

SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

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| <i>Section</i> | SCHOOLS AND STUDENTS | |
| <i>Policy Name</i> | PROGRESSIVE DISCIPLINE AND SCHOOL SAFETY PROCEDURES | 535 |
| <i>Board Approved: January 22, 2008</i> | <i>Interim Implementation for Bill 212 February 1, 2008</i> | |

DEFINITIONS:

The following definitions apply for the purposes of pupil discipline.

Adult Pupil – is a pupil who is 18 years or older or 16 or 17 and has removed him/herself from parental control.

Board Expulsion – is an expulsion from all schools of the Board.

Bullying – is typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance.

Daily Care – a person with daily care is 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.

Harassment – words, conduct or action that is directed at an individual and serves no legitimate purpose and which annoys, alarms or causes that individual emotional distress.

Parent/guardian – where there is a reference to involving or informing a parent/guardian it means the custodial parent or guardian of a minor child who is not an Adult Pupil.

Impact on School Climate - an incident or activity which has a negative impact on the school community.

School Climate – the sum total of all of 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 school community is composed of staff, pupils, parents, and volunteers of the school and feeder schools as well as the community of people and businesses that are served by or located in the greater neighborhoods of the school.

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

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

1.0 PROGRESSIVE DISCIPLINE

Progressive discipline is a non-punitive, whole-school approach that uses a continuum of 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.

Each school is required to develop and implement a school-wide progressive discipline policy, consistent with the Board Progressive Discipline and Safe Schools Policy and the Progressive Discipline and Safe Schools Procedures.

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 or Behaviour Management Plan.

Progressive discipline includes the use of early and ongoing intervention strategies and strategies to address inappropriate behaviour. Pupils' parent(s)/guardian(s) should be actively engaged in the progressive discipline approach.

1.1 Early and Ongoing Intervention Strategies

A teacher or the principal or designate, as appropriate, may utilize early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours. These may include:

- Contact with pupil's parent(s)/guardian(s);
- Oral reminders;
- Review of expectations;
- Written work assignment addressing the behaviour, that have a learning component;
- Volunteer services to the school community;
- Conflict mediation and resolution;
- Peer mentoring;
- Referral to counselling; and/or
- Consultation.

In all cases where ongoing intervention strategies are used, the pupil's parents/guardians should be consulted.

The teacher, principal or designate should keep a record for each pupil with whom intervention strategies are utilized. The record should include:

- a) Name of the pupil;
- b) Date of the incident or behaviour;
- c) Nature of the incident or behaviour;
- d) Progressive discipline approach used;
- e) Outcome; and/or
- f) Contact with the pupil's parent/guardian (unless the pupil is an adult pupil).

1.2 Addressing Inappropriate Behaviour

If a pupil has displayed inappropriate behaviour the principal or designate may utilize a range of interventions, supports, and consequences that are (1) developmentally appropriate, and (2) include opportunities for pupils to focus on improving their 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, but is not limited to, one of the following infractions for which a suspension may be imposed:

- a) Any act considered by the principal or designate to be injurious to the moral tone of the school;
- b) Any act considered by the principal or designate to be injurious to the physical or mental well-being of any member of the school community; and
- c) Any act considered by the principal or designate to be contrary to the Board or school Code of Conduct.

If a pupil has engaged in inappropriate behaviour, a principal or designate **may** choose to use a progressive discipline strategy to address the infraction.

Interventions may include:

- Meeting with the pupil's parent(s)/guardian(s), pupil and principal or designate;
- Referral to a community agency for anger management or substance abuse, counselling/intervention;
- Detentions;
- Withdrawal of privileges;
- Withdrawal from class;
- Restitution for damages;
- Restorative practices; and
- Transfer with support.

In some cases, short-term suspension may also be considered a useful progressive discipline approach.

1.3 Factors to Consider Before Deciding to Utilize a Progressive Discipline Approach to Address Inappropriate Behaviour

In all cases where progressive discipline is being considered to address an inappropriate behaviour, the principal or designate must:

- a) Consider the particular pupil and circumstances, including considering the mitigating or other factors;
- b) Consider the nature and severity of the behaviour;
- c) Consider the impact of the inappropriate behaviour on the school climate; and
- d) Consult with the pupil's parent(s)/guardian (unless the pupil is an adult pupil).

1.3.1 Mitigating Factors

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

- Whether the pupil has the ability to control his or her behaviour;
- Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and

- Whether the pupil's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

1.3.2 Other Factors to be Considered

- The pupil's academic, discipline and personal history;
- Whether other 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;
- Whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or harassment for any other reason;
- The impact of the discipline on the pupil's prospects for further education;
- The pupil's age;
- 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; 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; and
- Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

If the pupil'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.

1.4 Record

The principal or designate and teacher should keep a record for each pupil with whom progressive discipline approach(es) are utilized. The record should include:

- a) Name of the pupil;
- b) Date of the incident or behaviour;
- c) Nature of the incident or behaviour;
- d) Considerations taken into account;
- e) Progressive discipline approach used;
- f) Outcome; and
- g) Contact with the pupil's parent/guardian (unless the pupil is an adult pupil).

2.0 SUSPENSION OF PUPIL

Suspension Infractions

When a principal's or designee's investigation of an incident, which should include consultation with the adult pupil or the pupil's parent/guardian and pupil, determines that a pupil 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 designate will consider whether that pupil should be suspended, taking into account any mitigating and other factors that might be applicable in the circumstances.

The principal or designate will also contact the police consistent with the Police and School Response Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal or designate will consult with his or her Superintendent.

The infractions for which a suspension **may be imposed** by the principal or designate include:

- a) Uttering a threat to inflict serious bodily harm on another person;
- b) Possessing alcohol, illegal and/or restricted drugs;
- c) Being under the influence of alcohol;
- d) Swearing at a teacher or at another person in a position of authority;
- e) 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;
- f). Bullying;
- g) Any act considered by the principal or designate to be injurious to the moral tone of the school;
- h) Any act considered by the principal or designate to be injurious to the physical or mental well-being of any member of the school community; or
- i) Any act considered by the principal or designate to be contrary to the Board or school Code of Conduct.

A pupil 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.

2.1 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 designate will make every effort to consult with the pupil, where appropriate, and the pupil's parent(s)/guardian(s) (if the pupil is not an adult pupil) to identify whether any mitigating and/or other factors might apply in the circumstances.

2.1.1 Mitigating Factors

The mitigating factors to be considered by the principal or designate before deciding whether to impose a suspension are:

- a) Whether the pupil has the ability to control his or her behaviour;
- b) Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
- c) Whether the pupil'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 pupil does not have the ability to control his or her behaviour or does not understand the foreseeable consequences of his/her behaviour, the principal or designate will not suspend the pupil. Alternative discipline and/or other intervention may be considered by the principal or designate in such circumstances. If the pupil poses an unacceptable risk to the safety of others in the school, the principal or designate will consult with his/her Superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure safety of pupils, staff, and others in the school.

2.1.2 Other Factors to be Considered

Where the pupil is able to control his/her behaviour and is able to understand the foreseeable consequences of his/her behaviour, the principal or designate will 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 pupil:

- The pupil's academic, discipline and personal history;
- 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;
- 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 harassment for any other reason;
- The impact of the discipline on the pupil's prospects for further education;
- The pupil's age;
- 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; 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; and
- Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

2.1.3 Progressive Discipline

In reviewing whether progressive discipline approach(es) has/have been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure, the principal or designate will consider the following:

- a) Whether the teacher, principal or designate has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:
 - contact with the pupil's parent(s)/guardian(s);
 - oral reminders;
 - review of expectations;
 - written work assignments with a learning component;
 - assigning the pupil to volunteer services to the community;
 - conflict mediation and resolution;
 - peer mentoring;
 - referral to counselling; and/or
 - consultation.
- b) Whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:
 - meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal or designate;

- referral of pupil to a community agency for anger management or substance abuse counselling;
- detentions;
- withdrawal of privileges;
- withdrawal from class;
- restitution for damages;
- restorative practices; and/or
- transfer.

