



SAFE SCHOOLS: STUDENT DISCIPLINE, BULLYING PREVENTION AND INTERVENTION

Procedures

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1. PURPOSE

Our purpose is to promote a safe learning and working environment in all schools of District School Board Ontario North East and to assist students in recognizing the behaviours required for good citizenship. This administrative procedure is intended to promote the use of progressive discipline in all schools. Progressive discipline uses a continuum of preventative measures, corrective and supportive interventions and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours.

When prevention and intervention strategies to promote positive behaviour have not met with success, this procedure provides direction for imposing appropriate consequences to be used by administrators. Principals have a duty under the *Education Act* to maintain proper order and discipline in schools, and students are responsible to the Principal for their conduct. In the case of serious incidents, Principals may find that progressive discipline responses such as suspension or expulsion must be considered.

The Provincial Code of Conduct and School Board Codes of Conduct (PPM 128), the District School Board Ontario North East Code of Conduct, the *Education Act*, Ontario Regulation 472/07 and 440/20, PPM 141 (School Board Programs for Students on Long Term Suspension), PPM 142 (School Board Programs for Expelled Students), PPM 144 (Bullying Prevention and Intervention) PPM 145 (Progressive Discipline and Promoting Positive Student Behaviour), create expectations for behaviour for all persons on school property and outline strategies to be taken to address incidents, including imposing appropriate consequences for students.

The process set out in this procedure shall be informed by and implemented in accordance with the principles of equity and inclusion articulated in PPM 119 (Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools).

The *Ontario Human Rights Code* has primacy over provincial legislation and policies, as well as school board policies and procedures, such that the *Education Act*, regulations, Ministry of Education Program Policy memoranda, and Board policies and procedures are subject to, and shall be interpreted and applied in accordance with the *Ontario Human Rights Code*.

2. DEFINITIONS

The following definitions apply for the purposes of student discipline.

Administrator: a Superintendent, Principal or Vice-Principal with responsibility for the school in question.

Adult student: a student who is 18 years or older, or who is 16 or 17 and has removed themselves from parental control.

Appellant: a person who appeals to a higher tribunal (i.e. the Discipline Committee) for an official decision to be changed.

Board employees who work with students: includes Administrators, Teachers, Educational Assistants, Child and Youth Workers, Indigenous Student Advisors, Psychologists, Speech & Language Pathologists and other professionals and para-professional staff who have regular and direct duties with the board's students.

Bullying: aggressive and typically repeated behaviour by a pupil where,

- (a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of,
 - i. causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
 - ii. creating a negative environment at a school for another individual, and

(b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education.

For the purposes of this definition, behaviour includes the use of any physical, verbal, electronic, written or other means.

Cyber-bullying: bullying (as defined above), by electronic means, including, (a) creating a web page or blog in which the creator assumes the identity of another person, (b) impersonating another person as the author of content or messages posted on the internet, and (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

Although cyber bullying usually occurs outside the school, it can negatively affect the learning environment and student safety in the school. Where there is evidence that a student who has been intimidated is impaired in their ability to progress in school, or that the cyber bullying affects school safety and security, the Principal will intervene as if the inappropriate behaviour was initiated in the school setting.

Daily Care: an adult person (18 years or older) who is not the custodial parent/guardian of a pupil who is less than 18 years old, but is a person who cares for the pupil on a daily basis and is known by the school to provide daily care, for example a grandparent, aunt, uncle, older brother or sister.

Discipline Committee: a committee of three (3) or more Trustees designated to determine suspension appeals and recommendations for expulsion.

Disproportionate impact: created when discipline impacts a student to a greater degree in comparison to their peers as a result of factors related to grounds protected by the *Human Rights Code*.

Emergency administrator: a Superintendent or Principal identified by the Principal of the school, to which a Teacher-in-Charge is assigned, as the emergency contact should the administrators of the school not be available in emergency circumstances.

Expulsion: removal from the school of the Board that the student was attending at the time of the incident, or from all schools of the Board.

Harassment: words, conduct or action that is directed at an individual and serves no legitimate purpose and which may include remarks, jokes, threats, name-calling, the display of material(s), touching or other behaviour that an individual knows or ought to know insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress and may constitute discrimination when related to grounds protected by the *Human Rights Code*.

Manifestation of a student's disability: behaviour that results from a student's disability and that a student does not intend.

Mitigating and other factors: extenuating circumstances or details that must be taken into account when discipline is being considered. These factors are described in Ontario Regulation 472-07 – Behaviour Discipline and Safety.

Parent/guardian: the custodial parent or guardian of a minor child who is not an adult student.

Immutable characteristics: characteristics that an individual cannot change or that an individual cannot alter about themselves, such as height.

Impact on school climate: an incident or activity which has a negative impact on the school community.

Primacy of the code: a circumstance in which there is a conflict between provincial law, such as the *Education Act*, regulations, Policy Program Memoranda, school board policies and procedures, and the *Ontario Human Rights Code*, the *Ontario Human Rights Code* is deemed to be more important and the inferior law must be applied in a manner consistent with the *Ontario Human Rights Code* (unless there is an explicit exception contained within the other law for such a circumstances). The principle of primacy of the *Ontario Human Rights Code* also requires school board policies and procedures to be interpreted and applied in a manner consistent with the *Ontario Human Rights Code*.

Racialized Student: a student who may experience social inequities on the basis of race, colour, and/or ethnicity.

School Climate: the sum total of all the personal relationships within a school. A positive climate exists when all members of the school community feel safe, comfortable and accepted.

School Community: the staff, pupils and parents of the school and feeder schools / family of schools, as well as the community of people and businesses that are served by or located in the greater neighbourhood of the school.

School Expulsion: an expulsion from the school of the Board that the pupil was attending at the time of the incident.

Superintendent: shall be consistent with and have the meaning attributed to Supervisory Officer in the *Education Act* and regulations.

Teacher-in-Charge: a Teacher, delegated authority by the Principal to undertake specified duties with respect to pupil discipline in the absence of administration.

Undue Hardship: the standard for the provision of accommodation, or point to which accommodation must be provided, for a specific pupil by the Board.

Weapon: any object or thing used to threaten or inflict harm on another person which includes, but is not limited to, knives, guns, replica guns and animals.

3. PROGRESSIVE DISCIPLINE

Progressive discipline is a non-punitive, whole-school approach that uses a continuum of preventative, corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices.

Prevention and early intervention are important for assisting pupils to achieve their potential and for maintaining a positive school environment. A positive school environment is effected through programs and activities that focus on building healthy relationships, character development, and civic responsibility, which encourage positive participation of the school community in the life of the school.

Progressive discipline is most effective when dialogue between the school and home regarding pupil achievement, behaviour and expectations is open, courteous and focused on pupil success. It is an expectation of the Board that Principals, Vice-Principals and Teachers-in-Charge consult with parents prior to imposing any pupil specific progressive discipline preventative measures, positive behaviour management strategies or progressive discipline consequences.

Each school is required to develop and implement a school-wide progressive discipline policy, consistent with the Board Student Code of Conduct - Policy 2.1.6 and the *Human Rights Code*.

The Teacher, Principal or designate should select the most appropriate response to address the pupil's behaviour. Where a pupil has special education and/or disability related needs, the interventions, supports and consequences must be consistent with the expectations for the pupil, including those in the pupil's Individual Education Plan, Behaviour Management Plan and/or Safety Plan.

Progressive discipline includes the use of prevention strategies, early and ongoing intervention strategies and strategies to address inappropriate behaviour. Inappropriate behaviour includes any behaviour that disrupts the positive school climate and/or has a negative impact on the school community. Inappropriate behaviour may also include an infraction for which a suspension or expulsion may be imposed.

Students' parent(s)/guardian(s) need to be actively engaged in the progressive discipline approach.

3.1 Positive Practices

Positive practices provide the foundation upon which progressive discipline is built. In order to promote positive student behaviours and support students in reaching their full potential, this procedure supports the use of positive practices for prevention of inappropriate behaviour and positive behaviour management.

Positive practices are used to develop a safe school climate in which all students can reach their full potential. Positive practices include but are not limited to:

- Anti-bullying and violence prevention programs;
- Character development;
- Student success strategies, citizenship development, student leadership, accommodations, modifications, peer and group counseling, restorative practices, mentor programs, positive reinforcement and healthy lifestyles initiatives.

Junior Kindergarten to Grade 3 Students:

Children's early years set the foundation for the relationships and successes they will experience later in their lives, making it crucial that children's earliest experiences truly foster positive development.

Research shows that when young children, many of whom are still learning classroom coping skills, are suspended from school at an early age and with great frequency, the impact can be academic failure and even leaving school early.

The ministry created regulation 440/20, that changes how student behaviour is addressed in junior kindergarten to Grade 3. The new regulations remove the discretion of the principal to suspend students in junior kindergarten to Grade 3 for activities listed in subsection 306(1) of the *Education Act* (also listed in Procedure 2.1.18 Section 6), beginning in the 2020-2021 school year. These behaviours should be addressed with the appropriate positive behaviour supports in the school setting. Activities listed in subsection 310(1) (also listed in Procedure 2.1.18 Section 6) will still be subject to mandatory suspension, pending the results of an investigation.

3.2 Prevention of Inappropriate Behaviour

Board employees who work with students are expected to support students in achieving their full potential. Prevention strategies include supporting students, student councils and/or school councils that wish to participate in student led initiatives and other initiatives or activities promoting healthy relationships.

Where a student has reported harassment, bullying or violence as a result of one or more immutable characteristic, including on any grounds protected by the *Ontario Human Rights Code*, or inappropriate sexual behaviour, that student shall be supported by the school with the provision of developmentally appropriate contact information about professional supports such as: community agencies, public health

facilitates, and telecommunications forums, such as a help-phone-lines or websites, that the student may access directly for information, assistance and/or support in an effort to promote and/or develop healthy relationships. Schools shall provide public health units under the responsibility of the local officer of medical health the ability to deliver their mandated public health curriculum.

Principals/Vice-Principals are expected to review and amend, as appropriate, Individual Education Plans and Behaviour Management/Safety Plans at regular intervals and following an incident to ensure that every student with disability related needs is receiving appropriate accommodation up to the point of undue hardship.

In accordance with Policy/Program Memorandum 149, schools shall be required by the Board to work with agencies and/or organizations in their community that have professional expertise with respect to issues of gender-based violence, sexual assault, homophobia and inappropriate sexual behaviour. A current [list of community contacts](#) will be created and maintained electronically by the Board and made available to all schools, staff and pupils on the Board's internet and intranet websites. A Protocol outlining the process for entering into a Memorandum of Understanding with an appropriate community agency and/or organization shall be made available to schools.

Other preventative practices include:

- Human Rights strategy pursuant to PPM 119
- Anti-bullying and violence prevention programs;
- Mentorship programs;
- Student success strategies;
- Character education;
- Citizenship development;
- Student leadership;
- Promoting healthy student relationships; and
- Promoting healthy lifestyles.

3.3 Positive Behaviour Management

Positive behaviour management practices include:

- Program modifications or accommodations;
- Class placement;
- Positive encouragement and reinforcement;
- Individual, peer and group counselling;
- Conflict resolution / Dispute resolution;
- Restorative Practices:
- Mentorship programs;
- Promotion of healthy student relationships
- Sensitivity programs;
- Behaviour Management/Safety Plans;
- School, Board and community support programs; and
- Student success strategies.

In some circumstances, positive practices might not be effective or sufficient to address inappropriate student behaviour. In such circumstances, the use of progressive discipline consequences up to and including expulsion from all schools of the Board may be appropriate. In circumstances where a student will receive a consequence for their behaviour, it is the expectation that the principle of progressive discipline, consistent with the *Human Rights Code*, Ministry of Education direction and PPM 145 (Progressive Discipline), will be applied in the least restrictive manner to be effective, and so as not to add to the historical disadvantage of racialized students and/or students with disabilities.

3.4 Early and Ongoing Intervention Strategies

If a pupil has engaged in inappropriate behaviour and it is the first time that the pupil has engaged in such behaviour, the Principal or designate may choose to use a progressive discipline strategy to address the infraction. A Teacher or the Principal or Vice-Principal, as appropriate, may utilise early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours.

These may include:

- Contact with student's parent(s)/guardian(s);
- Oral reminders;
- Review of expectations in the School Code of Conduct;
- Written work assignment addressing the behaviour, that has a learning component;
- Volunteer services to the school community;
- Conflict mediation, consultation and resolution;
- Peer mentoring;
- Visual cues to the desired behaviour;
- Clear examples of appropriate behaviour;
- Removal of distractions;
- Referral to counselling; and/or
- Restorative Practices.

In all cases where ongoing intervention strategies are used, the student's parents/guardians need to be consulted.

3.5 Consequences

Progressive discipline may also include a range of consequences that focus on improving behaviour, such as one or more of the following:

- Meeting with the student's parent(s)/guardian(s), student and Principal;
- Referral to a community agency for anger management or substance abuse, counselling /intervention;
- Detentions;
- Withdrawal of privileges;
- Withdrawal from class with planned alternative learning activities;
- Restitution for damages;
- Restorative practices; and
- Transfer to another class or school, with appropriate support for a new start in the receiving school.

In some circumstances, suspension and expulsion from all schools of the Board may be appropriate progressive discipline consequences.

Transfer of a students to another school, in order to preserve school safety, must be decided by the Superintendent of Education, in consultation with the sending and receiving school Principals. This shall only be approved where it is consistent with the Human Rights Code. In cases where the transfer is necessary to protect a student, it is preferable that the student who has been harmed not be moved.

A transfer meeting will be held between sending and receiving schools to develop a transition plan and identify any additional supports and resources the student may require, whether by school/board staff or community services. Where a student has been subject to a suspension, the transition plan will be coordinated with the Student Action Plan developed for the suspension.

The transfer meeting shall include Teachers and other school staff who had or will have regular direct contact with the student and the student, and their parents/guardians where the student is not an adult. Schools must make reasonable efforts to accommodate student, parent and guardian participation. The

meeting must be held prior to the student attending classes, and the receiving school must be in possession of the OSR, which must be available for consultation at the meeting.

All individuals attending the meeting must be informed by the Principals at the outset that all information shared is personal information that must be kept confidential pursuant to the Municipal Freedom of Information and Protection of Privacy Act and/or the Education Act.

3.6 Factors to Consider Before Deciding to Utilize a Progressive Discipline Consequence to Address Inappropriate Behaviour

Before applying any progressive discipline consequence, the Principal/Vice-Principal shall consider whether or not the progressive discipline consequence might have a disproportionate impact on a student protected by the Human Rights Code, including but not limited to race or disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation to the point of undue hardship is required.

In all cases where a progressive discipline consequence is being considered to address an inappropriate behaviour, the Principal or Vice-Principal must:

1. Consider the particular student and circumstances, including considering the mitigating or other factors;
2. Consider the nature and severity of the behaviour;
3. Consider the impact of the inappropriate behaviour on the school climate; and
4. Consult with the student's parent(s)/guardian (unless the student is an adult student).

3.6.1 Mitigating Factors

The mitigating factors to be considered by the Principal before deciding whether to use a progressive discipline approach to address the inappropriate behaviour are:

1. Whether the student has the ability to control their behaviour;
2. Whether the student has the ability to understand the foreseeable consequences of their behaviour; and
3. Whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

3.6.2 Other Factors to be Considered

1. The student's academic, discipline and personal history;
2. Whether other progressive discipline has been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
3. Whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, colour, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or other immutable characteristic or harassment for any other reason;
4. The impact of the discipline on the student's ongoing education;
5. The student's age;
6. Where the student has an IEP or disability related needs,
 - a) Whether the behaviour causing the incident was a manifestation of the student's disability;
 - b) Whether appropriate individualized accommodation has been provided to the point of undue hardship; and
 - c) Whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.

If the student's continuing presence in the school creates an unacceptable risk to the safety of others in the school, then a progressive discipline approach may not be appropriate.

3.7 Record

The Principal or Vice-Principal should keep a record for each student with whom progressive discipline interventions or consequences are utilized. The record should include:

1. Name of the student;
2. Date of the incident or behaviour;
3. Nature of the incident or behaviour;
4. Considerations taken into account;
5. Progressive discipline approach used;
6. Outcome; and
7. Contact with the student's parent/guardian (unless the student is an adult student).

4. BULLYING PREVENTION AND INTERVENTION

District School Board Ontario North East has developed a **Bullying Prevention and Intervention Plan** ([Appendix A](#)). All schools within the Board will use this plan. This plan will be [posted](#) on the Board website and the individual school websites. The Bullying Prevention and Intervention Plan includes:

1. Awareness raising strategies
2. Support strategies, including plans to protect victims; and
3. Reporting requirements

In addition, teaching strategies should include a focus on developing healthy relationships by including bullying prevention throughout the curriculum, preventing homophobia, gender based violence, sexual harassment, inappropriate sexual behaviour, as well as promoting critical media literacy and safe internet use strategies, all of which are to be implemented in a manner consistent with the principles of equity and inclusion.

All bullying adversely affects healthy relationships, the school climate, and a school's ability to educate its students. It impacts negatively on students' ability to learn. Bullying will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances where engaging in bullying will have a negative impact on the life of the school.

Providing students with an opportunity to learn and develop in a safe and respectful society is a shared responsibility in which the district and its schools play an important role. Schools that use bullying prevention and intervention strategies foster a positive learning and teaching environment that supports academic achievement for all students.

4.1 Bullying Prevention Strategies:

4.1.1 Character Education

District School Board Ontario North East is committed to providing learning opportunities that promote social and emotional learning, as well as academic and physical growth. The board will provide character education to support the development of safe and supportive school communities and to help students develop a foundation of good character.

