ready?” *Education Law Newsletter*, March 13, 2014
- “OHRT Decision on Distribution of Religious Materials in Schools,” *Education Law Newsletter*, September 2013
- “Staff Advice and Recommendations Not Publicly Accessible Upon Request,” *Education Law Newsletter*, June 2013
- “Canada’s Top Court Rules that Specific Performance Not Required For All Land Deals and Duty to Mitigate Applies,” *Education Law Newsletter*, June 2013
- “Financial Hardship Not Justification for Reduction in Accommodation Services,” *Education Law Newsletter*, June 2013
- “Teacher Awarded \$20K in Damages for Harassment by Principal and Board Staff,” *Education Law Newsletter*, June 2013
- “What’s Happening,” *Charities and Not-for-Profit Newsletter*, April 2013
- “Reasonableness “Invited”, but not “Required” under terms of Collective Agreement,” *Education Law Newsletter*, February 2013
- “Teacher Awarded \$20K in Damages for Harassment by Principal and Board Staff,” *Education Law Newsletter*, January 2013
- “School Board Foundations and the new Ontario Not-for-Profit Corporations Act – Part I,” *Education Law Newsletter*, November 2012
- “Financial Hardship Not Justification for Reduction in Accommodation Services,” *Education Law Newsletter*, Client Alert – Special Education
- “Canada’s Top Court Rules that Specific Performance Not Required For All Land Deals and Duty to Mitigate Applies,” *Education Law Newsletter*, October 2012
- “Staff Advice and Recommendations Not Publicly Accessible Upon Request,” *Education Law Newsletter*, September 2012
- “Gender Identity & Expression Added to Code,” *Education Law Newsletter*, June 2012
- ““Responsive Records’ Under FIPPA Can Include Deleted Emails,” *Education Law Newsletter*, June 2012
- “MFIPPA Duty to Disclose: “Some Form of Connection” to Employment is Sufficient for Exemption,” *Education Law Newsletter*, April 2012
- “Board Does Not Have to Compensate Teachers for Work that is not Performed,” *Education Law Newsletter*, March 2012
- “Pre-Reform Decisions from the Ontario College of Teachers Discipline Committee,” *Education Law Newsletter*, February 2012
- “Limits to Supervision Time is a “Hard” 80 Minute Cap, for all Teachers”, *Education Law Newsletter*, January 2012
- “Board Ordered to Pay a Proportional Share of Teacher’s Hearing Aid,” *Education Law Newsletter*, November 2011
- “When is a Record Collected and Used? Case Note: Privacy Complaint No. MC08-91 and MC08-92, City of Vaughn,” *Education Law Newsletter*, November 2011

Community involvement

Gillian currently serves on the Board of Directors of the Guelph General Hospital

Gillian has served as:

- Past Director, Centre for Skills Development and Training
- Past Chair and Trustee, Halton District School Board
- Past Director, Halton Healthcare Services
- Past Director and Vice Chair, William Osler Health Centre
- Past Director, Bennett Long Term Care Centre
- Past Director, Halton Community Legal Services
- Past Director, Georgetown and District Memorial Hospital
- Past Director, Health Insurance Reciprocal of Canada
- Past Director, Big Sisters Association
- Past Member, Committee of Adjustments, Town of Halton Hills

Professional memberships

- Executive Committee, Education Law Section, Ontario Bar Association
- Law Society of Ontario
- Canadian Bar Association
- Ontario Bar Association
- Canadian Association for the Practical Studies in Law and Education
- Wellington County Law Association
- Law Society of Alberta
- Miller Thomson Pro Bono Committee

Bar admissions & education

- Ontario Bar, 2001
- Alberta Bar, 1994
- LL.B., Queen's University
- Masters of Public Administration, Queen's University
- B.A.(Honours), Political Studies, Queen's University