2.2 Factors Mitigating Decision to Suspend

In circumstances where one or more of the factors above mitigate the decision to apply a suspension as a form of discipline for the pupil, the principal or designate may consider whether alternative discipline and/or other intervention is appropriate in the circumstances.

2.3 Consultation

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

- a) The investigation undertaken;
- b) The circumstances of the incident;
- c) Whether or not one or more of the factors outlined above are applicable in the circumstances; and
- d) The appropriate length of the suspension.

2.4 School Work

A pupil who is subject to a suspension of five (5) or fewer school days must be provided with school work to complete at home while serving the suspension. The school work must be available to the adult pupil's designate or the pupil's parent/guardian or designate the day the pupil is suspended, if the pupil is suspended for one (1) school day. If this is not possible, the pupil must be given an opportunity to catch-up on missed school work as part of the re-entry process. Where the pupil has been suspended for two (2) or more school days the principal or designate will ensure that the school work provided to the pupil will be available the day the pupil is suspended or the following school day.

In addition to receiving school work for the first five (5) school days of suspension, a pupil who is subject to a suspension of six (6) or more school days must be assigned an Alternative Suspension Program. A pupil participating in an Alternative Suspension Program is not considered to be engaging in school or school-related activities.

2.5 Procedural Steps When Imposing a Suspension

Where a principal or designate has determined that it is appropriate in the circumstances to impose a suspension, the principal or designate is required to effect the following procedural steps:

- 2.5.1 Within 24-hours of the decision, the principal or designate must make all reasonable efforts to orally inform the adult pupil or the pupil's parent/guardian of the suspension;

- 2.5.2 The principal or designate must inform the pupil's teacher(s) of the suspension;
- 2.5.3 The principal or designate in conjunction with the pupil's teacher(s) must organize school work to be provided for the pupil to be completed during the duration of the pupil's suspension;
- 2.5.4 The principal or designate must provide written notice of the suspension to the pupil, the pupil's parent/guardian (unless the pupil is an adult pupil) and the Superintendent of Education;
- 2.5.5 The written notice of suspension will include:
- a) The reason for suspension;
 - b) The duration of the suspension;
 - c) Information about the Alternative Suspension Program the pupil is assigned to, where the pupil 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; (See suspension letter template attached as Appendix 1)
- 2.5.6 Every effort should be made to include the school work with the letter of suspension to the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her 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 pupil's designate or pupil'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.
- 2.5.7 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 pupil's Ontario Student Record. (See the Board's Violent Incident Form attached as Appendix 2)

2.6 Alternative Suspension Program

Where a pupil has been suspended for six (6) or more school days, the pupil will be provided with school work for the first five (5) school days or until the Student Action Plan is implemented and will be assigned an Alternative Suspension Program.

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

the adult pupil's designate or the pupil's parent/guardian or designate at regular intervals during the suspension period. Where school work has not been picked up, the school should contact the adult pupil or the pupil's parent/guardian to determine whether the school work will be picked up. The principal or designate should record the follow-up and response.

A Student Action Plan will be developed for every pupil subject to a suspension of six (6) or more school days who agrees to participate in an Alternative Suspension Program.

Agreement or refusal to participate in an Alternative Suspension Program may be communicated to the school orally by the adult pupil or the pupil's parent/guardian. Where the adult pupil or pupil's parent/guardian declines the offer to participate in an Alternative Suspension Program, the principal or designate shall record the date and time of such refusal.

2.7 Planning Meeting

For pupils subject to a suspension of six (6) or more school days who choose to participate in an Alternative Suspension Program, the principal or designate of the school or designate will hold a planning meeting for the purpose of developing the Student Action Plan.

- The adult pupil or pupil's parent/guardian and the pupil (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting.
- The planning meeting will be scheduled to occur within two (2) school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program.
- If the adult pupil or the pupil's parent/guardian is not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the Student Action Plan will be provided to them following the meeting.
- During the planning meeting the principal or designate will review the issues to be addressed in the pupil's Student Action Plan.

2.8 Student Action Plan

A pupil subject to suspension for eleven (11) or more school days will be provided with both academic and non-academic supports, which will be identified in the pupil's Student Action Plan. Pupils 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 Student Action Plan will be developed under the direction of the principal or designate of the school with assistance, as appropriate, from the vice-principal of the school, guidance counsellor, special education teacher, classroom teacher, and other community support agencies.
- The principal or designate will make every effort to complete the Student Action Plan within five (5) school days following the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program.
- This timeline will be communicated to the adult pupil and/or the pupil's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.
- The principal or designate must ensure that the pupil is provided with school work until the Student Action Plan is in place.

- Once completed, the Student Action Plan will be shared with the adult pupil, or the pupil's parent/guardian and the pupil and all necessary staff to facilitate implementation.
- A copy of the Student Action Plan will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.
- The Student Action Plan will identify:
 - a) The incident for which the pupil was suspended;
 - b) The progressive discipline steps taken prior to the suspension, if any;
 - c) Any alternative discipline measures imposed in addition to the suspension;
 - d) Any other disciplinary issues regarding the pupil that have been identified by the school;
 - e) Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 - f) Any program(s) or service(s) that might be provided to address those learning or other needs;
 - g) The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil;
 - h) Where the pupil has an IEP, information regarding how the accommodations/modifications of the pupil's academic program will be provided during the period of suspension;
 - i) The non-academic program and services to be provided to the pupil, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and
 - j) The measurable goals the pupil will be striving to achieve during the period of suspension.

2.9 Suspension Appeal Process

The adult pupil or the pupil'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 his/her intention to appeal the suspension within ten (10) school days of the commencement of the suspension.
- 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).

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

- Will promptly advise the school principal or designate of the appeal;
- Will promptly advise the adult pupil or the pupil's parent/guardian that a review of the suspension will take place and invite the appellant to contact him/her to discuss any matter respecting the incident and/or appeal of the suspension; (See the template letter at Appendix 3)
- Will review the suspension (reason, duration, any mitigating or other factors);
- May consult with the principal or designate regarding modification or expunging the suspension;
- Will request a meeting with the adult pupil or the pupil's parent/guardian and the principal or designate to narrow the issues

and try to effect a settlement, and arrange a date for the appeal before the Discipline Committee;

- Will, where a settlement is not effected, provide notice of the review decision to the adult pupil or pupil's parent/guardian. (See the template letter at Appendix 4)

2.9.2 Where the suspension is upheld on review and the adult pupil or pupil's parent/guardian chooses to continue with the appeal, the Superintendent of Education will:

- Coordinate the preparation of a written report for the Board. This report will contain at least the following components:
 - a) A report of the incident and rationale for suspension prepared by the principal or designate;
 - b) A copy of the original suspension letter;
 - c) A copy of the letter requesting the Suspension Appeal; and
 - d) A copy of the correspondence with respect to the decision of the Superintendent of Education regarding the suspension review.

2.9.3 Inform the adult pupil or the pupil's parent/guardian of the date of the Suspension Appeal; provide a guide to the process for the appeal, and a copy of the documentation that will go to the Discipline Committee. (See the letter template attached as Appendix 5)

2.9.4 Ensure that the item is placed on the Discipline Committee's agenda.

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

- The principal or designate; and
- The adult pupil or the pupil's parent/guardian, if they appealed the decision.