Schools, parents and the broader community will engage in character development initiatives. All members are expected to model the universal principles and attributes of character development which transcend socio-economic status, racial, ethno-cultural, linguistic, religious, gender, physical and intellectual ability and other demographic factors.

Good character is to be modeled, taught and practiced across the board's learning community. The board will actively support and recognize programs and activities that contribute to character development.

System-wide character education provides a foundation of respect and positive behaviours upon which anti-bullying programs can build.

4.1.2 School-Wide Prevention Strategies

A positive school climate is essential to the prevention of bullying behaviour. A positive climate is developed when Administrators and Teachers:

- promote the development of healthy and inclusive relationships among the staff and provide and support training for students and staff members that raises awareness of the problem of bullying;
- know and follow administrative procedures related to safe and caring schools;
- reinforce bullying prevention messages through programs addressing discrimination based on such factors as age, race, sexual orientation, gender, faith, disability, ethnicity, and socio-economic disadvantage;
- post, communicate and enforce clear codes of student conduct;
- assess the awareness and scope of the bullying problem at the school through school climate surveys;
- ensure that students are supervised in all areas of the school and on the school grounds, with particular attention being given to any areas where bullying has been identified as a problem in a particular school setting;
- find a variety of ways to reward students for positive, inclusive behaviour and to support them in being positive leaders in their school community;
- encourage parents to participate and become engaged in the life of the school and to involve school councils in the development of anti-bullying initiatives and the ongoing implementation of prevention programs.

When involving parents and school councils, staff members will provide information about bullying, including ways to support a child who reports being bullied or witnessing bullying. Administrators, Teachers and all other staff must inform parents about the dangers of encouraging their children to be aggressive or to strike back. They will also provide experienced advice to parents about how to avoid rescuing their children from every challenge and creating over-dependence. Parents and the school can work together to teach children to be assertive and to develop age-appropriate independence. This independence can contribute to self-confidence and may deter bullies who often seek out acquiescent victims.

Administrators, Teachers and all other staff must regularly reinforce the message that bullying will not be tolerated in the school and that everyone must work together to create a positive learning environment.

4.1.3 Classroom Prevention Strategies

Teachers will provide opportunities for students to talk about bullying and to define unacceptable behaviours. They will involve students in establishing classroom rules against bullying and peer harassment. Teachers will engage students in classroom activities and discussions related to bullying and violence, including awareness of the harm that they cause and strategies to reduce them.

Teachers must provide and regularly reinforce clear expectations for appropriate student behaviour.

Teachers will provide integrated programs that support bullying prevention strategies. They should focus on developing healthy relationships in classroom lessons and include books that deal with related issues in student reading materials.

Teachers will promote cooperation by assigning projects that require collaboration. Such cooperation teaches students how to compromise and how to assert without demanding. Teachers should vary the grouping of participants in these projects and monitor the treatment of participants in each group.

Teachers will ensure that students know what to do when they experience or observe a bullying confrontation. Knowing the process to follow gives the students confidence and a feeling of security.

4.2 Bullying Intervention Strategies:

4.2.1 School-Wide Intervention Strategies

School Administrators and Teachers will encourage students to make a confidential report if they are the victims of bullying or are aware of another victim or victims. Reporting methods are designed to minimize the possibility of reprisal. Details of incidents are to be carefully recorded and tracked. Such reports must be investigated and resolved expeditiously, consistent with administrative procedures.

Parents who report bullying will be given a receptive hearing, followed by investigation and resolution of the allegations.

Interventions will be conducted in ways that are consistent with a progressive discipline approach. The strategies will range from early and ongoing interventions to more intensive interventions in cases of persistent bullying, with possible referral to community or social service agencies.

Bullying is one of the infractions for which a Principal may consider suspension from school. The Principal will take into account any mitigating or other factors which may apply.

4.2.2 Classroom Intervention Strategies

Teachers must take immediate action when bullying is observed. Teachers must let students know that they care and will not allow anyone to be mistreated. By taking immediate action in dealing with the bully, educators support both the victim and the witness or witnesses.

Dealing with a bully does not necessarily mean confronting the bully in front of his or her peers. Teachers should confront the bully in private when possible. Challenging a bully in front of his or her peers may actually enhance the bully's status and lead to further aggression.

Teachers or Principals, as appropriate, will notify the parents of both victims and bullies when a confrontation occurs, and seek to resolve the problem quickly at school. They will refer both victims and aggressors to counselling whenever appropriate.

Teachers must provide protection and support for bullying victims whenever necessary, including creating a buddy system whereby students have a particular friend or older buddy on whom they can depend.

Teachers must listen receptively to parents who report bullying and investigate reported circumstances so that immediate and appropriate action can be taken.

Teachers should avoid attempts to mediate a threatening bullying situation alone if they are uncomfortable. They should inform the Principal, who will address the situation as appropriate, including contacting police services.

5. RESPONDING TO INCIDENTS

The Board is committed to supporting safe learning and teaching environments in which every student can reach his or her full potential. Appropriate action must consistently be taken by schools to address student behaviours that are contrary to provincial, Board and school Codes of Conduct, which includes, but is not limited to, inappropriate sexual behaviour, gender-based violence, homophobia, and harassment on the basis of sex, gender identity, gender expression, sexual orientation, race, colour, ethnic origin, culture, citizenship, ancestry, place of origin, creed (e.g. religion), family status, socio-

economic status, disability and/or any other immutable characteristic or ground protected by the Human Rights Code, as well as any other student behaviour, such as bullying, swearing, malicious gossip, name-calling, sexist, homophobic or racial slurs, comments, jokes or teasing and defamatory or discriminatory electronic communication and postings, graffiti and other behaviour that might cause a negative school climate.

It is the expectation of the Board that, provided that there is no immediate risk of physical harm to any individual, Board employees who work with students shall respond to any such inappropriate and disrespectful student behaviour as well as any other behaviour that causes a negative impact on school climate or for which a suspension or expulsion may be imposed, that they have observed or heard during the course of their duties or otherwise while on school property or during a school related event. Immediate risk to an individual includes the Board employee, the students involved, other students, other staff and members of the community who might be impacted as a result of the behaviour being exhibited or because the Board employee who works with students cannot leave unattended another student(s) in order to respond. It is not necessary to report incidents to the Principal that fall below the threshold for suspension or expulsion.

Responses shall be made in a timely, supportive and sensitive manner and made in an effort to stop and correct the behaviour in a manner that is developmentally appropriate and takes into consideration any special and/or disability related needs that the student might exhibit or about which the employee might be aware. Responses may include one or more of:

1. Asking the student to stop the behaviour;
2. Identifying the behaviour as inappropriate and disrespectful;
3. Explaining the impact of the behaviour on others and the school climate;
4. Modeling appropriate communication;
5. Asking the student for a correction of the behaviour by restating or rephrasing their comments;
6. Asking the student to apologize for the behaviour;
7. Asking the student to commit to not repeating the behaviour;
8. Asking the student to explain why and how a different choice with respect to the behaviour would have been more appropriate and respectful; and
9. Where applicable, identifying the application of the *Ontario Human Rights Code*.

A response by the staff to the incident shall not prevent or preclude the Principal or Vice-Principal from imposing appropriate progressive discipline, up to and including a recommendation for expulsion from all schools.

Unless the behaviour is such that it must be considered for suspension or expulsion, a response is sufficient – it is not required that these incidents be reported to the Principal. For incidents where suspension or expulsion would not be considered, but the Board employees feel it is not safe to respond, they will be expected to inform the Principal verbally as soon as possible.

Where, in the opinion of the Board employee who works with students, the behaviour observed or heard might lead to suspension or suspension and a recommendation for expulsion, the employee must report the behaviour orally to the Principal or designate at the earliest opportunity and again in writing before the end of the school day. The employee shall follow the procedures outlined for reporting incidents when reporting in writing. For all other behaviour, the employee will report the behaviour to the Principal/Vice-Principal/Teacher-in-Charge at the earliest convenient opportunity. The Principal/Vice-Principal shall consider whether or not further discipline is appropriate in the circumstances.

6. REPORTING SUSPENSION & EXPULSION INFRACTIONS TO THE PRINCIPALS

The Principal must consider suspension if a student from grade 4 to grade 12 has engaged in any of the activities listed below, which are outlined in subsection 306(1) of the *Education Act*. As of September 1, 2020, students in junior kindergarten to Grade 3 can no longer be suspended for these activities:

1. Uttering a threat to inflict serious bodily harm on another person;
2. Possessing alcohol, illegal, controlled and/or restricted substances;
3. Being under the influence of alcohol, controlled and/or restricted substances;
4. Swearing at a teacher or at another person in a position of authority;
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school;
6. Bullying;
7. Any act considered by the Principal to be injurious to the moral tone of the school;
8. Any act considered by the Principal to be injurious to the physical or mental well-being of members of the school community; or
9. Any act considered by the Principal to be contrary to the Board or school Code of Conduct.

If a student in junior kindergarten to Grade 3 engages in any of the activities listed below, the Principal will conduct an investigation regarding the allegations to determine if the student should be suspended.

If a student in grade 4 to grade 12 has engaged in any of the activities listed below, the Principal will immediately investigate and possibly suspend the student for the incident, and determine whether the student should be referred to the Discipline Committee for expulsion. Activities include:

1. Possessing a weapon, including possessing a firearm;
2. Using a weapon to cause or to threaten bodily harm to another person;
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
4. Committing sexual assault;
5. Trafficking in weapons, illegal, controlled and/or restricted substances;
6. Committing robbery;
7. Giving alcohol or illegal, controlled and/or restricted substances to a minor;
- 7.1. Bullying, if,
 - i. the pupil has previously been suspended for engaging in bullying (grades 4-12 only), and
 - ii. the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person;
- 7.2. Any activity listed in subsection 306(1) of the *Education Act* (for which a student may be suspended), that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor;
8. An act considered by the Principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
9. A pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
10. Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
11. Activities engaged in by the student on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property;

12. The student has demonstrated through a pattern of behaviour that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behaviour which would enable them to prosper;
13. Any act considered by the Principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the Board or school Code of Conduct; or
14. Where a student has no history of discipline or behaviour intervention, or no relevant history, a single act, incident or infraction considered by the Principal to be a serious violation of the expectations of student behaviour and/or a serious breach of the Board or school Code of Conduct.

When a board staff member or transportation provider becomes aware of any infractions for which a suspension may be imposed by the Principal or any infractions for which a Principal may consider recommending to the Board that a student be expelled, they must report the infraction and any details to the Principal/Vice-Principal/Teacher-in-Charge at the earliest, safe opportunity and no later than the end of the school day, or end of a transportation run, if reported by a transportation provider. Where two (2) or more board staff and/or transportation providers become aware of the same incident, each staff member and transportation provider shall make a report to the Principal/Vice-Principal or Teacher-in-Charge during the absence of administration.

The purpose of reporting incidents is to ensure that the Principal/Vice-Principal is aware of the behaviour.

Wherever possible, it is expected that the employee or transportation provider will provide an oral report to the Principal/Vice-Principal or Teacher-in-Charge during the absence of administration at the earliest, safe opportunity.

A written report in the form attached as the **Safe Schools Incident Reporting Form – Part 1** ([Appendix B1](#)) must be submitted to the Principal/Vice-Principal or Teacher-in-Charge during the absence of administration, when it is safe to do so and no later than the end of the school day or the end of the transportation run, if reported by a transportation provider. A Teacher-in-Charge who receives a Safe Schools Incident Reporting Form - Part 1 shall provide it to an administrator at the earliest opportunity.

Once the Safe Schools Incident Reporting Form - Part 1 (Appendix B1) is received, the Principal/Vice-Principal will assign a report number to the Form and acknowledge the receipt of the Form in writing by returning to the employee or Transportation Provider a **Safe Schools Incident Reporting Form - Part 2** ([Appendix B2](#)). The Principal or Vice-Principal will identify whether or not action was taken. No information identifying students will be included on the Safe Schools Incident Reporting Form - Part 2 (Appendix B2).

When Appendix B2 identifies that no action has been taken, the employee or transportation provider shall destroy their copy of Appendix B2. The Principal/Vice-Principal shall retain the original copy of the Appendix B1 for the balance of the school year, and the following school year, at which time it shall be destroyed unless the matter has become the subject of a proceeding, including an application to the Human Rights Tribunal of Ontario, in which case Appendix B2 shall be retained until the proceeding is finally decided. Where the Appendix B2 indicates that action has been taken, the employee or transportation provider may destroy the Appendix B2, but if they choose to retain it, it must be retained in a secure location for at least twelve (12) months.

In circumstances in which action is taken by the Principal or Vice-Principal with respect to the alleged incident and student who has been disciplined, a copy of Appendix B1 shall be filed in that student's Ontario Student Record (OSR) for at least the balance of the school year and for the following school year, unless the Appendix B1 is removed from the OSR in accordance with s.266 of the *Education Act*, or as the result of a suspension review, suspension appeal, expulsion appeal or settlement or final determination of an appeal / review / proceeding / action / claim / application. The Principal/Vice-Principal shall ensure that all information contained in the Appendix B1 that could identify other students has been redacted (removed/blacked-out) before it is filed in the OSR of the student who has been disciplined. When action is taken against more than one student, the Appendix B1 shall be filed in each student's

OSR, as above, with all identifying information about other students redacted. If action is taken, the report form and documentation of the progressive discipline action taken must be kept in the student's OSR for a minimum of one year. The Principal/Vice-Principal shall retain the original copy of the [Appendix B1](#) for the balance of the school year, and the following school year, at which time it shall be destroyed unless the matter has become the subject of a proceeding, including an Application to the Human Rights Tribunal of Ontario.

Possible actions taken can include anything on the progressive discipline continuum, e.g. - warning, contacting parent, removal of privileges and suspension. In circumstances where the victim has also demonstrated inappropriate behaviour during the same incident and the Principal or Vice-Principal has responded to the victim's inappropriate behaviour with progressive discipline short of suspension, the Appendix B1 should only be filed in the victim's OSR if the parents of the victim have been informed of the incident and the victim's behaviour and the progressive discipline measures that have been taken. Where the parents have not been informed by the Principal or Vice-Principal of the victim's actions, a copy of the Appendix B1 shall NOT be filed in the victim's OSR.

Where the victim has NOT demonstrated any inappropriate behaviour during the incident, the Appendix B1 shall only be filed in the victim's OSR, with the consent of the victim's parent/guardian if the victim is not an adult student. If the victim is an adult student, the victim's consent is required before Appendix B1 is filed in their OSR.

If Appendix B1 has been filed in the victim's OSR, it should be retained for the balance of the school year in which the incident occurred as well as the following school year, unless it is removed pursuant to section 266 of the *Education Act* or as a result of a suspension review, suspension appeal, expulsion appeal, or settlement or final determination of an appeal/review/proceeding/claim/application.

In circumstances where Appendix B1 is destroyed, it must be destroyed in a manner that protects the privacy of all personal information that may be contained therein.

In circumstances where Appendix B1 is retained but not filed in a student's OSR, it must be stored in a secure cabinet and measures must be taken to ensure access is limited and that all personal information is protected as private. Where a proceeding has been undertaken or an application has been made to the Human Rights Tribunal of Ontario, the Appendix B1 shall be retained until such proceeding or application has been finally resolved.

Each year the Principal shall review with all staff their duty to report as outlined above. This review shall include instructions regarding the completion of the Appendix B1 and the receipt and destruction of the [Appendix B2](#).

(refer to **Student Discipline Reporting Process**, attached as [Appendix C](#)).

7. NOTIFICATION

7.1 Notifying the Parent/Guardian

Following an incident for which the Principal shall be considering imposing a suspension or making a recommendation for expulsion or for which a Vice-Principal is considering a suspension of five (5) or fewer days, the Principal or Vice-Principal shall provide information to the parent/guardian of the victim, unless in the opinion of the Principal or Vice-Principal providing information to the victim's parent/guardian would put the victim at risk of harm and would not be in the victim's best interest, or the victim is an adult student. Where the victim is an adult student, the Principal or Vice-Principal shall inform the parent/guardian only with the victim's consent.

The *Education Act* states that the Principal shall disclose,

- (a) the nature of the activity that resulted in harm to the pupil;

- (b) the nature of the harm to the pupil;
- (c) the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the activity; and
- (d) the supports that will be provided for the pupil in response to the harm that resulted from the activity.

The Principal or Vice-Principal shall only disclose the specific type of disciplinary measures that might have been imposed. In the case of a suspension being imposed, it is not necessary for the Principal to say for how many days a student was suspended. The same would be true for other forms of progressive discipline, in that details are not necessary, but the type of discipline must be explained.

The *Education Act* states that the Principal shall not disclose the name of or any other identifying or personal information about a student who engaged in the activity that resulted in the harm.

When notifying the parent/guardian of the student who has been the victim of an incident, the Principal or Vice-Principal shall identify the nature of the incident that caused the student harm, the nature of the harm to the student and its impact on the student to the degree known by the Principal or Vice-Principal. The Principal or Vice-Principal shall outline steps being taken by the school to protect the student's safety. These measures might include the development of a **Victim Support Plan** ([Appendix D](#)) and/or prevention strategies identified in this procedure. The Principal or Vice-Principal shall, as appropriate, recommend a referral for the student to receive social work support.

In addition, where the victim has been harassed, bullied or suffered violence because of one or more immutable characteristic, including on any grounds protected by the *Human Rights Code*, or has been sexually assaulted, the Principal or Vice-Principal shall share contact information about professional supports such as community agencies, public health facilities and telecommunications forums, such as a help-phone-line or website, that the victim and the victim's parent/guardian may access for information, assistance and support. A written list of community contacts will be made available to the victim and/or the victim's parent/guardian. This list shall also be available on the Board's [website](#). If the victim requires support for linguistic, ethno-cultural or disability related needs, information about community supports that are available shall also be shared with the victim and/or the victim's parent/guardian in a form accessible to the parent/guardian.