2.10 Suspension Appeal before the Discipline Committee of the Board

Suspension appeals will be heard orally, *in camera*, by the Discipline Committee of Trustees. The Discipline Committee may grant a person with daily care authority to make submissions on behalf of the pupil.

- a) The appellant and/or the person with daily care will proceed first by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired.
- b) The pupil will be asked to make a statement on his/her own behalf.
- c) The Superintendent of Education for the school and/or the principal or designate will make oral submissions on behalf of the administration, including a response to any issues raised in the appellant's submissions. The Superintendent/ principal or designate may rely on the report prepared for the Discipline Committee.
- d) The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the appellant.
- e) The Discipline Committee may ask any party, or the pupil, where appropriate, questions of clarification.

Legal counsel for the Board may be present at the appeal if the appellant is represented by legal counsel or an agent.

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 fails to attend the appeal or comply with the necessary time lines, 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 the decision to discipline and the discipline imposed was reasonable in the circumstances, and shall either:

- a) Confirm the suspension and its duration; or
- b) Confirm the suspension but shorten its duration and amend the record, as necessary; or
- c) Quash the suspension and order that the record be expunged; or
- d) Make such other appropriate order.

The decision of the Discipline Committee is final. The decision shall be communicated to the appellant in writing. (See the template letter at Appendix 6 and 6A)

2.11 Re-Entry

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

3.0. EXPULSION OF PUPIL

Subject to the *Factors to Consider Before Deciding to Impose a Suspension* below, reasonable grounds to believe that a pupil 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, the principal or designate will suspend the pupil.

The principal or designate will also contact the police consistent with the Police and School Response Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal or designate will consult with his or her Superintendent.

The enumerated activities are:

- a) Possessing a weapon, including possessing a firearm;
- b) Using a weapon to cause or to threaten bodily harm to another person;
- c) Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
- d) Committing sexual assault;
- e) Trafficking in weapons, illegal and/or restricted drugs;
- f) Committing robbery;
- g) Giving alcohol to a minor;

- h) An act considered by the principal or designate to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
- i) A pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
- j) Activities engaged in by the pupil on or off school property that cause the pupil'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;
- k) Activities engaged in by the pupil 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;
- l) The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper; or
- m) Any act considered by the principal or designate to be a serious violation of the Board or school Code of Conduct.

3.1 Factors to Consider Before Deciding to Impose a Suspension

When deciding whether or not to impose a suspension pending a possible recommendation for expulsion, the principal or designate 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 identify whether any mitigating factors might apply in the circumstances.

3.1.1 Mitigating Factors

The mitigating factors to be considered by the principal or designate before deciding whether to impose a suspension are:

- Whether the pupil has the ability to control his or her behaviour;
- Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
- Whether the pupil'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 pupil does not have the ability to control his or her behaviour and does not understand the foreseeable consequences of his/her behaviour, the principal or designate will not suspend the pupil. Alternative discipline and/or other intervention may be considered by the principal or designate in such circumstances.

If the pupil does not have the ability to control his or her behaviour and does not understand the foreseeable consequences of his/her behaviour, but poses an unacceptable risk to the safety of others in the school, the principal or designate will consult with his/her Superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure pupil and staff safety.

3.2 Suspension Pending Recommendation for Expulsion

If the pupil is to be suspended pending an investigation, the pupil should be suspended for (20) twenty school days. If the pupil has been suspended pending an investigation to determine whether the pupil will be recommended for expulsion, the principal or designate must assign the pupil to an Alternative Suspension Program.

If the pupil has been suspended for twenty (20) school days, the principal or designate must undertake an investigation to determine whether to recommend to the Discipline Committee that the pupil be expelled.

3.2.1 Procedural Steps When Imposing a Suspension

When imposing a suspension the principal or designate is required to effect the following procedural steps:

- Within 24-hours of the decision, the principal or designate must make all reasonable efforts to orally inform the adult pupil or the pupil's parent/guardian of the suspension;
- The principal or designate must inform the pupil's teacher(s) of the suspension;
- The principal or designate must provide written notice of the suspension to the adult pupil or the pupil's parent/guardian and pupil and the Superintendent of Education. The written notice of suspension will include:
 - a) The reason for suspension;
 - b) The duration of the suspension;
 - c) Information about the program for suspended pupils the pupil is assigned to;
 - d) Information about the investigation the principal or designate 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 or designate decides whether to recommend an expulsion, and if the principal or designate decides not to recommend an expulsion, a statement that the suspension may be appealed to the Discipline Committee, and if the principal or designate decides to recommend an expulsion that the suspension may be addressed at the expulsion hearing. (See the template letter at Appendix 7)
- Every effort should be made to include the school work with the letter of suspension to the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her 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 pupil's designate or the pupil's parent/guardian or designate to pick-up from the school the following school day.
 - (i) 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.
 - (ii) 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 pupil's Ontario Student Record. (See the Board's Violent Incident Form attached as Appendix 2)

3.2.2 Alternative Suspension Program

Where a pupil has been suspended pending an investigation to determine whether to recommend an expulsion, the pupil will be assigned to an Alternative Suspension Program.

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

A Student Action Plan will be developed for every pupil who agrees to participate in an Alternative Suspension Program.

Agreement or refusal to participate in an Alternative Suspension Program may be communicated to the school orally by the adult pupil or the pupil's parent/guardian. Where the pupil or his/her parent/guardian declines the offer to participate in an Alternative Suspension Program, the principal or designate shall record the date and time of such refusal.

3.2.3 Planning Meeting

For pupils subject to a suspension pending an investigation to determine whether to recommend an expulsion who choose to participate in an Alternative Suspension Program, the principal of the school or designate will hold a planning meeting for the purpose of developing a Student Action Plan.

- The adult pupil or the pupil's parent/guardian and pupil (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting.
- The planning meeting will be scheduled to occur within two (2) school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program.
- If the adult pupil or the pupil's parent/guardian are not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the Student Action Plan will be provided to them following the meeting.
- During the planning meeting the principal or designate will review the issues to be addressed in the pupil's Student Action Plan.

3.2.4 Student Action Plan

A pupil 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 pupil's Students Action Plan.

- The Student Action Plan will be developed under the direction of the principal or designate of the school with assistance, as appropriate, from the principal of alternative programs, vice-principal of the school,

guidance counsellor, special education teacher, classroom teacher, and other community support agencies.

- The principal or designate will make every effort to complete the Student Action Plan within five (5) school days following the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program.
- This timeline will be communicated to the adult pupil or the pupil's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.
- Once completed, the Student Action Plan will be shared with the adult pupil or the pupil's parent/guardian and pupil and all necessary staff to facilitate implementation.
- A copy of the Student Action Plan will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.
- The Student Action Plan will identify:
 - a) The incident for which the pupil was suspended;
 - b) The progressive discipline steps taken prior to the suspension, if any;
 - c) Any alternative discipline measures imposed in addition to the suspension;
 - d) Any other disciplinary issues regarding the pupil that have been identified by the school;
 - e) Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 - f) Any program(s) or service(s) that might be provided to address those learning or other needs;
 - g) The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil;
 - h) Where the pupil has an IEP, information regarding how the accommodations/modifications of the pupil's academic program will be provided during the period of suspension;
 - i) The non-academic program and services to be provided to the pupil during the suspension and details regarding how that non-academic program and those services will be accessed; and
 - j) The measurable goals the pupil will be striving to achieve during the period of suspension.