The Principal or Vice-Principal may communicate to the victim's parent/guardian any school wide initiatives or preventative progressive discipline measures that have been or will be implemented as a result of the incident and/or other similar incidents. The Principal or Vice-Principal may communicate whether or not formal discipline was imposed on the student(s) disciplined. The Principal or Vice-Principal shall NOT identify the names of the student(s) disciplined or confirm the identity of the student(s) disciplined nor shall the Principal provide other personal information about the student(s) disciplined such that their personal identity might be determined or confirmed. The Principal or Vice-Principal shall only disclose the specific type of disciplinary measures that might have been imposed. Where the student(s) disciplined shall no longer be attending the same school as the victim, this fact may be confirmed.

The information about supports for the student provided to the parent/guardian shall be summarized in written form, which shall also include a copy of the contact information for the appropriate Superintendent of Education. A copy of the written summary, including a copy of any Victim Support Plan, shall be provided to the parent/guardian and the Superintendent of Education.

The Principal or Vice-Principal shall also inform the parent/guardian that, if the parent/guardian is NOT satisfied with the measures being taken to protect and support the victim, the parent/guardian may contact the appropriate Superintendent of Education to request a review of the measures being taken by the school.

7.2 Not Notifying a Parent/Guardian

Where, in the opinion of the Principal/Vice-Principal, providing information to the victim's parent/guardian would put the victim at risk of harm, such that notification would not be in the victim's best interests, or where the victim is an adult student and does NOT consent to their parent/guardian being informed, the Principal/Vice-Principal/Teacher-in-Charge shall not inform the victim's parent/guardian. A Teacher-in-Charge shall report to the Administration at the earliest opportunity the reason(s) why notification was not provided to the parent/guardian. The Principal or Vice-Principal shall:

1. Consider, as a result of the victim's disclosure, whether or not the victim is a child in need of protection and, if so, make a report to the Children's Aid Society, and if in doubt, the Principal or Vice-Principal shall make a no-names call to CAS to inquire about the appropriateness of making a report;
2. Document in the Student Information System why the parent/guardian was not notified;
3. Inform their Superintendent of Education that the parent/guardian was not informed and why;
4. Inform the Teacher or other professional or para-professional staff person, if that individual informed the Principal or Vice-Principal of the potential for harm, that the parent/guardian was not informed and why; and
5. Inform other staff working to support the student, as appropriate.

The Principal or Vice-Principal shall inform the victim of the steps being taken by the school to protect the victim's safety. These measures might include a **Victim Support Plan** ([Appendix D](#)) and the implementation of prevention strategies identified in this procedure. Where the victim has been harassed, bullied or suffered violence as a result of one or more immutable characteristic, including any grounds protected by the *Human Rights Code*, or has been sexually assaulted, the Principal or Vice-Principal shall provide the victim with contact information about professional supports, such as community agencies, public health facilities and telecommunications forums, such as a help-phone-line or website, that the victim may access for information, assistance and support. Supports might include Kids Help Phone and the Lesbian, Gay, Bisexual and Transgendered Youth Line. A written list of community contacts shall be provided to the victim and the victim shall be informed that the list is available on the Board's website on the [Parents & Students tab](#), and under [Mental Health and Well-being](#). Where the victim requires support for linguistic, ethno-cultural or disability related needs, information about community supports that are available shall also be shared with the victim in a form most accessible to the victim.

Where the student who has been disciplined shall no longer be attending the same school as the victim, this fact may be confirmed.

8. SUSPENSION OF STUDENTS

8.1 Suspension Infractions

When a Principal/Vice-Principal's investigation of an incident, which should include consultation with the adult student or the student's parent/guardian and student, determines that a student has committed one or more infractions outlined below on school property, during a school-related activity or event, and/or in circumstances where the infraction has an impact on the school climate, a Principal or Vice-Principal shall consider whether that student should be suspended, taking into account any mitigating and other factors that might be applicable in the circumstances.

The Principal or Vice-Principal will also contact the police consistent with board policy if the infraction the student is suspected of committing requires such contact. When in doubt, the Principal will consult with their Superintendent of Education. The infractions for which a suspension may be imposed by the Principal, for students in grades 4-12, include:

1. Uttering a threat to inflict serious bodily harm on another person;
2. Possessing alcohol, illegal, controlled and/or restricted substances;

3. Being under the influence of alcohol, illegal, controlled and/or restricted substances;
4. Swearing at a teacher or at another person in a position of authority;
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school;
6. Bullying;
7. Any act considered by the Principal to be injurious to the moral tone of the school;
8. Any act considered by the Principal to be injurious to the physical or mental well-being of any member of the school community; or
9. Any act considered by the Principal to be contrary to the Board or school Code of Conduct.

For students in junior kindergarten to Grade 3, the behaviours listed above should be addressed with the appropriate positive behaviour supports in the school setting.

A student may be suspended only once for any incident of an infraction and may be suspended for a minimum of one (1) school day and a maximum of twenty (20) school days. Suspensions should be applied in the least restrictive manner possible to be effective and so as not to add to the historical disadvantage of racialized students and/or students with disabilities.

8.2 Factors to Consider Before Deciding to Impose a Suspension

Before deciding whether to impose a suspension, or some other form of discipline, a Principal or Vice-Principal will make every effort to consult with the student, where appropriate, and the student's parent(s)/guardian(s) (if the student is not an adult student) to identify whether any mitigating and/or other factors might apply in the circumstances.

Before applying any progressive discipline consequence, including suspension, the Principal/Vice-Principal shall consider whether or not the progressive discipline consequence might have a disproportionate impact on a student protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation to the point of undue hardship is required.

8.2.1 Mitigating Factors

The mitigating factors to be considered by the Principal or Vice-Principal before deciding whether to impose a suspension are:

1. Whether the student has the ability to control their behaviour;
2. Whether the student has the ability to understand the foreseeable consequences of their behaviour; and
3. Whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

If a student does not have the ability to control their behaviour or does not understand the foreseeable consequences of their behaviour, the Principal or Vice-Principal may decide not to suspend the student. Other progressive discipline and/or other intervention may be considered by the Principal or Vice-Principal in such circumstances. If the student poses an unacceptable risk to the safety of others in the school, the Principal shall consult with their Superintendent of Education regarding appropriate accommodations and/or strategies that might be instituted to ensure safety of students, staff, and others in the school.

8.2.2 Other Factors to be Considered

Where the student is able to control their behaviour and is able to understand the foreseeable consequences of their behaviour, the Principal or Vice-Principal shall consider whether the following

factors mitigate the length of a suspension or the decision to apply a suspension as a form of discipline for the student:

1. The student's academic, discipline and personal history;
2. Whether other progressive discipline has been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
3. Whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, colour, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or other immutable characteristic or harassment for any other reason;
4. The impact of the discipline on the student's ongoing education;
5. The student's age;
6. Where the student has an IEP or disability related needs,
 - a) Whether the behaviour causing the incident was a manifestation of the student's disability;
 - b) Whether appropriate individualized accommodation has been provided to the point of undue hardship; and
 - c) Whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.

In circumstances where one or more of the factors above mitigate the decision to apply a suspension as a form of discipline for the student, the Principal or Vice-Principal may consider whether other progressive discipline and/or other intervention is appropriate in the circumstances.

8.3 Progressive Discipline

In reviewing whether a progressive discipline approach(es) has/have been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure, the Principal or Vice-Principal shall consider the range of progressive discipline approaches (e.g., early and ongoing interventions, consequences).

8.4 Consultation

Before imposing a suspension of eleven (11) or more school days, the Principal shall consult with the Superintendent of Education regarding:

1. Whether or not accommodation pursuant to the *Human Rights Code* has been considered, and where applicable, applied to the point of undue hardship;
2. The investigation undertaken;
3. The circumstances of the incident;
4. Whether or not one or more of the factors outlined above are applicable in the circumstances; and
5. The appropriate length of the suspension.

8.5 School Work

A student who is subject to a suspension of five (5) or fewer school days must be provided with schoolwork to complete at home while serving the suspension. The schoolwork must be available to the adult student's designate or the student's parent/guardian or designate the day the student is suspended, if the student is suspended for one (1) school day. Where the student has been suspended for two (2) or more school days the Principal or Vice-Principal shall ensure that the schoolwork provided to the student will be available the day the student is suspended or the following school day.

In addition to receiving schoolwork for the first five (5) school days of suspension, a student who is subject to a suspension of six (6) or more school days must be assigned to an Alternative Suspension Program

(ASP) for students subject to lengthy suspension. A student participating in an ASP is not considered to be engaging in school or school-related activities.

8.6 Procedural Steps When Imposing a Suspension

Where a Principal (or Vice-Principal in circumstances of a suspension for five (5) or fewer days) has determined that it is appropriate in the circumstances to impose a suspension, the Principal or Vice-Principal is required to affect the following procedural steps:

1. Within 24 hours of the decision, the Principal or Vice-Principal must make all reasonable efforts to orally inform the adult student or the student's parent/guardian of the suspension;
2. The Principal or Vice-Principal must inform the student's Teacher(s) of the suspension;
3. The Principal or Vice-Principal in conjunction with the student's Teacher(s) must organize schoolwork to be provided for the student to be completed during the duration of the student's suspension;
4. The Principal or Vice-Principal must provide **written notice** of the suspension to the student, the student's parent/guardian (unless the student is an adult student), the Superintendent of Education, and the attendance counsellor. The written notice (from Student Information System – sample attached as [Appendix E](#)) will include:
 - a) The reason for suspension;
 - b) The duration of the suspension, including the student's date of return to school;
 - c) Information about the ASP the student is assigned to, where the student is suspended for six (6) or more school days;
 - d) Information about the right to appeal the suspension, including the relevant policies and guidelines and the contact information for the Superintendent of Education.
5. Every effort should be made to include the school work with the letter of suspension to the student and the student's parent/guardian (unless the student is an adult student) on the day the student is suspended if the letter is provided to the student to take home. If it is not possible to provide the letter because the student and/or their parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult student's designate or student's parent/guardian or designate.
 - If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
 - If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.
6. Where the incident is a serious violent incident, including a credible threat to inflict serious bodily harm or vandalism causing extensive damage to Board property or property located on Board property, consideration should be given to filling out and filing a Violent Incident Form in the student's Ontario Student Record. Refer to Policy 2.1.7 - Violence Prevention.

8.7 Alternative Suspension Program (ASP)

Where a student has been suspended for six (6) or more school days the student will be provided with school work for the first five (5) school days or until the ASP commences, whichever is earlier, and will be assigned an alternative program for students subject to lengthy suspension. The Principal or Vice-Principal shall communicate to the adult student or parent/guardian the purpose and nature of the ASP.

A student cannot be compelled to participate in an ASP. Should the adult student or a student's parent/guardian choose not to have the student participate in an ASP, the student will continue to be provided with school work consistent with the Ontario curriculum or that student's modified or alternative curriculum to be completed at home for the duration of their suspension. This schoolwork will be available at the school for pick-up by the adult student's designate or the student's parent/guardian or designate at

regular intervals during the suspension period. In circumstances where the schoolwork is not picked up, the Principal should contact the adult student or the student's parent/guardian to determine whether the schoolwork will be picked up. The Principal should record the follow-up and response

A **Student Action Plan** ([Appendix E](#)) shall be developed for every student with a suspension of six (6) or more school days who agrees to participate in an ASP.

Agreement or refusal to participate in an ASP may be communicated to the school orally by the adult student or the student's parent/guardian. Where the adult student or student's parent/guardian declines the offer to participate in an ASP, the Principal or Vice-Principal shall record the date and time of such refusal.

8.8 Planning Meeting

For students subject to a suspension of six (6) or more school days who choose to participate in an ASP, the Principal or Vice-Principal of the school shall hold a planning meeting for the purpose of developing the Student Action Plan (SAP).

The adult student or student's parent/guardian and the student (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting. The adult student or the student's parent/guardian shall be invited for the purpose of providing input.

The planning meeting will be scheduled to occur within two (2) school days of the adult student or the student's parent/guardian informing the school that the student will participate in an ASP.

If the adult student or the student's parent/guardian is not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting.

During the planning meeting the Principal or Vice-Principal shall review the issues to be addressed in the student's SAP.

8.9 Student Action Plan (SAP)

(refer to the Student Action Plan – [Appendix F](#))

A student subject to suspension for eleven (11) or more school days shall be provided with both academic and non-academic supports, which shall be identified in the Student's Action Plan. Students subject to a suspension of fewer than eleven (11) school days may be offered non-academic supports where such supports are appropriate and available.

- The SAP shall be developed under the direction of the Principal of the school with assistance, as appropriate, from the Principal of alternative programs, Vice-Principal of the school, Guidance Counsellor, Special Education Resource Teacher, Classroom Teacher, Child and Youth Worker, Indigenous Student Advisor and/or Social Worker.
- The Principal will make every effort to complete the SAP within five (5) school days following the adult student or the student's parent/guardian informing the school that the student will participate in an ASP.
- This timeline will be communicated to the adult student and/or the student's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.
- The Principal must ensure that the student is provided with schoolwork until the SAP is in place.
- Once completed, the SAP will be shared with the adult student, or the student's parent/guardian and the student and all necessary staff to facilitate implementation.
- A Copy of the SAP will be stored in the student's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the student.

- The SAP will identify:
 1. The incident for which the student was suspended;
 2. The progressive discipline steps taken prior to the suspension, if any;
 3. Any other discipline measures imposed in addition to the suspension;
 4. Any other disciplinary issues regarding the student that have been identified by the school;
 5. Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 6. Any programs or services that might be provided to address those learning or other needs;
 7. The academic program to be provided to the student during the suspension period and details regarding how that academic program will be accessed by the student;
 8. Where the student has an IEP and/or disability related needs, information regarding how the accommodations/modifications of the student's academic program will be provided during the period of suspension;
 9. The non-academic program and services to be provided to the student, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and
 10. The measurable goals the student will be striving to achieve during the period of suspension.

8.10 Suspension Appeal Process

(refer to Suspension Appeal Process – [Appendix G](#))

The adult student or the student's parent/guardian may appeal a suspension.

All suspension appeals will be received by the Superintendent of Education.

- An appeal of a suspension does not stay the suspension.
- A person who intends to appeal a suspension must give written notice of their intention to appeal the suspension within ten (10) school days of the commencement of the suspension.
- An individual who appeals a suspension may argue that their rights pursuant to the Human Rights Code have been infringed.
- In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes their rights pursuant to the Human Rights Code have been infringed.
- The board must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension).

Upon receipt of written notice of the intention to appeal the suspension, the Superintendent of Education:

1. Will promptly advise the school Principal of the appeal, and requests Principal's Report ([Appendix H](#));
When compiling their Report, the Principal will consider and **reference** the following student details:
 - Report Card(s) – current and previous school year
 - Attendance Record
 - IEP/IPRC if applicable
 - Student discipline notes/records if applicable
 - Any other information or reports deemed relevant to the investigation
2. Will promptly advise the adult student or the student's parent/guardian that a review of the suspension will take place and invite the appellant to discuss any matter respecting the incident and/or appeal of the suspension; (refer to the **Notice of Suspension Review** – [Appendix I](#))
3. Will review the suspension (reason, duration, any mitigating or other factors, whether or not the Human Rights Code should be or was appropriately applied);
4. May consult with the Principal regarding modification or expunging the suspension;

5. Will request a meeting with the adult student or the student's parent/guardian and the Principal to narrow the issues and try to reach a settlement;
6. Will, where a settlement is not reached, provide notice of the review decision to the adult student or student's parent/guardian. (refer to the **Suspension Review Decision Letter** – [Appendix J](#))

Where the suspension is upheld on review and the adult student or student's parent/guardian chooses to continue with the appeal:

the Superintendent of Education will:

1. Prepare a hearing package for the Discipline Committee and the adult student or the student's parent/guardian, which will include at least the following components:
 - a. the suspension letter, the letter requesting a suspension appeal, and the suspension review decision
 - b. the hearing notice to the appellant, indicating the date, time, location and format of the hearing
 - c. the Principal's Report
 - d. any student information or reports referenced in the Principal's Report
 - e. the Hearing Guidelines ([Appendix K](#))
2. Inform the adult student or the student's parent/guardian of the date, time and location of the Suspension Appeal, as well as any links, electronic invitations or passcodes required if the hearing is virtual.
3. Forward the hearing package to the Director's office two (2) days prior to the pre-hearing date.

The Director of Education will:

On behalf of the Chair of the Discipline Committee, arrange the pre-hearing and hearing.

The virtual prehearing (e.g. Microsoft Teams) will be held up to 5 days prior to the hearing, with the parents/guardians or the adult student, and include the Principal and Superintendent.

Provide digital copies of the Hearing Package to the adult student or the student's parent/guardian one half-hour prior to the meeting.

Courier the Hearing Package to the adult student or the student's parent/guardian after the pre-hearing.

Provide digital copies of the Hearing Package to Discipline Committee one hour prior to the hearing, if virtual.

8.11 Pre-Hearing

At the pre-hearing, the Chair of the Discipline Committee will:

- a) Welcome the parties and facilitate introductions;
- b) Explain the Discipline Committee hearing process;
- c) Inquire whether the parents/guardians/adult student have any other documents they wish to present to the Discipline Committee. If there are additional documents, to request copies and to request permission to include copies in the hearing package; Submissions must not include other parties' names.
- d) Inquire and/or confirm whether legal counsel will be in attendance for the student/parent/guardian/adult student. If legal counsel is present, the meeting will still proceed. The parent/guardian/adult student will advise who will be speaking on behalf of the student;
- e) Obtain the names of all persons attending.

8.12 Suspension Appeal before the Discipline Committee of the Board

Suspension appeals will be heard orally, in camera, by the Discipline Committee of Trustees. Hearings may be held in person or through virtual/electronic means.

The parties in an appeal to the Discipline Committee shall be:

1. The Principal; and
2. The adult student or the student's parent/guardian, if they appealed the decision.

If a student is not a party, they have the right to be present at the hearing and to make a statement or submission on their own behalf. The Discipline Committee may grant a person with daily care the authority to make submissions on behalf of the student. An adult student or student's parent/guardian may bring legal counsel, an advocate or support person with them to the appeal.

The hearing will be conducted in accordance with the Discipline Committee Hearing Guidelines ([Appendix K](#)).

The Discipline Committee may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and/or direction, a Trustee may call for the assistance of a police officer to enforce any such order or direction.

Where any party who has received proper notice of the location, date and time of the appeal, including any links, electronic invitations and passcodes if applicable, fails to attend the appeal or comply with the necessary timelines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.

The Discipline Committee will consider, based on the written and/or oral submissions of both parties, whether or not the consequence might have a disproportionate impact on a student protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society and whether the decision to discipline and the discipline imposed was reasonable in the circumstances, and shall either:

1. Confirm the suspension and its duration; or
2. Confirm the suspension but shorten its duration and amend the record, as necessary; or
3. Quash the suspension and order that the record be expunged; or
4. Make such other appropriate order.

The decision of the Discipline Committee is final. The decision shall be communicated to the appellant in writing.

(refer to the **Board Suspension Appeal Decision:** [Appendix L1](#) & [L2](#))

8.13 Re-Entry to School

Following a suspension of six (6) or more school days, a re-entry meeting will be held with school and board staff, the student, and the student's parent/guardian if possible, to provide positive and constructive redirection for the student. Where the student has participated in an Alternative Suspension Program, the student's success in achieving the goals outlined in the Student Action Plan (SAP) will be reviewed with the adult student or the student's parent/guardian and student. Further programs and services might be recommended by the Principal for the purpose of achieving additional or greater success in meeting the goals outlined in the SAP.

9. EXPULSION OF STUDENTS

(Refer to the Expulsion Hearing Process – [Appendix M](#))

9.1 Factors to Consider before Deciding to Impose a Suspension

Principals shall suspend a student in grade 4 to grade 12 for up to 20 school days if the Principal believes that the student has engaged in an activity for which the student might ultimately be expelled by the school board. This provides for the removal of the student from the school while allowing the Principal to investigate the incident and decide whether to recommend to the board that the student be expelled.

The Education Act requires the Principal to consider mitigating and other factors in determining the length of the suspension and in determining whether to recommend expulsion.

If a student in junior kindergarten to Grade 3 engages in any of the activities listed below, the Principal will conduct an investigation regarding the allegations to determine if the student should be suspended.

The Principal shall also contact the police consistent with the Police and School Protocol Policy (2.1.10) if the infraction the student is suspected of committing requires such contact. The Principal shall consult with their Superintendent of Education.

The enumerated activities are:

1. Possessing a weapon, including possessing a firearm;
2. Using a weapon to cause or to threaten bodily harm to another person;
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
4. Committing sexual assault;
5. Trafficking in weapons, illegal, controlled and/or restricted substances;
6. Committing robbery;
7. Giving alcohol or illegal, controlled and/or restricted substances to a minor;
- 7.1. Bullying, if,
 - i. the pupil has previously been suspended for engaging in bullying (grades 4-12 only), and
 - ii. the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person;
- 7.2. Any activity listed in subsection 306(1) (for which a student may be suspended) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor;
8. An act considered by the Principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
9. A pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
10. Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
11. Activities engaged in by the student on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property;
12. The student has demonstrated through a pattern of behaviour that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behaviour which would enable them to prosper; or
13. Any act considered by the Principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the Board or school Code of Conduct.

14. Where a student has no history of discipline or behaviour intervention, or no relevant history, a single act, incident or infraction considered by the Principal to be a serious violation of the expectations of student behaviour and/or a serious breach of the Board or school Code of Conduct.

9.1.1 Mitigating Factors

The Education Act requires the Principal to consider mitigating and other factors in determining the length of the suspension and in determining whether to recommend expulsion.

The Principal will make every effort to consult with the pupil, where appropriate, and the pupil's parent/guardian, if the pupil is not an adult pupil, to assist to identify whether any mitigating factors might apply in the circumstances. However, despite consultation, the identification of mitigating and other factors remains the responsibility of the Principal.

The mitigating factors to be considered by the Principal in determining the length of the suspension and in determining whether to recommend expulsion are:

1. Whether the student has the ability to control their behaviour;
2. Whether the student has the ability to understand the foreseeable consequences of their behaviour; and
3. Whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

Where the pupil is able to control their behaviour and is able to understand the foreseeable consequences of their behaviour, the Principal or Vice-Principal shall consider whether the following factors mitigate the length of the suspension or the decision to recommend expulsion as a form of discipline for the pupil:

1. The pupil's academic, discipline and personal history;
2. Whether progressive discipline has been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
3. Whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation or other immutable characteristic or harassment for any other reason;
4. The impact of the discipline on the pupil's prospects for further education;
5. The pupil's age;
6. Where the pupil has an IEP or disability related needs,
 - a. Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - b. Whether appropriate individualized accommodation has been provided to the point of undue hardship; and
 - c. Whether a suspension is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.

9.2 Suspension Pending Recommendation for Expulsion

If the pupil is suspended pending an investigation to determine whether expulsion will be recommended, mitigating and other factors must be considered in determining the length of the suspension which can be for one (1) to (20) twenty school days. The *Education Act* requires the Principal to consider mitigating and other factors in determining the length of the suspension.

9.3 Procedural Steps When Imposing a Suspension Pending Investigation for Expulsion

When imposing a suspension pending investigation for expulsion the Principal is required to affect the following procedural steps:

1. Within 24 hours of the decision, the Principal must make all reasonable efforts to orally inform the adult student or the student's parent/guardian of the suspension;
2. The Principal must inform the student's Teacher(s) of the suspension;
3. The Principal must provide written notice of the suspension to the adult student or the student's parent/guardian and student, the Superintendent of Education, and the attendance counsellor. The written notice (from Student Information System – sample attached as [Appendix N](#)) will include:
 - a. The reason for suspension;
 - b. The duration of the suspension;
 - c. Information about the program for suspended students the student is assigned to ([Procedures 9.4 to 9.6 inclusive](#));
 - d. Information about the investigation the Principal is conducting to determine whether to recommend expulsion;
 - e. A statement that there is no immediate right to appeal the suspension. Any appeal must wait until the Principal decides whether to recommend an expulsion, and if the Principal decides not to recommend an expulsion, a statement that the suspension may be appealed to the Discipline Committee, and if the Principal decides to recommend an expulsion that the suspension may be addressed at the expulsion hearing.
4. Every effort should be made to include the school work with the letter of suspension to the student and the student's parent/guardian (unless the student is an adult student) on the day the student is suspended if the letter is provided to the student to take home. If it is not possible to provide the letter because the student and/or their parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult student's designate or the student's parent/guardian or designate to pick-up from the school the following school day.
 - If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
 - If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.

Where the incident is a serious violent incident, such as possession of weapons, physical assault causing serious bodily harm, sexual assault, robbery, extortion or hate motivated violence, consideration should be given to filling out and filing a Violent Incident Form in the student's Ontario Student Record. (refer to Policy/Procedure 2.1.7 – Violence Prevention)

9.4 Alternative Suspension Program (ASP)

Where a student has been suspended pending an investigation to determine whether to recommend an expulsion, the student will be assigned to an alternative program for students subject to lengthy suspension (ASP). The Principal or Vice-Principal shall communicate to the adult student or the student's parent/guardian the purpose and nature of the ASP.

A student cannot be compelled to participate in an ASP. Should the adult student or the student's parent/guardian choose not to have the student participate in an ASP, the student will be provided with school work consistent with the Ontario curriculum or that student's modified and/or alternative curriculum to be completed at home for the duration of their suspension. This school work will be available at the school for pick-up by the adult student's designate or the student's parent/guardian or a designate at regular intervals during the suspension period beginning the school day after the adult student or the student's parent/guardian refuses to participate in an ASP.

Agreement or refusal to participate in an ASP may be communicated to the school orally by the adult student or the student's parent/guardian. Where the student or their parent/guardian declines the offer to participate in an ASP, the Principal shall record the date and time of such refusal.

9.5 Planning Meeting

For students subject to a suspension pending an investigation to determine whether to recommend an expulsion that choose to participate in an ASP, the Principal of the school or designate will hold a planning meeting for the purpose of developing the Student Action Plan (SAP). An SAP will be developed for every student who agrees to participate in an ASP.

The adult student or the student's parent/guardian and student (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting. The adult student or the student's parent/guardian shall be invited for the purpose of providing input.

The planning meeting will be scheduled to occur within two (2) school days of the adult student or the student's parent/guardian informing the school that the student will participate in an ASP.

If the adult student or the student's parent/guardian is not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting.

During the planning meeting the Principal or Vice-Principal shall review the issues to be addressed in the student's SAP.

9.6 Student Action Plan

(refer to Student Action Plan – [Appendix F](#))

A student subject to suspension pending an investigation to determine whether to recommend an expulsion will be provided with both academic and non-academic supports, which will be identified in the student's Student Action Plan (SAP).

- The SAP will be developed under the direction of the Principal of the school with assistance, as appropriate, from the Principal of alternative programs, Vice-Principal of the school, Guidance Counsellor, Special Education Resource Teacher, Classroom Teacher, Child and Youth Worker, Indigenous Student Advisor and/or Social Worker.
- The Principal will make every effort to complete the SAP within five (5) school days following the adult student or the student's parent/guardian informing the school that the student will participate in an Alternative Suspension Program.
- This timeline will be communicated to the adult student or the student's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.
- The Principal must ensure that the student is provided with schoolwork until the SAP is in place.
- Once completed, the SAP will be shared with the adult student or the student's parent/guardian and student and all necessary staff to facilitate implementation.
- A copy of the SAP will be stored in the student's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the student.
- The SAP will identify:
 1. The incident for which the student was suspended;
 2. The progressive discipline steps taken prior to the suspension, if any;
 3. Any other progressive discipline measures imposed in addition to the suspension;
 4. Any other disciplinary issues regarding the student that have been identified by the school;
 5. Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;

6. Any programs or services that might be provided to address those learning or other needs;
7. The academic program to be provided to the student during the suspension period and details regarding how that academic program will be accessed by the student;
8. Where the student has an IEP or disability related needs, information regarding how the accommodations/modifications of the student's academic program will be provided during the period of suspension;
9. The non-academic program and services to be provided to the student, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and
10. The measurable goals the student will be striving to achieve during the period of suspension.

9.7 Principal's Investigation

(refer to **Expulsion Hearing Principal's Report** – [Appendix O](#))

The Principal shall conduct an investigation promptly following the suspension of the student to determine whether to recommend to the Discipline Committee that the student be expelled. As part of the investigation, the Principal will consult with the Superintendent of Education regarding any issues of process and/or timing for conducting the investigation, which must be completed at the earliest opportunity as well as the substantive decision whether or not to recommend that the student be expelled. Before referring a student to the Discipline Committee of the Board for expulsion, the administration shall consider whether or not the recommendation might have a disproportionate impact on a student protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation is required.

Should the decision be made to refer the student to the Discipline Committee with a recommendation for expulsion, the student must be referred to and dealt with by the Discipline Committee within twenty (20) school days from the date of suspension (unless timelines are extended on consent).

Any police investigation will be conducted separately from the Principal's inquiry. As part of the investigation, the Principal shall:

1. Make all reasonable efforts to speak with the adult student or the student's parent/guardian and the student;
2. Include interviews with witnesses who the Principal determines can contribute relevant information to the investigation;
3. Make every reasonable effort to interview any witnesses suggested by the student, or the student's parent/guardian; and
4. Consider the mitigating and other factors when determining whether to recommend to the Discipline Committee that the student be expelled.
5. Consider whether or not the student is protected by the *Human Rights Code*, including but not limited to race and disability, and/or is in a disadvantaged position in society, and evaluate the appropriateness of the accommodation if any was provided.
6. Consider and reference the following student details in their Report:
 - Report Card(s) – current and previous school year
 - Attendance Record
 - IEP/IPRC if applicable
 - Student discipline notes/records if applicable
 - Any other information or reports deemed relevant to the investigation

9.7.1 Progressive Discipline

In reviewing whether a progressive discipline approach(es) has/have been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or

failure, the Principal will consider the preventative strategies, positive practices, early and/ or ongoing interventions and consequences outlined in [sections 3.1 to 3.5](#).

9.7.2 Consultation

Before making a decision, the Principal will make every effort to consult with the student and the student's parent/guardian (unless the student is an adult student).

9.8 Decision Not to Recommend Expulsion

(refer to **Investigation Decision - Not to Recommend Expulsion** – [Appendix P1](#))

Following the investigation and consideration of the mitigating and other factors and the application of the Code, if the Principal decides not to recommend to the Discipline Committee that the student be expelled, the Principal shall:

- a) Confirm the suspension and its duration;
- b) Confirm the suspension but shorten its duration and amend the record accordingly; or
- c) Withdraw the suspension and expunge the record.

If the Principal has decided not to recommend an expulsion of the student, they must consider whether progressive discipline is appropriate in the circumstances. The Principal will provide written notice of this decision to the adult student or the student's parent/guardian and student. The notice shall include:

1. A statement of the Principal's decision not to recommend expulsion to the Discipline Committee;
2. A statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;
3. If the suspension has been upheld or upheld and shortened, information about the right to appeal the suspension to the Discipline Committee, including:
 - a. A copy of the Board policies and guidelines regarding suspension appeals;
 - b. Contact information for the Superintendent of Education;
 - c. A statement that written notice of an intention to appeal must be given within five (5) school days following receipt by the party of notice of the decision not to recommend expulsion; or
 - d. If the length of the suspension has been reduced, notice that the appeal is of the reduced suspension, and not the original suspension.

9.9 Recommendation to the Board for an Expulsion Hearing

If a Principal, in consultation with the Superintendent of Education, determines that a referral for expulsion is warranted, the Superintendent of Education must refer the recommendation for expulsion to the Discipline Committee with time for it to be heard within twenty (20) school days from the date the Principal suspended the student, unless the parties to the expulsion hearing agree upon a later date. Hearings may be held in person or through virtual/electronic means.

9.9.1 Roles for the purposes of the expulsion proceeding,

The Principal will:

1. Provide the Superintendent of Education with the following three (3) days prior to the pre-hearing date:
 - a. A statement that the student is being referred to the Discipline Committee to determine whether the student will be expelled for the activity that resulted in suspension;
 - b. Notification of Suspension letter ([Appendix E](#)) generated in Aspen
 - Suspension appeal documents (If applicable):

- the letter requesting a suspension appeal
 - Suspension Appeal Principal's Report ([Appendix H](#))
 - Notice of Suspension Review ([Appendix I](#))
 - Suspension review decision ([Appendix J](#))
- Suspension Pending Investigation for Expulsion ([Appendix N](#))
- Notice of Recommendation for Expulsion ([Appendix P2](#))
- c. Alternative Suspension Program Student Action Plan ([Appendix F](#))
- d. Suspension Pending Investigation for Expulsion, ([Appendix N](#))
- e. Expulsion Hearing - Principal's Report ([Appendix O](#))
- f. Any student information or reports referenced in the Principal's Report
 - Student Schedule
 - Attendance list
 - Graduation summary
 - IEP
 - Prior Suspensions
 - Prior Violent Incident Forms

The Superintendent of Education will:

1. Advise the Chair of the Discipline Committee and the Director of Education of the general details of the incident, including actions taken or pending.
2. Inform the adult student or the student's parent/guardian of the date, time and location of the expulsion hearing with a formal **Notice of Recommendation for Expulsion** ([Appendix P2](#)).
3. Prepare a hearing package for the Discipline Committee and the adult student or the student's parent/guardian, which will include at least the following components:
 - a. Notification of Suspension letter ([Appendix E](#)) generated in Aspen, and:
 - for a suspension appeal:
 - the letter requesting a suspension appeal
 - Suspension Appeal Principal's Report ([Appendix H](#))
 - Notice of Suspension Review ([Appendix I](#))
 - Suspension review decision ([Appendix J](#))
 - for an expulsion hearing:
 - Suspension Pending Investigation for Expulsion ([Appendix N](#))
 - the notice of recommendation for expulsion ([Appendix P2](#))
 - b. Alternative Suspension Program Student Action Plan ([Appendix F](#))
 - c. Hearing Guidelines ([Appendix K](#))
 - d. Suspension Pending Investigation for Expulsion ([Appendix N](#))
 - e. Expulsion Hearing - Principal's Report ([Appendix O](#))
 - f. any student information or reports referenced in the Principal's Report
 - Student Schedule
 - Attendance list

- Graduation summary
- IEP
- Prior Suspensions
- Prior Violent Incident Forms

g. Family / Student Written Submissions

4. Forward the hearing package to the Director's office two (2) days prior to the pre-hearing date.

The Director of Education will:

On behalf of the Chair of the Discipline Committee, arrange the pre-hearing and hearing.

The virtual pre-hearing (e.g., Microsoft Teams) will be held up to 5 days prior to the hearing, with the parents/guardians or the adult student, and include the Principal and Superintendent.