3.2.5 Principal or designee's Investigation

The principal or designate will conduct an investigation promptly following the suspension of the pupil to determine whether to recommend to the Discipline Committee that the pupil be expelled. As part of the investigation, the principal or designate 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 pupil be expelled. Should the decision be made to refer the pupil to the Discipline Committee with a recommendation for expulsion, the pupil 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 or designee's inquiry.

As part of the investigation, the principal or designate will:

- Make all reasonable efforts to speak with the adult pupil or the pupil's parent/guardian and the pupil;
- Include interviews with witnesses who the principal or designate determines can contribute relevant information to the investigation;
- Make every reasonable effort to interview any witnesses suggested by the pupil, or the pupil's parent/guardian; and
- Consider the mitigating and other factors when determining whether to recommend to the Discipline Committee that the pupil be expelled.

3.3 Mitigating Factors

The mitigating factors to be considered by the principal or designate before deciding whether to recommend an expulsion are:

- a) Whether the pupil has the ability to control his or her behaviour;
- b) Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
- c) Whether the pupil's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

3.3.1 Other Factors to be Considered

Where the pupil is able to control his/her behaviour and/or is able to understand the foreseeable consequences of his/her behaviour, the principal or designate will consider whether the following factors mitigate the length of a suspension and whether the pupil should be referred to the Discipline Committee on a recommendation for expulsion.

- The pupil's academic, discipline and personal history;
- 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;
- 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 to related harassment for any other reason;
- The impact of the discipline on the pupil's prospects for further education;
- The pupil's age;
- 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; 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; and
- Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

3.3.2 Progressive Discipline

In reviewing whether progressive discipline approach(es) has/have been attempted with the pupil, and if so, the progressive discipline

approach(es) that has/have been attempted and any success or failure, the principal or designate will consider the following:

- a) Whether the teacher, principal or designate has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:
 - contact with the pupil's parent(s)/guardian(s);
 - oral reminders;
 - review of expectations;
 - written work assignments with a learning component;
 - assigning the pupil to volunteer services to the community;
 - conflict mediation and resolution;
 - peer mentoring;
 - referral to counselling; and/or
 - consultation
- b) Whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:
 - meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal or designate;
 - referral of pupil to a community agency for anger management or substance abuse counselling;
 - detentions;
 - withdrawal of privileges;
 - withdrawal from class;
 - restitution for damages;
 - restorative practices; and/or
 - transfer.

3.4 Consultation

Before making a decision the principal or designate will make every effort to consult with the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil).

3.5 Decision Not to Recommend Expulsion

Following the investigation and consideration of the mitigating and other factors, if the principal or designate decides not to recommend to the Discipline Committee that the pupil be expelled, the principal or designate must:

- a) Consider whether alternative discipline is appropriate in the circumstances;
- b) Uphold the suspension and its duration;
- c) Uphold the suspension and shorten its duration and amend the record accordingly; or
- d) Withdraw the suspension and expunge the record.

If the principal or designate has decided not to recommend an expulsion of the pupil, the principal or designate will provide written notice of this decision to the adult pupil or the pupil's parent/guardian and pupil. The notice shall include:

- 3.5.1 A statement of the principal's or designee's decision not to recommend expulsion to the Discipline Committee;
- 3.5.2 A statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;

- 3.5.3 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 shortened, notice that the appeal from the shortened length of the suspension. (See the template letter at Appendix 8)

3.6 Recommendation to the Board for an Expulsion Hearing

If a principal or designate, in consultation with the Superintendent of Education, determines that a referral for expulsion is warranted, the principal or designate must refer the recommendation for expulsion to the Discipline Committee to be heard within twenty (20) school days from the date the principal or designate suspended the pupil, unless the parties to the expulsion hearing agree upon a later date.

For the purposes of the expulsion proceeding, the principal or designate will:

- 3.6.1 Prepare a report to be submitted to the Discipline Committee and provide the report to the pupil and the pupil's parent or guardian (unless the pupil is an adult pupil) prior to the hearing. The report will include;
- a) A summary of the findings the principal or designate made in the investigation;
 - b) An analysis of which, if any, mitigating or other factors might be applicable;
 - c) A recommendation of whether the expulsion should be from the school or from the Board; and
 - d) A recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.
- 3.6.2 Inquire with the Superintendent of Education as to the date and location of the hearing and provide written notice of the expulsion hearing to the adult pupil or the pupil's parent/guardian and pupil. The notice shall include:
- a) A statement that the pupil is being referred to the Discipline Committee to determine whether the pupil will be expelled for the activity that resulted in suspension;
 - b) A copy of the Board's guidelines and rules governing the hearing before the Discipline Committee;
 - c) A copy of the Board Code of Conduct and school Code of Conduct;
 - d) A copy of the suspension letter;
 - e) A statement that the pupil and/or his or her parent/guardian has the right to respond to the principal's or designee's report in writing;
 - f) Information about the procedures and possible outcomes of the expulsion hearing, including that:
 - (i) If the Discipline Committee does not expel the pupil they will; confirm, confirm and shorten, or withdraw the suspension;

- (ii) Parties have the right to make submissions with respect to the suspension;
 - (iii) Any decision with respect to the suspension is final and cannot be appealed;
 - (iv) If the pupil is expelled from the school, they will be assigned to another school;
 - (v) If the pupil is expelled from the Board, they will be assigned to a program for expelled pupils;
 - (vi.) If the pupil is expelled there is a right of appeal to the Child and Family Services Review Board.
- g) The name and contact information for the Superintendent of Education. (See the template letter at Appendix 9)

3.6.3 The Superintendent of Education will:

- Advise the Director of Education and the Trustee(s) for the school involved of the general details of the incident, including actions taken or pending; and
- Submit the principal's or designee's report for the Discipline Committee to the Director of Education
- May arrange a meeting with the adult pupil or the pupil's parent/guardian and pupil and the principal or designate, as appropriate.
 - a) If a meeting is arranged, the Director of Education will review the Discipline Committee process for expulsion hearings, as well as respond to any questions or concerns the pupil or the pupil's parent/guardian may have regarding the process or incident; and
 - b) If a meeting is arranged, during the meeting the Director of Education may assist to narrow the issues and identify agreed upon facts.
- Will ensure that the item is placed on the Discipline Committee agenda for the date and time set out on the notice to the adult pupil or the pupil's parent/guardian and co-ordinate the attendance of the Trustees.
- Will prepare a package of documents for the Discipline Committee, which will include at least the following components:
 - a) A copy of the Principal's Report; and
 - b) A copy of the notice of expulsion sent to the adult pupil or pupil's parent/guardian.
- Will confirm with the adult pupil or the pupil's parent/guardian the date and location of the expulsion hearing, will provide a copy of the Expulsion Hearing Rules, and a copy of the package to go to the Discipline Committee.

3.6.4 Hearing before the Discipline Committee

If the principal or designate recommends expulsion, the Discipline Committee shall hold a hearing.

Parties before the Discipline Committee will be:

- a) The principal or designate; and
- b) The adult pupil or the pupil's parent/guardian.

If a pupil is not a party, s/he has the right to be present at the expulsion hearing and to make submissions on his/her own behalf. The Discipline

Committee may grant a person with daily care authority to make submissions on behalf of the pupil.

The hearing will be conducted in accordance with the Rules of the Discipline Committee and the Guideline for Expulsion Hearings:

- The Discipline Committee shall consider oral and written submissions, if any, of all parties;
- 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 a school expulsion or a Board expulsion;
- 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
- Such other matters as the Discipline Committee considers appropriate.

3.6.5 In determining whether to impose an expulsion the Discipline Committee shall consider the following factors:

- The mitigating and other factors:
 - a) Whether the pupil has the ability to control his or her behaviour;
 - b) Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour;
 - c) Whether the pupil'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 pupil's academic, discipline and personal history;
 - e) 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;
 - f) 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 to related harassment for any other reason;
 - g) The impact of the discipline on the pupil's prospects for further education;
 - h) The pupil's age;
 - i) Where the pupil has an IEP or disability related needs,
 - (i) Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - (ii) Whether appropriate individualized accommodation has been provided; and
 - (iii) Whether an expulsion is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether an expulsion is likely to result in a greater likelihood of further inappropriate conduct; and
 - j) Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.
- The submissions and views of the parties.
- Any written response to the principal's or designee's report provided before the completion of the hearing; and
- 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 pupil committed the infraction, the Discipline Committee may request further evidence as set out in the Expulsion Hearing Rules, **subject to the requirement that the hearing take place**

within 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 pupil committed the infraction.

3.6.6 No Expulsion

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

- Consider whether alternative discipline is appropriate in the circumstances;
- Uphold the suspension and its duration;
- Uphold the suspension and shorten its duration and amend the record accordingly;
- Quash the suspension and expunge the record such that no record of the suspension remains in the Ontario Student Record; or
- 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.

3.6.7 Expulsion

In the event the Discipline Committee decides to impose an expulsion on the pupil, the Discipline Committee must decide whether to impose a Board expulsion or a school expulsion. In determining the type of the expulsion, the Discipline Committee shall consider the following factors:

- The mitigating and other factors:
 - a) Whether the pupil has the ability to control his or her behaviour;
 - b) Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour;
 - c) Whether the pupil'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 pupil's academic, discipline and personal history;
 - e) 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;
 - f) 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 to related harassment for any other reason;
 - g) The impact of the discipline on the pupil's prospects for further education;
 - h) The pupil's age;
 - i) Where the pupil has an IEP or disability related needs,
 - (i) Whether the behaviour causing the incident was a manifestation of the pupil's disability;

- (ii) Whether appropriate individualized accommodation has been provided; and
- (iii) Whether a school or Board expulsion is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether it is likely to result in a greater likelihood of further inappropriate conduct; and
- j) Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school;
- All submissions and views of the parties;
- Any written response to the principal's or designee's report provided before the completion of the hearing; and
- Such other matters as the Discipline Committee considers appropriate.

Where the Discipline Committee decides to impose a school expulsion, then the Discipline Committee must assign the pupil to another school. Where the Discipline Committee decides to impose a Board expulsion, then the Discipline Committee must assign the pupil to a program for expelled pupils.

The Discipline Committee must promptly provide written notice of the decision to expel the pupil to all parties, and the pupil, if he or she was not a party.

The written notice shall include:

- The reason for the expulsion;
- A statement indicating whether the expulsion is a school expulsion or a Board expulsion;
- Information about the school or program to which the pupil has been assigned; and
- Information about the right to appeal the expulsion, including the steps to be taken. (See the template letter at Appendix 10 and 10 A)

Once the principal or designate has received notice that a pupil has been expelled, s/he must create a Student Action Plan in a manner consistent with the Board's policy and procedures for programs for expelled pupils.

An expelled pupil is a pupil of the Board, even where s/he attends a program for expelled pupils at another school board, unless s/he does not attend the program or registers at another school board.

3.6.8 Re-entry Requirements Following an Expulsion

A pupil who is subject to a Board expulsion is entitled to apply in writing for re-admission to a school of the Board once s/he has successfully completed a program for expelled pupils and has satisfied the objectives required for completion of the program, as determined by the person who provides the program.

The Board shall re-admit the pupil and inform the pupil in writing of the re-admission.

A pupil who is subject to a school expulsion may apply in writing to the Board to be re-assigned to the school from which s/he was expelled.

- The Board will consider whether re-attendance will have a negative impact on the school climate, including on any victims, where applicable;
- The pupil will be required to demonstrate that they have learned from the incident and have sought counselling, where appropriate;
- The pupil will be required to sign a Declaration of Performance form provided by the Board (See Appendix 11);
- The Board, in its sole discretion, may determine that a different school than the one from which the pupil was expelled is a more appropriate placement for the pupil.

3.69 Appeal of Board Decision to Expel

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

The Child and Family Services Review Board is designated to hear and determine appeals of school Board decisions to expel pupils.

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

Also: See Appendix 12
Flowchart of Procedures for Progressive Discipline and School Safety

Suspension Letter

(on the Letterhead of the School)

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/has] been suspended from [Name of School] and from engaging in all school related activities from [Effective Date of Suspension] to [Last Day of Suspension] inclusive, i.e. [number] school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips. [You/Pupil's Name] may return to school on [Date] at [Time]. [You/Pupil's Name] must report to the office before returning to school.

This suspension is imposed in accordance with the *Education Act*, the Board's Progressive Discipline and School Safety Policy and [Name of School] Code of Conduct.

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

School work [has been delivered to you / is available at the office]; please make arrangements to have it picked up.

***If the suspension is six (6) school days or longer**

*In addition [you/pupil's name] [have/has] been assigned an Alternative Suspension Program, a program for suspended pupils. 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 [your/pupil's] participation in an Alternative Suspension Program at your earliest opportunity by contacting the School. As soon as notice of [your/pupil's] participation is received a planning meeting will be scheduled.

Should you wish to appeal this suspension, you must provide written notice of your intention to appeal to the Superintendent of Education, [Contact Information], within 10 school days of the commencement of the suspension, i.e. before [Insert Date]. You may then contact the Superintendent of Education to discuss the appeal. Please be aware that an appeal does not stay the suspension.

A copy of the Board's Progressive Discipline and School Safety Policy and a Procedure and Suspension Appeal Guideline are enclosed. These documents are also available on the board website at www.sqdsb.on.ca.

Sincerely,

[Principal Name]

Encl.

cc Teacher(s) of pupil
Superintendent of Education
Ontario Student Record

SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

VIOLENT INCIDENT FORM

School: _____ Incident Date: _____ Completed By: _____
 Student Name: _____ Date of Birth: mm/dd/yy _____ Male Female

SECTION A: Incident Information (Check applicable incident(s))

| | |
|--|--|
| <input type="checkbox"/> Possession of dangerous weapon(s) | <input type="checkbox"/> Sexual assault |
| <input type="checkbox"/> Threats of physical injury involving weapons | <input type="checkbox"/> Robbery and extortion |
| <input type="checkbox"/> Physical assaults causing serious bodily harm | <input type="checkbox"/> Vandalism causing extensive damage to school property |

SECTION B: Further details of the incident
 (i.e.: other individuals involved, repetitive nature of behaviour, location, witnesses, mitigating factors, etc.)

SECTION C: Police Contact

| | | |
|--------------------------------|---|--------------------------------------|
| 1. Date of Contact mm/dd/yy | 2. Date of police investigation at school mm/dd/yy | 3. Name of investigating officer(s): |
|--------------------------------|---|--------------------------------------|

SECTION D: School/Board Response

| | | |
|--|---------------------------------------|---|
| 1. <input type="checkbox"/> Suspension | 2. <input type="checkbox"/> Expulsion | 3. <input type="checkbox"/> Other _____ |
| Date of inclusion in OSR mm/dd/yy | Principal's/Designate's Signature | |

- cc:
- | | |
|--|---|
| <input type="checkbox"/> Parent/Guardian | <input type="checkbox"/> Attendance Counsellor |
| <input type="checkbox"/> Pupil | <input type="checkbox"/> Guidance Counsellor |
| <input type="checkbox"/> Director of Education | <input type="checkbox"/> Ontario Student Record |
| <input type="checkbox"/> Other: _____ | |

Guidelines from the Ministry of Education's *Violence-Free School Policy*

1.0 This report shall be removed from the student's OSR after three years if no further suspension for a violent incident occurs during that time that is reported to the police.