Provide digital copies of the Hearing Package to the adult student or the student's parent/guardian one half-hour prior to the pre-hearing, if virtual.

Courier the Hearing Package to the adult student or the student's parent/guardian after the pre-hearing.

Provide digital copies of the Hearing Package to Discipline Committee one hour prior to the hearing.

9.9.2 Pre-Hearing

At the pre-hearing, the Chair of the Discipline Committee will:

- a. Welcome the parties and facilitate introductions;
- b. Explain the Discipline Committee hearing process;
- c. Inquire whether the parents/guardians/adult student have any other documents they wish to present to the Discipline Committee. If there are additional documents, to request copies and request permission to include copies in the hearing package; Submissions must not include other parties' names.
- d. Inquire and/or confirm whether legal counsel will be in attendance for the student/parent/guardian/adult student. If legal counsel is present, the meeting will still proceed. The parent/guardian/adult student will advise who will be speaking on behalf of the student.
- e. Obtain the names of all persons attending.

9.9.3 Hearing before the Discipline Committee

If the Principal recommends expulsion, the Discipline Committee shall hold a hearing. Parties before the Discipline Committee will be:

1. The Principal; and
2. The adult student or the student's parent/guardian.

If a student is not a party, they have the right to be present at the expulsion hearing and to make submissions on their own behalf. The Discipline Committee may grant a person with daily care the authority to make submissions on behalf of the student. An adult student or student's parent/guardian may bring legal counsel, an advocate or a support person with them to the expulsion hearing.

The hearing will be conducted in accordance with the Discipline Committee Hearing Guidelines (Appendix K). The hearing may be held in person or through virtual/electronic means.

1. The Discipline Committee shall consider oral and written submissions, if any, of all parties;
2. The Discipline Committee shall consider whether or not the *Ontario Human Rights Code* should be applied in the circumstances to mitigate the discipline, if any;
3. The Discipline Committee shall solicit and consider the views of all parties with respect to whether, if an expulsion is imposed, the expulsion should be from one school or all schools of the Board;
4. The Discipline Committee shall solicit and consider the views of all parties with respect to whether, if an expulsion is not imposed, the suspension should be confirmed, shortened or withdrawn; and
5. Such other matters as the Discipline Committee considers appropriate.

In determining whether to impose an expulsion, and if so the type of expulsion to impose, the Discipline Committee shall consider the following factors:

1. The mitigating and other factors:
 - a) Whether the student has the ability to control their behaviour;
 - b) Whether the student has the ability to understand the foreseeable consequences of their behaviour;
 - c) Whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school;
 - d) The student's academic, discipline and personal history;
 - e) Whether progressive discipline has been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
 - f) Whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation or any other immutable characteristic or harassment for any other reason;
 - g) The impact of the discipline on the student's ongoing education;
 - h) The student's age;
 - i) Where the student has an IEP or disability related needs,
 - i. Whether the behaviour causing the incident was a manifestation of the student's disability;
 - ii. Whether appropriate individualized accommodation has been provided to the point of undue hardship; and
 - iii. Whether an expulsion is likely to result in aggravating or worsening the student's behaviour or conduct or whether an expulsion is likely to result in a greater likelihood of further inappropriate conduct.
2. The application of the *Ontario Human Rights Code*.
3. The submissions and views of the parties.
4. Any written response to the Principal's Report provided before the completion of the hearing; and
5. Whether or not the expulsion might have a disproportionate impact on a student protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation is required in the circumstances.
6. Such matters as the Discipline Committee considers appropriate.

Where there is a conflict in the evidence presented by the parties on the issue of whether the student committed the infraction, the Discipline Committee may request further evidence as set out in the Discipline Committee Hearing Guidelines ([Appendix K](#)), subject to the requirement that the hearing take place within twenty (20) school days, or the Discipline Committee may assess the evidence and determine whether, on a balance of probabilities, it has been established that it is more probable than not that the student committed the infraction.

9.9.4 No Expulsion

(refer to **Board Expulsion Decision** – [Appendix Q](#))

If the Discipline Committee decides not to expel the student, the Discipline Committee shall take the submissions of the parties into account, including mitigating and other factors, in determining whether to:

1. Uphold the suspension and its duration;
2. Uphold the suspension and shorten its duration and amend the record accordingly;
3. Quash the suspension and expunge the record such that no record of the suspension remains in the Ontario Student Record; or
4. Make such other orders as the Discipline Committee considers appropriate.

The Discipline Committee shall give written notice to all parties of the decision not to impose an expulsion and the decision with respect to the suspension.

The Discipline Committee's decision with respect to the suspension is final.

9.9.5 Expulsion

(refer to **Board Expulsion Decision** – [Appendix Q](#))

In the event the Discipline Committee decides to impose an expulsion on the student, the Discipline Committee must decide whether to impose an expulsion from one school or all schools of the Board. In determining the type of the expulsion, the Discipline Committee shall consider all factors outlined in [Section 9.9.3](#).

Where the Discipline Committee decides to impose an expulsion from one school, then the Discipline Committee must assign the student to another school. The requirements of school transfers set out in these procedures shall apply ([Section 3.5](#)).

Where the Discipline Committee decides to impose an expulsion from one school or all schools of the Board, they must promptly provide written notice of the decision to expel the student to all parties, and the student if they were not a party. The written notice shall include:

1. The reason for the expulsion;
2. A statement indicating whether the expulsion is from one school or all schools of the Board;
3. For an expulsion from one school, information about the school to which the student has been assigned; and
4. Information about the right to appeal the expulsion, including the steps to be taken.

Upon being informed that a student has been expelled, the Director will provide written notice of the re-entry requirements for the expelled student to meet in order to be readmitted to a regular day school program of the Board, or to the school from which they were expelled ([Appendix R](#)).

Upon receiving notice that a student has been expelled from all schools of the Board, Board staff must assign the student to a program for expelled students. The Principal will hold a planning meeting with school and school board staff, the student, and parents/guardians (when possible) to identify the

objectives of the **Student Action Plan for Expelled Students** ([Appendix S](#)). This must be done in a manner consistent with the Board's policy and procedures for programs for expelled students.

An expelled student is a student of the Board, even where they attend a program for expelled students at another school board, unless they do not attend the program or register at another school board.

9.9.6 Re-entry Requirements Following an Expulsion

A student who is subject to an expulsion from all schools of the Board is entitled to apply in writing for re-admission to a school of the Board once they have successfully completed a program for expelled students and have satisfied the objectives required for completion of the program, as determined by the person who provides the program. The Director must re-admit the student and inform the student in writing of the re-admission. If a student has not successfully completed a program or met program objectives through another route, they remain expelled.

A student who is subject to an expulsion from one school may apply in writing to the Director of Education to be re-assigned to the school from which they were expelled.

1. The Director will consider whether re-attendance will have a negative impact on the school climate, including on any victims, where applicable;
2. The student will be required to demonstrate that they have learned from the incident and have sought counselling, where appropriate;
3. The student will be required to sign a Declaration of Performance form provided by the Director (refer to **Declaration of Performance** – [Appendix T1](#));
4. Following consideration of the principles of equity and inclusion, the Director, in their sole discretion, may determine that a different school than the one from which the student was expelled is a more appropriate placement for the student.
5. If the Director grants re-entry to an expelled student, the student will sign and submit the **Student Re-Entry Contract** ([Appendix T2](#)) with the school Principal.
6. A **Re-entry Plan for Expelled Students** ([Appendix T3](#)) must be developed by the student, parents/guardians, Teachers and Principal.

9.9.7 Appeal of Board Decision to Expel

The adult student or the student's parent/guardian may appeal a Board decision to expel the student to the Child and Family Services Review Board.

The Child and Family Services Review Board are designated to hear and determine appeals of School Board decisions to expel students.

- An individual who appeals an expulsion may argue that their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes their rights pursuant to the *Ontario Human Rights Code* have been infringed.

The decision of the Child and Family Services Review Board is final.

10. EXCLUSION

A pupil shall not be excluded from the school pursuant to section 265(1)(m) of the *Education Act* as a disciplinary measure, as an alternative to discipline.

An exclusion from the school pursuant to section 265(1)(m) of the Education Act shall only be effected in accordance with the *Education Act*, the Board's Exclusion Policy and Exclusion Procedures and consistent with the Human Rights Code.

PPM 145 (page 6) states that if a Principal does decide that it is necessary to exclude a student from the school, they are expected to notify the student's parents of the circumstances of the exclusion as soon as possible, and to inform them of their right to appeal under clause 265(1)(m).

A student is NOT excluded from a class or from the school pursuant to section 265(1)(m) of the *Education Act* in circumstances where the parent/guardian and the Principal, in consultation with the Superintendent of Education, AGREE that, as an accommodation and in the best interests of the student, the student's educational program should be modified such that the student is not participating in one or more specific class(es) or is excused from attending school for part or all of the school day during a specific period of time and/or during a specific school event or series of school events.

A student is NOT excluded from a class pursuant to section 265(1)(m) of the *Education Act* by virtue of serving a detention or in-school withdrawal in another part of the school as part of progressive discipline that has been imposed by the Principal or designate.

11. MONITORING & REVIEW

Schools and their Safe Schools Teams have an important role in assisting with monitoring, review and improvement of the effectiveness of safe schools policies and procedures. Teams must include one non-teaching staff member, and the chair of the team must be a staff member and may be the Principal or Vice-Principal.

Each School's Safe Schools Team must be established at the beginning of each school year. A list of members must be submitted to their regional Superintendent of Education's Office in September, using the Safe Schools Team form ([Appendix U](#)).

Every two years schools are required to address issues of bullying, gender based violence, homophobia, sexual, racial and disability related harassment and inappropriate sexual behaviour in their school improvement plans and to evaluate the effectiveness of safe schools policies, procedures and programs through the use of school climate surveys.

Climate surveys shall be conducted by the school every two years to provide parents, school staff and students with an opportunity to anonymously evaluate and communicate their perception of school safety. Climate surveys shall include questions about bullying, harassment related to immutable characteristics including those protected by the *Ontario Human Rights Code*, gender-based violence, and sexual assault. Where possible, climate surveys shall be made available to students with cognitive disabilities in a form that might provide them with an opportunity to identify their perception of their safety. Students with other special needs shall be accommodated in order to provide them with an opportunity to respond to the climate survey.

The results of climate surveys shall be shared with Safe School Teams in order to assist the Teams to build strategies in school improvement plans to improve the school climate deficits identified.

12. DELEGATION OF AUTHORITY

Whenever possible, an administrator will be present on school property.

A Principal may delegate authority for discipline matters to a Vice-Principal or Teacher-in-Charge in accordance with the Board's procedures. A delegation of authority to a Teacher-in-Charge will only come

into effect if there are no administrators present on school property. Those who are delegated authority for discipline matters must respect and implement their duties and decisions as required by the *Education Act*, Board policies and procedures and the Human Rights Code of Ontario.

12.1 Delegation of Authority to a Vice-Principal

Delegation may include all authority of the Principal under Part XIII of the *Education Act* except the final decision regarding a recommendation to the board to expel a student. Vice-Principals may be delegated the authority to suspend a student for less than six school days.

12.2 Delegation of Authority to Teacher-In-Charge

(refer to Delegation of Authority – Teacher-in-Charge – [Appendix V](#))

A Teacher-in-Charge may be delegated authority by the Principal to receive reports about suspension and expulsion infractions from Board employees and transportation providers, in which case, the Teacher-in-Charge shall at the earliest opportunity inform the Principal or Vice-Principal and when the absence of the Principal and Vice-Principal might be for one or more days, the Superintendent of Education.

A Teacher-in-Charge may be delegated authority to contact the police in an emergency or in the event of an incident requiring police involvement in accordance with the Police and School Protocol Policy (2.1.10).

A Teacher-in-Charge may be delegated authority by the Principal to conduct an investigation when an infraction has occurred requiring further information before action can be taken. When it appears that the incident might attract discipline in the form of suspension or expulsion, the Teacher-in-Charge shall NOT proceed to investigate, but shall at the earliest opportunity provide the Principal or Vice-Principal, and in the absence of the Principal and Vice-Principal for one or more days, the Superintendent of Education, with a detailed written and oral account of the steps taken and information determined up to that point.

All incidents on school property occurring during a school related activity or having an impact on school climate that might result in suspension or suspension and a recommendation for expulsion shall be reported by the Teacher-in-Charge to the Principal, or the Vice-Principal in the Principal's absence, at the earliest opportunity, and in the absence of the Principal and Vice-Principal for one or more days, the Superintendent of Education.

In such circumstances, the Teacher-in-Charge may be delegated authority to provide information to the parent/guardian of a student, who is NOT an adult student and where the Teacher-in-Charge is NOT of the opinion that informing the parent/guardian would put the student at risk of harm, about the fact that harm has been caused and the nature of the harm that has occurred. The Teacher-in-Charge shall also inform the parent/guardian that, at the earliest opportunity, an administrator will contact the parent/guardian to provide further information about the activity causing harm and the steps that will be taken to support the victim and ensure the victim's safety. The Teacher-in-Charge may inform a parent/guardian of an adult student if that student consents to the disclosure of information.

A Teacher-in-Charge shall NOT be delegated authority to share with the parent/guardian of a victim the name of the suspected perpetrators and/or the discipline measures that might be taken by the school to address the infraction.

The Teacher-in-Charge may be delegated authority to consider and implement progressive discipline measures following the investigation of an incident, which has occurred on school property, during a school activity, or in circumstances having an impact on the school climate, that by its nature does not require the Principal to consider imposing a suspension and does not require the Principal to consider imposing a suspension pending an inquiry for the purposes of recommending an expulsion.

A Teacher-in-Charge shall not be delegated authority to suspend a student.

If at any time the Teacher-in-Charge is uncertain or uncomfortable about the duties that have been delegated and/or the possible application of the *Ontario Human Rights Code*, they should take immediate steps to contact an administrator. In emergency circumstances, where an administrator is not available, the Teacher-in-Charge shall contact the emergency administrator who has been identified as a resource.

Written notice identifying the authority being delegated to the Teacher-in-Charge, the timeframe for the delegation of the authority and the resources available to the Teacher-in-Charge must be provided using the **Delegation of Authority-Teacher-in-Charge** form ([Appendix V](#)).

When a Teacher-in-Charge has been identified to assume duties for a particular timeframe, communication by internal electronic mail shall be provided to all staff members of the school, who are anticipated to be in attendance during the particular timeframe, identifying the name of the Teacher-in-Charge and the timeframe for the administration's absence.

BULLYING PREVENTION AND INTERVENTION PLAN

The plan is organized to provide information in the areas of:

1. [Preamble](#)
2. [Definitions](#)
3. [Bullying Prevention - proactive measures](#)
4. [Bullying Intervention - responsive measures](#)
5. [Professional Development](#)
6. [Communication Strategies](#)
7. [Resources](#)
8. [Monitoring & Review](#)

1. PREAMBLE

A safe, inclusive and accepting school environment is essential for student achievement and well-being. There is conclusive research that shows that to reach their full potential, children and youth must feel safe, included and engaged in school.

Bullying is associated with a range of physical and mental health problems, as well as educational problems, antisocial problems, and relationship problems. Experts call for early intervention for both the child who is victimized by bullying and the child who bullies. Without support, children who bully appear to learn how to use power and aggression to dominate others.¹

An inclusive social climate based on caring and respectful relationships among and between students, teachers, other school staff, parents and administrators is generally accepted as a necessary supporting condition for learning.²

Committed leadership and ongoing collaboration at all levels (individual, classroom, school, parent, board, community) among everyone involved are key factors to the success of a whole school approach.

A whole school approach engages all key learning areas, all grades and the wider community. All aspects of school life are considered, such as policies and procedures, curriculum, school climate, teaching and assessment practices, co-curricular and leadership opportunities.

The use of data is also a key factor. Data should be used to inform the development of bullying prevention and intervention plans, including the selection of evidence-informed programs and practices. District School Board Ontario North East uses the School Climate Surveys at each school to collect data from students in the areas of: social-emotional outcomes, physical health outcomes, drivers of student outcomes and demographic factors.

¹ Source: Ontario Ministry of Education. – Wendy M. Craig, Debra J. Pepler, Ashley Murphy, and Heather McCuaig-Edge, “What Works in Bullying Prevention?”, in Eric M. Vernberg and Bridget K. Briggs, eds., *Preventing and Treating Bullying and Victimization* ([U.S.A]: Oxford University Press, 2010) pp. 215-42.

² Source: Ontario Ministry of Education. – Adapted quote UNESCO Institute for Statistics, *A Place to Learn: Lessons from Research on Learning Environments*, 2012, pg. 47

2. DEFINITIONS

Bullying: aggressive and typically repeated behaviour by a pupil where,

- a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:
 - i. causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property or
 - ii. creating a negative environment at a school for another individual
- b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race disability or the receipt of special education.

Cyber Bullying: using electronic means to intimidate, harm, exclude or ruin a reputation. Cyber bullying includes the use of e-mails and instant messaging, text or digital imaging sent to cell phones, web pages and web logs (blogs), chat rooms and discussion groups to spread rumours, images or hurtful comments, including:

- a) creating a web page or a blog in which the creator assumes the identity of another person;
- b) impersonating another person as the author of content or messages posted on the internet;
- c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

Although cyber bullying usually occurs outside the school, it can negatively affect the learning environment and student safety in the school. Where there is evidence that a student who has been intimidated is impaired in his or her ability to progress in school, or that the cyber bullying affects school safety and security, the Principal will intervene as if the inappropriate behaviour was initiated in the school setting.