2.0 If the student transfers to another school this form will remain in the OSR unless removed under 1.0.

3.0 If the student is expelled for violent behaviour this form shall be removed from the OSR five years after the student retires. The Board's expulsion letter, however, will remain in the OSR for the life of the OSR.

This information is collected under the authority of Section 265(i) of the EDUCATION ACT for the purpose of reporting to the Ministry of Education incidents of violence resulting in suspension or expulsion that involved reporting to the police.



SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

P.O. Bag 'A', 12 Hemlo Drive
Marathon, Ontario P0T 2E0
Telephone: 807-229-0436 Fax: 807-229-1471
E-Mail: boardoffice@sgdsb.on.ca

Notice of Suspension Review
(on the Letterhead of the Board)

[Date]

[Adult Pupil/Parent/Guardian]
[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Notice of Suspension Review of [Pupil's Name], [DOB] from [Name of School]

I am in receipt of your notice of intention to appeal [your/Pupil's Name] suspension from [Name of School], dated [insert date]. [You/Pupil's Name] [were/was] suspended for [insert number] school days for [insert infraction applicable].

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

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

Sincerely,

Superintendent of Education

cc Principal of the School



SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

P.O. Bag 'A', 12 Hemlo Drive
Marathon, Ontario P0T 2E0
Telephone: 807-229-0436 Fax: 807-229-1471
E-Mail: boardoffice@sgdsb.on.ca

Suspension Review Decision
(on the Letterhead of the Board)

[Date]

[Adult Pupil/Parent/Guardian]
[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension Review of Suspension of [Pupil's Name], [DOB] from [Name of School]

I have completed my review of [your/pupil's name] suspension from [Name of School]. As a result of my review I have decided to [expunge/modify/uphold] the suspension.

I will contact you to discuss the results of my review and your appeal.

Sincerely,

Superintendent of Education

cc: Principal of the School
Ontario Student Record



SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

P.O. Bag 'A', 12 Hemlo Drive
Marathon, Ontario P0T 2E0
Telephone: 807-229-0436 Fax: 807-229-1471
E-Mail: boardoffice@sgdsb.on.ca

Notice of Suspension Appeal
(on the Letterhead of the Board)

[Date]

[Adult Pupil/Parent/Guardian]
[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Appeal of Suspension of [Pupil's Name], [DOB] from [Name of School]

You have appealed the decision of Principal [Name] to suspend [you/pupil's name] from [Name of School].

The Appeal will be heard by the Discipline Committee of the Board of Trustees at [insert time and date] at [insert location].

You will find enclosed a copy of the Information Package that will be relied on by the administration for the Board and will be provided to the Discipline Committee. The Information Package includes a copy of the suspension letter, your letter requesting the appeal, correspondence with respect to the suspension review and the Principal's Report of the Incident. Also enclosed please find a copy of the Board's Suspension Appeal Guidelines.

Please advise me at your earliest opportunity if you intend to bring legal representation to the appeal. Please be advised that if you fail to attend on time, the Discipline Committee will wait for 30 minutes and may then proceed to decide the matter in your absence.

Should you have any questions about the appeal process, please contact me [contact information].

Sincerely,

Superintendent of Education

cc: Principal of the School
Ontario Student Record



SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

P.O. Bag 'A', 12 Hemlo Drive
Marathon, Ontario P0T 2E0
Telephone: 807-229-0436 Fax: 807-229-1471
E-Mail: boardoffice@sgdsb.on.ca

Suspension Appeal Decision
(on the Letterhead of the Board)

[Date]

[Adult Pupil/Parent/Guardian]
[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Decision of Discipline Committee
Suspension Appeal of [Pupil's Name], [DOB] from [Name of School]

Attached, please find a copy of the Decision of the Discipline Committee regarding your suspension appeal, 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,

Superintendent Education

Encl.

cc: Principal of the School
Ontario Student Record



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Suspension Appeal Decision of the Discipline Committee
[on the letterhead of the Board]

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 [Pupil Name], a pupil 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 pupil] and [Principal Name] as Principal of [School Name];

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

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 [number] school days and amend the record accordingly / quash the suspension and expunge the record / confirm the suspension but expunge the record on [insert date or event]].

THE DECISION OF THE DISCIPLINE COMMITTEE is final.

DATED this _____ OF _____, _____ and signed on behalf of the Discipline

Day Month Year

Committee and Board of Trustee by the Chair of the Discipline Committee.

Superior-Greenstone District School Board

Signed By: _____
Chairperson

Suspension Pending Possible Recommendation for Expulsion

[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/has] been suspended from [Name of School] and from engaging in all school related activities from [Effective Date of Suspension] to [Last Date of Suspension] inclusive, i.e. twenty (20) school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips.

Please be advised that this suspension is made in accordance with the *Education Act*, the Board's Safe School Policy and [Name of School] Code of Conduct.

The reason for the suspension is [use the infraction applicable]. Namely, my findings indicate that [you/Pupil's Name] [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 the Board of Trustees that [you/Pupil's Name] be expelled. The investigation may include [... refer to Checklist and identify your next steps...]. An expulsion may be from [Name of 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 pupils. [You/Pupil's name] [have/has] been assigned to an Alternative Suspension Program, a program for suspended pupils. An Alternative Suspension Program provides pupils with the opportunity to continue academic work and receive support for self-management. Please find enclosed information about Alternative Suspension Programs. Please contact the School at your earliest opportunity to confirm [your/pupil's participation] in an Alternative Suspension Program. As soon as notice of [your/pupil's] 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 of Trustees. 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,

[School Principal Name]

Encl.

cc: Superintendent of Education
Ontario Student Record

Decision Letter Not to Recommend Expulsion

[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: [Pupil's Name], [DOB] [Name of School] - Expulsion Not Recommended

I am writing to you to report the result of my investigation following [your/ pupil's name] suspension. I have decided not to recommend to the Discipline Committee that [you/pupil's name] be expelled.

As part of my investigation, I have reviewed [your/pupil's name] 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].

[*Unless the suspension is withdrawn:] Should you wish to appeal the suspension, you must provide written notice of your intention to appeal the suspension to the Superintendent Responsible for Student Discipline, [contact information], within 5 school days of the receipt of this notice, i.e. before [insert date - by courier or mail is 10 school days from date of this letter; by e-mail or fax is 6 school days from date of this letter].

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

A copy of the Board's Progressive Discipline and School Safety Policy and the Procedures and Suspension Appeal Guideline are enclosed. These documents are also available on the board website at www.sqdsb.on.ca .

Sincerely,

[School Principal Name]

Encl.

cc: Superintendent of Education
Ontario Student Record

Notice of Recommend for Expulsion

[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: [Pupil's Name], [DOB], [Name of School] Investigation

I am writing to you following my investigation to determine whether to recommend an expulsion. As a result of my investigation, I have decided to recommend to the Discipline Committee of the Board of Trustees that [you/pupil's name] be expelled.

A copy of my Report to the Discipline Committee Recommending Expulsion is enclosed. You may respond to this Report in writing to the Discipline Committee or to me. A copy of your written submissions should be provided to the Superintendent of Education [insert contact information].

The hearing by the Discipline Committee to decide whether [you/pupil's name] should be expelled will be held on [date] at [location] [to be determined by the Superintendent of Education]. Enclosed please find [copies /excerpts] of the Board's Progressive Discipline and School Safety Policy, the Progressive Discipline and School Safety Procedures, Expulsion Hearing Guidelines and Discipline Committee Rules.

You will be provided with an opportunity to make a presentation to the Discipline Committee about whether [you/pupil's name] should be expelled, and whether, if [you/pupil's name] [are/is] expelled, [you/s/he] should be expelled from [School Name] or from all schools of the Board and, if no expulsion is imposed, your position with respect to the suspension.

The Discipline Committee will determine whether [you/pupil's name] should be expelled, and whether [your/pupil's name] expulsion should be from [School Name] or from all of the schools of the Board.

If [you/pupil's name] [are/is] expelled from [School Name], the Discipline Committee will assign [you/pupil's name] to a program provided at another school of the Board. If [you/pupil's name] [are/is] expelled from all schools of the Board, the Discipline Committee will assign [you/pupil's name] to a program for expelled pupils.

Information about both the program that will be provided at another school and the program for expelled pupils is enclosed. Both the program that will be provided at another school and the program for expelled pupils will provide [you/pupil's name] with an opportunity to pursue academic work and receive additional supports.

Should the Discipline Committee decide not to expel [you/pupil's name], the Discipline Committee will review the suspension. The Discipline Committee may confirm the suspension, confirm but shorten the

Notice of Recommend for Expulsion

Date:

Page: 2

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. You may bring legal counsel to represent you before the Discipline Committee, which might be funded by Legal Aid, depending upon your circumstances. If you intend to bring legal counsel, please provide the Superintendent Responsible for Student Discipline with notice at your earliest opportunity.

Please note that the Discipline Committee will wait for thirty (30) minutes for your arrival on [Month], [Day], [Year] and, should you fail to attend in a timely manner, the Discipline Committee may proceed in your absence.

The Superintendent of Education, [Name and Contact Information], will contact you to review the hearing process and answer any questions that you might have.

Sincerely,

[School Principal Name)

Encl.

cc: Superintendent of Education
Ontario Student Record



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Expulsion Decision

[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Decision of Discipline Committee Expulsion Hearing
[Pupil Name], [DOB], [Name of School]

Re: Expulsion Decision

Attached, please find the Decision of the Discipline Committee, dated [insert date].

Should you wish to appeal this decision, you may contact the Child and Family Services Review Board at 416-327-4673 or 1-888-728-8823 within 30 days of receipt of this notice.

If the pupil has been expelled: Please also find attached information regarding the educational program offered by the Board at [insert name of alternative school / program for students expelled from all schools of the Board].

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

Sincerely,

Superintendent of Education

Encl.

cc: Principal of School
Ontario Student Record



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Recommendation for Expulsion Decision of the Discipline Committee
[on the letterhead of the Board]

RECOMMENDATION for EXPULSION DECISION

[Superior-Greenstone District School Board

IN THE MATTER OF Section 311.3
of the *Education Act*, as amended

-and-

IN THE MATTER OF a recommendation by
[Name of Principal], [School Name] for the expulsion of
[Pupil Name], a pupil of [School Name]

DECISION

UPON being satisfied that the Discipline Committee 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 pupil] and [Principal 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 any 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 [School Name] and assign the pupil to an educational program at [School Name] for the following reason:[INSERT REASON FOR EXPULSION]

*OR

THE DISCIPLINE COMMITTEE does hereby impose an expulsion from all schools of the Board; assign the pupil to the program for expelled pupils; and require that the pupil successfully complete and meet the objectives of the program for expelled pupils before being re-admitted to a regular day school program in Ontario for the following reason:[INSERT REASON FOR EXPULSION].

*OR

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

DATED this _____ OF _____, _____ and signed on behalf of the Discipline
Day Month Year

Committee and Board of Trustee by the Chair of the Discipline Committee.

Superior-Greenstone District School Board

Signed By: _____
Chairperson

Declaration of Performance

[on the Letterhead of the School]

[Date]

[Pupil Name]

I agree to comply with the following expectations on my return as a student to [insert the name of School]:

1. I agree to comply with the expectations of the [insert name of school] Code of Conduct and the [insert board] Code of Conduct.
2. I agree to work diligently in a positive manner and to be attentive to my teachers and classmates in an effort to accomplish the goals of my educational program.
3. I agree to be punctual and prepared for class.
4. I agree to be active and participate in the extra-curricular life of the School.
5. [insert if applicable] I agree to seek guidance and ask for help from School staff when I feel overwhelmed or anxious.
6. [insert if applicable] I agree to seek assistance from School staff when needed in order to assist me to solve problems in a constructive manner.
7. [insert if applicable] I agree to refrain from [insert one or more: using violence/restricted substances to solve my problems].

Signature [Insert name of student]