3. BULLYING PREVENTION - PROACTIVE MEASURES

Some popular and effective bullying prevention strategies used in District School Board Ontario North East include:

- communicating expectations and raising awareness about bullying prevention with parents through school websites and newsletters;
- policies for Codes of Conduct provided by the board to ensure bullying prevention is addressed at all sites;
- curriculum expectations using resources infused with character education
- announcements or "thoughts for the day" related to positive decision-making;
- monthly recognition assemblies promoting character attributes;
- co-curricular clubs addressing harm and repair (e.g. GSA - Gay-Straight Alliance, The Motiv8ors);
- The Roots of Empathy, an evidence-based classroom program that has shown significant effect in reducing levels of aggression among school-aged children by raising social/emotional competence and increasing empathy;
- promoting use of the Ontario Ministry of Education website, *Parents* section, for bullying prevention and intervention resources, in addition to other resources listed in this document;
- creating and promoting a safe space/process for reporting bullying;
- establishing GSA (Gay-Straight Alliance) groups in secondary schools in order to address the issue of bullying based on sexual orientation or perceived sexual orientation;
- interactive productions and presentations in schools:

4. BULLYING INTERVENTION – RESPONSIVE MEASURES

a) Responsive Measures for the Bullied

District School Board Ontario North East staff:

- facilitate the reporting experience (provide a safe space, time, compassionate attention, reassurance);
- assist the student in identifying and naming the specific bullying behaviours (repeated, intent to harm, power differential);
- provide problem-solving strategies to increase student's sense of safety, to address the bully and to deal with the backlash;
- review processes for continuing to report incidences and monitor well-being;
- use restorative practices (see link in resources area for further information);
- refer student to Board mental health, if needed or desired;
- refer students to the Ontario Ministry of Education's "Anti-Bullying Hotline" in order to report incidents of bullying in a safe, anonymous way (link in resources section);
- encourage the cooperative partnership between Police Services and District School Board Ontario North East to assist in responding to reports of bullying and violence.

b) Responsive Measures for the Bully

District School Board Ontario North East staff:

- enforce progressive discipline interventions (corrective interventions that support learning);
- communicate with parent/guardian to inform and enlist support and consistency of expectations;
- listen to and help the bully identify "reasons" for bullying behaviour (e.g. "*I was just joking around.*" "*I was just trying to make my friends laugh.*");
- provide pressure and support: "*The behaviour must stop. We will help you stop by...*" (keeping you inside at recess this week). *If you don't stop these are the possible future consequences.*";
- use restorative practices (see link in resources area for further information);
- provide direct skills instruction (e.g. emotional self-regulation);
- provide practice, feedback, reinforcement;
- provide conflict mediation and resolution;
- withdraw privilege/allow student to earn back privileges;
- assign detentions;
- withdraw the student that bullies from the class;
- develop Safety Plans through IPRC process, as required;
- refer student to mental health services within our board;
- refer to community agencies;
- assign suspensions and/or expulsions (Education Act - bullying is one of the behaviours leading to possible suspension/expulsion);
- encourage the cooperative partnership between Police Services and District School Board Ontario North East to assist in responding to reports of bullying and violence.

5. PROFESSIONAL DEVELOPMENT

District School Board Ontario North East provides annual professional development opportunities to assist teachers, support staff and administration in managing student behaviour, particularly related to bullying prevention and intervention. Some examples of this professional development include:

- Training in Restorative Practices (International Institute for Restorative Practices)
- Mentor coaching training for all administrators
- Various guest speakers, addressing issues of bullying, cyberbullying and equity.
- Additional qualification courses for teachers covering anti-bullying material.

6. COMMUNICATION STRATEGIES

This report will be broadly communicated to various stakeholders in District School Board Ontario North East. Some of these communication strategies include:

- Distribution of the plan to all Principals and Vice-Principals via email;
- Reinforcement of strategies through Principal/Vice-Principal meetings with Superintendents of Education;
- Distribution of the plan to School Council Chairs;
- Placement of the plan on the DSB1 website: www.dsb1.ca;
- Placement of the plan on the various schools' websites;
- Mention of plan in school newsletters.

7. RESOURCES

[District School Board Ontario North East Policies:](#)

Safe School Policy 2.1.15 Progressive Discipline

Safe Schools Policy 2.1.18 Student Discipline, Bullying Prevention and Intervention

District School Board Ontario North East Mental Health Resources:

<https://www.dsb1.ca/ParentsStudents/Pages/default.aspx>

Ontario Ministry of Education – Bullying: We Can All Help Stop It:

<http://www.edu.gov.on.ca/eng/multi/english/BullyingEN.pdf>

PREVNet – The Promoting Relationships & Eliminating Violence Network: www.prevnet.ca/

Ontario's Equity and Inclusive Education Strategy: <http://www.edu.gov.on.ca/eng/policyfunding/equity.pdf>

Ontario's Parent Engagement Policy: www.edu.gov.on.ca/eng/parents/policy.html

International Institute for Restorative Practices: www.iirp.edu

Stop A Bully – safe & anonymous reporting tool: www.StopABully.ca

Canadian Centre for Child Protection – NeedHelpNow.ca – helping youth to deal with self/peer exploitation:

<http://www.needhelpnow.ca/app/en/>

8. MONITORING & REVIEW

Fostering a safe, caring and inclusive school climate as well as addressing bullying prevention is complex. Efforts need to be sustained over time. Data from school surveys will be reviewed by school teams on an annual basis to collect current information and revisions to this plan will be made as needed with input from all stakeholders.



SAFE SCHOOLS INCIDENT REPORTING FORM – Part 1

Report No:		--- CONFIDENTIAL ---	
Name of School:			
1. Name of Student(s) involved, if known		_____ _____	
2. Location of Incident (check one)		<input type="checkbox"/> At a location in the school or on school property (please specify): <input type="checkbox"/> At a school-related activity (please specify): <input type="checkbox"/> On a school bus (please specify route number): <input type="checkbox"/> Other (please specify): Specific Details:	
3. Time of Incident		Date:	Time:
4. Incident(s) (check all that apply)	Activities for which suspension must be considered under section 306 (1) of the Education Act <input type="checkbox"/> Uttering a threat to inflict serious bodily harm on another person <input type="checkbox"/> Possessing alcohol or illegal, controlled and/or restricted substances <input type="checkbox"/> Being under the influence of alcohol, illegal, controlled and/or restricted substances <input type="checkbox"/> Swearing at a teacher or at another person in a position of authority <input type="checkbox"/> Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school <input type="checkbox"/> Bullying <input type="checkbox"/> Any act considered by the Principal to be injurious to the moral tone of the school <input type="checkbox"/> Any act considered by the Principal to be injurious to the physical or mental well-being of any member of the school community <input type="checkbox"/> Any act considered by the Principal to be contrary to the Board or school Code of Conduct		
	Activities for which expulsion must be considered under section 310 (1) of the Education Act <input type="checkbox"/> Possessing a weapon, including possessing a firearm <input type="checkbox"/> Using a weapon to cause or to threaten bodily harm to another person <input type="checkbox"/> Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner <input type="checkbox"/> Committing sexual assault <input type="checkbox"/> Trafficking in weapons or in illegal, controlled and/or restricted substances <input type="checkbox"/> Committing robbery <input type="checkbox"/> Giving alcohol or illegal, controlled and/or restricted substances to a minor <input type="checkbox"/> Bullying if (1) the pupil has previously been suspended for engaging in bullying, and (2) the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person <input type="checkbox"/> Any activity listed in subsection 306(1) (for which a student may be suspended) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor <input type="checkbox"/> An act considered by the Principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others <input type="checkbox"/> A pattern of behavior that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others <input type="checkbox"/> Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board <input type="checkbox"/> Activities engaged in by the student on or off school property that have caused extensive damage to the property of the board or to goods that are/were on Board property. <input type="checkbox"/> The student has demonstrated through a pattern behavior that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behavior which would enable them to prosper <input type="checkbox"/> Any act considered by the Principal to be a serious violation of the requirements for student behavior and/or a serious breach of the Board or school Code of Conduct <input type="checkbox"/> Where a student has no history of discipline or behavior intervention, or no relevant history, a single act, incident or infraction considered by the Principal to be a serious violation of the expectations of student behavior and/or a serious breach of the Board or school Code of Conduct		
5. Report Submitted By:		_____	
Role in School Community:		_____	
Signature:		Date:	_____
Contact Information:		Location:	Phone: _____
6. <input type="checkbox"/> Violent Incident (FOR PRINCIPAL'S USE ONLY) Check if this was a violent incident , as defined in PPM No. 120.			
<small>Information is collected under the authority of Part XIII of the Education Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act, and shall be used for the purpose of student discipline. Questions about information collected on this form shall be directed to the school Principal.</small>			



SAFE SCHOOLS INCIDENT REPORTING FORM – Part 2

--- CONFIDENTIAL ---	
<i>Acknowledgment of receipt of report</i>	
Report No.: _____	
Report Submitted by: _____	
Name: _____	Date: _____
<input type="checkbox"/>	Investigation Completed <input type="checkbox"/> Principal to communicate results to the staff member at a mutually convenient time* <input type="checkbox"/> Principal to communicate result to other board employee at a mutually convenient time, as appropriate*
<input type="checkbox"/>	Investigation in Progress <input type="checkbox"/> Once investigation is completed, Principal to communicate results to the staff member at a mutually convenient time* <input type="checkbox"/> Once investigation is completed, Principal to communicate results to other board employee at a mutually convenient time, as appropriate*
Name of Principal: _____	
Signature: _____	Date: _____
NOTE: Only Part 2 is to be given to the person who submitted the report.	
<small>*In accordance with s.300.2 of the Education Act, after investigating a matter reported by an employee, the Principal shall communicate the results of the investigation to the Teacher or other board employee who is not a Teacher, as appropriate. In accordance with the Municipal Freedom of Information and Protection of Privacy Act and the Education Act, when reporting the results of the investigation, the Principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.</small>	



STUDENT DISCIPLINE REPORTING PROCESS

Employee becomes aware of infraction for which student may be suspended or expelled.

Employee reports to Principal at earliest, safest opportunity, no later than the end of the day.

Employee completes Safe Schools Incident Reporting Form – Part 1 (Appendix B1) and gives it to the Principal no later than the end of the day.

Principal assigns report # to Reporting Form – Part 1 and investigates to determine next step.

ACTION TAKEN

NO ACTION TAKEN

If victim is also involved in inappropriate behavior, Principal removes identifying names of other students & files a copy of Part 1 of the Report in victim's OSR, ONLY IF the parent of the victim has been informed, for balance of the school year.

If victim was not involved in inappropriate behavior only file Part 1 of the Report in the OSR if parent of the victim consents/requests for balance of school year and next school year.

Principal removes identifying information about other students & files a copy of Part 1 of the Report in student's OSR for balance of the school year + next school year.

*Attach progressive discipline notes.

Principal retains Part 1 of the Report for the balance of school year or longer if necessary (e.g., Human Rights case underway); Principal destroys Part 1 of the Report at end of year (unless Human Rights underway)

Principal provides written acknowledgement of receipt using Safe Schools Incident Reporting Form – Part 2 (Appendix B2), to employee

Employee Response when Action Taken:

- Destroy Part 2 of the Form, OR
- Retain Part 2 of the Form in secure location

Employee Response when No Action Taken:

- Destroy Part 2 of the Form

****Principals shall retain original copies of Part 1 of the Reporting Form for balance of school year and the following school year, at which time it shall be destroyed unless the matter is before Ontario Human Rights.**



VICTIM SUPPORT PLAN

Persons in attendance to develop plan	Where will students be placed?
Who are support persons?	Transportation concerns
Non-academic supports	Other considerations



NOTIFICATION OF SUSPENSION

(on school letterhead) - (Created in, and printed/emailed from SIS)

[Date of issue]

[Parent/Guardian or Adult Student]
[Address]

Dear [Parent/Guardian or Adult Student Name]:

Re: Suspension of [Student's Name], [Date of Birth] from [Name of School]

Please be advised that [student's name/you] [has/have] been suspended from attending [name of school] and from engaging in all school-related activities from [effective date of suspension] to [last day of suspension] inclusive, i.e. [state the number] school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips. [Student's name/You] may return to school on [date] at [time]. [Student's name/You] must report to the school office before returning to classes.

This suspension is made in accordance with the Education Act, Administrative Procedure, the "Safe Schools: Student Discipline, Bullying Prevention and Intervention Policy" and [name of school's] Code of conduct.

The reason for this suspension is [use the infraction applicable]. Namely, my findings indicate that [student's name/you] [describe incident with particulars].

School work is available upon request at the school office. Please make arrangements to have it picked up.

[If suspension is 6 school days or longer] In addition, [student's name/you] [has/have] been assigned to an Alternative suspension Program, a program for suspended students. This Alternative Suspension Program will provide an opportunity for continued academic work and support for self-management to assist with the re-entry to school.

Please confirm [the student's your] participation in an Alternative Suspension Program at your earliest opportunity by contacting the school. As soon as notice of [the student's/your] participation is received, a planning meeting will be scheduled.

Should you wish to discuss this matter, I shall be pleased to arrange a time for us to meet.

Should you wish to appeal this suspension, you must provide written notice of your intention to appeal to the appropriate Superintendent of Education, [contact information], within ten [10] school days of the commencement of the suspension. You may then contact the appropriate Superintendent of Education to discuss the appeal. Please be aware that an appeal does not stay the suspension.

A copy of the Board's "Safe Schools: Student Discipline, Bullying Prevention and Intervention Policy" is available on the Board's web page, at www.dsb1.ca, or on request by contacting the school.

Thank you for your support and assistance in dealing with this matter. It is important that we continue our efforts in order to help [student's name] experience a successful school year.

Sincerely,

[signed by Principal]

Cc: Superintendent of Education
Ontario Student Record [OSR]
Attendance Counsellor



**ALTERNATIVE SUSPENSION PROGRAM
STUDENT ACTION PLAN**

STUDENT:	GRADE:
SCHOOL:	
PRINCIPAL:	SCHOOL PHONE:
CLASSROOM TEACHER(S):	

STUDENT HAS SPECIAL NEEDS? Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Identification (from IPRC):	
RESOURCE TEACHER:	

INVOLVEMENT WITH:	CYW: <input type="checkbox"/>	ISA: <input type="checkbox"/>
Reason:		
CYW / ISA NAME (if applicable):		

REASON FOR SUSPENSION:	
<u>LENGTH OF SUSPENSION</u>	Total Number of Days:
Start Date:	End Date:

PROGRESSIVE DISCIPLINE (steps taken prior to the suspension, if applicable)

1.
2.
3.
4.

OTHER DISCIPLINE MEASURES IMPOSED (in addition to the suspension, if applicable)

1.
2.

OTHER DISCIPLINARY ISSUES (identified by school staff)

1.
2.
3.

LEARNING OR OTHER NEEDS (contributing to the inappropriate behaviour)

1.
2.
3.
4.

PROGRAMS OR SERVICES TO SUPPORT LEARNING OR OTHER NEEDS

(Counselling programs, agency services, IEP learning supports)

1.
2.
3.

ACADEMIC PROGRAM

Goals for Academic Program (attendance, learning skills, work completion, seeking assistance, engagement)

1.
2.
3.

Program to Be Addressed (subjects, unit/lessons)

IEP Accommodations & Modifications (including specialized learning materials)

Assessment of Student Learning (how and when completed school work will be returned to the Classroom Teacher for assessment)

Program materials delivered by _____ to the Alternative Suspension Program.

NON-ACADEMIC (COUNSELLING) PROGRAM & SERVICES (if applicable)

Focus Area for counselling:

Goals for counselling Program

1.
2.
3.

Programs & Resources (if already being accessed)

RE-ENTRY MEETING DATE (Principal and identified school staff, as well as the parent and student meet with the Alternative Suspension Program Team to review the Student's progress in the program and determine re-entry steps)

Date: _____ **Time:** _____

Location: _____

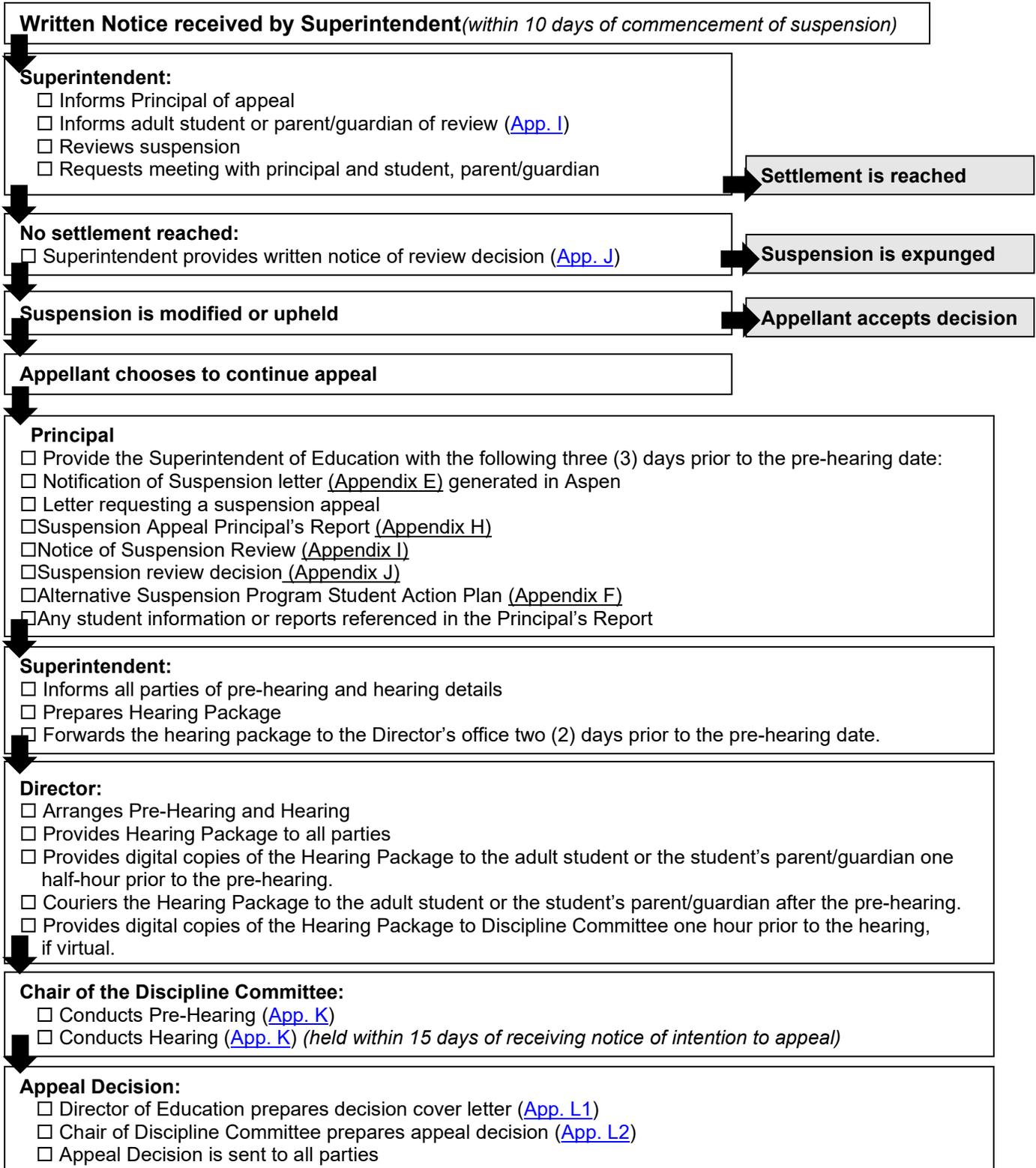
PRINCIPAL SIGNATURE: _____ **DATE:** _____

PARENT SIGNATURE: _____ **DATE:** _____

Parents and the Alternative Suspension Program team should receive a copy of the SAP. A copy of the SAP will be stored in the OSR until determined no longer conducive to the improvement of the student. A copy of the SAP should be stored in the Alternative Suspension Program for the school year.



SUSPENSION APPEAL PROCESS



The decision of the Discipline Committee for a suspension appeal is final.



**SUSPENSION APPEAL
PRINCIPAL'S REPORT**

NAME OF STUDENT:

D.O.B:

AGE:

GRADE:

SCHOOL:

PRINCIPAL:

DATE OF INFRACTION:

DATE OF SUSPENSION:

SUMMARY OF STUDENT'S HISTORY WITH THE BOARD (schools attended, special needs identification, IEP in place, previous discipline concerns, and current progressive discipline strategies employed):

DESCRIPTION OF THE INFRACTION

REPORT OF THE FINDINGS THE PRINCIPAL MADE IN THE INVESTIGATION

ANALYSIS OF MITIGATING OR OTHER FACTORS THAT MIGHT BE APPLICABLE

RATIONALE FOR THE SUSPENSION

-
- Copy of the Notice of Suspension enclosed or attached
 Copies of all Documents referenced in this report enclosed or attached
-

*All documents referenced here will be included in the hearing package if an appeal of this suspension goes before the Discipline Committee.

DATE OF REPORT: _____

PRINCIPAL'S SIGNATURE: _____



NOTICE OF SUSPENSION REVIEW
(on Board letterhead)

[Date of issue]

[Parent/Guardian or Adult Student]
[Address]

Dear [Parent/Guardian or Adult Student Name]:

Re: Suspension of [Student's Name]
Date of Birth: [Date of Birth]
School: [Name of School]

I have received your notice of intention to appeal a suspension for the above named student. The details on record for the suspension you wish to appeal are as follows:

Start Date:

Duration:

Reason:

I will be conducting a review of the suspension. At the conclusion of my review, I will, in consultation with the school Principal, either confirm or modify the suspension or expunge the record of the suspension.

As part of the review process, I would like to speak with you. My office will be contacting you. Please also do not hesitate to contact me at [contact information]

Sincerely,

Superintendent of Education

cc: Principal



SUSPENSION REVIEW DECISION

(on Board letterhead)

[Date of issue]

[Parent/Guardian or Adult Student]
[Address]

Dear [Parent/Guardian or Adult Student Name]:

**Re: Suspension of [Student's Name]
Date of Birth: [Date of Birth]
School: [Name of School]
Suspension Start Date: [Date]**

I am writing to advise you that I have completed my review of the suspension you appealed as noted above. Upon concluding this review, I have decided to [state the decision to uphold the suspension, modify the suspension (with details about the modification) or expunge the record of the suspension]

My reasons for this decision are as follows: [provide brief reasons for the decision]

If you wish to discuss the results of my review, or if the decision reached was to uphold or modify the suspension and you wish to continue with your appeal, please contact me at [insert contact information]

Please be advised that if you continue with the appeal process, the appeal will be heard by the Discipline Committee of District School Board Ontario North East, according to the Education Act and Board Policy No. 2.1.18 referring to Appeals and Hearings Regarding Student Discipline.

Sincerely,

Superintendent of Education

cc: Principal
Ontario Student Record (OSR)



DISCIPLINE COMMITTEE HEARING GUIDELINES

Suspension Appeal: An intention to appeal a suspension must be in writing, within ten school days of the commencement of the suspension. The Board must hear the appeal within 15 school days of receiving the notice of intention to appeal, unless both parties agree to an extension.

Upon receipt of the written notice of intent to appeal a suspension, the Superintendent of Education:

1. Will promptly advise the school Principal of the appeal;
2. Will promptly advise the adult student or the student's parent/guardian that a review of the suspension will take place and invite the appellant to discuss any matter respecting the incident and/or appeal of the suspension;
3. Will review the suspension (reason, duration, any mitigating or other factors, whether or not the Human Rights Code should be or was appropriately applied);
4. May consult with the Principal regarding modification or expunging the suspension;
5. Will request a meeting with the adult student or the student's parent/guardian and the Principal to narrow the issues and try to effect a settlement, and arrange a date for the appeal before the Discipline Committee;
6. Will, where a settlement is not effected, provide notice of the review decision to the adult student or the student's parent/guardian.

When a suspension is upheld on review and the adult student or the student's parent/guardian chooses to continue with the appeal, the Superintendent of Education will coordinate the appeal.

Expulsion: Where a principal, in consultation with the Superintendent, determines that a suspension pending expulsion is warranted, the principal must refer the recommendation for expulsion to the Discipline Committee to be heard within twenty (20) school days from the date the principal suspended the student, unless the parties mutually agree to a revised date.

Hearings before the Discipline Committee may be held in person or through virtual/electronic means.

1.0 NOTIFICATION

The Principal will:

Provide the Superintendent of Education with the following three (3) days prior to the pre-hearing date:

- a. A statement that the student is being referred to the Discipline Committee to determine whether the student will be expelled for the activity that resulted in suspension;
- b. Notification of Suspension letter (Appendix E) generated in Aspen
 - Suspension appeal documents (If applicable):
 - the letter requesting a suspension appeal
 - Suspension Appeal Principal's Report (Appendix H)

- Notice of Suspension Review ([Appendix I](#))
 - Suspension review decision ([Appendix J](#))
- Suspension Pending Investigation for Expulsion ([Appendix N](#))
- Notice of Recommendation for Expulsion ([Appendix P2](#))
- c. Alternative Suspension Program Student Action Plan ([Appendix F](#))
- d. Suspension Pending Investigation for Expulsion, ([Appendix N](#))
- e. Expulsion Hearing - Principal's Report ([Appendix O](#))
- f. Any student information or reports referenced in the Principal's Report
 - Student Schedule
 - Attendance list
 - Graduation summary
 - IEP
 - Prior Suspensions
 - Prior Violent Incident Forms

A hearing package will be prepared by the Superintendent of Education for the hearing participants. It will include the following:

- a. Notification of Suspension letter ([Appendix E](#)) generated in Aspen, and:
 - for a suspension appeal:
 - the letter requesting a suspension appeal
 - Suspension Appeal Principal's Report ([Appendix H](#))
 - Notice of Suspension Review ([Appendix I](#))
 - Suspension review decision ([Appendix J](#))
 - for an expulsion hearing:
 - Suspension Pending Investigation for Expulsion ([Appendix N](#))
 - the notice of recommendation for expulsion ([Appendix P2](#))
- b. Alternative Suspension Program Student Action Plan ([Appendix F](#))
- c. Hearing Guidelines ([Appendix K](#))
- d. Suspension Pending Investigation for Expulsion ([Appendix N](#))
- e. Expulsion Hearing - Principal's Report ([Appendix O](#))
- f. any student information or reports referenced in the Principal's Report
 - Student Schedule
 - Attendance list
 - Graduation summary
 - IEP
 - Prior Suspensions
 - Prior Violent Incident Forms
- g. Family / Student Written Submissions

2.0 PRE-HEARING

Prior to the Hearing (up to 5 days before), the Chair of the Discipline Committee will host a pre-hearing, held by virtual/electronic means (e.g., Microsoft Teams) with the parents/guardians, or the adult student including the school principal and superintendent to:

- a. Welcome the parties and facilitate introductions;

- b. Explain the Discipline Committee hearing process;
- c. Inquire whether the parents/guardians/adult student have any other documents they wish to present to the Discipline Committee. If there are additional documents, to request copies and to request permission to include copies in the hearing package; Submissions must not include other parties' names.
- d. Inquire and/or confirm whether legal counsel will be in attendance for the student/parent/guardian/adult student. If legal counsel is present, the meeting will still proceed. The parent/guardian/adult student will advise who will be speaking on behalf of the student;
- e. Obtain the names of all persons attending.

3.0 HEARING

- 1. The Discipline Committee will** wait for 30 minutes after the scheduled hearing start time for the arrival of the parents/guardians or adult student. Should they fail to attend in a timely manner, the Discipline Committee may proceed in their absence.
- 2. At the time of the Hearing, the SO will** arrange to greet the family as well as the Principal responsible for the school. The SO will indicate where the parties can wait until called to the Committee.
- 3. The Discipline Committee will** convene one hour prior to the Hearing start time in order to review the hearing documentation. The Director will provide the documentation to the Discipline Committee.
- 4. At the commencement of the Hearing, the SO will:**
 - a. Escort the parties into the Committee Room;
 - b. Indicate where the parties are to sit;
 - c. Introduce the parties to the Committee.
- 5. The Chair of the Committee will:**
 - a. Introduce the members of the Committee;
 - b. Confirm that the members are Trustees;
 - c. Introduce the Director as the technical advisor to the Discipline Committee, the SO as the technical advisor to the Principal and the Vice-Principal of the school;
 - d. Review the hearing process. The hearing is 2 hours in length. Each party will have 20 minutes to present their case. Each party will also have the opportunity to ask questions. The Discipline Committee will have an opportunity to ask questions of both parties;
 - e. Provide the Committee with any additional documents that the family has asked to present to the Committee. The Committee may wish to take a few moments to review any additional documentation;
 - f. Confirm the person speaking on behalf of the family. This may be a parent, relative, or advocate;
 - g. Indicate that the student, if present, will have an opportunity to make a statement;

- h. Label all exhibits from the school and parent/guardian/adult student;
- i. Confirm that each party wants the hearing to be closed to the public.

6. Presentations to the Discipline Committee

The Chair of the Committee will ask:

- a. **The Principal** to make a presentation to the Committee (maximum 20 minutes).
 - i. The parent/guardian/adult student/counsel will have an opportunity to ask questions of clarification through the Chair;
 - ii. The members of the Committee will have an opportunity to ask questions of clarification through the Chair.
 - b. **The parent/guardian/adult student/counsel** to make an oral presentation or written submission to the Committee (maximum 20 minutes).
 - i. The Principal will have an opportunity to ask questions of clarification through the Chair;
 - ii. The members of the Committee will have an opportunity to ask questions of clarification through the Chair.
 - c. **The student** to make a statement on their own behalf.
 - i. The Principal will have an opportunity to ask questions of clarification through the Chair;
 - ii. The members of the Committee will have an opportunity to ask questions of clarification through the Chair.
- 7. The Chair will** ask the parent/guardian/adult student/counsel if they have any further concerns they wish to raise with the Committee.
- a. If there are any further concerns, the Chair will then ask the Principal(s) whether there is any response to such issues;
- 8.** The Discipline Committee may ask any party, or the student, where appropriate, questions of clarification.
- 9.** If there are no further concerns, the Chair will indicate that this completes the hearing of the facts and submissions.
- 10. The Chair will** explain to the parties that the Discipline Committee will consider the material facts of the case and the role of the committee is to determine:
- a. Expulsion from all schools;
 - b. Expulsion from one school; or
 - c. No expulsion.
- 11. At the conclusion of the hearing, the Chair of the Committee will ask:**
- a. That all parties adjourn while the Committee deliberates. At this point, the Committee will review the matter quickly and determine whether there were any issues/questions that should

have been asked that were not asked. If so, the parties can be asked to return to the room to ask such questions; or

b. That all parties adjourn for the day, and that they will be informed of the Committee's decision.

12. It is the responsibility of the Director to set the conditions for re-entry and to provide any program supports needed to assist the student's learning.

13. The Director will communicate the decision with the parent/guardian/adult student by phone. The decision letter signed by the Chair and the Re-entry Conditions letter signed by the Director will be sent by the Director's Office.



BOARD SUSPENSION APPEAL DECISION

(on Board letterhead)

CONFIDENTIAL

[Date of issue]

[Parent/Guardian or Adult Student]
[Address]

Dear [Parent/Guardian or Adult Student Name]

Re: Decision of Discipline Committee of DSB Ontario North East
Suspension appeal of:
Date of Birth:
Name of School:

Attached please find a copy of the decision of the Discipline committee of District School Board Ontario North East regarding your suspension appeal hearing, dated [insert date].

The decision of the Discipline Committee is final and is not subject to further appeal.

Should you have any questions, please contact me at [insert contact information].

Sincerely,

Director of Education

Encl.



**SUSPENSION APPEAL DECISION OF THE DISCIPLINE COMMITTEE OF
DISTRICT SCHOOL BOARD ONTARIO NORTH EAST**

(on Board letterhead – marked Confidential)

Suspension Appeal Decision

IN THE MATTER OF SECTION 309
Of the *Education Act*, as amended

- And -

IN THE MATTER OF an appeal by
[Name of Appellant]
of the suspension of [student's name],
a student of [school name].

DECISION

UPON being satisfied that the Discipline Committee has jurisdiction to conduct the appeal pursuant to section 309 of the Education Act.

AND UPON being satisfied that the proper parties to the appeal are [name of appellant and relationship to student] and [Principal's name], as Principal of [school name];

AND UPON having provided an opportunity to the appellant to make submissions, having heard the submissions of the Principal, having read the materials submitted by the parties, and having retired to consider the matter;

THE DISCIPLINE COMMITTEE does hereby [confirm the suspension/confirm the suspension but shorten its duration to [insert number] school days and amend the record accordingly/quash the suspension and expunge the record/confirm the suspension but remove the record on [insert the date or special conditions that apply].

THE DECISION OF THE DISCIPLINE COMMITTEE is final.

DATED this [day] of [month], [year] and signed on behalf of the student discipline committee and District School Board Ontario North East by the Chair of the Discipline Committee.

On behalf of the Discipline Committee [list trustees, indicate chair],

By _____
Chair of the Discipline Committee



EXPULSION HEARING PROCESS

Principal:

- Suspends student, pending investigation for possible expulsion
- Investigates incident & develops Principal's report ([App. O](#))

Expulsion Not Recommended ([App. P1](#))

Principal:

- Provide the Superintendent of Education with the following three (3) days prior to the pre-hearing date:
 - A statement that the student is being referred to the Discipline Committee to determine whether the student will be expelled for the activity that resulted in suspension.
 - Notification of Suspension letter ([Appendix E](#)) generated in Aspen
 - Suspension appeal documents (If applicable):
 - the letter requesting a suspension appeal
 - Suspension Appeal Principal's Report ([Appendix H](#))
 - Notice of Suspension Review ([Appendix I](#))
 - Suspension review decision ([Appendix J](#))
 - Suspension Pending Investigation for Expulsion ([Appendix N](#))
 - Notice of Recommendation for Expulsion ([Appendix P2](#))
 - Alternative Suspension Program Student Action Plan ([Appendix F](#))
 - Suspension Pending Investigation for Expulsion, ([Appendix N](#))
 - Expulsion Hearing - Principal's Report ([Appendix O](#))
 - Any student information or reports referenced in the Principal's Report
 - Student Schedule
 - Attendance list
 - Graduation summary
 - IEP
 - Prior Suspensions
 - Prior Violent Incident Forms

Superintendent:

- Informs all parties of pre-hearing and hearing details ([App. P2](#))
- Prepares Hearing Package

Director of Education:

- Arranges Pre-Hearing and Hearing
- Provides hearing package to all parties
- Provides digital copies of the Hearing Package to the adult student or the student's parent/guardian one half-hour prior to the pre-hearing.
- Couriers the Hearing Package to the adult student or the student's parent/guardian after the pre-hearing.
- Provides digital copies of the Hearing Package to Discipline Committee one hour prior to the hearing.