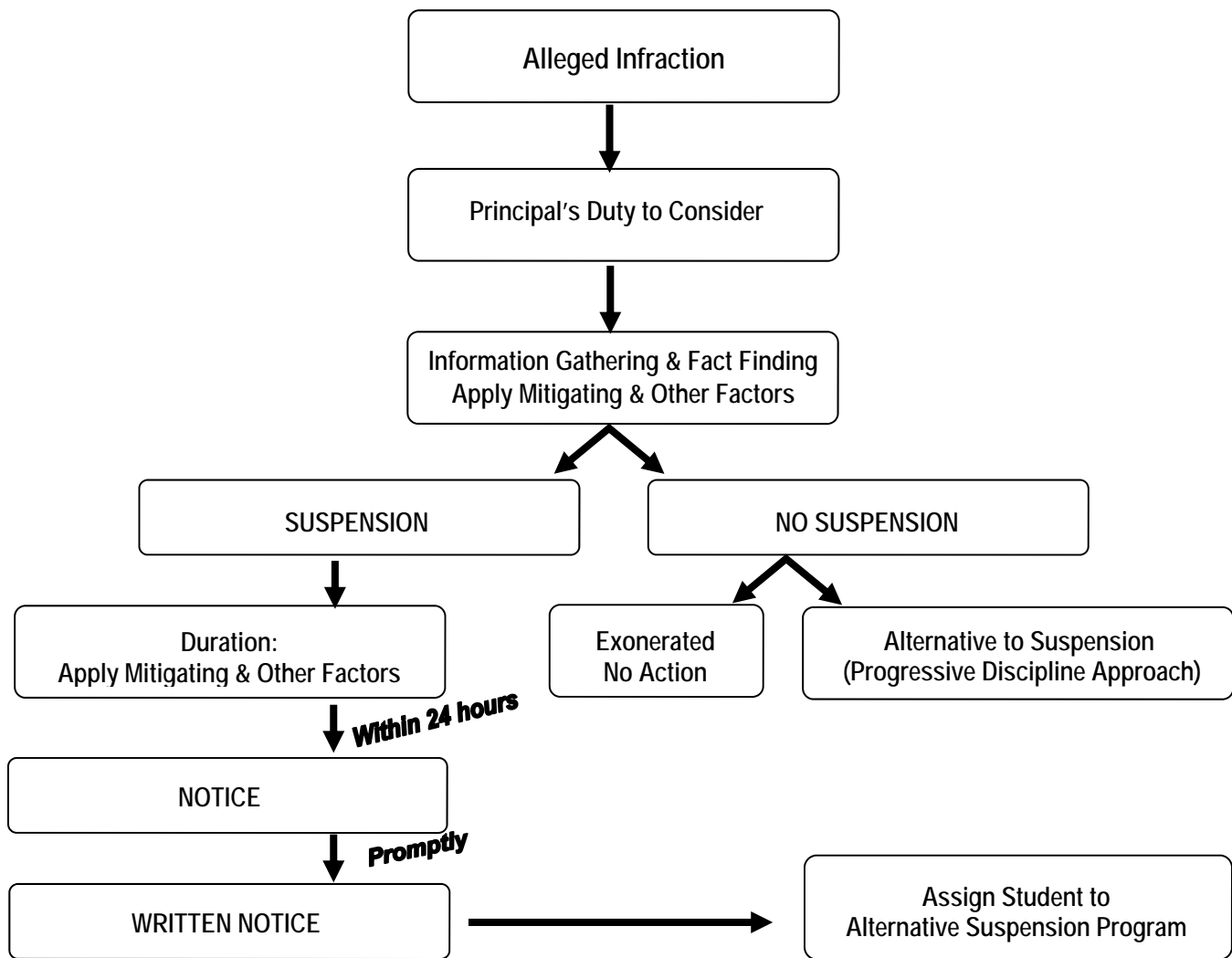
Date

535 – Management Guideline Progressive Discipline and School Safety

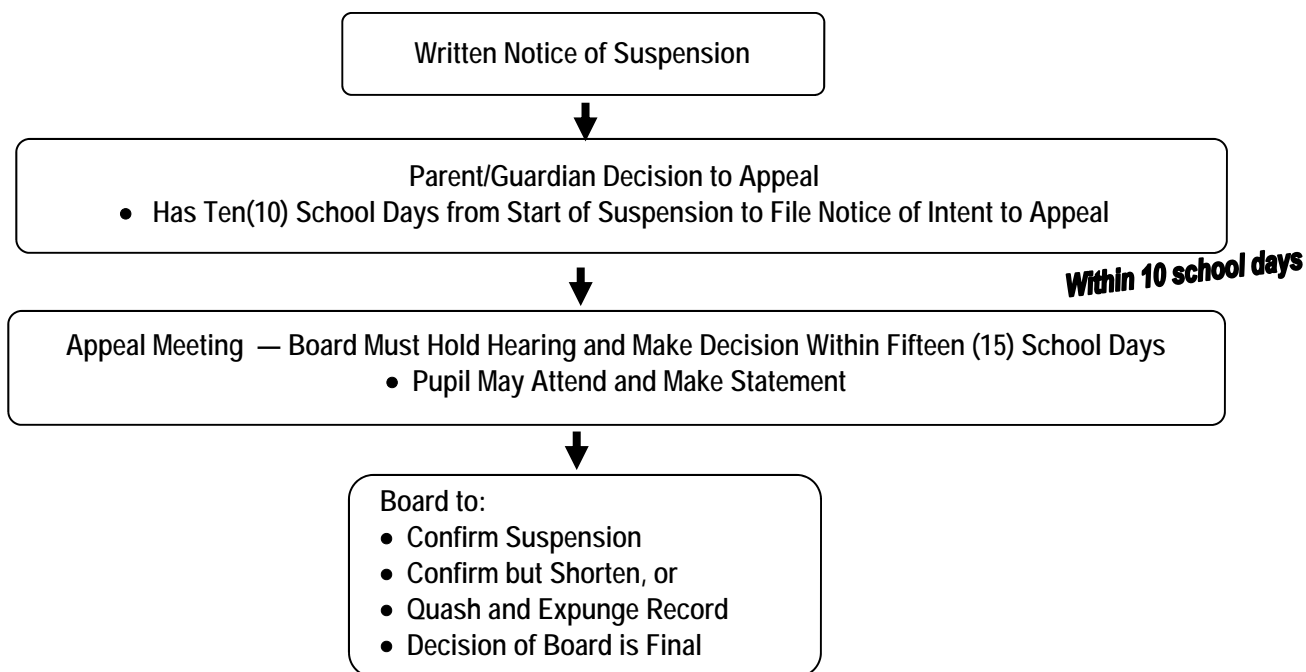
Procedures Flowchart

(see following pages as Appendix 12)

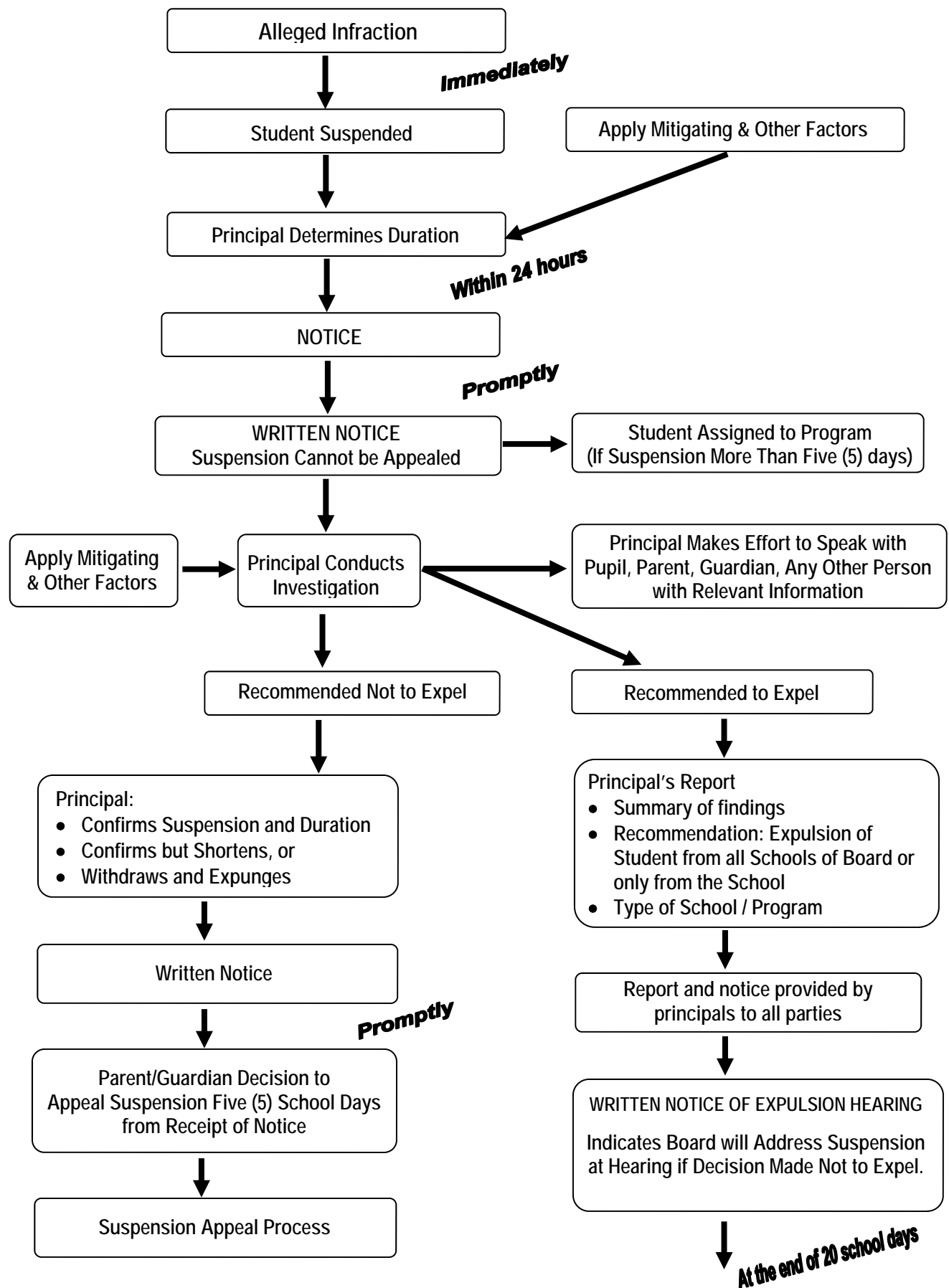
SUSPENSION



SUSPENSION APPEALS



SUSPENSION PENDING EXPULSION INVESTIGATION



EXPULSION HEARING