Chair of the Discipline Committee:

- Conducts Pre-Hearing ([App. K](#))
- Conducts Hearing ([App. K](#)) (*held within 20 school days from the date of suspension*)
- Prepares expulsion decision ([App. Q](#))

Director of Education:

- Informs all parties of re-entry requirements for student's return to school or board ([App. R](#))

Action Plan:

- Principal meets with board staff, student, parent/guardian to develop plan ([App. S](#))

Student must apply in writing to the Director of Education for re-entry to school or board.

An adult student or a parent/guardian may contact the Child & Family Services Review Board if they wish to appeal the decision of the Discipline Committee.



APPENDIX N

SUSPENSION PENDING INVESTIGATION FOR EXPULSION

(on school letterhead) - (Created in, and printed/emailed from SIS)

[Date of issue]

[Parent/Guardian or Adult Student]

[Address]

Dear [Parent/Guardian or Adult Student Name]:

**Re: Suspension of [Student's Name]
Date of Birth: [Date of Birth]
School: [Name of School]**

Please be advised that [student's name/you] [has/have] been suspended from attending [name of school] and from engaging in all school-related activities from [effective date of suspension] to [last day of suspension] inclusive, i.e. twenty (20) school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips.

This suspension is made in accordance with the *Education Act*, the provincial and Board Codes of Conduct, and Board Policy 2.1.18 – Safe Schools: Student Discipline, Bullying Prevention and Intervention.

The reason for this suspension is [use the infraction specified in Procedures for Policy 2.1.18]. Namely, my findings indicate that [student's name/you] [describe incident with particulars].

Please be advised that I am continuing my investigation of this matter in order to determine whether to recommend to the Discipline committee of District School Board Ontario North East that [student's name] be expelled. The investigation may include [identify the next steps]. An expulsion may be from this school or from all schools of the board. You will be informed of the results of my investigation in writing.

The board is committed to the education and future of its students. [Student's name/You] [has/have] been assigned to an Alternative Suspension Program, a program for suspended students. An alternative suspension program provides students with the opportunity to continue academic work and receive support for self-management. Please find enclosed information about the alternative suspension program. Please contact the school at your earliest opportunity to confirm [the student's/your] participation in an alternative suspension program. As soon as notice of [the student's/your] participation is received, a planning meeting will be scheduled.

You do not have the right to appeal the suspension at this time. Should it be determined at the conclusion of the investigation that a recommendation for expulsion will not be made, you will be entitled to appeal the suspension to the Discipline Committee of the board. Should it be determined that a recommendation for expulsion is warranted, then you may address the suspension before the Discipline Committee at the expulsion hearing.

Sincerely,

[signed by Principal]

Principal

Encl.

Cc: Superintendent of Education
Ontario Student Record (OSR)
Attendance Counsellor



EXPULSION HEARING – PRINCIPAL’S REPORT

NAME OF STUDENT:

D.O.B:

AGE:

GRADE:

SCHOOL:

PRINCIPAL:

DATE OF INFRACTION:

DATE OF SUSPENSION:

SUMMARY OF STUDENT’S HISTORY WITH THE BOARD (schools attended, special needs identification, IEP in place, previous discipline concerns, and current progressive discipline strategies employed):

DESCRIPTION OF THE INFRACTION

REPORT OF THE FINDINGS THE PRINCIPAL MADE IN THE INVESTIGATION

ANALYSIS OF MITIGATING OR OTHER FACTORS THAT MIGHT BE APPLICABLE

RECOMMENDATION OF WHETHER THE EXPULSION SHOULD BE FROM THE STUDENT’S SCHOOL OR FROM ALL SCHOOLS OF THE BOARD:

Expulsion from the student’s current school to another school in the board

Rationale:

Expulsion from all schools in the board

Rationale:

Copy of the Notice of Suspension Pending Investigation for Expulsion enclosed or attached

Copies of all Documents referenced in this report enclosed or attached

**All documents referenced here will be included in the package for the hearing before the Discipline Committee*

DATE OF REPORT: _____

PRINCIPAL’S SIGNATURE: _____



DECISION NOT TO RECOMMEND EXPULSION
(on School letterhead)

[Date of issue]

[Parent/Guardian or Adult Student]
[Address]

Dear [Parent/Guardian or Adult Student Name]:

Expulsion Not Recommended Re: Suspension of [Student's Name]
Date of Birth: [Date of Birth]
School: [Name of School]

I am writing to you to report the result of my investigation following the above named student's suspension. I have decided not to recommend to the Discipline committee that this student be expelled.

As part of my investigation, I have reviewed the above named student's suspension, and I have determined that the suspension should be [confirmed/confirmed but shortened to (INSERT NUMBER) school days and the record amended accordingly/withdrawn and the record expunged.]

If the suspension was confirmed or confirmed but shortened, and you wish to appeal the suspension, you must provide written notice of your intention to appeal the suspension to the appropriate Superintendent of Education:

[name and contact information]

This notice must be received by the Superintendent of Education within five (5) school days of the receipt of this letter, i.e. before [insert date, calculated as follows: if this letter is sent by courier or mail, the date is ten (10) school days from the date of this letter; if sent by fax, the date is six (6) school days from the date of this letter]

If you provide notice of your intention to appeal, you may contact the appropriate Superintendent of Education to discuss the appeal. If the suspension has been reduced in length, the appeal is related to the reduced suspension. Please be aware that an appeal does not stay the suspension.

A copy of (or an Excerpt from) the Procedures for Board Policy 2.1.18 – Safe Schools: Student Discipline, Bullying Prevention and Intervention is enclosed. The full policy is also available on our website: <https://www.dsb1.ca/Board/policymanual>. This policy provides a description of the process for appealing a suspension to the Discipline Committee of the board.

Sincerely,

[signed by Principal]

Encl.

cc: Superintendent of Education
Ontario Student Record (OSR)

Both programs provided at other schools and programs for expelled students provide students with an opportunity to pursue academic work and receive additional supports.

Should the Discipline Committee decide not to expel [student's name/you], the Discipline Committee will review the suspension. The Discipline committee may confirm the suspension, confirm but shorten the suspension and amend the record accordingly, or withdraw the suspension and expunge the record. The decision of the Discipline Committee with respect to the suspension is final and is not subject to appeal.

Please note the Discipline Committee will wait for thirty (30) minutes for your arrival on [Date (Mmm dd, yyyy) and Time], at [location]. Should you fail to attend in a timely manner, the Discipline Committee may proceed in your absence.

Sincerely,

[Name]
Superintendent of Education

Encl.

Cc: School Principal
Ontario Student Record (OSR)



BOARD EXPULSION DECISION

(on Board letterhead)

CONFIDENTIAL

[insert date]

[name parent/guardian or adult student]
[address]

Dear [parent/guardian or adult student]:

Re: Decision of the Discipline Committee of
District School Board Ontario North East
In the matter of an Expulsion Hearing
For [name of student]
D.O.B. [insert d.o.b.]
A student of [name of school]

Attached, please find the decision of the Discipline committee of District School Board Ontario North East, dated [insert date].

Should you wish to appeal this decision, you may contact the Child and Family Services Review Board at 1-888-777-3616 or cfsrb@ontario.ca within thirty (30) days of receipt of this notice. Application forms can be obtained through our office or on the Child and Family Services Review Board website at <http://www.sjto.gov.on.ca/cfsrb>.

Superintendent of Education [insert name] will be contacting you to determine the most appropriate program placement.

Should you have any questions, please contact me at 705-360-7689.

Sincerely,

Chair of the Discipline Committee

Encl.

Copy: Principal
Superintendent of Education
Ontario Student Record (OSR)

[ON BOARD LETTERHEAD – MARKED CONFIDENTIAL]

**Decision of the Discipline Committee of
District School Board Ontario North East**

IN THE MATTER OF SECTION 311.3

Of the Education Act, as amended

-and-

IN THE MATTER OF a recommendation by

[Name of Principal], Principal of [School Name], for the expulsion of
[Name of student], a student of [School Name].

DECISION

UPON being satisfied that the Discipline Committee of District School Board Ontario North East has jurisdiction to conduct the hearing pursuant to Section 311.3 of the Education Act,

AND UPON being satisfied that the proper parties to the hearing are [name of appellant and relationship to student] and [Principal's name], Principal of [school name];

AND UPON being satisfied that the parties received reasonable notice of the hearing;

AND UPON having provided an opportunity to the appellant to make submissions, having heard the submissions of the Principal, having read the materials submitted by the parties, having considered the facts and any mitigating and/or other factors referred to by the parties, and having retired to consider the matter;

THE DISCIPLINE COMMITTEE does hereby impose an expulsion from [name of school OR all schools of the board]. [name of student] will be assigned to ["an educational program at (name and location of school)" OR "to a program for an expelled student. (name of student) must successfully complete and meet the objectives of the program before being re-admitted to a regular day school program in Ontario"]. The Discipline Committee has imposed this expulsion for the following reasons:

[list reason(s) for the expulsion]

FURTHERMORE, the requirements for [name of student]'s readmission to [name of school OR (name of school) or any school in the board] will be outlined in a separate letter from the Director of Education.

OR

THE DISCIPLINE COMMITTEE does not hereby impose an expulsion; and does hereby [confirm the suspension imposed by (name of Principal)/confirm the suspension imposed by (name of Principal) but shorten its duration to (insert number) school days and amend the record accordingly/quash the suspension and expunge the record].

DATED this (day) of (month), (year) and signed on behalf of the Discipline committee and Board of Trustees by the Chair of the Discipline Committee.

On behalf of the Discipline Committee (list committee members, indicate chair)

By _____
Chair of the Discipline Committee



RE-ENTRY REQUIREMENTS

(on Board letterhead)

CONFIDENTIAL

[Date]

Name of Parent/Guardian or Adult Student]
[Address]

Dear [Name of Parent/Guardian or Adult Student]:

Re: Re-entry requirements following an Expulsion
Student: [Name of student]
D.O.B.: [DD MMM YYYY]

The following requirements must be met before [Student Name/You] can be re-admitted to ["a school in District School Board Ontario North East" or "(Name of School)"].

[Add enumerated list of requirements for re-entry]

Superintendent [Name of Superintendent] will be contacting you to discuss the program placement, and to facilitate the meeting with school administration in creating and setting in place the Student Action Plan for Expelled Students (Appendix S).

Once an expelled student has successfully completed a program for expelled students and has satisfied their re-entry requirements, they may apply in writing to the Director of Education for re-admission to a school of the board, including to the school from which they were expelled.

Should you have any questions, please contact me at 705-360-1151.

Sincerely,

[Name]
Director of Education

Copy: Principal
Superintendent of Education
Ontario Student Record (OSR)



STUDENT ACTION PLAN FOR EXPELLED STUDENTS

STUDENT:	GRADE:
SCHOOL:	
PRINCIPAL:	SCHOOL PHONE:

STUDENT WITH SPECIAL NEEDS? Yes: No:
 Identification (from IPRC):

REASON FOR EXPULSION:

ACADEMIC COMPONENT
Goals for Academic Program

1.
2.
3.

Program to Be Addressed (subjects, unit/lessons)

IEP Accommodations & Modifications (including specialized learning materials)

Assessment of Student Learning (how and when completed school work will be returned for assessment)

Program materials delivered by _____
To the Alternative Suspension Program

NON-ACADEMIC PROGRAM & SERVICES (if applicable)

Focus Areas:

1.
2.
3.

Goals for Program:

1.
2.
3.

Programs & Resources (if already being accessed)

PRINCIPAL SIGNATURE: _____ **DATE:** _____

STUDENT SIGNATURE: _____ **DATE:** _____

PARENT SIGNATURE: _____ **DATE:** _____

RE-ENTRY REQUIREMENTS FOLLOWING AN EXPULSION

A student who is subject to an expulsion from all schools of the Board is entitled to apply in writing for re-admission to a school of the Board once they have successfully completed a program for expelled students and have satisfied the objectives required for completion of the program, as determined by the person who provides the program. The Director must re-admit the student and inform the student in writing of the re-admission. If a student has not successfully completed a program or met program objectives through another route, they remain expelled.

A student who is subject to an expulsion from one school may apply in writing to the Director of Education to be re-assigned to the school from which they were expelled.

1. The Director will consider whether re-attendance will have a negative impact on the school climate, including on any victims, where applicable;
2. The student will be required to demonstrate that they have learned from the incident and have sought counselling, where appropriate;
3. The student will be required to sign a Declaration of Performance form provided by the Director (refer to **Declaration of Performance** – [Appendix T1](#));
4. Following consideration of the principles of equity and inclusion, the Director, in their sole discretion, may determine that a different school than the one from which the student was expelled is a more appropriate placement for the student.
5. If the Director grants re-entry to an expelled student, the student will sign and submit the **Student Re-Entry Contract** ([Appendix T2](#)) with the school Principal.
6. A **Re-entry Plan for Expelled Students** ([Appendix T3](#)) must be developed by the student, parents/ guardians, Teachers and Principal.



DECLARATION OF PERFORMANCE

Date:

Student Name:

D.O.B.: [yyyy-mmm-dd]

School enrolled in prior to expulsion:

[I have, or The above named student has] successfully completed a program for expelled students and [have/has] satisfied the objectives required for completion of the program, as determined by the provider of the program, [name of provider].

[I have, or The above named student has] met all requirements for re-admission as set out in the Re-Entry Requirements letter from the Director of Education. Namely, the following:

1. [List all re-admission requirements included in the Director’s re-entry requirements letter – Appendix R]
2. [Add additional items to list as needed, or delete]
3. ...

Student Signature

Date

Parent/Guardian Name (please print)
(of student under 18)

Parent/Guardian Signature
(of student under 18)

Date

Cc: Principal
Superintendent of Education
Ontario Student Record (OSR)



STUDENT RE-ENTRY CONTRACT
(on School letterhead)

Date:

Student Name:

I agree to follow these expectations on my return as a student to [insert name of school].

1. I agree to follow the rules and expectations of the School Code of Conduct.
2. I agree to work hard, listen to my Teachers and classmates, and be involved in what is going on in class.
3. I will make an effort every day to achieve the goals of my program.
4. I will agree to be on time and prepared for class.
5. I agree to participate in the activities of the school.
6. [insert if applicable] I agree to ask for help from the school staff when I feel [insert as appropriate, angry, upset, overwhelmed, worried, etc.]
7. [Insert if applicable] I agree to ask for support from the school staff to help me to solve problems in a non-violent manner.

Student Signature

Date

Principal Signature

Date

Parent/Guardian Signature
(of student under 18)

Date

Cc: Principal
Superintendent of Education
Ontario Student Record (OSR)



RE-ENTRY PLAN FOR EXPELLED STUDENTS

STUDENT:	GRADE:
SCHOOL:	
PRINCIPAL:	

ACADEMIC NEEDS

1.
2.
3.

NON-ACADEMIC NEEDS

1.
2.
3.

ACADEMIC STRATEGIES & SUPPORT

1.
2.
3.

NON-ACADEMIC SUPPORTS

1.
2.
3.

PRINCIPAL SIGNATURE: _____ **DATE:** _____

STUDENT SIGNATURE: _____ **DATE:** _____

PARENT SIGNATURE: _____ **DATE:** _____



APPENDIX V

DELEGATION OF AUTHORITY – TEACHER-IN-CHARGE

To: [Name], Teacher
Date:
From: [Name], Principal
Re: Delegation of Authority for [Name of School]

You will be delegated authority as Teacher-in-Charge consistent with this memo from [start date] to [end date].

During this time frame, the Principal and Vice-Principal (if applicable) shall be away from the school. The Principal can be reached by cell phone at [cell #] and, if applicable, the Vice-Principal may be reached by cell phone at [cell #]. The Superintendent of Education may be reached at [SO #].

In an emergency, the Superintendent of Education may be reached at [SO cell #] or as an alternative, the Principal of [Name of School], [Name of Principal], may be reached at [School and/or cell #].

As part of the duties of Teacher-in-Charge you are being delegated responsibility for the following:

1. Receiving reports about suspension and expulsion infractions from board employees and transportation providers and communicating this information to an administrator at the earliest opportunity;
2. Conducting an investigation to determine the nature of an incident, and in particular whether or not the incident is one for which a suspension or expulsion might be imposed.
3. Reporting incidents for which a suspension or expulsion might be imposed to an administrator at the earliest opportunity;
4. Providing information to a parent/guardian of a student about an incident causing the student harm, provided that the student is not an adult student and you are not of the opinion that reporting the information might put the student at risk of harm and not be in the student's best interest;
5. Implementing progressive discipline measures following the investigation of an incident that does not require consideration of a suspension or expulsion as a consequence; and
6. Contacting the police in an emergency or in the event of an incident requiring police involvement in accordance with the Police and School Response Protocol.

You must exercise your authority in accordance with the Human Rights code of Ontario, the Education Act, Board policies and procedures and collective agreements.

Your authority with respect to these matters shall cease upon the return to the school of an administrator.

[Name], Principal

References

Legal References:

- *Education Act*, Part XIII - Behaviour, Discipline and Safety
- *Ontario Human Rights Code*
- Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils
- Ontario Regulation 440/20: Suspension of Elementary School Pupils
- Policy/Program Memorandum (PPM) No. 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
- PPM No. 128 Provincial Code of Conduct and School Board Codes of Conduct
- PPM No. 141 School Board Programs for Students on Long Term Suspension
- PPM No. 142 School Board Programs for Expelled Students
- PPM No. 144 Bullying Prevention and Intervention
- PPM No. 145 Progressive Discipline and Promoting Positive Student Behaviour

Policy References:

- 2.1.6: Student Code of Conduct
- 2.1.7: Violence Prevention
- 2.1.10: Police and School Protocol
- 2.1.15: Safe Schools - Progressive Discipline
- 2.1.18: Safe Schools - Student Discipline, Bullying Prevention and Intervention